



Southern Grampians
SHIRE COUNCIL

Council Meeting Minutes

Ordinary Meeting
9 September 2020

Held virtually at 5.30pm via Zoom.

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The Meeting opened at 5.30pm

1 Present

Councillors

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

Officers

Mr Michael Tudball, Chief Executive Officer
Ms Evelyn Arnold, Director Community and Corporate Services
Mr Andrew Goodsell, Director Planning and Development
Mr David Moloney, Director Shire Infrastructure

2 Welcome and Acknowledgement of Country

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

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

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

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 led the meeting in a prayer.

4 Apologies

Cr Cathy Armstrong

5 Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 12 August 2020 be confirmed as a correct record of business transacted.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Calvano

That the Minutes of the Ordinary Meeting of Council held on 12 August 2020 be confirmed as a correct record of business transacted.

CARRIED

6 Declaration of Interest

Cr Sharples and Cr Brown declared a conflict of interest in item 10.11, Footpath Trading Permits.

7 Questions on Notice

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

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

Questions must:

1. Not pre-empt debate on any matter listed on the agenda of the Ordinary Meeting at which the question is asked
2. Not refer to matters designated as confidential under the Local Government Act 1989.
3. Be clear and unambiguous and not contain argument on the subject.
4. Not be derogatory, defamatory or embarrassing to any Councillor, member of staff, ratepayer or member of the public, nor relate to a matter beyond the power of Council.

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

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

There were 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 Ordinary Meeting of Council.

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 Ordinary Council Meeting. One copy will be made available to the local media representative, if requested.

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

There was one Public Deputation listed on tonight's agenda.

8.1 Stewart and Meredith Otton

A Request to Speak to an Item has been received regarding item 10.10 Planning Application TP/57/2020 – 63-65 Mt Napier Road Hamilton.

This request will be heard immediately prior to item 10.10.

9 Records of Assemblies of Councillors

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

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

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

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

which considers matters that are intended or likely to be:

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

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

An Assembly of Councillors record was kept for:

- Briefing Session – 12 August 2020
- Briefing Session – 26 August 2020

This agenda was prepared on 2 September 2020. Any Assemblies of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Ordinary Meeting of Council.

RECOMMENDATION

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

COUNCIL RESOLUTION

MOVED: Cr Rainsford
SECONDED: Cr McAdam

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

CARRIED

Southern Grampians Shire Council

ASSEMBLY OF COUNCILLORS

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	12 August 2020
Location:	Virtual – Zoom
Councillors in Attendance:	Cr Chris Sharples, Mayor Cr Colin Dunkley, Deputy Mayor Cr Cathy Armstrong Cr Mary-Ann Brown Cr Albert Calvano Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Andrew Goodsell, Director Planning and Development David Moloney, Director Shire Infrastructure Darren Barber, Manager Organisational Development Karly Saunders, Governance Coordinator Hugh Koch, Manager Economic Development and Tourism Daryl Adamson, Strategic Major Projects Coordinator Amy Knight, Manager Cultural Arts Sherie Bain, Regulatory Services Coordinator

The Assembly commenced at 1:15pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Walk Along the Wannon Steering Committee Proposal	Nil
2	Matters Raised by Council <ul style="list-style-type: none"> Kevin Thomas Community Service Recognition 	Nil

3	Council Meeting Items <ul style="list-style-type: none">• Delegated Committees• Petition - Rates	Nil
4	Malcolm Fraser Bust	Nil
5	Economic Migration Program	Nil
6	Public Transparency Policy	Nil
7	S6 Instrument of Delegation and s11 Instrument of Authorisation	Nil
8	Coleraine Road Landscaping	Nil
9	Art Gallery Project	Nil
10	NRM Service Review	Nil

The Assembly concluded at 5:00pm.

Southern Grampians Shire Council

ASSEMBLY OF COUNCILLORS

ASSEMBLY DETAILS	
Title:	Council Briefing Session
Date:	26 August 2020
Location:	Virtual - Zoom
Councillors in Attendance:	Cr Chris Sharples, Mayor Cr Colin Dunkley, Deputy Mayor Cr Cathy Armstrong Cr Mary-Ann Brown Cr Albert Calvano Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	David Moloney, Acting Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Andrew Goodsell, Director Planning and Development StJohn Lees, Acting Director Shire Infrastructure Darren Barber, Manager Organisational Development Karly Saunders, Governance Coordinator Lachy Patterson, Manager Community Relations Rohit Srivastava, Manager Assets Hugh Koch, Manager Economic Development and Tourism\

The Assembly commenced at 12:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor Only Meeting	Nil
2	Meeting with Petition Organisers – Fairness for Rural Ratepayers	Nil
3	Matters Raised by Councillors	Nil
4	Budget Allocations	Nil

5	ARC External Member	Nil
6	Community Asset Committees	Nil
7	C55sgra Dunkeld PAO Amendment	Nil
8	Kangaroo Harvesting	Nil
9	Greater Grants	Nil
10	Hamilton Landfill Capping Stage 5&6	Nil
11	Brown Street Lift	Nil
12	Coleraine Landfill Remediation	Nil
13	Planning Permit TP/57/2020 63-65 Mr Napier Road, Hamilton	Nil
14	Grampians Tourism Funding Request	Nil
15	Long Term Plant Hire	Nil

The Assembly concluded at 4:35pm

10 Management Reports

10.1 Audit & Risk Committee Third External Appointment

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Evelyn Arnold, Director Community and Corporate Services
Attachments: None

Executive Summary

Council's Audit and Risk Committee is established in accordance with section 53 of the Local Government Act 2020.

This report recommends the appointment of Ms Aisling Cunningham as a third external member to the Audit and Risk Committee for the term of 3 years which would expire on 9 September 2023.

Discussion

Council's Audit and Risk Committee is established in accordance with section 53 of the Local Government Act 2020. The membership of the committee currently consist of two external members and two Councillors.

Section 53 3 (a) and (b) of the Local Government Act 2020 (the Act) requires that;

“(3) An Audit and Risk Committee must—

- (a) include members who are Councillors of the Council; and
- (b) consist of a majority of members who are not Councillors of the Council”

In addition, the Audit & Risk Committee Charter allows for;

“Independent members shall be appointed for a term of three years, after which time Council can choose to exercise an option to renew the appointment for another term. Independent members can only serve for two consecutive terms without public advertisement.”

An expression of interested was advertised and Ms Aisling Cunningham supplied an application. She brings significant experience to the committee and the effective management and mitigation of risk within a corporate environment.

Financial and Resource Implications

There are no financial or resource implications resulting from the recommendation in this report.

Legislation, Council Plan and Policy Impacts

Local Government Act 2020 Section 53

Risk Management

The primary objective of the Audit & Risk Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a

reliable system of internal controls and compliance and facilitating the organisation's governance development.

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

Environmental and Sustainability Considerations

There are no environmental or sustainability implications resulting from the recommendation in this report.

Community Consultation and Communication

Appointment of independent persons to the Audit & Risk Committee ensures an objective and external view of Council financial and organisational risk. Mr Densem was consulted with directly as were the Audit and Risk committee in general.

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 appoint Ms Aisling Cunningham as a third external member of the Audit & Risk Committee for a term of three years concluding on 9 September 2023.

COUNCIL RESOLUTION

MOVED: Cr Rainsford
SECONDED: Cr Dunkley

That Council appoint Ms Aisling Cunningham as a third external member of the Audit & Risk Committee for a term of three years concluding on 9 September 2023.

CARRIED

10.2 Draft 2019 - 2020 Financial & Performance Statements

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Belinda Johnson, Manager Finance
Attachments: 1. Annual Financial Report 2019/2020
2. Performance Statement 2019/2020
3. Governance and Management Checklist 2019/2020

Executive Summary

The *Local Government Act 1989* (LGA) requires that Council must pass resolutions giving approval in principle to the annual financial and performance statements and the Local Government Performance Reporting Framework Governance and Management Checklist, and authorise two Councillors to certify the statements in their final form after any changes recommended or agreed to by the Auditor General have been made.

It is recommended that the Cr Dunkley and Cr Rainsford as the councillor members of the Audit & Risk Committee, be authorised to certify the statements.

Discussion

The financial statements form part of Council's Annual Report. The Financial Statements, Performance Statement and Governance & Management Checklist are each prepared in accordance with the requirements of the LGA and the applicable accounting standards.

They are audited by McLaren Hunt on behalf of the Auditor General Victoria and presented to Council's Audit and Risk Committee. When finalised they are formerly certified by the Auditor General. The statements are also signed by the Chief Executive Officer and the Principal Accounting Officer.

Draft statements have been audited by McLaren Hunt and presented to the Audit & Risk Committee on 1 September 2020. However, at the time of completing this report the Victorian Auditor General's Office (VAGO) had not finalised their review, nor had the Management Letter and Closing Report been provided.

In light of these not being available, the Audit and Risk Committee have requested that the Management Letter, Closing Report and Summary of Adjustments to be circulated to them for consideration and feedback prior to the formal signing of the documents.

Financial and Resource Implications

There are no financial implications in this process. The statements outline financial performance for the year but costs in their production are part of normal operating expenditure.

Legislation, Council Plan and Policy Impacts

Council Plan – Provide Governance & Leadership – 5.1.2 Ensure responsible, effective and efficient use of Council resources.

Sections 131 and 132 of the LGA and the Local Government (Planning and Reporting) Regulations 2014 outline the process required to be followed in the certification of the annual statements.

Risk Management

The draft statements have been presented to Council's Audit and Risk Committee on Tuesday 1 September 2020.

Environmental and Sustainability Considerations

This report has no environmental or sustainability considerations.

Community Consultation and Communication

There is no requirement for community engagement however the documents form part of Council's Annual Report which is a publicly available document. When prepared, the availability of the Annual Report is advertised.

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. Approve in principle the draft 2019/2020 Financial Statements, Performance Statement and Governance & Management Checklist.
2. Appoint Cr Dunkley and Cr Rainsford to certify the statements in their final form after any changes recommended or agreed to by the Auditor General Victoria have been made.

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Brown

That Council:

1. Approve in principle the draft 2019/2020 Financial Statements, Performance Statement and Governance & Management Checklist.
2. Appoint Cr Dunkley and Cr Rainsford to certify the statements in their final form after any changes recommended or agreed to by the Auditor General Victoria have been made.

CARRIED

10.3 Greater Grants

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Lachy Patterson, Manager Community Relations
Attachments: None

Executive Summary

This report provides Council with information regarding community grant applications (Tourism and Events, Sustainability, Community Strengthening, Community Infrastructure, Arts and Culture categories) that have been recommended for Greater Grants program funding.

Discussion

The Greater Grants program was established to deliver Council grants that are responsive to the needs and opportunities of the community, inclusive and equitable to all, and one that facilitated the flexible delivery of key strategies identified within the Council Plan 2017-2021 across the social, economic and environmental spectrum.

This program consolidates Council's extensive range of grant opportunities into one program to enable better integration and co-ordination of grant administration and improved marketing of those grant opportunities.

Greater Grants assistance is considered for organisations, groups, committees and individuals with proposals that directly benefit the Southern Grampians Shire region. Applications are assessed using pre-determined evaluation criteria for each grant category taking into consideration strategic objectives within the Council Plan, other Council Strategies and Community Plans.

The current round of grants includes five grants above delegation totalling \$40,981.00 and 14 grants under delegation across the following categories (Tourism and Events, Sustainability, Community Strengthening, Community Infrastructure and Arts and Culture) totalling \$26,695.39

Below is the summary of grant applications received in round one, which requested funds above \$2,500. The application's total is \$40,981.00

Category	Applicant	Project	Ask amount	Funding amount	Total Project Cost
Heritage	Coleraine Racing Club	Grandstand Restoration	\$ 15,000.00	\$15,000.00	\$ 31,189.10
Community Infrastructure	Coleraine Field and Game	Defibrillator and Remote Clay Target Thrower	\$ 5,696.00	\$ 5,696.00	\$ 11,390.00
Community Infrastructure	Branxholme PA	Branxholme Entrance Sign	\$ 5,225.00	\$ 5,225.00	\$ 10,450.00
Community Infrastructure	Penshurst FNC	Flooring Upgrade	\$ 4,720.00	\$ 4,720.00	\$ 9,440.00
Community Infrastructure	Grangeburn Bowling Club	Club-house Roof Repair	\$ 10,340.00	\$10,340.00	\$ 20,680.00
Total			\$ 40,981.00	\$40,981.00	\$ 83,149.10

Below is the summary of grant applications received in round one, which requested funds under \$2,500. The application's total is \$26,695.39.

Category	Applicant	Project	Ask amount	Funding amount	Total Project Cost
Community Strengthening	Coleraine & DDA	The Old Shire Hall - Community Hub	\$ 2,500.00	\$ 2,500.00	\$ 5,000.00
Arts and Culture	WindaMara	Laneway Art	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
Community Strengthening	Hamilton Old Time Dance Club	Stereo and dance cards	\$ 1,310.50	\$ 1,310.50	\$ 1,310.50
Community Strengthening	Penshurst Progress Association	Santa Sleigh Decoration	\$ 499.79	\$ 499.79	\$ 1,299.79
Tourism and Events	Volcanoes Discovery Centre Penshurst	Promotional Video	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
Tourism and Events	Glenthompson & District Community Association Incorporated	Art Show	\$ 2,486.00	\$ 2,486.00	\$ 4,382.00
Tourism and Events	Hamilton Pastoral Museum Inc	Promotion	\$ 1,434.60	\$ 1,434.60	\$ 1,434.60
Community Infrastructure	Tarrington PA	Heritage Walk Signs	\$ 2,500.00	\$ 2,500.00	\$ 3,417.00
Community Infrastructure	Penshurst Hall	Heating of Supper Room	\$ 1,516.00	\$ 1,516.00	\$ 1,516.00
Community Infrastructure	Dunkeld Museum	LED Lighting Upgrade	\$ 2,475.00	\$ 2,475.00	\$ 2,475.00
Community Infrastructure	Cavendish Townscape	Cavendish Community Info Board	\$ 996.00	\$ 996.00	\$ 1,100.00
Community Infrastructure	Hamilton Archery	Lighting Upgrade	\$ 1,998.00	\$ 1,998.00	\$ 2,579.00
Community Infrastructure	Hamilton Running Club	Line Marker	\$ 2,479.50	\$ 2,479.50	\$ 2,479.50
Community Infrastructure	HIRL	Storage - Shipping Container	\$ 2,500.00	\$ 2,500.00	\$ 2,800.00
Total			\$ 26,695.39	\$ 26,695.39	\$ 33,793.39

Financial and Resource Implications

The collaborative approach across Council grant categories opens opportunities for Council to work with the community to broaden the scope of ideas identified within applications to position these projects and or events to leverage external funding.

Applications for \$2,500 or greater must demonstrate cash or in-kind contributions and must provide evidence of cash held, or applicants must be able to demonstrate their financial capacity to complete the project.

The grant amount approved by Council cannot be increased post-funding approval. In the case of a funding shortfall, funding will not be made available by way of a Council loan.

Legislation, Council Plan and Policy Impacts

The Greater Grants Policy was adopted in July, 2018.

Each Grant category requests that applicants ensure that their project or idea demonstrates a link to the Council Plan outcomes, or endorsed Strategic Plans of Council. Such plans include but are not limited to:

- Economic Development Strategy
- Tourism Strategic Plan
- Disability Action Plan
- Health and Wellbeing Strategy
- Sustainability Strategy
- Arts and Culture Strategy

The Greater Grants program assists Council to deliver on key outcomes of the Council Plan 2017-2021.

Outcome 1.1 Soundly Based Decisions:

Strategy 1.1.2 Develop and enact policies, plans and strategies to ensure consistency in decision making

Strategy 1.1.3 Demonstrate leadership through ethically, socially and environmentally responsible conduct

Strategy 1.1.4 Work together to develop a highly responsive Council organisation

Outcome 1.3 Financial Responsibility and Security:

Strategy 1.3.3 Maintain a continuous improvement approach to all Council operations

Outcome 2.3 A strong, innovative and distinctive tourism sector:

Strategy 2.3.1 Attract conferences and events to the Shire and facilitate and enrich the local events program

Strategy 2.3.2 Enhance, facilitate and promote existing and new experiences

Outcome 3.2 Community appreciation of and participation in Arts and Cultural activities:

Strategy 3.2.4 Encourage and support innovation in the arts

Outcome 4.2 A Dynamic Community:

Strategy 4.2.1 Provide support and services to enable communities to flourish

Strategy 4.2.2 Support the growth, development and provision of training to volunteers and community organisations

Strategy 4.2.3 Providing the information and assistance that supports community empowerment

Strategy 4.2.4 Assisting all communities to realize their individual community identity, strengths and opportunities through the development and implementation of Community Plans

Outcome 4.3 An inclusive and diverse community:

Strategy 4.3.2 Provide opportunities for youth participation and development

Outcome 5.1 Waste Management and Minimisation

Strategy 5.1.1 Reduce the volume of waste going to landfill

Strategy 5.1.4 Increase the volume of recycled materials through continued community education programs

Outcome 5.2 Adaptation to climate change and reduced emissions:

Strategy 5.2.2 Reduce carbon emissions from Council facilities, equipment and plant

Risk Management

Each grant category has predetermined assessment criteria and a set weighting for each criteria to identify and assess the risk exposure within each application. The assessment criteria ensure that projects and events have adequate control measures in place to ensure the successful and safe delivery

Each grant applicant must also demonstrate that they comply with any legal or statutory regulations relevant to the project which they are seeking Greater Grants funding. This includes (where relevant) appropriate insurances, food handling permits, liquor licences etc.

Environmental and Sustainability Considerations

No Environmental and Sustainability Considerations identified.

Community Consultation and Communication

Various Council staff engage with the community in relation to the Greater Grants program at a range of meetings (including Councillor Engagement, Progress Association, club and user groups, committee of management and, event organiser meetings, etc). Staff also engage with applicants on a 1:1 basis, to provide support through the Greater Grant process.

Grant recipients across all categories are required to complete a grant acquittal report. As part of the acquittal, Council seeks feedback from the grant recipient on ways in which the delivery of grants to the community could be improved.

The Annual Tourism and Events Forum, held in June each year (not under COVID restrictions), provides an opportunity for Greater Grants applicants to hear the latest updates about the program, provide feedback to grant owners, and learn how to get the best outcome from their application.

The decision will be communicated through a media release to the general public, via letters to the Grant recipients and through Council's Community Newsletter and township newsletters. The successful applicants will be notified by phone call and mail, and successful projects will be promoted on Council's website.

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. Notes the \$26,695.39 for Greater Grants approved under delegation.
2. Resolves to allocate \$40,981.00 as per the projects outlined in the summary table below.
3. Officers will contact all intended recipients to seek information about timing and holding of any events or works that may be impacted by COVID-19. If impacted, a further report will be prepared for Council prior to distribution of any funds.

Category	Applicant	Project	Ask amount	Funding amount	Total Project Cost
Heritage	Coleraine Racing Club	Grandstand Restoration	\$ 15,000.00	\$15,000.00	\$ 31,189.10
Community Infrastructure	Coleraine Field and Game	Defibrillator and Remote Clay Target Thrower	\$ 5,696.00	\$ 5,696.00	\$ 11,390.00
Community Infrastructure	Branxholme PA	Branxholme Entrance Sign	\$ 5,225.00	\$ 5,225.00	\$ 10,450.00
Community Infrastructure	Penshurst FNC	Flooring Upgrade	\$ 4,720.00	\$ 4,720.00	\$ 9,440.00
Community Infrastructure	Grangeburn Bowling Club	Club-house Roof Repair	\$ 10,340.00	\$10,340.00	\$ 20,680.00
Total			\$ 40,981.00	\$40,981.00	\$ 83,149.10

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Rainsford

That Council:

1. **Notes the \$26,695.39 for Greater Grants approved under delegation.**
2. **Resolves to allocate \$40,981.00 as per the projects outlined in the summary table below.**
3. **Officers will contact all intended recipients to seek information about timing and holding of any events or works that may be impacted by COVID-19. If impacted, a further report will be prepared for Council prior to distribution of any funds.**

Category	Applicant	Project	Ask amount	Funding amount	Total Project Cost
Heritage	Coleraine Racing Club	Grandstand Restoration	\$ 15,000.00	\$15,000.00	\$ 31,189.10
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Community Infrastructure	Grangeburn Bowling Club	Club-house Roof Repair	\$ 10,340.00	\$10,340.00	\$ 20,680.00
Total			\$ 40,981.00	\$40,981.00	\$ 83,149.10

CARRIED

10.4 Re-allocation 2020/21 Budget Various Projects

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Evelyn Arnold, Director Community and Corporate Services
Attachments: None

Executive Summary

In accordance with the Local Government Act 1989, Council adopted its Budget for 2020/21 on 8 July 2020. At this meeting Council also resolved to consider a number of community projects as part of the budget submission process. In addition, since the adoption of the budget Council as has been successful in securing funding to complete a key project at Pedrina Park.

This report contains the recommendation for the re-allocation of funds from the adopted budget to allow for the provision of matching funding and the prioritisation of the projects identified in the budget submission process.

Discussion

In the 2020/21 Adopted Budget a number of projects were identified as part of the Local Roads and Community Infrastructure Programme (LRCIP) Infrastructure (table 1). They were;

Description	Proposed Budget	LRCIP	Total Adopted Budget
Lake Hamilton Development	\$125,000	\$125,000	\$250,000
Replacement Brown Street Lift	\$200,000	\$200,000	\$400,000
Footpath Projects	\$209,000	\$250,000	\$459,000
Hamilton Gateway	\$125,000	\$125,000	\$250,000
Rural Road Numbering	\$63,000	\$150,000	\$213,000

Table 1: Adopted Budget Position 2020/2021

Following the successful funding application. It is now recommended that the following changes be made to the adopted budget for Councils contribution to the Pedrina Park Inclusive Sporting Hub (table 2);

Description	Project Budget	Funded By:
Pedrina Park Inclusive Sports Hub	\$1,325,206	
Funded By:		
State Grant		\$500,000
Budget Re-Allocation;		
Lake Hamilton		\$125,000
Replacement of Brown Street Lift		\$200,000
Pedrina Park Hockey Pavilion		\$100,000
Hamilton Gateways		\$125,000
Loan Funds/Working Capital		\$275,206
Total	\$1,325,206	\$1,325,206

Table 2: Reallocation of Budget for Pedrina Park Inclusive Sporting Hub

Then finally, table 3, below details what alterations (if any) are required to the adopted budget to allocate resources to the projects identified through the budget submission process;

Description	Budgeted 2020/21 Expense	Action Recommended:
Dunkeld Caravan Park - Relocate Dunkeld Dump Point	\$5,000	Fund from Rural Road Numbering
Cavendish Townscape – River Path	\$0	Included in the work plan of projects for 2020/2021 year.
Coleraine Mechanics Hall - Request for Heating in Main Hall	\$0	An inspection of the building condition has identified approximately \$421,400 worth of works required, this includes electrical works (\$115,710). This should be prioritised before an upgrade to the facility.
Balmoral Community Hub – Landscaping and parking	\$0	Committee of Management to provide a scope and costing for this project to be considered in the 2021/22 budget.

Table 3: Reallocation of Resources in Response to Budget Submissions

Therefore the summarised the recommended budget amendments, are detailed in table 4.

Description	Amended Budget 2020/2021 Expenditure	Amended Budget 2020/2021 Revenue	Net Amended Budget 2020/2021
Lake Hamilton Development	\$125,000	\$125,000	\$0
Brown Street Lift	\$200,000	\$200,000	\$0
Footpath Projects	\$459,000	\$250,000	\$209,000
Hamilton Gateway	\$125,000	\$125,000	\$0
Rural Road Numbering	\$208,000	\$150,000	\$58,000
Pedrina Park Sports Hub	\$1,325,206	\$500,000	\$825,206
Dunkeld Dump Point Re-location	\$5,000	\$0	\$5,000
Pedrina Park Hockey Club Rooms	\$0	\$0	\$0

Table 4: Summarised Final Budget Position after Amendments

Financial and Resource Implications

The financial impact is a neutral budgetary affect as the funds are being re-allocated form existing budget lines and supported by grant funds. This does however, represent an increase in the capital projects to be delivered.

Legislation, Council Plan and Policy Impacts

The recommendations are consistent with Councils strategic plans and have no legislative impact.

Risk Management

These projects are expected to be of benefit to the community and there are no additional risks identified.

Environmental and Sustainability Considerations

Nil

Community Consultation and Communication

No further consultation was required for this report.

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 resolve to allocate funds from the 2020/21 Budget as detailed in the tables below;

1. Pedrina Park Inclusive Sporting Hub

Description	Project Budget	Funded By:
Pedrina Park Inclusive Sports Hub	\$1,325,206	
Funded By:		
State Grant		\$500,000
Budget Re-Allocation;		
Lake Hamilton		\$125,000
Replacement of Brown Street Lift		\$200,000
Pedrina Park Hockey Pavilion		\$100,000
Hamilton Gateways		\$125,000
Loan Funds/Working Capital		\$275,206
Total	\$1,325,206	\$1,325,206

2. Response to Budget Submissions

Description	Budgeted 2020/21 Expense	Action Recommended:
Dunkeld Caravan Park - Relocate Dunkeld Dump Point	\$5,000	Fund from Rural Road Numbering
Cavendish Townscape – River Path	\$0	Included in the work plan of projects for 2020/2021 year.
Coleraine Mechanics Hall - Request for Heating in Main Hall	\$0	An inspection of the building condition has identified approximately \$421,400 worth of works required, this includes electrical works (\$115,710). This should be prioritised before an upgrade to the facility.
Balmoral Community Hub – Land	\$0	Committee of Management to provide a

scaping and parking		scope and costing for this project to be considered in the 2021/22 budget.
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COUNCIL RESOLUTION

MOVED: Cr Dunkley
SECONDED: Cr Brown

That Council resolve to allocate funds from the 2020/21 Budget as detailed in the tables below;

1. Pedrina Park Inclusive Sporting Hub

Description	Project Budget	Funded By:
Pedrina Park Inclusive Sports Hub	\$1,325,206	
Funded By:		
State Grant		\$500,000
Budget Re-Allocation;		
Lake Hamilton		\$125,000
Replacement of Brown Street Lift		\$200,000
Pedrina Park Hockey Pavilion		\$100,000
Hamilton Gateways		\$125,000
Loan Funds/Working Capital		\$275,206
Total	\$1,325,206	\$1,325,206

2. Response to Budget Submissions

Description	Budgeted 2020/21 Expense	Action Recommended:
Dunkeld Caravan Park - Relocate Dunkeld Dump Point	\$5,000	Fund from Rural Road Numbering
Cavendish Townscape – River Path	\$0	Included in the work plan of projects for 2020/2021 year.
Coleraine Mechanics Hall - Request for Heating in Main Hall	\$0	An inspection of the building condition has identified approximately \$421,400 worth of works required, this includes electrical works (\$115,710). This should be prioritised before an upgrade to the facility.
Balmoral Community Hub – Land scaping and parking	\$0	Committee of Management to provide a scope and costing for this project to be considered in the 2021/22 budget.

CARRIED

10.5 Transitioning Special Committees to Community Asset Committees

Directorate:	Evelyn Arnold, Director Community and Corporate Services
Author:	Karly Saunders, Governance Coordinator
Attachments:	4. Terms of Reference – Carapook Hall Committee
	5. Terms of Reference – Cavendish Soldiers Memorial Hall Committee
	6. Terms of Reference – Coleraine Mechanics Institute Hall Committee
	7. Terms of Reference – Coleraine Sporting Grounds Committee
	8. Terms of Reference – Konongwootong Hall Committee
	9. Terms of Reference – Nareen Hall Committee
	10. Terms of Reference – Vasey Recreation Reserve Committee

Executive Summary

The purpose of this report is to establish the following Community Asset Committees:

- Carapook Hall Committee
- Cavendish Soldiers Memorial Hall Committee
- Coleraine Mechanics Institute Hall Committee
- Coleraine Sporting Grounds Committee
- Konongwootong Hall Committee
- Nareen Hall Committee
- Vasey Recreation Reserve Committee

The report is also to appoint the members and adopt the Terms of Reference for each Committee.

Discussion

The *Local Government Act 2020* (the Act) received Royal Assent on 24 March 2020. Under Section 65 of the Act, Council may establish a Community Asset Committee and appoint as many members to the Community Asset Committee as the Council considers necessary to enable the Community Asset Committee to achieve the purpose of managing a community asset in the municipal district.

Under the *Local Government Act 1989*, these assets were managed by Special Committees establish under section 86. From 1 September 2020, Special Committees will no longer be recognised under the 2020 Act, as such it is recommended that the Special Committees are transitioned to Community Asset Committees. Council has 8 special committees, 7 of which will transition to Community Asset Committees and 1 which does not meet the requirements under Section 65 of the Act and will be managed via a Memorandum of Understanding.

Section 47 of the Act empowers the Chief Executive Officer, by instrument of delegation, to delegate any power, duty or function of the Council that has been delegated to the Chief Executive Officer by the Council to a Community Asset Committee.

Section 47 of the Act also stipulates that a delegation to the members of a Community Asset Committee is to be exercised subject to the terms and conditions specified by the Chief Executive Officer, which must include the following –

- a) The specified limit on any financial delegation and the specified purposed for which the financial delegation may be used;

- b) Compliance with specified governance requirements to ensure appropriate standards of probity are met;
 - c) Specified monitoring and reporting of the activities and performance of the Community Asset Committee.
- 5) A member of a Community Asset Committee to whom a delegation is given under this section can only exercise the delegation while acting as a member of the Community Asset Committee at a meeting of the Community Asset Committee.

The financial delegation would consist of the historical practice of the Committee receiving funds for hall and venue hire and the expenditure associated with utilities, maintenance etc. Any capital expenditure required would require an application to Council.

The Chief Executive Officer must submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee.

The establishment of these Community Asset Committees will enable the Committees to continue to operate the Community Assets for a benefit of local communities.

The Coleraine Tourist and Exhibition Centre is the only existing Special Committee which will not transition to a Community Asset Committee. This Committee is responsible for running the Coleraine Tourist and Exhibition Centre Service and is not responsible for the management an asset. Therefore, it is recommended that, this Committee will continues to operate as a Special Committee and the Committee enters into a Memorandum of Understanding or other agreement with Council to enable them to operate and manage as they have historically done so.

Legislation, Council Plan and Policy Impacts

Special Committees established under Section 86 of the *Local Government Act 1989* are unable to operate with any form of delegation from 1 September, the equivalent structure under the *Local Government Act 2020*, is a Section 65 Community Asset Committee.

Consultation

Council's Governance Coordinator and Manager Organisation Development have liaised with the Committees in relation to the transition to a Community Asset Committee, membership, as well as the Terms of Reference which stipulate the purpose and objectives for each Committee.

Consultation will continue to ensure a smooth transition for the Committees.

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

In exercise of the powers conferred by Section 65 of the *Local Government Act 2020*, Council resolves that:

1. From the date of this resolution, the following Community Asset Committees be established for a 12 month period:
 - a) Carapook Hall Committee
 - b) Cavendish Soldiers Memorial Hall Committee
 - c) Coleraine Mechanics Institute Hall Committee
 - d) Coleraine Sporting Grounds Committee
 - e) Konongwootong Hall Committee
 - f) Nareen Hall Committee
 - g) Vasey Recreation Reserve Committee

2. The members of the listed Community Asset Committees be appointed as follows:

- a) Carapook Hall Committee

Ian Murphy	Graeme Jenkins	Andrew Harrison	Maree Harrison
Clayton McDonald	Alison Jenkins	Irene Wooster	Ian Wooster

- b) Cavendish Soldiers Memorial Hall Committee

Kay Dixon	Pat Dixon	Don McNaughton	Graeme Haeusler	Kay Edwards
Lyndal Delahov	Fred Mailes	Les Wangler	Alan Cordy	

- c) Coleraine Mechanics Institute Hall Committee

Barry Troeth	Heather Brown	Neville Barnes	Marlene Steers
Ian Brown	Enid Mills	Genevieve MacDonald	

- d) Coleraine Sporting Grounds Committee

Bobbie McLean	Bonnie Farrugia Gleeson	Margaret Ferguson	Leigh Peterson	Ashley Lambert	Owen McClure
Steve Cooper	Barbara Waldron-Hunter	Louis Grinham	Lyn Brown	David Robertson	Kate Dorahy

e) Konongwootong Hall Committee

Andrea Munro	Rohan Gunning	Jessica Sutherland
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f) Nareen Hall Committee

Michelle Edgar	Katrina Lodge	Leonie Neylon
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g) Vasey Recreation Reserve Committee

TBC

3. Approve in principle, the Terms of Reference, noting small amendments may occur over the next 12 months to enable development of the content to continue and this information will be provided to Councillors accordingly.
4. Dissolve the following Special Committees of Council:
 - a) Carapook Hall Committee
 - b) Cavendish Soldiers Memorial Hall Committee
 - c) Coleraine Mechanics Institute Hall Committee
 - d) Coleraine Sporting Grounds Committee
 - e) Konongwootong Hall Committee
 - f) Nareen Hall Committee
 - g) Vasey Recreation Reserve Committee
5. Revoke the Instrument of Delegations for the Special Committees endorsed by Council under the *Local Government Act 1989*, being the Committees listed under point 4.
6. Notes that under Section 47 of the *Local Government Act 2020*, Instruments of Delegation from the Chief Executive Officer to the Community Asset Committees will apply from the date of signing.
7. Approve the Coleraine Tourist and Exhibition Centre continuing to operate as a Special Committee established under the *Local Government Act 1989*;
8. Revoke the Instrument of Delegation for the Coleraine Tourist and Exhibition Centre, which will result in the Committee still being able to operate, but without delegated powers, as per section 11(9) of the *Local Government Act 2020*;
9. Council note that a memorandum of understanding or other agreement will be prepared for the Coleraine Tourist and Exhibition Centre Committee to enable them to operate and manage as they have historically done so.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Rainsford

In exercise of the powers conferred by Section 65 of the *Local Government Act 2020*, Council resolves that:

1. From the date of this resolution, the following Community Asset Committees be established for a 12 month period:

- a) Carapook Hall Committee
- b) Cavendish Soldiers Memorial Hall Committee
- c) Coleraine Mechanics Institute Hall Committee
- d) Coleraine Sporting Grounds Committee
- e) Konongwootong Hall Committee
- f) Nareen Hall Committee

2. The members of the listed Community Asset Committees be appointed as follows:

a) Carapook Hall Committee

Ian Murphy	Graeme Jenkins	Andrew Harrison	Maree Harrison
Clayton McDonald	Alison Jenkins	Irene Wooster	Ian Wooster

b) Cavendish Soldiers Memorial Hall Committee

Kay Dixon	Pat Dixon	Don McNaughton	Graeme Haeusler	Kay Edwards
Lyndal Delahov	Fred Mailes	Les Wangler	Alan Cordy	

c) Coleraine Mechanics Institute Hall Committee

Barry Troeth	Heather Brown	Neville Barnes	Marlene Steers
Ian Brown	Enid Mills	Genevieve MacDonald	

d) Coleraine Sporting Grounds Committee

Bobbie	Bonnie	Margaret	Leigh	Ashley	Owen
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McLean	Farrugia Gleeson	Ferguson	Peterson	Lambert	McClure
Steve Cooper	Barbara Waldron- Hunter	Louis Grinham	Lyn Brown	David Robertson	Kate Dorahy

e) Konongwootong Hall Committee

Andrea Munro	Rohan Gunning	Jessica Sutherland
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f) Nareen Hall Committee

Michelle Edgar	Katrina Lodge	Leonie Neylon
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3. Approve in principle, the Terms of Reference, noting small amendments may occur over the next 12 months to enable development of the content to continue and this information will be provided to Councillors accordingly.
4. Dissolve the following Special Committees of Council:
 - a) Carapook Hall Committee
 - b) Cavendish Soldiers Memorial Hall Committee
 - c) Coleraine Mechanics Institute Hall Committee
 - d) Coleraine Sporting Grounds Committee
 - e) Konongwootong Hall Committee
 - f) Nareen Hall Committee
 - g) Vasey Recreation Reserve Committee
5. Revoke the Instrument of Delegations for the Special Committees endorsed by Council under the *Local Government Act 1989*, being the Committees listed under point 4.
6. Notes that under Section 47 of the *Local Government Act 2020*, Instruments of Delegation from the Chief Executive Officer to the Community Asset Committees will apply from the date of signing.
7. Approve the Coleraine Tourist and Exhibition Centre continuing to operate as a Special Committee established under the *Local Government Act 1989*;
8. Revoke the Instrument of Delegation for the Coleraine Tourist and Exhibition Centre, which will result in the Committee still being able to operate, but without delegated powers, as per section 11(9) of the *Local Government Act 2020*;

- 9. Council note that a memorandum of understanding or other agreement will be prepared for the Coleraine Tourist and Exhibition Centre Committee to enable them to operate and manage as they have historically done so.**
- 10. Council pay the total insurance costs for 2020 for the Carapook, Konongwootong & Nareen Halls.**

CARRIED

10.6 Great South Coast Economic Migration Project Phase 2

Directorate: Andrew Goodsell, Director Planning and Development
Author: Andrew Goodsell, Director Planning and Development
Attachments: None.

Executive Summary

Population attraction is a stated advocacy priority of Council. One method Council has delivered on this goal is via initiatives such as the Great South Coast Economic Migration Project (GSCEMP) which paired secondary migrants (those households with existing citizenship) residing in metropolitan centres with local jobs within the Shire.

Phase 1 of the project for which Council provided \$10,000 plus in kind support has ended with 50 new residents of African background moving into Southern Grampians Glenelg Shires. Carly Jordan, Project Manager for GSCEMP, also ran language cafes and a host of other activities for the new arrivals to enable their transition into a regional community.

Measurable economic benefit was achieved with \$0.8M in total output, \$0.15M in value added and 7 jobs. Other benefits concern a more diverse community and the capacity to fill jobs that already exist.

Carly Jordan has now sought Council financial contribution to the value of \$4,000 towards phase 2 of this initiative. Phase 2 already has secured \$30,000 of State Government funding which will be administered through Regional Development Victoria (RDV). Phase 2 will differ from phase 1 with respect to the agency that sources secondary migrants, Great Lakes Agency being replaced by Jesuit Social Services. It also differs with respect to skill sets to be recruited amongst the secondary migrants population – the emphasis being nurses, physiotherapists, engineers, accountants.

Further specifics on the project will be developed by a consultant engaged by GSCEMP. Regular reporting to Council would be expected, along with ongoing support of existing residents who have relocated in phase 1.

Questions can be raised with respect to (a) the extent of support from other local government in the region (none of whom appear to have funded the project); and (b) whether longer term strategies on population attraction including support officers within Council. There are many ways in which population can be facilitated. Nonetheless, the cost is limited, GSCEMP did deliver positive outcomes in phase 1 and the project overall has sufficient merit to warrant Council support.

A recommendation to fund the request is made.

Discussion

The discussion element of this report is broken into the following headings:

- a) Reflections on Phase 1 of GSCEMP
- b) Phase 2 of GSCEMP proposal
- c) Merits of Funding Request

a) Reflections on Phase 1 of GSCEMP

A recap of Phase 1 indicates the following:

The aim was to assist 10 families originally from Africa to move into the Shire.

The project team led by Carly Jordan were to assist candidate families with finding employment, housing (rent or buy), access to land, English lessons and so forth.

The focus was secondary migration, that is – residents of Australia who have already lived in the country for 5 years. The target audience were residents who sought a regional lifestyle.

In the Feb 2020 briefing some 3 families had moved to Hamilton (19 people) under the programme. 4 were employed and Carly was working with 4 families to find jobs. 3 more families were looking at moving before end of the year. Other data suggests some 30 new arrivals were secured.

Measurable economic benefit was achieved (though sometimes challenging to model). REMPLAN modelled impact at \$0.8M in total output, \$0.15M in value added and 7 jobs. Other benefits concern a more diverse community and the capacity to fill jobs that already exist.



Figure 1 – Secondary Migrant families living in the Shire (phase 1 of project)

b) Phase 2 of GSCEMP proposal

The scoping for phase 2 is not yet finalised. However, it is suggested in correspondence that the focus will be more on supporting migrants (new arrivals with citizenship) in such sectors as nurses, physiotherapists, engineers, accountants.

A stated goal is to support families that relocated in phase 1 of project through COVID-19. It would seem that a number of these families lost work, possibly suggesting the roles in question were either casual in nature or otherwise susceptible to COVID impacted business/service closures.

Language café, tutoring workshops and women's workshops are also flagged as continuing from phase 1.

The consultant to draft the scope of phase 2 and the partnership with Jesuit Social Services is presumably also funded within the \$40,000 overall budget proposed.

c) Merits of Funding Request

The case for funding:

- Phase 2 presents continuity with the previous programme, providing on-ground support to existing secondary migrants living within the community.
- The Council contribution if supported is limited to \$4,000. If this leverages \$30,000 of State Government funding plus \$6,000 from other sources, there is merit in Council supporting the proposal.
- A major deficiency of phase of GSCEMP was the use of Great Lakes Partnership as a partner. Using a different service provider with a clearer understanding of a jobs first approach ie identify jobs to be filled and then profile likely interested secondary migrants, represents a significant advance in approach.

The case against funding:

- The value of the project and what it can deliver is predicated on the budget and resources to deliver. The budget is some one third of that of the previous project and on face value the previous project phase was under-resourced.
- Any model that does not include partnerships with key education providers such as SWTAFE, Deakin Uni etc is not a fully comprehensive approach to migration settlement.
- No evidence of support from other regional councils in SW Victoria.

Overview and Way Forward

Based on the above, the request is supported. Council can still continue to pursue other population attraction initiatives.

To expand, Council is presently working with adjoining Council's on a Grampians New Resident and Workforce Attraction Strategy. A report on this project will be provided in the short term. Separately, Council has written to the Federal Government and is in discussion on funding streams such as Try Test and Learn (already subscribed for 202/21). The key worker housing project is also an important initiative examining housing models that will attract and retain professional staff into the Shire.

In this context GSCEMP Phase 2 should be seen as one potential element of a number Council is presently progressing in this area.

Financial and Resource Implications

The resource implications can be divided into financial support and in kind support (staff/Councillor assistance). The financial contribution, as discussed, is \$4,000. The in-kind support has not been costed. However based on previous experience and the significant input of Councillors and staff the figure would be likely of equivalent value to the financial figure. This would be in the form of governance meetings with the GSCEMP project officer, other stakeholders, attendance at language cafes and the like.

As further information comes to hand, with the completion of detailed consultant scoping, further particulars on in-kind support will be reported on.

The \$6,000 to be funded by other sources (outside the Shire) has now been confirmed.

Legislation, Council Plan and Policy Impacts

The initiative is consistent with Council's Advocacy Priorities 2018-2030.

Risk Management

No significant risks are identified. The main expectation is to finalise project milestones pending full independent scoping of phase 2 by the consultant. Effective governance structures to ensure Council has ongoing oversight of the project will also be required to safeguard investment made (financial contribution and in-kind support).

These should be specified in Council's agreement to support the project

Environmental and Sustainability Considerations

No considerations identified. By its very nature, population attraction strategies are concerned with targeted population growth to better utilise existing community infrastructure and therefore further community sustainability outcomes.

Community Consultation and Communication

No community consultation has yet occurred. If Council supports the request for funding support a suitable press release should be issued confirming the commitments made and the expectations that follow from it.

Disclosure of Interests

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

RECOMMENDATION

- 1 That Council support the financial request for \$4,000 to part fund phase 2 of the Great South Coast Economic Migration Project along with in-kind support to facilitate ongoing population attraction initiatives into the Shire.
- 2 That a briefing be provided once the detailed scoping of phase 2 is complete to confirm (a) all milestones to assess project success; and (b) effective governance arrangements are in place to safeguard Council's interests.
- 3 That suitable messaging be issued confirming Council's support of the project as part of its commitment to population attraction as set out in the document *Council's Advocacy Priorities 2018-2030*.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Dunkley

- 1 That Council support the financial request for \$4,000 to part fund phase 2 of the Great South Coast Economic Migration Project along with in-kind support to facilitate ongoing population attraction initiatives into the Shire.
- 2 That a briefing be provided once the detailed scoping of phase 2 is complete to confirm (a) all milestones to assess project success; and (b) effective governance arrangements are in place to safeguard Council's interests.
- 3 That suitable messaging be issued confirming Council's support of the project as part of its commitment to population attraction as set out in the document *Council's Advocacy Priorities 2018-2030*.

CARRIED

10.7 Dunkeld to Mount Sturgeon Loop Walk – Public Acquisition Overlay Report

Directorate: Andrew Goodsell, Director Planning and Development
Author: Parvesh Siroha, Senior Strategic Planner
Attachments: 11. Map Number 35PAO Showing Subject Land, Ordinance to the Public Acquisition Overlay Clause 45.01, Schedule 1 to Clause 45.01

Executive Summary

Council at its ordinary meeting on 8 April 2020 resolved to obtain the Minister for Planning's authorisation to prepare and exhibit Planning Scheme Amendment C55sgra, that facilitates resolving ownership of the loop walk trail (ie confirms Council will compulsorily acquire specific land set out in the amendment from its current owner).

The Minister for Planning authorised amendment C55sgra on 1 June 2020 to prepare and exhibit Planning Scheme Amendment that seeks to introduce Public Acquisition Overlay Map No.35PAO and include in the Ordinance, Schedule to the Public Acquisition Overlay into the Planning Scheme.

The amendment was exhibited from 17 July - 17 August 2020. No submissions were received during the exhibition period.

It is recommended pursuant to Section 29 of the *Planning and Environment Act 1987* (the Act) to adopt Planning Scheme Amendment to the Southern Grampians Planning Scheme; and under Section 31 of the Act to submit Planning Scheme Amendment to the Minister for Planning for approval and gazettal.

Discussion

The Dunkeld Structure Plan (2014) identified the need for the Dunkeld-Mt Sturgeon walking/cycling trail. Consequently Council intends to construct a shared use path from the Dunkeld Visitor Information Centre to Mount Sturgeon (Dunkeld Loop linking to the Grampians Peak Trail).

A section of the shared user path requires the acquisition of a narrow strip of private land along Victoria Valley Road in order to achieve a safe distance from road traffic.

Council intends to compulsorily acquire the privately owned land pursuant to Section 187 of the *Local Government Act 1989*.

The amendment proposes to apply the Public Acquisition Overlay to part of private land at 178 Victoria Valley Road, Dunkeld to facilitate the construction of the shared user path. The land required by Council from the subject property for the shared user pathway is 0.4169 hectares which is less than 1% of the property.

Council seeks to apply the PAO via Amendment C55sgra on the following parcels:

- Crown Allotment 16A Parish of Dunkeld, Volume 00474 Folio 744
- Crown Allotment 16 Parish of Dunkeld.
- Crown Allotment 4 and 5 Parish of Dunkeld, Volume 03980 Folio 918 - (Parent title – Volume 03933 Folio 575)

This amendment seeks to introduce into the Southern Grampians Planning Scheme, Map Number 35PAO and include the Ordinance to Clause 45.01, Schedule 1 to the Public Acquisition Overlay Clause 45.01.

Financial and Resource Implications

The Amendment is being processed in-house by Council officers and therefore only limited costs have been generated to date. The costs involved with preparing the amendment documents have been managed in the 2020/21 financial budget. The amendment is not required to be heard by the Planning Panel and therefore there will be no further cost associated with it.

Payment of purchase of the acquisition of land to the private land owner will be subject to agreed valuations being finalised.

Legislation, Council Plan and Policy Impacts

The Amendment aligns the Council Plan 2017 – 2021 with the following Key Priorities being addressed.

- Support our Community
- Develop our Regional Economy & Businesses
- Plan for our Built Environment & Infrastructure
- Promote our Natural Environment

Legislation required to be considered with regards to this amendment are:

- Council intends to compulsory acquire privately owned land pursuant to Section 187 of the *Local Government Act 1989*.
- The Planning Scheme amendment process is set out in Part 3 – amendment of Planning Schemes of the *Planning and Environment Act 1987*.

The amendment implements the findings of the Dunkeld Structure Plan into the Southern Grampians Planning Scheme.

Planning Policy Framework

The outcomes of the Amendment is consistent with the objectives and strategies of the Planning Policy Framework (PPF) in the Southern Grampians Planning Scheme.

Local Planning Policy Framework:

The proposed Amendment will implement the strategic directions found in the existing Local Planning Policy Framework (LPPF).

Overlay

The Public Acquisition Overlay parent Clause 45.01 is to be introduced into the Southern Grampians Planning Scheme with Schedule 1 to Clause 45.01 introduced into the Southern Grampians Planning Scheme which will relate to the Construction of Dunkeld to Mount Sturgeon shared user path.

Map 35PAO will also be introduced into 'Maps' of the Southern Grampians Planning Scheme which will detail where the area of PAO1 will be located.

Risk Management

There are no risks to Council in adopting this Planning Scheme amendment. Progressing the amendment removes risk in that it enables Council to resolve ownership of the trail link and thus deliver the construction project.

Environmental and Sustainability Considerations

The planning scheme amendment will be a potential economic avenue which will contribute towards future tourism exposure, which is a significant economic driver within the Shire and wider region.

Community Consultation and Communication

Amendment C55sgra was exhibited in accordance with the provisions of the *Planning and Environment Act 1987* from 17 July- 17 August 2018. Notice was provided to all Prescribed Ministers, relevant Government departments, agencies and affected landowner. Notices were placed in the Hamilton Spectator, Council's website, Council offices at Market Place and Brown Street, and Victorian Government Gazette publications. A copy of the amendment documents that were placed on exhibition is included in the attachment.

Council has not receive any submission for the amendment during the exhibition period.

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.

Conclusion

Amendment C55sgra proposes to apply the Public Acquisition Overlay to privately owned land required for the construction of a shared user path for the Grampians Peak Trail/Dunkeld to Mount Sturgeon.

The amendment will establish a new tourism attraction with a shared user path which would enhance nature based tourism experience for the tourist and for local residents.

The amendment was exhibited for 30 days. No submissions were received during the exhibition period.

In light of the absence of submissions and the strong merits of the proposal, it is considered that Amendment C55sgra should be referred to the Minister for Planning for determination.

RECOMMENDATION

That in relation to introducing the planning scheme amendment c55sgra to the Southern Grampians Planning Scheme that Council delegate to the Chief Executive Officer:

- a) Pursuant to Section 29 of the *Planning and Environment Act 1987*, adopt Planning Scheme Amendment C55sgra to the Southern Grampians Planning Scheme; and
- b) Pursuant to Section 31 of the *Planning and Environment Act 1987*, submit Planning Scheme Amendment C55sgra to the Minister for Planning for approval and gazettal.

COUNCIL RESOLUTION

MOVED: Cr McAdam

SECONDED: Cr Brown

That in relation to introducing the planning scheme amendment c55sgra to the Southern Grampians Planning Scheme that Council delegate to the Chief Executive Officer:

- a) **Pursuant to Section 29 of the Planning and Environment Act 1987, adopt Planning Scheme Amendment C55sgra to the Southern Grampians Planning Scheme; and**
- b) **Pursuant to Section 31 of the *Planning and Environment Act 1987*, submit Planning Scheme Amendment C55sgra to the Minister for Planning for approval and gazettal.**

CARRIED

10.8 Kangaroo Harvesting Programme within Southern Grampians Shire

Directorate: Andrew Goodsell, Director Planning and Development
Author: Andrew Goodsell, Director Planning and Development
Attachments: 12. Victorian Kangaroo Harvest Management Plan 2020
13. Ministerial letters advocacy
14. Historic Council advocacy

Executive Summary

Kangaroo harvesting for pet food is a regulated activity under the Kangaroo Harvesting Programme (KHP) which is administered by DJPR (Department of Agriculture). KHP began in 2019 with the intention to better manage kangaroo populations and concurrently support the pet food industry. Victoria Policy regulate use of fire arms.

Some 30 licensed shooters operate with the Shire, under a quota system whereby 10% of the kangaroo population can be harvested annually. These populations and therefore number of kangaroos capable of culling is determined by regions. Southern Grampians is located within the Lower Wimmera region whereby in 2020 some 17,500 animals can be harvested in a given year.

With the expansive area under Farming Zone and some settlements in the Shire being close to seemingly large kangaroo populations, such as Dunkeld, issues have arisen, mostly since 2019 between landowners either within the settlement or nearby and local shooters. These concerns have been typically about processes of notification (lack of) by licensed shooters and close proximity of shooters to residences. Recent evidence of animal carcasses left on ground have also been provided to Council.

Council has no legislative powers to regulate the industry. At most it can advocate for more effective management of harvesting practices. Prior to doing so the following key factors need to be considered:

- Council advocated for KHP in 2011 and 2016 on the basis that it created jobs, removed culled animals as opposed to letting them rot in-situ and was a sustainable use of animal meet.
- There are three key stakeholders within KHP – the shooters, the agencies that regulate KHP and local residents. To form a policy position based on concerns from some local residents (10 landowners, one resident who has written in more than 5 times) may not be a fully informed view.
- KHP is not the only program or mechanism by which shooting of native animals occurs. Farmers can be licensed to destroy native animals including kangaroos under Authority to Control Wildlife (ATCW) and there is a likelihood that illegal shooting also is occurring – clearly a Victorian Police matter. Distinguishing one activity from another is appropriate before advocating for change to KHP.
- Native animal management is considered a generally appropriate activity in rural districts, regardless of whether tourism is a key element of the local community. In short, both need to co-exist.

Equally, the complaints from community members appear to coincide with the start of KHP. Abandoned carcasses near roadside reserves is also contrary to Council's advocacy position in recent years.

Given the above, Council has some choices:

1. Allow the relevant authorities to administer KHP as they presently do;
2. Seek further information from stakeholders to better inform Council on animal harvesting and shooting in Dunkeld and then determine an agreed policy position; or
3. Advocate for improved communication between landowners where shooting is occurring and nearby residents and re-emphasise the need for existing codes of practice to be followed.

Option 1 is a valid approach but may be politically unacceptable for some local residents in Dunkeld.

Option 2 problematic as Council has no jurisdiction to investigate the issue or interview licensed shooters under KHP.

Option 3 is also problematic as there is insufficient information available to form a view that can be supported by robust evidence. The regulatory agencies within KHP indicate the current regulatory regime operates effectively.

Given this situation, the optimal approach is to highlight to the Minister for Agriculture and other key ministers that there is some local concern about shooting activity around Dunkeld, that this may be related to KHP and seek further investigation on their part. A letter for the Minister for Agriculture, Jaclyn Symes identifying the areas of concern within the programme is attached to this report, together with copies for the Minister for Energy, Environment and Climate Change Lily D'Ambrosio and Minister for Police and Emergency Services, Lisa Neville.

Discussion

The Kangaroo Harvesting Program (KHP) commenced on 1 October 2019. It only pertains to the controlled harvesting of Eastern and Western Grey kangaroos. There are a range of administrative arrangements, specifics related to the programme scope along with community concerns to be addressed in this report. Accordingly, the discussion is set out in terms of the following:

- Administrative Arrangements
- Programme Scope
- Community Feedback
- Other Shooting Programmes
- Council's historic position
- Summary of issues

Administrative Arrangements

Overall, the administrative arrangements are complex and multi-layered. According to information on the Department of Jobs, Precincts and Regions (DJPR) website (refer also to Attachment 12), its agents will be responsible for administering kangaroo harvesting program in line with the requirements of this plan and monitoring and enforcing compliance.

The Department of Environment, Land, Water and Planning (DELWP) will be responsible for maintaining the plan, including managing kangaroo population surveys and quota setting.

The Secretary, DELWP is responsible for giving authorisations under section 28A(1) of the *Wildlife Act 1975*.

With regard to giving authorisations to harvesters to support this plan, the Secretary has delegated the power to make decisions to senior officers of the Game Management Authority (GMA). The GMA is delivering this function as an agent of DJPR. The GMA is accordingly responsible for giving authorisations to harvesters.

PrimeSafe is responsible for the issuing of licenses to Pet Meat Processing Plants, Field Depots and Harvest Vehicles, where these facilities need to be licensed under the Meat Industry Act. PrimeSafe will monitor compliance with licensing requirements at these facilities and take enforcement action where breaches of the Meat Industry Act are identified.

Field harvesters do not need to be approved or licensed by PrimeSafe for the harvesting of kangaroos for pet food. Administration of the program, including authorisations, monitoring harvest quotas and linking landholders with harvesters is managed via an online system.

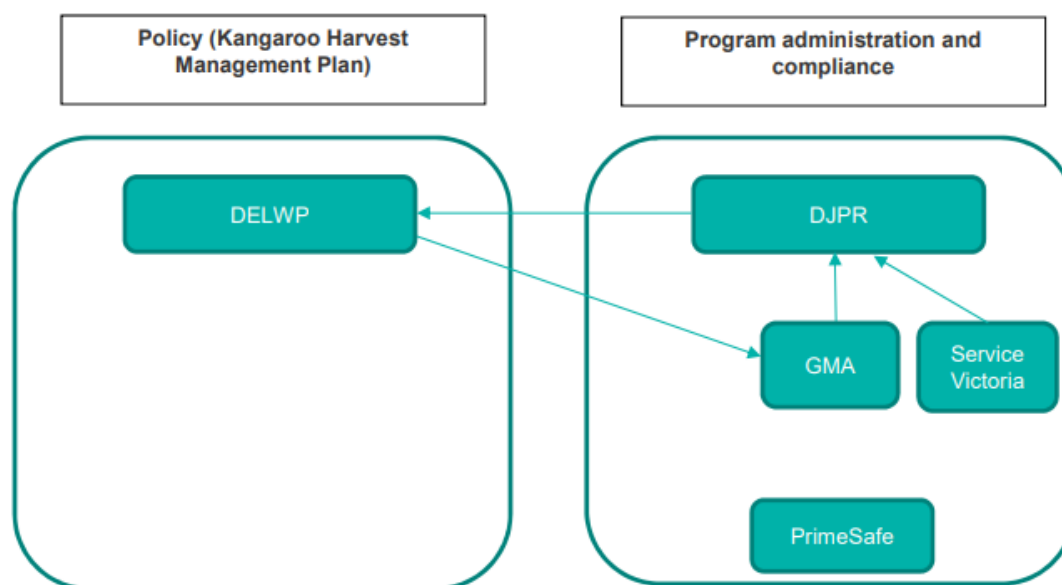


Figure 1 How the System operates

Relevant powers of the Secretary, DELWP have been delegated to Service Victoria, as an agent of DJPR. The appointment of officers of the GMA as authorised officers under the Conservation, Forests and Lands Act 1987 for the purposes of the Wildlife Act allows the GMA to carry out the compliance functions described in this plan.

The Secretary, DELWP retains responsibility for this plan and for ensuring the sustainability of kangaroo populations via the setting of quotas. DJPR will report on quota allocations and harvest numbers to DELWP on a monthly basis. DELWP will maintain the sustainable harvest model, arrange for population surveys to be undertaken and prepare quota reports each year for the following year. DELWP will also be responsible for decisions to reduce or suspend quotas in any zone as indicated by population threshold models.

Finally, issues concerning illegal use of fire farms is a matter for Victoria Police.

Programme Scope

Quotas for harvesting are determined through harvest management plans such as the Victorian Kangaroo Harvest Management Plan 2020. Further specifics on KHP can be downloaded from: <http://agriculture.vic.gov.au/kangarooharvestingprogram>. These have a number of core elements as set out below.

Objective 1 concerns ensuring that commercial kangaroo harvesting in Victoria is ecologically sustainable. This involves a technical understanding of sustainable harvesting quotas based on aerial and ground field surveys, population modelling and other information

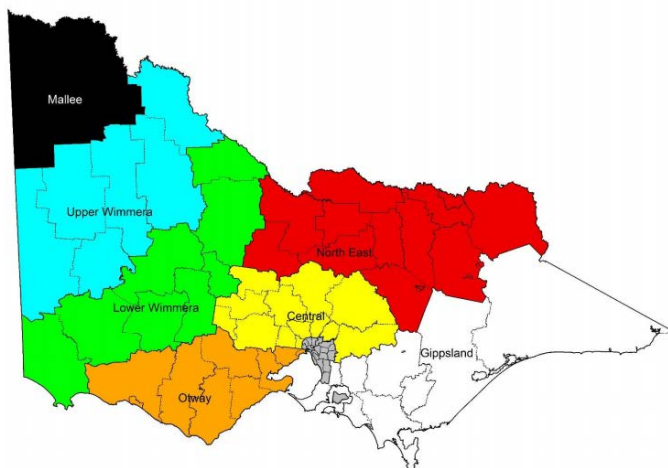


Figure 2 Harvest Zones in Victoria

Quota information for the period 1/1/20-31/12/20 is provided in Figure 3.

Harvest Zone	Commercial quota
Mallee	2,000
Upper Wimmera	4,000
Lower Wimmera	17,500
Central	12,000
Otway	8,000
North East	12,550
Gippsland	4,000
Statewide commercial harvest total	60,050

These quotas are calculated from an estimate of total sustainable harvest of Victorian grey kangaroos that accounts for both ATCW and commercial harvesting allocations (Table 2). Total rates of take are 10% of the estimated population per annum.

Table 2. Recommended total levels of take (under ATCW and commercial harvest) in each Victorian harvest zone for the period 1 January – 31 December 2020

Harvest Zone	Total take
Mallee	4,700
Upper Wimmera	9,200
Lower Wimmera	40,200
Central	27,500
Otway	18,300
North East	28,800
Gippsland	9,100
Statewide total	137,800

Figure 3 Quota information

The second objective relates to humane animal welfare, the focus being on firearm accreditation and training.

Requirements	Management actions	Targets / indicators
Kangaroo harvesters will be required to demonstrate minimum standards of competency set out in the National Code prior to receiving authorisation to harvest under the Plan.	<ul style="list-style-type: none"> - Prior to receiving authorisation, new harvesters demonstrate (via the online platform) that they hold a valid firearms proficiency accreditation. - Prior to receiving authorisation, new harvesters demonstrate (via online platform) that they have completed a recognised Game Harvester competency program*. - Prior to receiving authorisation, harvesters confirm that they hold a firearms licence. - A copy of the National Code is provided to all new applicants with their authorisation and is made available on the website for the harvesting program. <p>*Any accredited Game Harvester competency program that meets the requirements for licensing in another kangaroo harvesting jurisdiction will be recognised.</p>	<ul style="list-style-type: none"> - 100% of new harvesters will hold a valid firearms proficiency accreditation. - 100% of new harvesters have completed a recognised Game Harvester competency program. - 100% of new harvesters confirm that they hold a valid firearms licence.
Harvesters will be required to comply with the National Code (and any future iterations).	<ul style="list-style-type: none"> - Authorisation conditions for commercial harvest of kangaroos will require that harvesters take kangaroos in accordance with the National Code. - Appropriate compliance action is taken when harvesters are found to have breached 	<ul style="list-style-type: none"> - 100% of reports of non-compliance are investigated and appropriate action taken where possible.

Figure 4 Firearms controls

Objective 3 involves appropriate regulation. This occurs through having kangaroo harvesters holding authorisation under s28(1)(h) of the Wildlife Act. Harvesters must then be preferred suppliers under a Food Safety plan as well as hold other licenses.

<p>Conditions will be applied to authorisations and licences that reflect the requirements of this plan, to ensure that participants are required to conduct their activities consistent with the plan.</p>	<ul style="list-style-type: none"> - Standard conditions reflecting the requirements of this plan are included on authorisation templates and provided to every authorised harvester. - Conditions to facilitate this plan are included on Wildlife Processor licences. - Holders of authorisations and licences are informed in writing of changes to conditions prior to those changes being implemented. - Conditions will be reviewed and updated as required, in response to changes in regulatory arrangements or operational/administrative policies. 	<ul style="list-style-type: none"> - 100% of authorisation and licence holders are provided with and aware of the conditions of their licence or authorisation. - 100% of authorisation and licence holders are advised of changes to conditions before they are implemented.
<p>DJPR or its agent will issue kangaroo harvesters with tags corresponding to an allocation of the harvest quota for each zone. Tags will be restricted based on the quota for a given year for each harvest zone. A tag must be affixed to the carcass of each kangaroo killed by a harvester. The maximum number of tags available to a harvester at any one time will be set by DJPR or its agent, applied in an equitable and consistent way, and the information made available to participants prior to application for a quota allocation.</p>	<ul style="list-style-type: none"> - The number of tags issued does not exceed the commercial quota for any zone in any year. - DJPR or its agent specifies a maximum number of tags available to a harvester at one time and makes this information publicly available. Tags issued in a single allocation to a harvester do not exceed this number. - Each kangaroo killed by a harvester must have a tag affixed regardless of whether or not the kangaroo is removed from the property for processing. - Tagging is not, however, required for pouch young and young at foot that are euthanised in accordance with the National Code. - No harvester receives a new allocation of tags until their previous allocation has been partly exhausted, in line with business rules at the time. 	<ul style="list-style-type: none"> - 100% of kangaroos killed by a harvester operating under a harvester authorisation have tags affixed (except pouch young and young at foot).
<p>Reporting systems will enable geotagging of harvest locations to ensure harvesting is</p>	<ul style="list-style-type: none"> - Tags are barcoded and the reporting platform enables scanned tags to be automatically geotagged. 	<ul style="list-style-type: none"> - 100% of scanned tags are being used in the correct zone.
<p>occurring only where permitted and that tags are being used in the correct zones.</p>		<ul style="list-style-type: none"> - 100% of scanned tags are being used only where permitted (i.e. on private land).

Figure 5 Regulations – Extract

Under objective 4 which relates to effective monitoring and enforcement, there are a number of checks and balances. These include 50% of active harvester returns being audited annually, 100% of complaints being investigated and agencies sharing all relevant information. The tagging system enables mapping of kill locations and shooter activity.

The framework, based on what is stated, is highly regulated. Recently, key staff from Game Management Authority (Zac Powell), Department of Agriculture (Anne Cole) and Mark Sandford (DJPR) briefed Council (22/7/20) on KHP. The information provided on systems and approaches applied corresponds with the documentation contained in the Victorian Kangaroo Harvest Management Plan.

Notwithstanding concerns raised in Dunkeld, none have been found to be verified in relation to KHP by agency staff. This may not indicate concerns by residents on shooting activity are invalid, but that these concerns *may* relate to other programmes or even illegal shooting occurring in the area. It is unclear.

Community Feedback

Council records confirm no community feedback on KHP has occurred within the Shire except in Dunkeld. In total 10 landowners have raised issue with kangaroo harvesting, with one resident writing in 5 times.

Issues raised include:

- Proximity of shooters to nearby residences (too close). Should or could exclusion zones be applied near urban areas.
- Animal carcasses being left near roads/property boundaries including decapitated joey/s.
- Lack of notification of shooting activities
- Impact on the local tourism industry

These concerns have been expressed in Council run community forums, with Victorian Police and with the regulating agencies.

It is evident that there is something of a distance between the perspective of KHP regulators as the efficacy of the programme and the perspectives of those landowners writing to Council of their concerns.

Other Shooting Programmes

It is important to note that KHP is a separate programme from Authority to Control Wildlife or ATCW that regulates and enables kangaroo destruction by farmers to mitigate damage to property.

Separately, shooting is also allowed for fox, deer and rabbit eradication, subject to compliance with relevant firearm compliance (see Firearms Safety Code and Firearms Act 1996).

Illegal shooting is also known to occur within the Shire, though no specific incidents are recently noted in Dunkeld (verified by Gerard Kelly, 3/8/20).

Council's historic position

In 2011 Council wrote to then then Hon. Peter Walsh MP, Minister for Agriculture and Food Security advocating for the processing of kangaroo meat. The concern was that State government jurisdictions did allow such harvesting and Victoria did not. Beyond this, there was a concern an inability to harvest meat from native animals was likely to create waste and environmental issues. Feral animal and vermin would be just some of these impacts. The letter was also supported by surrounding local government jurisdictions.

By December 2016 Council was reiterating its support to the Hon. Lily D'Amrosio MP, Minister for Energy, Environment and Climate Change for the processing of culled kangaroo meat for pet food. The trial then underway had created jobs and brought 'obvious environmental benefits'. A motion to this effect was passed.

Overview of issues

There are a range of issues summarised as follows:

- Whilst there are complaints about shooters in Dunkeld and their behaviour, is this attributable to KHP? There are a range of activities involving shooters both legal and potentially illegally occurring near townships such as Dunkeld. Why for instance would shooters regulated under KHP leave animal carcasses on ground when it is a harvesting programme for pet food? Why would shooters making income from animal harvesting risk losing their accreditation for non-compliance?

- Council has records of concerns from certain residents in Dunkeld about native animal shooting. But what is the view of local farmers where these activities occur?
- How does Council play any role in activities Council has no jurisdiction over?
- To what degree are existing concerns expressed to Council related to KHP rather than the wider issue of native animal shooting near existing settlements?
- VicPolice have been called out to Dunkeld by one of the local residents to review shooting activity. The shooter was licensed under KHP and according to Police were complying with all regulations – a view which did not match that of the resident.
- How can any regulated shooting programme for animal harvesting (KHP) or population control (ATCW) be delivered with appropriate sensitivity to nearby settlements. In short, are existing guidelines for shooters sufficiently clear?

Given the above, what role, if any should Council play in advocating changes to KHP management practices? Objectively, there are two distinct sides to this debate (regulators v specific landowners in Dunkeld) as to how well regulation is being enforced under KHP.

On balance, there is insufficient evidence without further research to demonstrate that KHP protocols for shooter activity are not being met. The investigations carried out by the Gaming Management Authority are not subject to Council scrutiny, reflecting the legislative framework in place. It is only Ministers within DELWP, DJTR and Police that have such roles. Feedback from agency officers (GMA, DJPR, Dept of Ag) indicate that regulatory compliance is being achieved under KHP.

Council has three choices:

1. Allow the relevant authorities to administer KHP as they presently do;
2. Seek further information from stakeholders to better inform Council on animal harvesting and shooting in Dunkeld and then determine an agreed policy position; or
3. Advocate for improved communication between landowners where shooting is occurring and nearby residents and re-emphasise the need for existing codes of practice to be followed.

The legislative framework and agency responsibilities are clear and therefore it is reasonable to expect DJPR and other agencies will continue to administer the programme. Dunkeld is not the only town near large kangaroo populations. Equally, there is always likely to be room for improvement in communications between shooters and residences/small business. A greater emphasis by all agencies on auditing what is KHP sanctioned activity for shooters versus other shooting activity, both legal and illegal, is desirable. Advocacy to this effect to relevant Ministers is proposed (see Attachment 13).

Financial and Resource Implications

There are no financial or resource implications from advocating for further monitoring and potential tightening of shooter activities for KHP. Equally, should the shooting causing concern in Dunkeld not be related to KHP, advocacy may still be required with respect to Victoria Police's local response to activities which may breach codes of practice.

Legislation, Council Plan and Policy Impacts (sourced from Attachment 12)

As indicated, Council has no jurisdiction over native animal shooting and harvesting. Nonetheless, the following legislation has bearing on current practices:

Wildlife Act 1975

The purposes of the Wildlife Act 1975 (the Wildlife Act) are:

“(a) to establish procedures in order to promote-
(i) the protection and conservation of wildlife; and
(ii) the prevention of taxa of wildlife from becoming extinct; and
(iii) the sustainable use of and access to wildlife; and
(b) to prohibit and regulate the conduct of persons engaged in activities concerning or related to wildlife.”

While commercial use of wildlife is not incompatible with the objectives of the Wildlife Act, any use of wildlife must be undertaken in a sustainable manner and in the context of all the Wildlife Act’s purposes.

All Victorian kangaroo species are protected under the Wildlife Act. It is an offence to hunt, take or destroy protected wildlife unless in accordance with a licence or authorisation issued under the Wildlife Act.

Authorisations to take and destroy wildlife can be issued for a range of purposes. One of the purposes is “to support a recognised wildlife management plan” (s28A(1)(h)). This plan is prepared so that it can be treated as a recognised wildlife management plan under which kangaroo harvesters can be authorised to destroy, possess, sell and dispose of kangaroos for commercial purposes.

The Wildlife Act also provides for regulations to establish a licensing framework to enable the legal use of wildlife for a range of purposes. The Wildlife Regulations 2013 prescribe relevant licence categories and their conditions. The Wildlife Regulations 2013 prescribe a ‘Wildlife Processor Licence’, issued and administered by DELWP. While many Wildlife Processors process wildlife only to produce fur, skins or leather, a Wildlife Processor that is also licensed to operate a ‘Pet Meat Processing Plant’ under the Meat Industry Act 1993 may process wildlife to produce pet food. Wildlife Processor Licences are subject to conditions, and can be issued annually or 3 yearly. Holders of a Wildlife Processor Licence are required to keep record books and submit them to DELWP annually. DELWP wildlife officers undertake random inspections of all commercial licence holders to monitor compliance with the legislation and licence conditions. For the purposes of this program, processors taking kangaroo carcasses may also be subject to inspections by DJPR or its agents.

Meat Industry Act 1993

The Meat Industry Act 1993 (Meat Industry Act) establishes the legal framework for regulation of meat production for human consumption and pet food. It enables the setting of standards for meat production.

Pet food is produced in Victoria through ‘Pet Meat Processing Plants’ which wholesale, package and/or prepare pet food/meat for sale. These facilities require a licence under the Meat Industry Act, administered by Victoria’s meat and seafood safety regulatory body, PrimeSafe. Licences are issued annually, commencing on 1 July of each year, and applicants pay a licence fee. PrimeSafe licensees are required to engage directly a third-party auditor to conduct audits. PrimeSafe also conducts unannounced inspections to ensure compliance with licensing requirements. Further, the Meat Industry Act regulates field depots and harvest vehicles used for the commercial harvesting of game unless these are subject to exemption under the Act.

Pet Meat Processing Plants are required to implement a Food Safety Plan (also known as a Quality Assurance Program) identifying approved suppliers of meat. Licensed pet food

processing plants can only receive carcasses from approved suppliers who have satisfied certain requirements. Approved suppliers are required to undertake training that satisfies national standards. For the purposes of this program, authorisation under the Wildlife Act to act as a field harvester of kangaroos will satisfy these requirements.

Pet Meat Processing Plants food plants must also comply with the 'Standard for the Hygienic Production of Pet Meat (PISC Technical Report 88 – Amended 2009)', which prescribes outcomes and the methods for achieving those outcomes.

Prevention of Cruelty to Animals Act 1986

Under the Prevention of Cruelty to Animals Act 1986 (POCTA Act) it is an offence if a person does something, or omits to do something, that results in the pain and suffering of any animal – including kangaroos. However, offences under the POCTA Act (except for those in Part 3 – scientific procedures) do not apply to anything done specifically in accordance with the Wildlife Act (refer to section 6(1B) of the POCTA Act). This exemption applies to any activities undertaken in accordance with an authorisation given under the Wildlife Act.

Risk Management

Legislatively, there are no risks if Council chooses to allow existing agencies to regulate native animal harvesting under KHP.

If however risks to community safety exist, Council faces reputational risk in not advocating for ongoing and likely closer monitoring of shooting activities surrounding Dunkeld. Targeted advocacy reduces but does not remove this risk.

Environmental and Sustainability Considerations

None identified. There is no evidence that KHP is being undertaken unsustainably with respect to kangaroo population numbers. However, abandoned kangaroo carcasses found either near or within road reserves is of concern and raises a number of vermin and nuisance issues that should be carefully managed.

Community Consultation and Communication

There has been ongoing dialogue between Council and the local community on this issue. In addition, a recent workshop in July 2020 was held with regulating agencies for KHP.

Dependent on the decision of Council to develop and deliver advocacy expressing community concerns over native animal harvesting in Dunkeld, appropriate online information confirming the Council position will be required.

Disclosure of Interests

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

RECOMMENDATION

1. That Council re-affirm publicly that it has no legislative role in the regulation of native animal harvesting or shooting within the Shire.
2. That as per Council's previously stated position in 2011 and 2016, that Council supports the kangaroo processing industry.
3. Notwithstanding, Council has a number of concerns with respect to existing native animal shooting activities occurring within the Shire (including under Kangaroo Harvesting Programme), especially around Dunkeld which should be brought to the attention of DELWP, DJTR and Victoria Police as outlined in Attachment 13 for further review of existing regulatory arrangements and compliance by licensed shooters.

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Dunkley

1. That Council re-affirm publicly that it has no legislative role in the regulation of native animal harvesting or shooting within the Shire.
2. That as per Council's previously stated position in 2011 and 2016, that Council supports the kangaroo processing industry.
3. Notwithstanding, Council has a number of concerns with respect to existing native animal shooting activities occurring within the Shire (including under Kangaroo Harvesting Programme), especially around Dunkeld which should be brought to the attention of DELWP, DJTR and Victoria Police as outlined in Attachment 13 for further review of existing regulatory arrangements and compliance by licensed shooters.

CARRIED

10.9 Grampians Tourism Board Funding Request

Directorate: Andrew Goodsell, Director Planning and Development
Author: Andrew Goodsell, Director Planning and Development
Attachments: 15. Memorandum of Understanding 2017-2021

Executive Summary

As part of Grampians Tourism (GT) Reactivation Strategy & Action Plan 2020-2021 funding has been sought from member councils for destination marketing. Overall, GT has sought \$300,000 from its member councils (Ararat, Horsham, Northern Grampians & Southern Grampians) for a range of tourism marketing campaigns.

For Southern Grampians the financial ask is \$75,000 comprising the following elements:

- Tranche 1: Visit Friends and Relatives Campaign – Meet me in the Grampians. Cost \$25,000
- Tranche 2: Cooperative Marketing Program – Cost \$45,000
- Tranche 3: Digital Marketing Mentoring Program Tourism E-School – cost \$5,000

Council presently funds GT to the extent of \$38,694 with the addition of at least \$10,000 for co-operative activities annually. In short, a commitment of a minimum of \$48,694 excluding in-kind support. The new request is not presently funded.

The request is predicated on the impacts of COVID-19 on the visitor economy, the perceived lack of ability by industry to contribute to marketing activities and the need for additional or more extensive marketing campaigns that focus on visitor/friends/relatives (VFR) as well as local stories and training support for local businesses. It also assumes that there is no funding opportunities from State and Federal Governments.

The relationship between GT and Council is governed by an MoU. Key elements are contained in clause 8 and 9 which basically confirm that GT will drive a number of initiatives as set out in Schedule A. These include seasonal campaigns, online and content management, Great Southern Touring Route, Grampians Peak Trail, Grape Escape, Grampians Way, industry training etc. Local stories are told within a regional context, but the GT site has not to date been driving specific local agendas on a pay for use model. Put simply, GT markets for the collective interests of council membership as well as those business interests that individually subscribe for access and support.

Each council within the GT membership has common but also separate needs. The common need is regional marketing and branding, whether it be Grampian National Park visits, high level media exposure eg Postcards (tv show) or in facilitating advocacy and conversations on tourism within the region.

The separate needs are the local stories. The new funding requests in this light can and do overlay those being delivered by Council, at least with respect to tranches 1 (VFR) and 2 (local stories). Council delivers through campaigns such as the Greater Hamilton- Inspired by Locals, Visitor Economy Recovery Strategy. Within that sits the VFR campaign which by its very nature is a local story. Funding tranche 1 by GT would overlap efforts being delivered by Council in the same VFR space and do so in a way that is likely less 'textured' and locally based.

Funding tranche 2 by GT creates similar challenges to tranche 1. Timing is also problematic. Council has invested in the Visit Grampians website to tell local stories and align with strategic pillars and focus areas. In addition, notwithstanding the GT suggestions that the additional funding would further support existing campaigns such as Grampians Way, Council already makes some \$50,000 in annual contribution. Some of this money (likely \$10,000) should reasonably be seen as supporting these types of initiatives.

Funding tranche 3 concerning training of local tourism focused businesses would however be of likely merit and should be supported subject to further details on support role out.

Discussion

For ease of reading, this section of the report is divided into the following headlines:

1. Strategic basis of request
2. GT request specifics (tranches 1-3)
3. Key Questions:
 - a. To what degree are the initiatives proposed reasonably within the money Council provides to GT annually as it stands today?
 - b. What is the optimal balance between a regional approach to visitor economy and that delivered by Council?
 - c. What is the merit of each funding option with respect to value achieved?

Strategic basis of request

The visitor economy is vital to the regional and local economy. That value is summarised in Figure 1.



Figure 1

Within this economy the domestic contribution provides the lion’s share of spend (mostly day trippers, significant overnight stays).

COVID-19 has largely closed the international market and brought challenges even for domestic visitors. This has and will impact our economy. So what to do and how? To address COVID and other recent challenges (bushfire recovery for instance) GT maintains a Short Term Tourism Recovery Plan (July-Dec 2020). This Plan has 3 phases as set out in Figure 2.

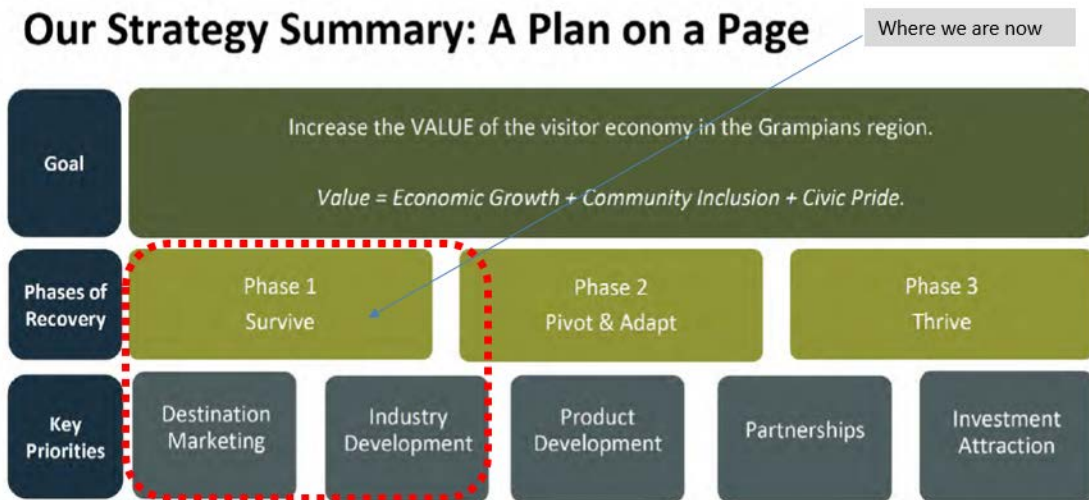


Figure 2

In turn, during phase 1 (the present phase), the emphasis is on ‘survival’ with a list of key priority actions as set out in Figure 3.

Strategies and Tactics Overview			
OBJECTIVE: To support the return of visitor arrivals, length of stay and spending to pre-COVID-19 results.			
Key Priority	Strategy	Tactics	Phase
1. Destination Marketing:	Implement an integrated destination marketing strategy to build the Grampians brand, raise awareness, drive visitation and maximize ROI.	We will develop, implement and evaluate marketing initiatives annually including: 1.1 Destination Campaigns 1.2 Digital Marketing 1.3 Public Relations 1.4 Leveraging Events 1.5 Database Marketing 1.6 Asset Development 1.7 International Marketing	
2. Industry Development:	Champion activities designed to increase the capacity of operators to foster a continuous improvement mindset resulting in high quality experiences that surpass the expectations of visitors.	We will create, administer and promote a range of continuous improvement and professional development programs including: 2.1 Industry Training 2.2 Annual Grampians Tourism Conference	
3. Product Development	Curate products to create compelling visitor experiences that are both productive and sustainable in a post COVID-19 environment	We will create product development opportunities to facilitate new experiences including: 3.1 Identify & guide Internationally Ready Product 3.2 Develop regional product priorities	
4. Partnerships	Strengthen partnerships with Government departments, industry bodies and local operators	Cultivate mutually beneficial relationships to support the recovery of the visitor economy with the following partners: 4.1 Local Government 4.2 VTIC 4.3 Regional Development Victoria 4.4 Visit Victoria & Tourism, Events and the Visitor Economy TEVE 4.5 Parks Victoria 4.6 Regional Visitor Economy Operators / Businesses	
5. Investment Attraction	Advocate for and attract investment opportunities into the Grampians region	We will increase the level of private and public investment in new priority tourism projects and existing facilities. 5.1 Grampians Workforce Project 5.2 Key regional Infrastructure priorities 5.3. Identify independent funding opportunities	

Figure 3

More broadly, however the strategic basis for GT appears to be to widen the role of GT into areas it has not been directly targeting before (VFR, local stories as commissioned by local government). These go beyond previous regional drivers.

GT request specifics (tranches 1-3)

Request 1: VFR Campaign – Meet me in the Grampians. Cost \$25,000 per LGA

Approach

The local community are ambassadors for the region. They can invite friends and relatives and are a key promoter of tourism.

In 2019 VFR represented 27% of domestic overnight and 18% of day trip visitation. VFR is widely predicted to be the first visitor segment to return once restrictions are eased.

How delivered?

- Video content & written local personality content
- Digital development within existing GT platform
- Local publishers and radio media, plus PR
- Local TV advertising and TVC production
- Printed material and print advertising
- Digital distribution including email and paid social

12 week campaign. Start date to be confirmed.

Request 2: Cooperative Marketing Program – Cost \$45,000 per LGA

Approach

LGAs to invest in and leverage GT campaigns. Program comprises series of co-funded marketing initiatives, within general destination marketing area. Can include LGA specific activities.

How delivered (Linked to 'The Grampians Way' campaign)

- Social campaign on Facebook and Instagram
- Road trips digital campaign
- Road trips digital campaign into Melbourne and Adelaide
- Video content
- Content Partnership – partner with a 'Lifestyle Leader' media platform in Melbourne, Adelaide or National level on Road trip themed content.
- Print advertising – 4 x space magazine full page adverts, one for each patch.

Timing to be confirmed.

Request 3: Digital Marketing Mentoring Program Tourism E-School – cost \$5,000 per LGA

Approach

Recent GT research (COVID-19 & Bushfire) highlights the need for professional development by operators in the visitor economy.

Note: 309 industry partners sent survey, 12 responses (3.8%). For respondents creating a Strategic Marketing Plan (46.15% of respondents) and Digital Marketing Methods (61.54%) were the top two topics.

How delivered

- Tourism eSchool to undertake a Marketing Training Program for operators across four LGAs. The program consists of a range of online modules targeted specifically at tourism businesses, identified based on the needs of the operators in the region and also GT strategic plan requirements.
- Council contribution ensures this important program could be offered free to operators.

Timing to be confirmed.

For all 3 funding tranches, the intention is that GT will report back to the Board before end of 2020 to confirm way forward, including timing of funded initiatives.

Key Questions:

1. To what degree are the initiatives proposed reasonably within the money Council provides to GT annually as it stands today?

GT does the following:

- Drives Visit Grampians website <https://www.visitgrampians.com.au/>. Site which focuses on tourist visitation and provides road trip as well as town/district profiles (Dunkeld, Hamilton, Peshurst and Coleraine).
- Drives GT website <https://grampianstourism.com.au> a corporate/industry site containing key strategies and business support.
- Seeks to leverage off key 'priority events' - Grampians Grape Escape, Seriously Shiraz, Great Vic Bike Ride (GVBR). Provides advocacy, co-ordinates branding, grant applications, funding support eg \$8k for GVBR.
- When resourced, can provide central point for co-ordinating LGA responses on strategic issues of interest eg RTB review, population attraction, COVID.
- Strategically placed with its focus on 'the rock' (ie Grampians NP) to be a central player in discussions with Parks Vic.
- Business support – see Tourism Crisis Response & Grampians Recovery Taskforce.
- Communications & Engagement – Keep operators informed via range of media and online channels.
- Training & Development - Historically GT has relied on Local Government and State programs to deliver this training.
- Runs Cooperative marketing programs such as Official Visitor Guide (OVG) , UrbanList campaign and undertaken initiatives such as Great Weekend tv.
- The SGSC contribution to income for GT is around 4%, or about 12% of the 'tactical marketing' budget in 19/20 (\$309,000).

Overview – Expectations of GT are contingent on investment, relationships and role performed. GT likely performs some tasks well and provides value in collaborating (industry round tables are often good, campaign collaboration) and others need improvement (OVG and website hit conversion to bookings) but the aspects of the GT funding request (VFR request) sit outside 'business as usual'. A \$300,000 ask of all Council's would double the current tactical budget of GT based on 2019/20 data.

Such funding presumably would entail more administration support at GT, more project/campaign supervision and would take GT likely outside its historical role as set out in the MoU. To enlarge, the relationship between GT and Council is governed by an MoU. That MoU indicates at clause 8 that '*... Local Government Members will be responsible for the activity outlines in their individual Council plan related to the Goals and which is summarised in Schedule A.*

Furthermore, in clause 9 it states '*Grampians Tourism and the Local Government Members are autonomous bodies with responsibility for their own strategy plans, budgets and financial sustainability.*'

2. What is the optimal balance between a regional approach to visitor economy and that delivered by Council?
 - There is objectively a regional tourism story and a local tourism story. The former presents a broad brush story, the latter is specific and personal. There is a need for both. The roles are defined in the current MoU, although when the overlap between

the two occurs there is not always a clear understanding about maximizing cooperative efforts.

- GT's role has been discussed earlier. To date their focus has been regional.
- Council delivers through campaigns such as the Greater Hamilton- Inspired by Locals, Visitor Economy Recovery Strategy. Within that sits the VFR campaign which by its very nature is a local story and supported by an industry development program to drive participation.
- GT has not been in the VFR space previously, instead relying on high profile activities and events with a northern regional flavour eg Grape Escape, Seriously Shiraz. Road trips likely fit into the regional story as well as does hero marketing of the rock itself (Grampians NP).
- Flexible campaigns are needed, especially during COVID with different access restrictions seemingly each month at present.

Whilst tranche 1 and 2 funding likely involve a local story which Council is better placed to tell, tranche 3 is different. Training and business development is an activity that should be co-ordinated and would benefit from a single entity such as GT playing a key role. Such activities are not COVID dependent – indeed during COVID may be the exactly right time to undertake this work.

Council is well progressed with delivery of its local strategies, as per Figures 4-6.



Figures 4a & 4b SGSC'S Postcards Campaign for VFR (source: SGSC)



Figure 5 Visit Greater Hamilton Digital Strategy (source: SGSC)

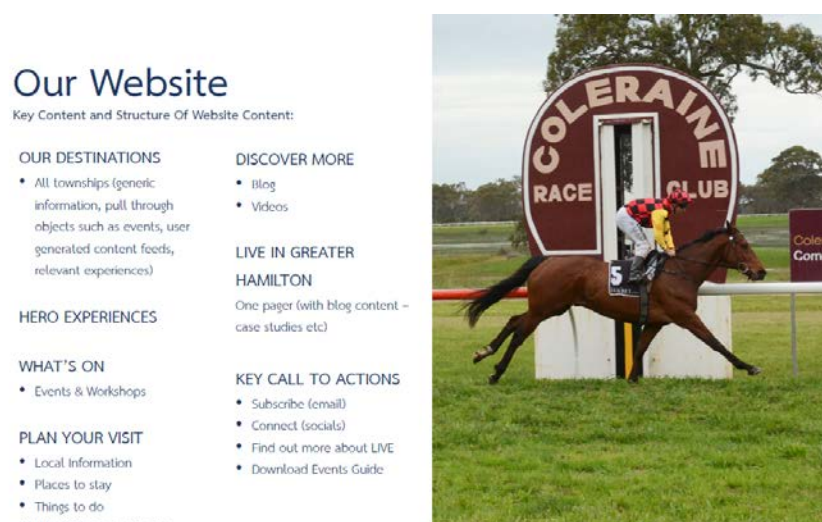


Figure 6 Visit Greater Hamilton Digital Strategy (source: SGSC)

3. What is the merit of each funding option with respect to value achieved?

Tranche 1 VFR – The other 3 member Council’s have funded this initiative but Council is running its own campaign (currently completing photo shoots) and timing is not conducive to such an activity. This is the primary purpose of the Visit Greater Hamilton site <https://www.visitgreaterhamilton.com.au/>. Significant work has gone into this website and its success should be monitored. The funding request is substantial (\$25,000) and Council can deliver and has been developing its programme, that can be deployed at any time, without expensive metropolitan or regional expenditure. Suggested response: No

Tranche 2 Co-operative Marketing Program – A \$45,000 request to run “general destination marketing activity”. The cost/benefit is unclear. The existing \$10,000 Council provides for co-operative activities should be seen as a significant level of support for a campaign of this type. Additional funding opportunities are expected to be announced from both State and

Federal Governments. Indications are that they will look favourably upon funding for multi-state touring campaigns that would place the region in a competitive position to develop touring campaigns with Great Ocean Road and Limestone Coast as a Melbourne/ Adelaide connector. Suggested response: No

Tranche 3 Digital Marketing Training – The cost is some \$5,000 per LGA and it will reinforce and support Council initiatives such as found on the VGH website. Suggested response: Yes subject to further detail on project roll out.

Financial and Resource Implications

The cost implications of supporting tranche 3, involving free training for local business to adjust and respond to COVID-19 conditions is of limited cost (\$5,000). It is a one-off expense. The project would be co-ordinated by GT.

No other issues are identified.

Legislation, Council Plan and Policy Impacts

The funding request by GT has been assessed with respect to Section 2.4 of the Council Plan 2017-21 that requires Council to ‘Support, encourage and promote a strong, innovative and distinctive tourism sector that grows the visitor economy.’

In addition, the proposal has been considered with respect to the existing MoU that governs the relations and service expectations of GT and its member councils.

Risk Management

There is significant risk in funding all three tranches as requested by GT. These risks concern the impact of a significant shift in role for GT from regional marketer for member LGAS to service provider for local stories. This seems to be outside the current MoU expectations of both parties.

The GT proposal may reflect a view, promoted in the regional review undertaken by Komosion, that GT should have a hub role for all tourism and visitor services even those undertaken by local government but it fails to address three key issues:

1. The Komosion review has not been tabled with Council as it was considered a highly flawed assessment. Other councils have taken a different approach;
2. Ultimately whether the existing MoU accurately reflects the balance of local and regional interests (and the role of LGAs and GT) is best determined under the new Regional Tourism Board arrangements – which are yet to take effect and have not been announced.
3. Council has a well supported and experienced team that have established key websites and resources to tell local stories.

The recommended approach contained in this report to only fund training of local business is a low risk approach to supporting the visitor economy.

Environmental and Sustainability Considerations

No issues or considerations have been identified.

Community Consultation and Communication

Community consultation is not required at this point.

GT will need to be informed of Council's decision.

Disclosure of Interests

The officer is a local government appointee to the Board of Grampians Tourism (proxy for CEO of Southern Grampians Shire). The funding request however is driven by Grampians Tourism not the Board and accordingly affirm that no direct or indirect interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That Council:

1. Inform Grampians Tourism that the funding request for Digital Marketing Mentoring Program Tourism E-School – cost \$5,000 per LGA is supported subject to further details on how the programme will be delivered.
2. Inform Grampians Tourism that the other funding requests are not supported at this time.
3. Review the 2020/21 budget to fund the resources required to support the initiatives identified for implementation or otherwise fund via internal sources. Further details on initiative to be provided by Grampians Tourism.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Rainsford

That Council:

1. **Inform Grampians Tourism that the funding request for Digital Marketing Mentoring Program Tourism E-School – cost \$5,000 per LGA is supported subject to further details on how the programme will be delivered.**
2. **Inform Grampians Tourism that the other funding requests are not supported at this time.**
3. **Review the 2020/21 budget to fund the resources required to support the initiatives identified for implementation or otherwise fund via internal sources. Further details on initiative to be provided by Grampians Tourism.**

CARRIED

10.10 Planning Application TP/57/2020 – 63-65 Mount Napier Road, Hamilton – three (3) lot subdivision

10.10.1 Speakers

1. Stewart Otton on behalf of Stewart and Meredith Otton

10.10.2 Management Report

Directorate:	Andrew Goodsell, Director Planning and Development
Author:	Roslyn Snaauw, Coordinator Planning
Attachments:	16. Application documents
	17. Copy of the Development Plan Overlay and Schedule
	18. Copies of all objections
	19. Copy of Applicant response to objections

Executive Summary

That Council having caused notice of Planning Application No. TP/57/2020 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the provisions of 32.08-3 of the Southern Planning Scheme in respect of the land known and described as 63-65 Mount Napier Road, Hamilton, for the three (3) lot subdivision in accordance with the endorsed plans, with the application dated 2 July 2020, subject to conditions.

Background

Council has received a planning permit application for a three (3) lot subdivision for the land known at 63-65 Mount Napier Road in Hamilton.

The application proposes the subdivision of land into the following lot sizes:

- Lot 1 will have a total lot area of 1,067 square metres with frontage to Mt Napier Road and will contain the existing dwelling. The dimensions of this lot will be 40.41 metres x 26.44 metres.
- Lot 2 will have a total lot area of 484 square metres and will have frontage to Bayley Street. The dimensions of this lot are 40.27 metres x 12 metres. This lot will have a building envelope that is setback from the front boundary 6 metres, west and east boundary 1 metres and the northern boundary 4 metres. The dimension of the building envelope will be 10 metres x 30.27 metres.
- Lot 3 will have a total lot area of 504 square metres and will have frontage to Bayley Street. The dimensions of this lot are 12.5 metres x 40.27 metres. This lot will have a building envelope that is setback from the front boundary 6 metres, west and east boundary 1 metres and the northern boundary 4 metres. The dimension of the building envelope will be 10.5 metres x 30.27 metres.

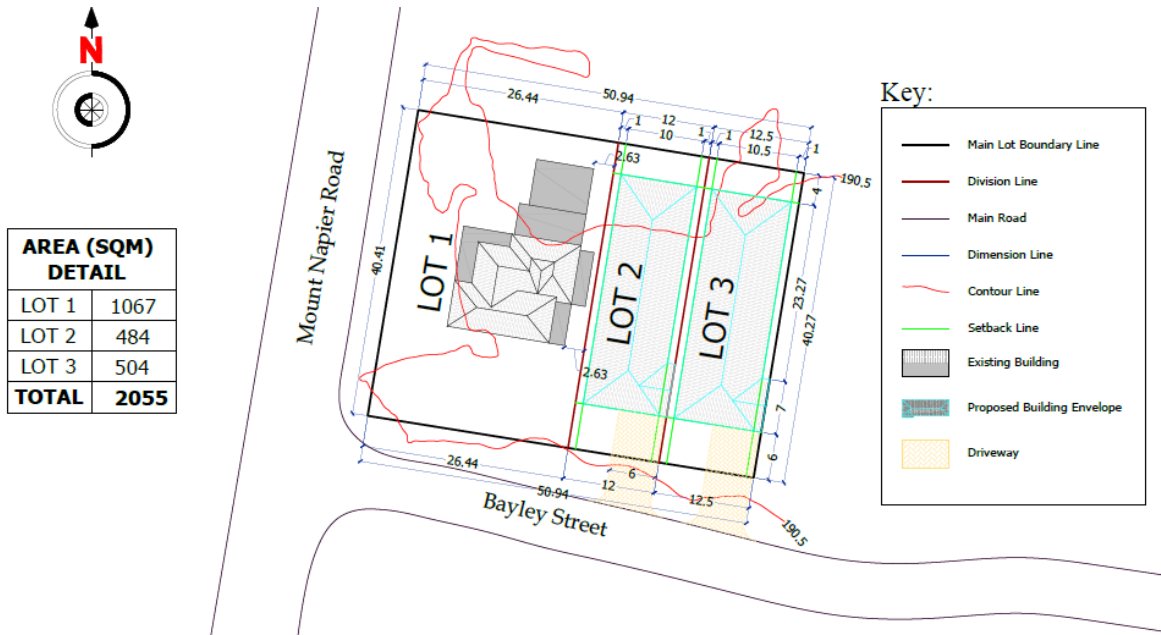


Figure 1 Lot Layout

Subject site & Locality

The subject site is a relatively flat, corner allotment with a square configuration that has a total lot area of 2,055 square metres containing an existing single storey dwelling and outbuildings. Existing access is from Mt Napier Road to the west. A drainage easement E-1, is located along the northern boundary and has a width of 1.5 metres.

The surrounding area is developed with residential dwellings with properties to the west not affected by the Development Plan Overlay DPO1.



Figure 2: Aerial of subject site

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing two (2) signs on site
- SGSC website

The notification has been carried out correctly with a total of nine (9) objections received as summarised below.

Submission no.	Key issues raised
1. Stewart & Meredith Otton	<ul style="list-style-type: none"> • Proposed subdivision is not in character of the area • Any future development will adversely affect the amenity of the area • Increased traffic
2. Emily Thomas	<ul style="list-style-type: none"> • Downgrade quality of residents on this street • Reduces safety
3. Phyllis Bensch	<ul style="list-style-type: none"> • Proposed subdivision is not in character of the area • Intrusion of privacy
4. Merrilyn & Tavis McCallum	<ul style="list-style-type: none"> • Proposed subdivision is not in character of the area • Increased noise • Increased traffic
5. Joan Linke	<ul style="list-style-type: none"> • Noise
6. Faouzi Bacash	<ul style="list-style-type: none"> • Proposed subdivision is not in character of the area
7. Margaret Peters	<ul style="list-style-type: none"> • Proposed subdivision is not in character of the area • Devalue property • Increased traffic
8. Myra Bish	<ul style="list-style-type: none"> • Proposed subdivision is not in character of the area
9. Judith Reid	<ul style="list-style-type: none"> • Proposed subdivision is not in character of the area • Increased traffic

The applicant has provided a response addressing each submission, however no objections have been withdrawn.

Referrals

External referrals required by the Planning Scheme:

Referrals/Notice	Response
Section 55	
Powercor	No objection subject to conditions
Tenix	No objection subject to a conditions

Wannon Water	No objection subject to conditions
Internal Council Referrals	Advice/Response/Conditions
SGSC Engineering Department	No objection subject to conditions

Planning Controls

The Planning Policy Framework includes a number of policies that relate to this proposal.

Clause 00 Purpose and Vision

Clause 01 Purpose of this Planning Scheme

The purpose of the Southern Grampians Planning Scheme is to provide a clear and consistent framework within which decisions about the use and development of land can be made, to express state, regional, local and community expectations for areas and land uses and to provide for the implementation of State, regional and local policies affecting land use and development.

Clause 02.02 Vision

The Shire's vision is to be well-connected, dynamic regional centre, supporting a vibrant, healthy and inclusive community.

Clause 10 Planning Policy Framework (PPF)

The Planning Policy Framework (PPF) and the Local Planning Policy Framework give direction supporting the objectives of planning in Victoria (as set out in Section 4 of the *Planning and Environment Act 1987*) and are fostered through appropriate land use and development policies and practices.

Clause 11 Settlement

- Clause 11.01-1S Settlement
- Clause 11.01-1R Settlement – Great South Coast
- Clause 11.02-1S Supply of urban land – objective is to ensure sufficient supply of land is available for residential uses.
- Clause 11.03-6L Planning for Places - Hamilton

Clause 15 Built Environment

- Clause 15.01-3S Subdivision Design
- Clause 15.01-5S Neighbourhood Character

Clause 16 Housing

- Clause 16.01-1S Integrated Housing – strategy to increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.
- Clause 16.01-2S Location of Residential Development – to locate new housing in designated locations that offer good access to jobs, services and transport.
- Clause 16.01-4S Housing affordability.

Clause 19 Infrastructure

- Clause 19.03-2S Infrastructure design and provision
- Clause 19.03-2L Infrastructure design and provision
- Clause 19.03-3S Integrated water management
- Clause 19.03-04S Telecommunications

Clause 20 Local Planning Policy Framework

Clause 23.03 Operation of the Local Planning Policies

Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement.

A Local Planning Policy is a policy statement of intent or expectations. It states what the responsible authority will do in specified circumstances or the responsible authority's expectation of what should happen.

Clause 30 Zone

The subject site is located within the *General Residential Zone – Schedule 1 'Hamilton and Coleraine' (GRZ1)* pursuant to Clause 32.08 of the Southern Grampians Planning Scheme. Pursuant to Clause 32.08-3 (Subdivision) a planning permit is required for subdivide land.

An application to subdivide land into 3 lots must meet all of the objectives and should meet all of the standard in Clause 56, except for the following clauses, Clause 56.02-1, Clause 56.03-1 to 56.03-4, Clause 56.05-2, Clause 56.06-1, Clause 56.06-3, Clause 56.06-6

Clause 40 Overlay

The subject site is located within the *Development Plan Overlay – Schedule 1 'Infill Residential' (DPO1)* pursuant to Clause 43.04 of the Southern Grampians Planning Scheme. Pursuant to Clause 43.04-2, a permit must not be granted to subdivide land until a development plan has been prepared to the satisfaction of the Responsible.

Clause 50 Particular Provisions

Clause 53.01 Public Open Space Contribution and Subdivision

An application to subdivide land must also make a contribution to Council for Public Open Space. The Schedule to Clause 53.01 states that land in the Development Plan Overlay Schedule 1 are to provide a 5% contribution for public open space (being a percentage of the site value of such land).

Clause 56 Residential Subdivision

Pursuant to this clause, an application to subdivide land must meet all of the objectives included in the clauses specified in the zone and should meet all the standards. If the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered. An assessment against *Clause 56* is as follows:

Clause 56 Assessment

Clause 56.03 Liveable and Sustainable Communities

Clause 56.03-5. Neighbourhood character objective, Standard C6

Complies. The proposed three lot subdivision responds to and integrates with the surrounding urban environment in relation to the specific corner site location. The subject site consists of frontages to both Mount Napier Road and Balwyn Streets.

The surrounding residential area consists of rectangular shaped allotments fronting Balwyn Street, with smaller designed allotments (similar to proposed Lot 2 and Lot 3) located along Mount Napier Road and Laidlaw Street.

The introduction of the Development Plan will change the character of the area as its objective to for residential infill which will create further smaller lots within this area.

There are no significant vegetation and site features that require protection.

Clause 56.04 Lot Design

Clause 56.04-1. Lot diversity and distribution objectives

Complies. The subdivision proposes three lots, all in excess of an area of 400 square metres that are capable of accommodating low to medium density dwellings.

There are no average net residential density specifications within the General Residential Zone or Schedule 1 'Hamilton and Coleraine' to the General Residential Zone, however the schedule to the Development Plan Overlay is for residential infill within this area.

The proposed subdivision allows for the existing dwelling located on the largest lot of 1,067 square metres, whilst accommodating two smaller allotments that are anticipated to accommodate a higher ratio of built form to lot size.

Clause 56.04-2. Lot area and building envelopes objective, Standard C8

Complies. The subdivision proposes three lots, all in excess of an area of 400 square metres that are capable of accommodating low to medium density dwellings. No lots less than 300 square metres are proposed as part of the application.

Proposed Lot 2 and Lot 3 (484m² and 504m² respectively), are each capable of containing a building envelope measuring 10 metres by 15 metres and are providing a generous building envelope with the dimensions of 30 metres x 12 metres. This envelope will be reduced to ensure that greater setbacks can be achieved and a condition will be provided that will require a building envelope to have the dimensions of 10 metres x 20 metres.

Clause 56.04-3. Solar orientation of lots objective, Standard C9

Complies. The long axes of the lots are within the range north 20 degrees west to north 30 degrees east. The dimensions of all lots are adequate to protect solar access to the lot taking into account likely dwelling size.

Clause 56.04-4. Street orientation objective, Standard C10

Complies. All lots front a road which will contribute to personal safety and property security.

Clause 56.04-5. Common area objective, Standard C11

N/A. This Clause is not applicable as no common area is proposed.

Clause 56.05 Urban Landscape

Clause 56.05-1. Integrated urban landscape objectives. Standard C12

N/A. No new streets are being provided.

Clause 56.06. Access and Mobility Management

Clause 56.06-2. Walking and cycling network objectives. Standard C15.

N/A. The proposal does not create any streets or public open space.

Clause 56.06-4. Neighbourhood street network objective. Standard C17.

Complies. The proposal does not create any new neighbourhood street road. Each lot is able to facilitate appropriate solar orientation.

Clause 56.06-5. Walking and cycling network detail objectives. Standard C18.

Complies. The proposal does not require the construction of any new road networks.

Clause 56.06-7. Neighbourhood street network detail objective. Standard C20.

N/A. The proposal does not create any new roads.

Clause 56.06-8. Lot access objective. Standard C21.

Complies. The application will be required to provide for safe vehicle access between roads and the lots as part of a permit condition to the satisfaction of the responsible authority.

Clause 56.07 Integrated Water Management

Clause 56.07-1. Drinking water supply objectives. Standard C22

Complies. The proposed subdivision will be provided with drinking water in accordance with the requirements and to the satisfaction of the relevant water authority.

Clause 56.07-2. Reused and recycled water objective. Standard C23.

Complies. The provision of reused and recycled water supply is unconfirmed at this stage however if provided it will be designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority.

Clause 56.07-3. Waste water management objective. Standard C24.

Complies. The proposed subdivision will be connected to reticulated services which will be designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority.

Clause 56.07-4. Stormwater management objectives. Standard C25.

Complies. At the time of future development, the stormwater management system will be designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.

Clause 56.08 Site Management

Clause 56.08-1 Site management objectives. Standard C26

Complies. The development of the site will be managed to protect drainage infrastructure and the site and surrounding area. Recycled materials will be used throughout the development where practicable.

Clause 56.09 Utilities

Clause 56.09-1 Shared trenching objectives. Standard C27.

Complies. Reticulated services for water, electricity and telecommunications will be provide in shared trenching where possible at the time of any construction.

Clause 56.09-2 Electricity, telecommunications and gas objectives. Standard C28.

Complies. All lots will be provide with connection to a mains electricity supply and telecommunication services as required. Dunkeld is a fixed wireless area and new infrastructure NBN services will not be required.

Clause 56.09-3 Fire hydrants objective. Standard C29.

Complies. The location of the subdivision is in an established residential area which demonstrates access to existing fire water infrastructure.

Clause 56.09-4 Public lighting objective. Standard C30.

N/A. The proposal does not create any new roads.

The design of the subdivision complies with all the relevant objectives and standards of Clause 56 of the Southern Grampians Planning Scheme.

Clause 60 General Decision

Clause 65 Decision guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Relevant incorporated or referenced documents

- A Code of Practice for Telecommunications Facilities in Victoria, Jul 2004

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

- *Infrastructure Design Manual* (Local Government Infrastructure Design Association, 2019)

Relevant Planning Scheme amendments

Planning Scheme Amendment C59 was gazetted on the 16 July 2020. PSAC59 replaces the Local Planning Policy Framework of the Southern Grampians Planning Scheme with a new Municipal Planning Strategy, a modified Planning Policy Framework and local schedules to overlays and operational provisions as part of the Smart Planning Rules and Policy Program.

Summary of Key Issues

- Does the proposed subdivision meet the relevant provisions of the Southern Grampians Planning Scheme including the Planning Policy Framework and Local Planning Policy Framework, zone and overlay requirements?
- How does the proposed plan address the Development Plan Overlay for infill?
- Have objections been received?

Discussion

A planning application has been submitted for a three (3) lot subdivision at the subject site. The responsible authority must consider the objectives of Planning in Victoria, as identified in Section 4 of the *Planning and Environment Act 1987*. These objectives consider the provision of fair, orderly, economic and sustainable use and development of land.

The proposed three lot subdivision creates an allotment for the existing dwelling fronting Mount Napier Road (proposed Lot 1 – 1,076 square metres), whilst two smaller lots (proposed Lot 2 and Lot 3) front Bayley Street. Lots 2 & 3 both have a generous building envelope with the dimensions of 30 metres x 12 metres. These envelopes are excessive and a condition in a permit will require the reduction in size to allow greater solar orientation and setbacks to 10 metres x 20 metres.

Development Plan Overlay

The subject site is located within a main residential area of Hamilton and is affected by a Development Plan Overlay (DPO1) with the schedule to this overlay a Council statement that has expectations for 'residential infill' in this area. The Development Plan was introduced in this area as part of C25 Hamilton Structure Plan in 2013.

Schedule 1 to the Development Plan Overlay 'Infill Residential' is applicable to land zoned for conventional residential purposes with the aim to ensure a co-ordinated and sequential development of land and ensure development response to the existing topography of the precinct. The subdivision is for the creation of three lots and does not create any new roads or infrastructure and is set within an established already subdivided area. The plan accompanying this application will create a Development Plan for this lot.

Response to Objections

Neighbourhood Character – Whilst a number of objections raise concerns in relation to the impact of such a subdivision on the lifestyle generated from the existing larger style allotments, the zoning of the land does not guide such proposals towards for example low density residential and rural living style lots. This is further evident in the planning policy framework. The Hamilton Structure Plan (Clause 11.03-6L) also identifies the area as 'residential' and is in proximity to land identified for 'short to medium term growth areas' and as previously discussed, this area is in fact, designated for this type of infill pursuant to the Development Plan Overlay (DPO1). The Development Plan Overlay is directing a changed character of smaller lots within this area.

Any future development will adversely affect the amenity of the area – The amenity of the area will remain unchanged with no new roads being required. It is being proposed to introduce two (2) more lots within this area.

Increased traffic, increased noise & reduction in safety – Given the limited number of lots being proposed and subsequent anticipated residential development (additional two dwellings), the additional traffic generated by any future development will be minimal and will not result in a detrimental impact to the surrounding area.

Downgrade quality of residents on this street – The socio economic value of any future residents is not a consideration in the planning process. The planning scheme encourages increased housing opportunity which is what this subdivision will produce.

Intrusion of privacy – The applicant has provided building envelopes on the proposed Plan of Subdivision. Any future development will be required to be contained within this envelope and meet any building requirements at the time of construction.

Devalue property – This is not an assessment that is undertaken with regards to a planning application. There is no supporting evidence that suggests that this will occur.



Figure 3: Hamilton Structure Plan (Clause 11.03-6L of Southern Grampians Planning Scheme)

Conclusion

The Council Officer has taken into consideration all information submitted with the application and concerns raised by submissions received.

The proposed three lot subdivision is responsive to the zoning of the land as well as the relevant planning policy framework including the purpose of the Development Plan Overlay which is for 'Infill Residential'.

For the reasons provided within this report, Council Officers are recommending support of the proposal and it is recommended that a Notice of Decision to Grant a Permit be issued subject to conditions.

Financial and Resource Implications

If an application for review is lodged at VCAT, Council will be required to enlist the services of a lawyer to represent Council.

Council Planning officers will also have to provide further time away from their normal duties to assist the lawyer with Council information.

Legislation, Council Plan and Policy Impacts

The *Planning and Environment Act 1987* provides that certain local government, responsibility and functions can be delegated to Committees of Council or Council officers.

This recommendation is consistent with those provisions.

Risk Management

It is recommended that a Notice of Decision to Grant a Permit be issued subject to conditions.

If Council determine to issue a Refusal to Grant a Permit the following process also applies. If a Notice of Decision or Refusal to Grant a Permit is issued, an application to the Victorian Civil and Administrative Tribunal for review of the decision of the responsible authority.

Environmental and Sustainability Considerations

There are no environmental and sustainability considerations

Community Consultation and Communication

Council undertook public notification (as stated above) and received six (6) valid objections to the proposal which have been detailed earlier in this report.

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**Notice of Decision to Grant a Permit**

That Council having caused notice of Planning Application No. TP/57/2020 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the provisions of 32.08-3 of the Southern Planning Scheme in respect of the land known and described as 63-65 Mount Napier Road, Hamilton, for the three (3) lot subdivision in accordance with the endorsed plans, with the application dated 2 July 2020, subject to the following conditions:

Conditions:**Amended plan**

- 1) Before the Plan of Subdivision can be certified under the *Subdivision Act 1988*, amended plans to the satisfaction of the responsible authority must be submitted to and approved with the plans drawn to scale and fully dimensioned but modified to show:
 - a. Delineation of a building envelop within Lot 2 and Lot 3 no greater than 10 metres by 20 metres in dimension to the satisfaction of the responsible authority.When approved the plans will be endorsed and will then form part of the permit.
- 2) The layout and site dimensions of the subdivision hereby permitted, as shown on the endorsed plan/s, must not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the *Subdivision Act 1988* that is generally in accordance with the endorsed plan/s.
- 3) The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.
- 4) Before Certification of the Plan of Subdivision, plans lodged for certification, pursuant to the provisions of the *Subdivision Act 1988*, must include a separate sheet which delineates a building envelope within proposed Lot 2 & Lot 3 in accordance with the approved plan and to the satisfaction of the responsible authority.

Telecommunications

- 5) The owner of the land must enter into an agreement with:
 - a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 6) Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
 - a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Drainage

- 7) All stormwater discharge from each lot is to be connected to a legal point of discharge to the satisfaction of the responsible authority.

Vehicle Crossing

- 8) Before the issue of a Statement of Compliance under the *Subdivision Act 1988*, access to lots 2 and 3 must be constructed to the satisfaction of the responsible authority and be designed and constructed according to the Infrastructure Design Manual (IDM) Standard Drawing.

Public Open Space Contribution

- 9) Before the issue of a Statement of Compliance under the Subdivision Act 1988, the applicant or owner must pay to the responsible authority a public open space contribution of five per cent (5%) of the site value of all the land in the subdivision in accordance with the requirements of Clause 53.01 of the Southern Grampians Planning Scheme and Section 18 of the *Subdivision Act 1988*.

Referral Authority Conditions**Tenix**

- 10) The Plan of Subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the *Subdivision Act 1988*.

Powercor

- 11) This letter shall be supplied to the applicant in its entirety.
- 12) The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
- 13) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.
- 14) The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).
- 15) The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.
- 16) The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

Wannon Water Conditions

- 17) The provision, at the developers cost, of the required water supply works necessary to serve each of the lots created by the Plan of Subdivision.
- 18) The provision, at the developers cost, of the required sewerage works necessary to serve each of the lots created by the Plan of Subdivision.
- 19) The developer is to enter into an agreement with Wannon Water for payment of the new customer contributions and subdivision fees applicable to the lots created.
- 20) Easements and/or other notations are to be shown on the endorsed plan to the satisfaction of Wannon Water for the provision of both existing and proposed water and/or sewerage services.
- 21) The plan of Subdivision submitted for certification must be referred to Wannon Water in accordance with Section 8 of the Subdivision Act.

Expiry

- 22) This permit will expire if one of the following circumstances applies:
 - a) The plan of subdivision is not certified within two years of the date of the permit.
 - b) A statement of compliance is not issued within five years of the date of certification of the Plan.

In accordance with section 69 of the Planning and Environment Act 1987, an application may be made to the Responsible Authority to extend the periods referred to in this condition. The Responsible Authority may extend the time if a request is made before the permit expires, or within six months of the permit expiry date.

Notes

- a. It is a requirement of the Southern Grampians Shire Council that a Works Within Road Reserve Permit must be taken before works commencing for any works being conducted within the road reserve.

Powercor notes

- a. Extension, augmentation or rearrangement of the Distributor’s electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
- b. Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
- c. Areas set aside for substations will be formalised to the Distributor’s requirements under one of the following arrangements:
 - RESERVES established by the applicant in favour of the Distributor.
 - SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.
- d. Existing easements may need to be amended to meet the Distributor’s requirements
 - Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

MOTION

MOVED: Cr Calvano
SECONDED: Cr McAdam

That Council defer the item until Council deliberates on the deputation.

THE MOTION WAS PUT AND LOST

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Dunkley

Notice of Decision to Grant a Permit

That Council having caused notice of Planning Application No. TP/57/2020 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the provisions of 32.08-3 of the Southern Planning Scheme in respect of the land known and described as 63-65 Mount Napier Road, Hamilton, for the three (3) lot subdivision in accordance with the endorsed plans, with the application dated 2 July 2020, subject to the following conditions:

Conditions:**Amended plan**

- 1) Before the Plan of Subdivision can be certified under the *Subdivision Act 1988*, amended plans to the satisfaction of the responsible authority must be submitted to and approved with the plans drawn to scale and fully dimensioned but modified to show:
 - b. Delineation of a building envelop within Lot 2 and Lot 3 no greater than 10 metres by 20 metres in dimension to the satisfaction of the responsible authority.When approved the plans will be endorsed and will then form part of the permit.
- 2) The layout and site dimensions of the subdivision hereby permitted, as shown on the endorsed plan/s, must not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the *Subdivision Act 1988* that is generally in accordance with the endorsed plan/s.
- 3) The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.
- 4) Before Certification of the Plan of Subdivision, plans lodged for certification, pursuant to the provisions of the *Subdivision Act 1988*, must include a separate sheet which delineates a building envelope within proposed Lot 2 & Lot 3 in accordance with the approved plan and to the satisfaction of the responsible authority.

Telecommunications

- 5) The owner of the land must enter into an agreement with:
 - a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

- 6) Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Drainage

- 7) All stormwater discharge from each lot is to be connected to a legal point of discharge to the satisfaction of the responsible authority.

Vehicle Crossing

- 8) Before the issue of a Statement of Compliance under the *Subdivision Act 1988*, access to lots 2 and 3 must be constructed to the satisfaction of the responsible authority and be designed and constructed according to the Infrastructure Design Manual (IDM) Standard Drawing.

Public Open Space Contribution

- 9) Before the issue of a Statement of Compliance under the Subdivision Act 1988, the applicant or owner must pay to the responsible authority a public open space contribution of five per cent (5%) of the site value of all the land in the subdivision in accordance with the requirements of Clause 53.01 of the Southern Grampians Planning Scheme and Section 18 of the *Subdivision Act 1988*.

Referral Authority Conditions

Tenix

- 10) The Plan of Subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the *Subdivision Act 1988*.

Powercor

- 11) This letter shall be supplied to the applicant in its entirety.
- 12) The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
- 13) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.
- 14) The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).
- 15) The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.
- 16) The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

Wannon Water Conditions

- 17) The provision, at the developers cost, of the required water supply works necessary to serve each of the lots created by the Plan of Subdivision.
- 18) The provision, at the developers cost, of the required sewerage works necessary to serve each of the lots created by the Plan of Subdivision.

- 19) The developer is to enter into an agreement with Wannon Water for payment of the new customer contributions and subdivision fees applicable to the lots created.
- 20) Easements and/or other notations are to be shown on the endorsed plan to the satisfaction of Wannon Water for the provision of both existing and proposed water and/or sewerage services.
- 21) The plan of Subdivision submitted for certification must be referred to Wannon Water in accordance with Section 8 of the Subdivision Act.

Expiry

- 22) This permit will expire if one of the following circumstances applies:
 - c) The plan of subdivision is not certified within two years of the date of the permit.
 - d) A statement of compliance is not issued within five years of the date of certification of the Plan.

In accordance with section 69 of the Planning and Environment Act 1987, an application may be made to the Responsible Authority to extend the periods referred to in this condition. The Responsible Authority may extend the time if a request is made before the permit expires, or within six months of the permit expiry date.

Notes

- b. It is a requirement of the Southern Grampians Shire Council that a Works Within Road Reserve Permit must be taken before works commencing for any works being conducted within the road reserve.

Powercor notes

- a. Extension, augmentation or rearrangement of the Distributor’s electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
- b. Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
- c. Areas set aside for substations will be formalised to the Distributor’s requirements under one of the following arrangements:
 - RESERVES established by the applicant in favour of the Distributor.
 - SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.
- d. Existing easements may need to be amended to meet the Distributor’s requirements
 - Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

CARRIED

The Mayor, Cr Sharples and Cr Brown left the meeting at 6:55pm due to a conflict of interest in item 10.11.

Deputy Mayor, Cr Colin Dunkley was nominated as temporary Chair

10.11 Footpath Trading Permits

Directorate: Andrew Goodsell, Director Planning and Development
Author: Sherie Bain, Regulatory Services Coordinator
Attachments: None

Executive Summary

A renewal of footpath and roadside trading permits occurs annually in September. The purpose of these permits is to assist Council ensure businesses have adequate insurance to cover any potential risks to public and move the liability away from Council.

A comprehensive audit of businesses requiring permits has been undertaken revealing a large percentage of businesses that have never applied. Due to the current Covid-19 environment and the significant impact on the business community it is recommended to waive the costs of the fees for 2020/21 and support all businesses to provide the necessary information for future permits (to be charged in 2021/22). This reduces the liability with Council if an accident were to occur with regard to street trading items.

Discussion

Due to Covid-19 restrictions Local Laws Officers have been able to undertake a comprehensive audit of businesses and permit compliance. This data collection across the Shire has determined close to 120 businesses currently require footpath trading permits.

As over 50% of these businesses have not complied with the permit application process previously and it is likely that many business owners, especially in the smaller communities, are unaware of the permit process and requirements.

Through ensuring all necessary business have valid permits, liability is removed from Council if an accident were to occur with regard to footpath trader's displays and advertising. Once all appropriate businesses are registered ensuring follow up compliance and new registrations will be easier to enforce. To assist with enforcement in future years, alternating colored permit stickers have been purchased (yellow one year, pink the next).

FEE STRUCTURE 2020

Permit Type	Quantity	Application Fee
Advertising Sign	Single	\$100
Advertising Sign	Multiple Signs	\$150
Display of Goods	Single Display	\$84
Display of Goods	Multiple Displays	\$150
Outdoor Eating	First Table	\$84
Outdoor Eating	Each Additional Table	\$35

Section 113 of the *Local Government Act 1989* allows Council to waive or refund, (in whole or in part) of Local Law fees in the case of an event, assuming such as Covid-19. Due to the financial pressures on businesses with Covid-19 and the need to apply fees accurately to all businesses requiring a permit, a fee waiver for 20/21 is appropriate.

Council's Covid-19 Hardship Assistance Policy enables businesses to apply for a reimbursement of footpath trading permits. However due to previous poor enforcement of this permit and many businesses having never applied, the initial fee of an average of \$150+ could be seen as an extra burden to the business community at this time.

Financial and Resource Implications

On the current forecast budget for 2020/21 the full waiver of fees will see a \$3,000 reduction due to the lower number of businesses expected to apply for footpath trading permits prior to the audit. Additional money has been collected in this area as well due to an increase in the number of itinerate trading permits issued so far this financial year.

While there is a financial reduction this year the audit will allow for an additional \$10,000 to be budgeted in permit income next financial year.

Legislation, Council Plan and Policy Impacts

Section 113 of the *Local Government Act 1989* allows a waiver of local law fees in the case of an event, assuming such as Covid-19.

- (3) If a local law provides for a reduction, waiver or refund, in whole or in part, of a fee, the reduction, waiver or refund may be expressed to apply—
- (a) subject to specified conditions or in the discretion of any specified person or body; and
 - (b) either generally or specifically—
 - (i) in respect of certain matters or transactions or classes of matters or transactions; or
 - (ii) in respect of certain documents or classes of documents; or
 - (iii) when an event happens; or
 - (iv) in respect of certain persons or classes of persons; or
 - (v) in respect of any combination of matters, transactions, documents, events or persons.

The *Community Local Law No 1 of 2015* also allows for Council to waive or reduce fees in association with this document

16. Fees

(1) Council may, from time to time by resolution, determine fees, charges, guarantees or bonds that are applied for the purposes of this Local Law.

(2) In determining any fees and charges, Council may establish a system or structure of fees and charges, including a minimum or maximum fee or charge, if it considers it is appropriate to do so.

(3) Council may waive, reduce or alter any specific fee, charge, bond or guarantee with or without conditions.

Risk Management

There is a significant risk to Council if non-compliance with permits is allowed to continue in this space, due to the liability and insurance risks in the case of accident or injury to

community from the displays. This has been a key driver for improving the processes to ensure compliance into the future.

Due to the current environment from Covid-19 there is a reputational risk to Council associated with the permits from the many businesses that have had long term non-compliance in this area.

By waiving the costs of permits for the 2020/21 financial year the compliance with permits is expected to be higher, therefore reducing the risk to Council.

Environmental and Sustainability Considerations

There are no environmental and sustainability considerations

Community Consultation and Communication

The Economic Development team has been working very closely with the business community for the past 6 months of the Covid-19 crisis and any support that can be provided to the business community would be greatly appreciated.

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 waive the 2020/21 cost of fees for footpath and roadside trading (excluding roadside vending/itinerate trading) under Section 113 of the *Local Government Act 1989*.

COUNCIL RESOLUTION

MOVED: Cr Rainsford
SECONDED: Cr McAdam

That Council waive the 2020/21 cost of fees for footpath and roadside trading (excluding roadside vending/itinerate trading) under Section 113 of the *Local Government Act 1989*.

CARRIED

The Mayor, Cr Sharples and Cr Brown returned to the Meeting at 6:59pm.

The Mayor resumed as Chair.

10.12 Review of the 2019-2020 Capital Works Program

Directorate: David Moloney, Director Shire Infrastructure
Author: David Moloney, Director Shire Infrastructure
Attachments: None

Executive Summary

The Capital program forms a significant proportion of Council's budget. In 2019-2020, over \$23M was allocated to Capital Works projects across the Shire; with this being forecast to just over \$24M when including deferred and carry forward projects. This report indicates the progress to date on the Capital Works program and reviews the delivery of the 2019-2020 Capital Works program; as well as comparing actual and forecast targets. It also assesses the performance of the Capital Works delivery against previous years.

Southern Grampians Shire Council Capital Works Program consists of 176 projects with 175 projects started and 162 of those completed in the 2019-2020 financial year. This equates to 99% of the program started and 92% complete for the 2019-2020 FY.

This report is for noting by the Council.

Discussion

The Capital program forms a significant proportion of Council's budget. In 2019-2020, over \$23M has been allocated to Capital Works projects across the Shire. Previous advice to Council has seen several projects deferred including Cox Street which was forecast to send \$3M in the 2020-2021 FY. The works included:

- Road and Bridge Upgrades
- Footpaths
- Playgrounds
- Building Maintenance
- Culverts
- Kerb and Channel
- Recreation Centres and Facilities
- Cox Street Upgrade
- Industrial Land Project
- Landfill Projects
- Livestock Exchange Roof

Council has secured several funding sources to assist with the capital required to maintain its assets. These include:

1. Roads to Recovery (Federal Government) \$2.3M
2. Fixing Country Roads (State Government) \$1.35M
3. Black Spot Funding (Federal Government) \$260,000

These funding sources have enabled Council to undertake additional projects in order to minimise the increase in the asset backlog.

The aim of the Capital program is to provide targeted funding on projects to maintain or improve Council’s infrastructure, assets and services. The review of the progress is important to ensure that the projects are delivered. This report looks at the actual delivery of the 2019-2020 capital program to the end of the 2019-2020 FY.

After Council adopted the 2019-2020 budget, Council Officers forecast the capital program for the following criteria:

1. Forecast project start date
2. Forecast project finish date
3. Forecast expenditure

Each month staff update the progress of their projects and charts are developed to monitor the progress of the program.

Time

The 2019-2020 Budget listed 156 projects to be delivered across the range of areas listed above. These projects range from \$10,000 to \$4.5M. With carry forward and additional projects this has increased to 176.

Figure 1, Project Start Dates, shows a comparison between the forecast start date for projects and the actual start dates for projects.

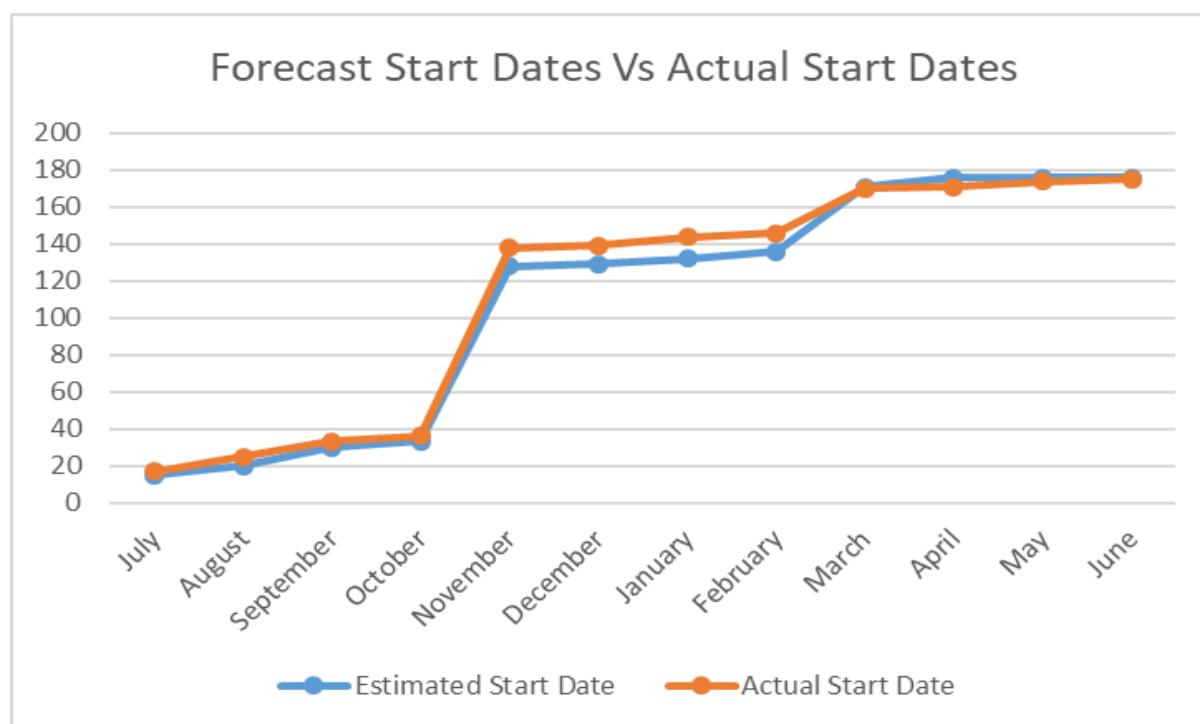


Figure 1 Project Start Dates

Figure 1 shows that Council is tracking just under forecast on projects started. This figure is excluding those projects which were deferred. This equates to 99% of the program having been started.

Figure 2, Project finish dates, shows the forecast finish dates for projects against the actual finish dates. Figure 2 shows Council is tracking to forecast for the completion of projects. Council planned to complete 176 projects by the EoFY and actually completed 162. This

equates to 92% of the program now being complete by the end of the 2019-2020 FY. The forecast and actual curves on both Figure 1 and 2 both show an improvement in forecasting for projects on start and finish dates as the actual performance is relatively close to the forecast.

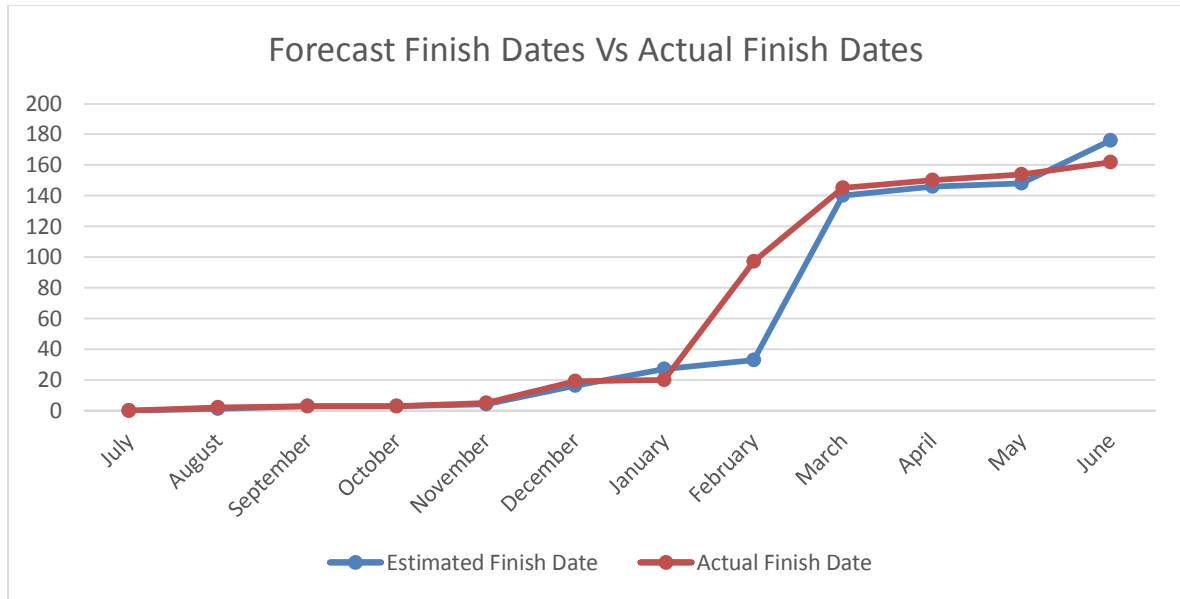


Figure 2 Project finish dates

Figure 3, Forecast Expenditure vs Actual Expenditure, shows the forecast expenditure vs the actual expenditure on projects. Figure 3 shows that expenditure is still relatively low when compared to the budget forecast.

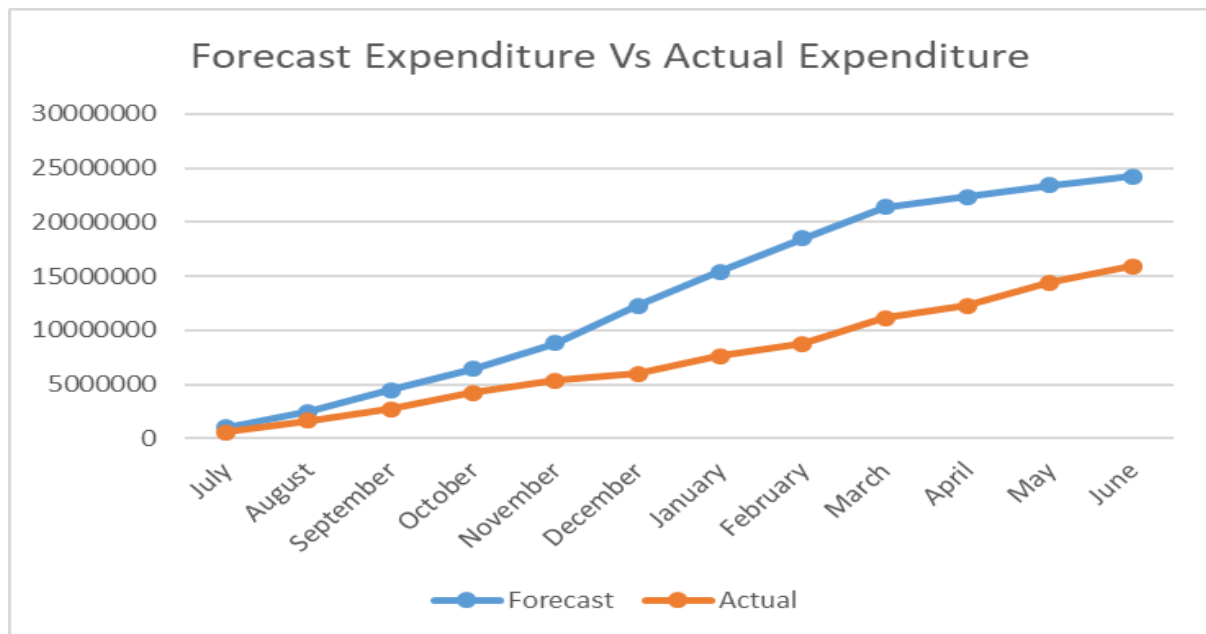


Figure 3 Forecast Expenditure vs Actual Expenditure

Project Status	Actual	Planned
Not Started	1	0
Started	175	176
Completed	162	176
Deferred	10	10

Figure 4 Project Status Summary

Figure 4, Project Status Summary, shows the program against the planned program delivery.

Overall, there has been significant progress made in completing projects in the last few months which has placed Council in a good position to deliver the program.

The major area of improvement has been in the early letting of contracts for works within the program. This has led to a significant uplift in projects being started earlier than previously done.

	Annual Budget	Proposed Budget	Actuals	Forecast to 30/6/2020
Budget Amount	\$ 23,445,707	\$ 24,202,972	\$ 15,921,565	\$ 24,202,972.0
			Actuals	\$ 15,921,565
			Under Contract	\$ 3,248,299
			Works Department	\$ 1,056,158
			Ventures	\$ 1,971,003
			Assets	\$ 955,227
			Other Projects	\$ 1,050,720
			Total	\$ 24,202,972

Figure 5 Project Value breakdown

Figure 5 shows that expenditure is from \$14.41M in May to \$15.91M for the FY. This is still well below forecast. There is another \$3.2M in contracts already let for works to be delivered along with a further \$1.9M for landfill works which has been budgeted for in the 2020-2021 budget and around \$1M in the Works department mostly in the fleet area which has been tendered and ordered but not delivered yet.

Major projects such as the Industrial Estate continue to progress but expenditure on that project is still lower than forecast by around \$2.8M.

Below is a list of all the deferred projects to date of which there are 10.

Deferred Project	Budget	Comment
Cox Street` Front Door` Precinct Streetscape Design Project	\$ 3,180,000	Awaiting Funding
Melville Oval Building Improvements	\$ 150,000	NY Budget
Pedrina Park - Hockey Clubrooms	\$ 100,000	NY Budget
Hmailton Landfill Capping Stage 5	\$ 1,100,000	NY Budget
Lake Hamilton - Dam Wall Reinstatement	\$ 1,100,000	Awaiting testing report
Business Systems - Civica ACTUS Smartphone App	\$ 25,000	Awaiting decision on Corporate system
Public Convenience - Strategy Implementation	\$ 200,000	NY Budget
Rural Road Reseals - Ardachy Estate Rd, Branxholme - Condah Coleraine Rd G70 to	\$ 64,747	Timber Harvest to fund
Coleraine Landfill Remediation	\$ 700,000	NY Budget
Recreation & Lesiure Strategy Implementation	\$ 500,000	NY Budget
Total	\$ 7,119,747	

Comparison to Service Delivery over time

Over the past 4 years there has been a focus within Council to improve Capital Works delivery.

Project delivery	Total No of Projects	Completed Projects		Complete + Started Projects	
		No of Projects	Delivery (%)	No of Projects	Delivery (%)
2016-2017	254	163	64%	223	88%
2017-2018	306	244	77%	275	87%
2018-2019	246	227	92%	242	98%
2019-2020	176	162	92%	175	99%

Figure 6 Comparison of Annual Capital Works Delivery

Figure 6 shows a steady improvement in project delivery over the past four years. There has been a plateau of projects completed at 92% and a minor improvement in projects started to 99%.

Expenditure	2016-2017	2017-2018	2018-2019	2019-2020
Capital budget		\$ 13,650,850	\$ 16,210,550	\$ 24,202,972
Capital Expenditure	\$ 9,027,542	\$ 10,325,007	\$ 9,295,995	\$ 15,921,565

Figure 7 Comparison of Annual Capital Works Expenditure

Figure 7 shows that expenditure in the 2019-2020 budget has been significantly higher than in previous years. This is down to two projects which in addition to normal \$10M Capital Works budget. These were the:

- Industrial Estate and
- HRLX Roof over the cattle yards

These two projects added over \$6M to the budget and expenditure of just under \$4M. The 2020-2021 budget has \$13M in Capital Works budgeted for construction.

Legislation, Council Plan and Policy Impacts

This report assists Council in meeting its obligations under the *Local Government Act 1989*.

This report also relates to the:

- Southern Grampians Shire Council – 2017-2021 Council Plan and;
- 2019-2020 Southern Grampians Shire Council Budget.

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

The report into the delivery 2019-2020 Capital Works Program is received by Southern Grampians Shire Council.

COUNCIL RESOLUTION

MOVED: Cr Dunkley
SECONDED: Cr McAdam

The report into the delivery 2019-2020 Capital Works Program is received by Southern Grampians Shire Council.

CARRIED

10.13 Tender 28-20 2020/2021 Long Term Dry Plant Hire

Directorate: David Moloney, Director Shire Infrastructure
Author: StJohn Lees, Manager Works
Attachments: None

Executive Summary

The Southern Grampians Shire Council's 2020/21 Capital and Maintenance Works programs are an integral part of ensuring an effective and efficient service delivery to renew Council's ageing assets parallel to Council's Long Term Financial Plan.

Council's Works Department currently operate a vast diversity of plant within the fleet that are integral to our road construction & maintenance works programs throughout the Shire.

Long Term Plant Hire is required to deliver this service. Each year a selection of plant is identified to be hired and used as a top up to our existing owned plant for a predetermined period to cover seasonal works.

Discussion

Throughout the peak season of Infrastructure works we utilise the benefits of hiring various plant items as a top up to be used in conjunction with our existing fleet.

Whilst some of the plant is quite specialised in its operation our preferred suppliers and other plant hire companies are accommodating in supplying fit for purpose plant assisting us to carry out our construction & maintenance programs.

Smooth Drum, Pad Foot and Multi Wheel rollers are a staple type of plant item required to carry out our works at various job sites.

Water Trucks and their spraying functionality provide a key operation in the delivery of road construction and maintenance works. Their capacity of between 12,000 - 14,000 litres and being rigid drive allows for ease of site operation and less lead time sourcing water from various predetermined fill points.

The Aggregate Loader Truck is a specialised item that can be driven to and from any material stock site. The Aggregate Loader allows our operator to reverse the vehicle into piles of sealing aggregate and "coat" the stone before being loaded in the spreader trucks and then dispersed on our road network and sealing the road.

The Skidsteer Loader is a key item of plant utilised at the Hamilton Livestock Exchange for various maintenance works within the pens and the general grounds.

Council called a tender utilising Council's e-Tendering Portal and invites to Preferred Suppliers for its 2020/21 Long Term Dry Plant Hire – Water Trucks, Rollers, Skidsteer and an Aggregate Loader.

Consultation was conducted with the Manager Works, Manager Livestock Exchange, Fleet Management Coordinator, Team Leader Works and Capital Works Coordinator together with the guidance of Council's Procurement Officer.

To assist with the evaluation and recommendation, all submissions were weighted in accordance to the RFQ.

Tendered Price 40%

Fit for Purpose of Submitted Units 30%

Breakdown & Maintenance Responses and Time Commitments 20%

Environmental 10%

Council had received submissions across the various items from 13 tenderers. Overall the quality of items offered was of a high standard with some units offered new or near new.

See attachments for the tender panel's assessments for each contractor and plant item.

Financial and Resource Implications

Council resolved and adopted the 2020/21 Capital and Works Programs. The Dry Hire of Water Trucks, Smooth Drum, Pad Foot & Multi Wheel Rollers, Skidsteer and Aggregate Loader are within Councils adopted budget.

Legislation, Council Plan and Policy Impacts

Councils 2017-2021 Council Plan, Key Document 3. Plan for our Built Environment & Infrastructure, Objectives 3.1 through to 3.4.

Procurement section 186 1989 Local Government Act linked to Councils Procurement Policy.

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. Accept the following submissions for Tender 28-20 2020-2021 Long Term Dry Plant Hire:

3 X Smooth Drum Rollers

Tenderer	Unit Offered	Proposed Hire Period	Total cost
Nigmel t/a Hamilton Bobcat	Dynapac – 15 week	15 Weeks	\$14,850.00
Conplant	HAMM H14i	11 weeks	\$10,648.00
Conplant	HAMM H14i	11 weeks	\$10,648.00

1x Padfoot Rollers

Tenderer	Unit Offered	Proposed Hire Period	Total cost
Conplant	HAMM H414IP	6 weeks	\$5,808.00

2 x Multi Wheel Rollers

Tenderer	Unit Offered	Proposed Hire Period	Total cost
Nigmel t/a Hamilton Bobcat	Dynapac	52 Weeks	\$57,200
Nigmel t/a Hamilton Bobcat	Dynapac	23 Weeks	\$25,300

1 x Skid Steer Loader

Tenderer	Unit Offered	Proposed Hire Period	Total cost
Nigmel t/a Hamilton Bobcat	Case Loader	52 weeks	\$19,084.00

3 X Ridged Water Trucks

Tenderer	Unit Offered	Proposed Hire Period	Total cost
Nigmel t/a Hamilton Bobcat	Hino	11 Weeks	\$17,600
Luxton Plant Hire	Isuzu	11 weeks	\$25,300
Luxton Plant Hire	Isuzu	11 weeks	\$25,300

1 X Aggregate Loader

Tenderer	Unit Offered	Proposed Hire Period	Total cost
Porter Excavations	Acco	16 weeks	\$116,288

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Dunkley

That Council:

1. **Accept the following submissions for Tender 28-20 2020-2021 Long Term Dry Plant Hire:**

3 X Smooth Drum Rollers

Tenderer	Unit Offered	Proposed Hire Period	Total cost
Nigmel t/a Hamilton Bobcat	Dynapac – 15 week	15 Weeks	\$14,850.00
Conplant	HAMM H14i	11 weeks	\$10,648.00
Conplant	HAMM H14i	11 weeks	\$10,648.00

1x Padfoot Rollers

Tenderer	Unit Offered	Proposed Hire Period	Total cost
Conplant	HAMM H414IP	6 weeks	\$5,808.00

2 x Multi Wheel Rollers

Tenderer	Unit Offered	Proposed Hire Period	Total cost
Nigmel t/a Hamilton Bobcat	Dynapac	52 Weeks	\$57,200
Nigmel t/a Hamilton Bobcat	Dynapac	23 Weeks	\$25,300

1 x Skid Steer Loader

Tenderer	Unit Offered	Proposed Hire Period	Total cost
Nigmel t/a Hamilton Bobcat	Case Loader	52 weeks	\$19,084.00

3 X Ridged Water Trucks

Tenderer	Unit Offered	Proposed Hire Period	Total cost
Nigmel t/a Hamilton Bobcat	Hino	11 Weeks	\$17,600
Luxton Plant Hire	Isuzu	11 weeks	\$25,300
Luxton Plant Hire	Isuzu	11 weeks	\$25,300

1 X Aggregate Loader

Tenderer	Unit Offered	Proposed Hire Period	Total cost
Porter Excavations	Acco	16 weeks	\$116,288

CARRIED

10.14 Tender 30-20 Hamilton Landfill Capping Stages 5 & 6

Directorate: David Moloney, Director Shire Infrastructure
Author: Rohit Srivastava, Manager Assets
Attachments: None

Executive Summary

Progressive rehabilitation of the Elijah Street, Hamilton Landfill is required to be undertaken in accordance with Council's licence to operate the facility, issued by the Environment Protection Authority (EPA).

Rehabilitation involves earthworks to profile and place various layers of clay and earth materials over the waste mass to achieve containment of wastes and limit emissions to the environment.

This report details tenders received to undertake the proposed works for capping stages 5 & 6 of the Elijah Street, Hamilton Landfill.

Tenders were publicly advertised on 18 July 2020 for Contract 30-20, Hamilton Landfill Capping Stages 5 & 6.

Eight tender submissions were received and evaluated based on price, demonstrated experience on similar projects, methodology, occupational health and safety and Environmental criteria.

The recommendation is to award Tender No 30-20 to Mibus Bros (Aust) Pty Ltd for the GST inclusive price of \$1,198,979.63 (incl. GST).

Discussion

Background

The Elijah Street Landfill, Hamilton operates under EPA Licence 20720. The licence stipulates that the existing Landfill is to be progressively rehabilitated. The method for rehabilitation utilises a type 3 cap (for low risk rural landfills) as an option to satisfy the EPA Best Practice Environmental Management Guidelines for the siting, design, operation and rehabilitation of landfills (BPEM), as found in EPA publication 788.3.

The landfill has been active since the late 1960's; cells of stages 1 – 6 are full and required capping. Capping of Stages 1 & 2 were awarded in 2014/2015, and Stages 3 & 4 in 2016/17.

The current tender and scope of works is to cap cells 5 & 6 with rehabilitation under the BPEM:

A traditional type 3 cap, comprising compacted layers of 300mm earthen cover, 500mm of compacted low permeability clay, 500mm of compacted sub-soil material and 200mm of topsoil. This type of cap seeks to reduce infiltration by a physical barrier in the form of a low permeability clay liner.

The design is consistent with the capping of cells 1 -4. The capping works involve contractor sourcing large quantities of high quality low permeability clay and other suitable soil materials for construction of the capping layer, cartage and placement of these at the landfill in a manner consistent with the BPEM.

Last fiscal year, a tender was advertised to carry out the rehabilitation works for stage 5 & 6 to the total budget of \$1,440,000 (excl. GST). Although, the tender was slightly over the budget, the tenderer withdrew the bid.

The Council engineers analysed the issues from the previous attempt to tender the works and have simplified the scope of works, which resulted in good participation and interest from the contractors.

Tender Discussion

The project has an allocated budget of \$1,100,000 (excl. GST). A tender was publicly advertised for capping Stages 5 and 6 on 18 July 2020. Tenders closed on 17 August 2020.

The following tender submissions were received:

Tenderer	Price (Incl. GST)
Tenderer 1	\$1,186,941.04
Tenderer 2	\$1,824,115.19
Tenderer 3	\$1,198,979.63
Tenderer 4	\$1,354,373.64
Tenderer 5	\$1,670,478.40
Tenderer 6	\$1,223,536.60
Tenderer 7	\$1,079,994.44
Tenderer 8	\$2,584,769.82

The tender evaluation criteria were set as follows:

Criteria	Weightage
Price	50%
Demonstrated experience on similar projects	20%
Methodology	10%
Occupational health and Safety	10%
Environmental	10%

All tenderers submitted high quality bids and tenders those were within the 10% range of the top-ranked tenderer, the local content was also assessed as per the Procurement Policy/Guidelines.

Tender evaluation by the panel and the rank-wise list is presented below.

Tenderer	Qualitative Score	Quantitative Score	Total Price (Incl. GST)	Total Score
Tenderer 3	42.85%	45.04%	\$1,198,979.63	87.89%
Tenderer 6	41.05%	44.13%	\$1,223,536.60	85.18%
Tenderer 4	40.88%	39.87%	\$1,354,373.64	80.75%
Tenderer 1	32.78%	45.49%	\$1,186,941.04	78.27%
Tenderer 7	27.35%	50.00%	\$1,079,994.44	77.35%
Tenderer 5	35.77%	32.33%	\$1,670,478.40	68.10%
Tenderer 2	31.60%	29.60%	\$1,824,115.19	61.20%
Tenderer 8	29.22%	20.89%	\$2,584,769.82	50.11%

Considering the evaluation result presented above, Tenderer 3 is the preferred Tenderer.

It is therefore the recommendation of the Tender Evaluation Panel that the tender submitted by Tenderer 3 (Mibus Bros (Aust) Pty. Ltd.) for the GST inclusive price of \$1,198,979.63 (incl. GST) be accepted.

Financial and Resource Implications

- Council is responsible for supervision of the works and arranging works to the satisfaction of the relevant auditor, and meeting the BPEM requirements. The anticipated tentative costs are further to the tender cost:
 - Project Management cost = \$40,000
 - Technical Auditor's cost = \$40,000
 - Project contingency = \$100,000
- The contractor is responsible for surveying and independent material testing, and has priced these within the tender.
- The contract developed is under AS4000. Cost schedules have been provided for in the tender submissions for the purpose of valuing variations. Whilst cost risk exists to Council due to the nature of works, this risk is balanced by achieving a reasonable risk profile to the contractor thus enabling suitable pricing. Any variations will be assessed through the standard approval process, which will minimise cost risk to Council.
- Total committed project budget of \$1,100,000 (excl. GST) exist for this project.

Due to the tenders being slightly higher than budgeted it is recommended that Council increase the budget allocation by \$180,000 to \$1.28M.

Legislation, Council Plan and Policy Impacts

The Tender value was over \$150,000 (GST Inc.) and therefore went to competitive tender in accordance with the Local Government Act 1989. The Procurement Policy requires any tender over \$150,000 to require a decision of Council.

The capping proposed is in accordance with the Environment Protection Act 1970.

It is a legal requirement of the Hamilton Landfill EPA Licence 20720 that the existing Landfill is progressively rehabilitated.

The relevant policy is the State Waste Management Policy (Siting, Design and Management of Landfills)

The licence issued under the Environment Protection Act 1970 requires the rehabilitation. The design and the construction must be undertaken in accordance with the relevant guidelines - the BPEM – Siting, Design, Operation and Rehabilitation of Landfills, Publication 788.1

Council Plan

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

- 1.2.1 Provide appropriate, accessible and equitable Council services, facilities and activities
- 3.1.1 Progress provision of locally and regionally significant projects

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

4.1.3 Work with and support waterway managers to improve water management strategies to support development and ensure the protection of waterways from adverse environmental impacts

4.1.4 Reduce Council's carbon and ecological footprint

Risk Management

The rehabilitation and capping of the landfill is a high risk project.

Construction Quality –

The Rehabilitation of landfills is regulated and must follow an EPA approved Construction Quality Plan (CQP). Quality of material and construction methodology is critical and the CQP requires a number of hold points to enable materials and construction to be regularly checked by independent Environmental auditors.

It is essential that the contractor has the capability to construct to a high standard and follow stringent quality controls. Tenderers were requested to respond to a number of technical questions to assist Council to evaluate the Contractors Environment and Safety Systems and their capacity and capability to undertake the works

Construction Timing-

The project must be completed during dry periods to take advantage of fine weather. It is therefore essential that the tender be awarded and contract documents are signed in advance for the works to commence during dry-weather.

Material Quality-

The contractor is responsible for the provision of suitable material. It will be the responsibility of the Contractor to test these sources to ensure that sufficient volumes of suitable material are available and hauled to site. Council has made some clay available to the contractor to ensure project costs are achieved.

Odour-

Construction will require the profiling of the existing waste surface. There is potential that this disturbance will create odours and construction must be managed.

Environmental and Sustainability Considerations

It is legal requirement of the Hamilton Landfill EPA Licence 20720 that the existing Landfill is progressively rehabilitated

The Project has the potential to cause environmental issues and complaints, particularly with regard to dust and odour. For this reason Tenders were evaluated on Environmental Management criteria.

The capping of the landfill incorporation gas management will provide infrastructure suitable to treat a portion of Council's carbon footprint.

Community Consultation and Communication

There are no plans to conduct community consultation as the rehabilitation is a legislative requirement.

A letter drop will be conducted to notify nearby neighbours of the proposed works nearing commencement.

Tenderers will be notified by the Procurements Officer of the decision made by Council at its meeting of 09 September 2020.

Disclosure of Interests

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

RECOMMENDATION

That:

1. The tender received from Mibus Bros (Aust) Pty. Ltd. for \$1,198,979.63 inclusive of GST be accepted: and
2. The Contract documents be signed and sealed when prepared; and
3. The Hamilton Landfill Capping budget be increased to \$1,280,000.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Rainsford

That:

1. **The tender received from Mibus Bros (Aust) Pty. Ltd. for \$1,198,979.63 inclusive of GST be accepted: and**
2. **The Contract documents be signed and sealed when prepared; and**
3. **The Hamilton Landfill Capping budget be increased to \$1,280,000.**

CARRIED

10.15 Tender 33-20: Coleraine Landfill Drainage Works

Directorate: David Moloney, Director Shire Infrastructure
Author: Rohit Srivastava, Manager Assets
Attachments: None

Executive Summary

The former Coleraine Landfill (the site) located at Middle Hilgay road, Coleraine, It operated from approximately the 1930's to 1990's. It is indicated the landfilling operation was originally initiated as an erosion control measure to mitigate the gully erosion occurring at the highly dispersive soils at this location. The landfill was initially a gully fill landfill.

The works proposed for the site are to be progressed in two defined stages. The contract for this stage relates to Drainage Works consists mainly of construction of two perimeter drains, rock chutes and existing ground profiling.

Separate quote is being procured for removal of surface litter from the site. The initial estimate is to the value of \$100,000 (incl. GST). There are also other associated works that need to be undertaken which will happen at a later date.

Tender 33-20 was advertised on tender search on 01 August 2020 and closed on the 24 August 2020. Eight submissions were received and the evaluation panel has assessed the tenders in accordance with the procurement policy.

Council's attempts to remediate and handover the site have failed in the past. Considering, we have received favourable bids by simplifying the scope and design, it is recommended to consider capping works also with this tender.

After assessment of the tenders:

It is recommended to award the contract to the preferred tenderer, James Milne Pty. Ltd. for the value of \$218,890 (incl. GST).

Background

Southern Grampians Shire Council proposes to handover the land used for landfilling at Coleraine to the owner. Council has a lease agreement with the site owner, as part of the agreement, Council would reinstate the site to the satisfaction of EPA and CMA.

In the past few years, Council failed to award the tendered works for the project to any contractor due to the submissions being considerably higher than the Council's budget.

This year, Council engineers discussed with EPA and CMA with an intention of designing a solution fit for the site.

In order to achieve the task, it was decided to divide the works in two stages, First to form two perimeter drains and Second is, disposal of surface litter, to be procured separately.

Detailed design of the drain was done in 2018/19 and the tender was published in 2018 and 2019. Due to submission of relatively higher price than the Budget of the Council, works could not be awarded. Council engineers assessed issues within the scope of works in the previous years and concluded to separate drain works and disposal of surface litter apart from negotiating with EPA and CMA on the works specifications.

The tender for the drainage works was advertised via Council's e-Tendering Portal with the following timelines:

- Tender advertised: 01 August 2020
- Tender Closing: 24 August 2020
- Submissions Received: 08 Nos.

Discussion

This project was on the Council's list of capital works for a while, it is important to deliver the project to ensure the handover of land to the owner. Council has received good response to the advertised Tender.

The project has a budget of \$700,000 and the following tenders were received:

Tenderer	Price (Incl. GST)
Tenderer 1	\$398,296.96
Tenderer 2	\$340,550.83
Tenderer 3	\$668,821.03
Tenderer 4	\$293,780.30
Tenderer 5	\$218,890.00
Tenderer 6	\$527,477.63
Tenderer 7	\$209,000.00
Tenderer 8	\$468,172.70

The tender evaluation criteria were set as follows:

Criteria	Weightage
Price	50%
Demonstrated experience on similar projects	30%
Occupational health and Safety	10%
Environmental	10%

All tenderers submitted high quality bids and for tenders within the 10% range of the top-ranked tenderer, the local content was also assessed as per the Procurement Policy/Guidelines.

Tender evaluation result with the rank-wise list is presented below.

Tenderer	Qualitative Score	Quantitative Score	Total Price (Incl. GST)	Total Score
Tenderer 5	35.44%	47.74%	\$218,890.00	83.18%
Tenderer 7	38.50%	50%	\$209,000.00	88.50%
Tenderer 4	40.07%	35.57%	\$293,780.30	75.64%
Tenderer 2	43.46%	30.69%	\$340,550.83	74.15%
Tenderer 1	34.56%	26.24%	\$398,296.96	60.80%
Tenderer 6	39.96%	19.81%	\$527,477.63	59.77%
Tenderer 8	32.62%	22.32%	\$468,172.70	54.94%
Tenderer 3	36.32%	15.62%	\$668,821.03	51.94%

After the evaluation result, Local content assessment was undertaken and this resulted in a change in the order to James Milne Pty. Ltd. as the preferred Tenderer.

It is therefore the recommendation of the Tender Evaluation Panel that the tender submitted by Tenderer 5 (James Milne Pty. Ltd.) for the GST inclusive price of \$218,890.00 (incl. GST) be accepted, considering the evaluation score and the local content.

As mentioned previously, Council has been trying to handover the site to the land owner but have not been able to successfully deliver the remediation works to the submitted tenders being considerably higher than the Council budget.

In the last FY, the submitted price of drainage works and capping works was in the range of \$1.3M-\$3.1M and at the second attempt, the drainage works tenders were in the range of \$1M-\$1.4M.

Seeing above, the scope of works of the current tender is much more clearer, design simplified and the risks to the contractor have been reduced.

It is recommended that Council award Tender 33-20 Coleraine Landfill Drainage Works to James Milne Pty Ltd for a total sum of \$218,890.00 (incl. GST);

The selected contractor is expected to be on site in the months of Nov-Feb to complete drainage and capping works.

Financial and Resource Implications

- The project is budgeted within the Council's capital works programme for the financial year 2020/21;
- The budget of 700,000 is the approved budget under the Council's annual plan;
- Considering above, there are no known financial implications to the Council.

Legislation, Council Plan and Policy Impacts

This report assists Council in meeting its obligations under the Local Government Act 1989 and the Environmental Protection Act.

The tenders were assessed in accordance with Council's procurement policy and guidelines.

This report also relates to the:

- 2020-2021 Southern Grampians Shire Council Budget.
- 2017-2021 Council Plan – 5.1.2 Ensure responsible, effective and efficient use of Council resources
- SGSC Procurement Policy and Guidelines

Risk Management

What are the benefits/risks:

- The risks of price variation has been considered and contingencies are in place.
- No Planning Permit or Heritage Permit is required
- Formal process of coordination between land owner, EPA and Catchment Management Authority is in progress and the Works over Waterway Permit licence have been received

All risks are being mitigated by having a robust project management practices and checklist before starting physical works

Environmental and Sustainability Considerations

Environmental Sustainability has been considered in Tender Evaluation. Environmental Management Plan will be prepared before starting the physical works and will be implemented during construction.

Community Consultation and Communication

Communications with the affected landholder has been undertaken and agreement on a way forward to complete this project.

Disclosure of Interests

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

The evaluation will panel affirm that no direct or indirect interests need to be declared in relation to any matters in this Report:

RECOMMENDATION

That:

1. Council award Tender 33-20 Coleraine Landfill Drainage Works to James Milne Pty Ltd for a total sum of \$218,890.00 (incl. GST);
2. The contracts are signed and sealed when prepared.

COUNCIL RESOLUTION

MOVED: Cr Rainsford
SECONDED: Cr Calvano

That:

1. Council award Tender 33-20 Coleraine Landfill Drainage Works to James Milne Pty Ltd for a total sum of \$218,890.00 (incl. GST);
2. The contracts are signed and sealed when prepared.

CARRIED

10.16 56-18 Hamilton Gateway Business Park Subdivision – Variation to Contract

Directorate: David Moloney, Director Shire Infrastructure
Author: Rohit Srivastava, Manager Assets
Attachments: None

Executive Summary

Council awarded contract 56-18 Hamilton Gateway Business Park to Lake and Land Ltd on 10 January 2019 as a design and construct contract.

Variations to the contract have been submitted by and negotiated with the contractor to enable Council to have additional works be done in accordance with planned works. The approved variations (1-3) were within the delegation of the CEO with cumulative variation amount being \$67,210.

Variation – 4, \$188,725 for this contract was approved by the Council at its February 2020 meeting and made a new contract value to \$3,674,116.82 (excl. GST).

Variation – 5, \$315,595.41 was approved at June 2020 Council meeting towards works required to meet the intersection requirements approved under Functional design and made a new Contract value of \$3,989,712.23 (excl. GST).

Variation 6-9, there have been some scope reduction on stormwater and sewerage networks which resulted in cost reduction. On the other hand, there were some additions on Gas pipeline trenching and an additional safety valve requirement from Wannon Water at the sewer pump station.

Overall, Variations 6-9 have resulted in a negative variation of \$10,056.45 (excl. GST).

Department of Transport (DoT), previously known as VicRoads, have now approved the final Hamilton Industrial Land intersection design. There have been some additional works, which has resulted in an already approved, Variation 5.

Variation – 10: The additions made by DoT and the works undertaken to design the same and some refinement on the quantities taken by the contractor at the preliminary estimate stage has resulted in an additional Variation to the value of \$209,735.11 (incl. GST).

It is recommended that Council approve Variation 10 and make the new contract value to \$4,189,390.87 (excl GST).

Background

Council awarded the contract to design and construct Hamilton Gateway Business Park to Lake and Land Ltd on 10 January 2019 for a Contract Value of \$3,418,181.82.

Over the course of delivering the project there have been 3 variations approved within the procurements guidelines under the CEO's delegation,

Variation 1: Processed and approved, had no financial implication to the Contract.

Variation 2: \$20,610, was approved to enable the redesign of the VicRoads traffic intersection.

Variation 3: \$46,600, was approved to enable construction of additional sewer extensions as requested by Wannon Water.

Variation 4: \$188,725, covered additional underground storm water piping to meet the drainage requirements and was approved at February 2020 Council meeting.

Variation 5: \$315,595.41, covered initial approved (functional design) cost of meeting the DoT requirements and was approved at June 2020 Council meeting.

Variations 6 -9: (\$10,056.45), reduction in contract value by adjusting reduction in scope towards stormwater and sewerage rising main and additions towards Gas trenching and pump station safety requirements.

An additional variation has been received as follows:

Variation 10: \$209,735.11 has been received against the works required to comply with the additional requirements of DoT for the intersection works as part of the final design approval.

Considering all the Variations (1-10), the overall Contract value to \$4,189,390.87 (excl. GST).

Discussion

Hamilton Gateway Business Park Subdivision, is a design and construct contract awarded to Lake and Land. During tender stage the concept road intersection was provided to the tenderers for an initial estimate.

Since then, there have been extensive consultation with the DoT to meet their design requirements. An initial plan was submitted to DoT and the functional design was approved. The contractor had submitted the price (variation) on the basis of approved functional design, which was presented and henceforth approved at June 2020 Council meeting (Variation 5).

DoT has now approved the final design and there are some additions over the approved functional design. The contractor has also refined the preliminary quantities submitted under Variation 5. There have been considerable time cost of the contractor's design consultant in getting the design approved.

The above reasons has made the variation to the value of \$209,735.11 (excl. GST), since the additional cost of functional design was approved by the Council at its June 2020 meeting.

The budget for the project is shown in the table below:

Budget	Amount
Overall Project Budget for 2019/20	\$5,096,332 (excl Gst)
Overall Project Budget for 2020/21 <i>(some budget was released)</i>	\$4,773,366 (excl. GST)

Previously approved Contract Value Incl Variations 1-5	\$ 3,989,712
Variation 6, 7, 8 & 9 (Reduction in scope of sewerage, Storm water and addition of Gas main trenching and safety valve at sewer pump station)	- (\$10,056.45)
Variation 10	\$209,735.11 (excl. GST) (recommended for approval)
Revised Contract Value	\$4,189,390.87 (excl. GST)
Other project costs	\$247,300.32 (excl. GST)
Total project expenditure	\$4,436,691.19 (excl. GST)
Total project remaining budget	\$336,674.81 (excl. GST)

The above table shows that the award of the variations does not require additional funding, the overall project budget is \$4,773,366 against the revised Contract value of \$4,189,390.87, after incorporating all other project expenditure, there is still \$336,674.81 available for any other unforeseen project expenses.

A snapshot from the Procurement Policy is presented below:

Procurement Guidelines - Variation Delegations

New Contract Value Including all Variations	Variation % (whether one or more variations)	Process type	Approval by
\$150,000.00 and above	Variation less than 20% and less than \$75,000	Variation Certificate	Approved by Chief Executive Officer
\$150,000 and above	Variation greater than \$75,000	Council Report	Approved by Council at monthly meeting

Procurement Guidelines – Variation Delegations

Variation 10, the overall variation to the Contract would be over \$75,000 & require Council resolution.

Financial and Resource Implications

- The project is budgeted within the Council's capital works programme for the financial year 2020/2021;
- Overall, the project will be within the budgeted amounts;
- Considering above, there are no financial implications on the Council.

Legislation, Council Plan and Policy Impacts

This report assists Council in meeting its obligations under the Local Government Act 1989.

This report also relates to the:

- 2020-2021 Southern Grampians Shire Council Budget.
- 2017-2021 Council Plan – 5.1.2 Ensure responsible, effective and efficient use of Council resources
- SGSC Procurement Policy and Guidelines
- Planning and Environment Act (1987)
- VicRoads (DoT) Design Standards

Risk Management

What are the benefits/risks?

- The road intersection will be as per the standards of DoT – all safety and construction methods to be of standards meeting the requirements.

Environmental and Sustainability Considerations

Council officers and the Contractor has considered the environmental impacts – usage/disposal of materials on the project.

Community Consultation and Communication

Council officers have kept the stakeholders informed on the progress of the project.

Disclosure of Interests

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

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

RECOMMENDATION

It is recommended that Council approve under Contract 56-18 Hamilton Gateway Business Park, Variation 6 to 10 for \$199,678.66 (excl. GST) increasing the contract value to \$4,189,390.87 (excl. GST).

This Report was withdrawn by the Chief Executive Officer and was not considered by Council.

11 Notices of Motion

11.1 Notice of Motion #13/20

Cr Brown

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 9 September 2020

MOTION

1. That the Lake Hamilton Walking Track be named after Kevin Thomas, in recognition of the significant contribution that Kevin Thomas made to the construction of Lake Hamilton and more broadly to the Hamilton community over many years and
2. That appropriate signage be erected on the eastern and western sides of Lake Hamilton acknowledging this contribution.

Background

During his lifetime, Kevin Thomas contributed in many ways to the City of Hamilton and more broadly to the Hamilton community.

Kevin Thomas's leadership roles included:

- Councillor of City of Hamilton 1961-1979
- Mayor of City of Hamilton 1969-1971
- Member of the CFA for 70 years
- CFA Senior Leadership positions, including: Captain (simultaneously) of both Hamilton North and Grange Fire Brigades. Secretary of Hamilton Urban Brigade. Dundas Group Officer for 31 years. Life Member of the Victorian Rural Fire Brigades Association
- Chairman of the Hamilton Public Cemetery Trust
- Hamilton Lions Club – Foundation Member, Life Member, Melvyn Bragg Award,
- Life Member of Hamilton Cycling Club – held every role on the committee over his lifetime, provided the meeting space until a facility was built, was an active rider for years winning a number of trophies and awards and participating in the famous Melbourne to Warrnambool Ride, and led the attraction and successful completion of at least two Australian Track Cycling Championships in Hamilton. Heavily involved in the Sun Tour, then Herald Sun Tour forever.

As well as these roles, Kevin Thomas was the local delegate and/or regional representative on a number of state organisations, including the Victorian Automobile Chamber of Commerce [VACC], RACV, CFA, Victorian Cycling

It is important to recognise Kevin Thomas's contributions to our community as he made a real difference to our community. Not only is his sustained and lengthy community service in a variety of roles worthy of recognition, his commitment and perseverance to the construction of Lake Hamilton was instrumental in the lake being built.

Although the construction of Lake Hamilton was controversial at the time, more than 40 years later, there are very few community members and visitors to Hamilton who would deny what a wonderful community asset the Lake is. The value of Lake Hamilton and its contribution to our community's health and wellbeing is significant and continues to grow. The community's appreciation of this wonderful asset is demonstrated in many ways, including the Saturday morning Park Runs, rowing regattas, water skiing, fishing and recreational walking, running & cycling to mention a few.

Therefore it is fitting that the walking track at Lake Hamilton be named after Kevin Thomas as he was a major contributor to its construction and to our community in many other ways. It is important to acknowledge and recognise that contribution.

Officers Comments

The history of Kevin Thomas has been outlined in this Notice of Motion including a Councillor, Mayor, Council employee and involved in significant community organisations including the CFA, Hamilton Lions Club and Hamilton Public Cemetery Trust. Kevin passed away in July 2018.

The Lake and associated walking track, recently extended does have a foundation stone, time capsule and plaque recognising City of Hamilton Mayor and Councillors of the day including Cr K.B.J Thomas B.E.M following the construction and official opening on 12 November 1977.

The Walking Track itself does not currently bear any name or recognition and under relevant legislation does not require other formal approvals to name such infrastructure except a Council resolution and potentially community engagement on the proposal depending on Council wishes and direction.

Based upon this Notice of Motion it is very clear in its direction and therefore Officers would work to implement the Council direction without further consultation.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Calvano

- 1. That the Lake Hamilton Walking Track be named after Kevin Thomas, in recognition of the significant contribution that Kevin Thomas made to the construction of Lake Hamilton and more broadly to the Hamilton community over many years and**
- 2. That appropriate signage be erected on the eastern and western sides of Lake Hamilton acknowledging this contribution**

CARRIED

11.2 Notice of Motion #14/20

Cr Rainsford

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 9 September 2020

MOTION

That Southern Grampians Shire Council seek community submissions on Southern Grampians Shire Recycling opportunities for local processing and management.

Background

Councillors, local business and communities are concerned about the charges associated with full cost recovery associated with current model of management of recycled materials, in particular cardboard.

Ratepayers and residents are generally supportive of reducing waste and recycling more materials. There is also interest in doing more locally, developing local businesses. Whilst the issues of economy of scale and critical mass of recyclable material affect our ability to develop these industries there could be opportunities in separation, compacting or biofuel.

The purpose of this motion is to involve the community in developing local solutions which a future Council can evaluate and potentially seek funding support of viable initiatives.

Officers Comments

The concept of locally processing recycling will reduce transport costs and encourage employment in the Shire, however there are some issues around recycling that must be considered.

The volumes of waste generated within the shire are generally not commercially viable. A regional approach provides better opportunities to leverage off the greater waste volumes across numerous waste streams and therefore reduce Councils input costs to waste service.

These opportunities overtime have been considered through the Barwon South West Waste Resource Recovery Group (BSWWRRG) which are looking at regional approaches to numerous waste streams including the potentially opportunities to aggregate recyclable materials so it is suggested that interested parties contact the BSWWRRG for support and further advice.

Having said this Council has had numerous discussions recently with various third parties interested in leveraging off recycling waste streams we currently have to invest in new business opportunities. Where Council has and will provide assistance is by way of data and waste stream information and linking these groups with other Councils data.

Our current Sustainability Officer has no spare capacity to administer the suggested program as they are currently working on a kerbside transition plan and other sustainability projects. An additional resource would need to be funded should Council wish to go out for community submissions.

A container deposit scheme will be in place by the end of 2023 but at this stage we are unclear on what will be included in the scheme and how it will impact our recycling stream or transfer stations.

Funding streams for the private sector are usually separate from those intended for local government so Council would not necessarily be in a position to assist or apply for funds to assist those companies.

MOTION

That Southern Grampians Shire Council working with council officers prepare a report outlining the potential local and regional recycling opportunities.

COUNCIL RESOLUTION

MOVED: Cr Rainsford
SECONDED: Cr Dunkley

That Southern Grampians Shire Council working with council officers prepare a report outlining the potential local and regional recycling opportunities.

CARRIED

12 Delegated Reports

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

12.1 GREAT SOUTH COAST GROUP

Cr Sharples reported on his virtual attendance at the Great South Coast Group board meeting on 28 August 2020.

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 were no Confidential Matters listed on tonight's agenda.

15 Close of Meeting

This concludes the business of the meeting.

Meeting closed at 7:51pm.

Confirmed by resolution 14 October 2020.

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Chairman