



Southern Grampians
SHIRE COUNCIL

Council Meeting Agenda

Council Meeting
12 October 2022

To be held virtually via Teams,
at 5:30pm.

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1. Membership

Councillors

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

Officers

Mr Tony Doyle, Chief Executive Officer
Mr Kevin Leddin, Acting Director Community and Corporate Services
Ms Marg Scanlon, Director Infrastructure
Ms Belinda Johnson, Acting Director Planning and Development

2. Welcome and Acknowledgement of Country

The Mayor, Cr Colliton will 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 Rainsford will lead the meeting in a prayer.

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

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

4. Apologies

5. Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Council Meeting held on 14 September 2022 be confirmed as a correct record of business transacted.

6. Declaration of Interest

7. Questions on Notice

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

8. Public Deputations

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

9. Informal Meetings of Councillors

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

If there is a meeting of Councillors that:

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

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

An Informal Meeting of Councillors record was kept for:

- Audit and Risk Committee - 13 September 2022
- Briefing Session - 14 September 2022
- Condah Mission Tour - 21 September 2022
- Briefing Session - 28 September 2022

This agenda was prepared on 5 October 2022. Any Informal Meeting of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Ordinary Meeting of Council.

Southern Grampians Shire Council
 Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Audit & Risk Committee Meeting
Date:	13 September 2022
Location:	Martin J Hynes Auditorium/Teams Meeting
Councillors in Attendance:	Cr David Robertson, Deputy Mayor Cr Helen Henry
Council Staff in Attendance:	Mr Tony Doyle, CEO Ms Belinda Johnson, Acting Director Community & Corporate Services Mr Jason Cay, Acting Financial Sustainability Coordinator Mr Kevin Leddin, Acting Manager Finance Mr Russell Bennett – Manager Business Systems Ms Nadine Rhook, EA to Director Community & Corporate Services

The Assembly commenced at 1:30pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome	Nil
2	Apologies	Nil
3	Conflict of Interest	Nil
4	Confirmation of Previous Minutes	Nil
5	Summary Table of Outstanding Matters	Nil
6	External Audit - Progress Report of Current Actions	Nil
7	Review Draft Annual Financial Statement, Performance Statement and Government & Management Checklist	Nil

8	Review Interim Management Letter & Closing Report	Nil
9	Final Draft Management Letter & Draft Closing Report	Nil
10	Business Continuity Plan and Sub Plans	Nil
11	VAGO Audit – Fraud Control over Local Government Grants	Nil
12	Internal Audit – Progress Overall	Nil
13	Progress Report of Internal Audit Actions (Interplan) – Procurement, Purchasing Cards & Data Security Protection (VPDSS), Road Asset Management & Child Safe Standards.	Nil
14	Internal Audit Progress – Data Analysis – Accounts Payable & Procurement	Nil
	VAGO, Ombudsman & IBAC Reports	Nil
15	Excess Leave Update	Nil
16	ICT Physical Policies & Procedures	Nil
17	Implementation of Local Government Act	Nil
18	Implementation of Local Government Amendment (Rating and Other Matters) Act 2022	Nil
19	Compliance Framework	Nil
20	OHS Report	Nil
21	Councillor Expenses Quarterly Report (April 2022 – June 2022)	Cr Robertson & Cr Henry declared an indirect conflict at the ARC Meeting at Item 12.1
22	Finance Reports to 30 June 2022 Preliminary	Nil
23	Review of Insurance Premium Costs	Nil
24	Next Meeting	Nil

The Assembly concluded at 4.12pm

Southern Grampians Shire Council Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	14 September 2022
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Belinda Johnson, Acting Director Community and Corporate Services Marg Scanlon, Director Infrastructure Peter Brown, Acting Director Planning and Development Daryl Adamson, Manager Shire Strategy and Regulation Hugh Koch, Manager Economic Development and Tourism Tony McGann, Project Manager
External Presenters:	Ben Shoo

The Informal Meeting commenced at 1:00pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor and CEO Only Meeting	Nil
2	Matters Raised by Councillors	Nil
3	Review of s11A Instruments of Appointment and Authorisation	Nil
4	Petitions – May Street Trees and Coleraine Street Trees	Nil
5	Hamilton CBD Vision	Nil
6	Melville Oval Project Update	Nil

The Informal Meeting concluded at 5:00pm.

Southern Grampians Shire Council

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Condah Mission Tour
Date:	21 September 2022
Location:	Condah Mission
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Belinda Johnson, Acting Director Community and Corporate Services Marg Scanlon, Director Infrastructure Mary McArthur, Visitor Experiences Coordinator
External Presenters:	Uncle Johnny Lovett

The Informal Meeting commenced at 11:00am.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Condah Mission Tour	Nil

The Informal Meeting concluded at 4:30pm.

Southern Grampians Shire Council
Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	28 September 2022
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Belinda Johnson, Acting Director Community and Corporate Services Marg Scanlon, Director Infrastructure Peter Brown, Acting Director Planning and Development Alison Quade, Manager Community Relations Roger Rook, Recreation Services Coordinator

The Informal Meeting commenced at 2:30pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor and CEO Only Meeting	Nil
2	Matters Raised by Councillors	Nil
3	Greater Grants	Cr Mary-Ann Brown
4	Cricket Victoria Annual Carnival	Nil
5	HPAC Auditorium Seating	Nil

The Informal Meeting concluded at 5:00pm.

10. Management Reports

10.1 Greater Grants

Directorate: Kevin Leddin, Acting Director Community and Corporate Services
Author: Alison Quade, 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 and Heritage 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 2021 - 25 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 three grants above delegation totalling \$35,449 and 16 grants under delegation totalling \$35,384.97.

Below is the summary of grant applications received in round one, which requested funds above \$2,500.

Category	Applicant	Project	Ask Amount	Funding Amount	Total Project Cost
Community Infrastructure	Mooralla Golf Club	Replacement Rider Mower	5,949	5,949	11,899
Community Infrastructure	Tarrington Cricket Club	Planning for Tarrington Community Centre	15,000	15,000	32,838
Community Infrastructure	Branxholme Rec. Reserve	Women's Netball Changeroom Fit Out	14,500	14,500	29,000
Total			\$35,449	\$35,449	\$73,737

Below is the summary of grant applications received in round one, which requested funds under \$2,500. The application's total is \$35,884.97.

Category	Applicant	Project	Ask amount	Funding amount	Total Project Cost
Community Strengthening	Australian Pedal Car Grand Prix	Coleraine Family Fun Day	1,000	1,000	3,750
Arts and Culture	Cavendish Townscape Association	Gatum Gatum	2,000	2,000	4,500
Tourism and Events	Cavendish Townscape Association	Fleece and Flower Show	786	786	786
Tourism and Events	HIRL	Market Start Up X Covid	2,500	2,500	2,925
Tourism and Events	Hamilton Country Music Club	Mini Country Music Festival	2,500	2,500	4,000
Tourism and Events	Grampians Golf Club	Marketing and Promotion	3,000	2,500	3,000
Tourism and Events	Hamilton P&A Society	Website Rebuild	2,500	2,500	3,000
Tourism and Events	Off the Rails	Spirit of Progress Train Visit	2,500	2,500	3,500
Sustainability	Hamilton Field Naturalists	Weed Control Equipment	2,480	2,480	4,640
Sustainability	Hamilton Coleraine Landcare Group	Hamilton Tree Planters	2,132	2,132	2,132
Heritage	Clare Ryan	Balmoral Post Office	2,500	2,500	3,594
Heritage	Dunkeld Museum	Our Soldier Boys and Girls	2,500	2,500	3,400
Heritage	Sterling Place Dunkeld	Mortar Works	2,500	2,500	2,500
Community Infrastructure	Hamilton Mens Shed	Roof Repairs	2,500	2,500	3,542
Community Infrastructure	Balmoral Mechanics Institute	Table Trollies	2,500	2,500	2,761
Community Infrastructure	Mulleraterong	Pool Testing Kit	1,987	1,987	1,987
Total			\$35,884.97	\$35,384.97	\$50,016.97

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 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 2021 - 25. The Council Plan establishes that we will:

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

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 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, social media posts, via letters to the Grant recipients and through Council's Community E-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 \$35,384.97 for Greater Grants approved under delegation.
2. Resolves to allocate \$35,449 as per the projects outlined in the summary table below.

Category	Applicant	Project	Ask Amount	Funding Amount	Total Project Cost
Community Infrastructure	Mooralla Golf Club	Replacement Rider Mower	5,949	5,949	11,899
Community Infrastructure	Tarrington Cricket Club	Planning for Tarrington Community Centre	15,000	15,000	32,838
Community Infrastructure	Branxholme Rec. Reserve	Women's Netball Changeroom Fit Out	14,500	14,500	29,000
Total			\$35,449	\$35,449	\$73,737

10.2 Street Trees in May Street Hamilton and Whyte Street Coleraine

Directorate: Marg Scanlon, Director Infrastructure
Author: Brett Holmes, Manager Works
Attachments: None

Executive Summary

A petition was received from residents of May Street, Hamilton requesting the removal of the *Lagunaria Patersonia* (aka Itchy Bomb or Norfolk Island Hibiscus) trees which are located on the southern side of May Street.

Separately the Coleraine community has raised their concerns with the current Whyte Street Trees, specifically the impact to surrounding infrastructure causing damage and safety concerns.

The proposed recommendation is that Council;

1. Remove the thirteen Itchy Bomb trees in May Street and engage with the local residents on the replacement trees.
2. Remove two street trees in Whyte Street, complete pruning works and maintenance works on the remaining trees in Whyte Street and continue to engage with the Coleraine community specifically on the options to resolve the impacts to the surrounding infrastructure.

Discussion

Council received a petition from the residents of May Street, Hamilton dated 22 April 2022 as follows;

*The undersigned residents in and near May Street (Hamilton) request Southern Grampians Shire to remove the Norfolk Island Hibiscus (*Lagunari patersonii*) trees in the street and replace them with benign trees indigenous to this area.*

Among these residents are several with severe asthma which is exacerbated by the fibres when the pods open. There are also others with serious life-threatening lung conditions, and those who suffer from hay fever and other allergic reactions. As these people age they become less able to cope with the stress of breathing difficulties that these trees create, to the extent that some are unable to leave their homes when the trees are shredding. The seeds and fibres from the seed pods are toxic and cause skin irritations which need medical attention.

Claims have been made that the fibres in the seed pods are as dangerous as asbestos for human lungs.

Other cities and shires around Victoria and Australia recognise the danger of these trees and have programs to remove and replace them.

The petition was also supported by a letter from a local medical practitioner outlining the medical impacts of the Itchy Bomb trees.

The trees have been assessed by an Arborist, and despite being in good condition, the recommendation is to remove the trees because of the health impacts the trees can cause. The Itchy Bomb Tree is now regarded as unsuitable as a street tree in many parts of Australia, including Southern Grampians due to management issues. A major issue in the

management of the tree is the releasing of hairs from the seed capsules during pruning works. These hairs can cause respiratory and skin irritations.

Council's Manager Works has engaged with the lead petitioner to discuss the current issues and the proposed course of action consistent with the details contain in this report.

Further to concerns raised by the Coleraine community on the Whyte Street Trees, Council's Arborists was also engaged to assess the 22 street trees in Whyte Street. This assessment has concluded and recommends the removal of two (2) trees due the trees being in very poor condition caused by extensive powerline pruning works. The report starts the 2 trees (both London Plane trees) offered minimal amenity and would be best removed and replaced.

A group of interested Coleraine residents have engaged with Council Officers to discuss the Whyte Street Tree issues and opportunities. These discussions will continue to explore options to resolve the impacts to the surrounding infrastructure, but the agreed objective is to retain the London Plane Street Trees where possible.

Financial and Resource Implications

Works detailed in this report will be scheduled and managed through existing recurrent budgets. Confirmed details regarding the timing of the works including replacement trees will be provided to the respective communities.

Legislation, Council Plan and Policy Impacts

All planned works will be completed in line with Council's Street Tree Management Plan as well as Council's Procurement Policy.

Risk Management

Both work sites will be managed in accordance with Council's Occupational Health & Safety requirements with strong consideration given to members of the public and access requirements to residential properties, local shops and footpaths /walkways.

As part of the Risk Management, residents, business owners and the general public will be given notice of proposed works and start dates.

Collaborative Opportunities

The recommended works will be managed by Council staff using local contractors. Ongoing engagement with the respective communities will ensure information about the works is provided and further engagement on the specie selection and options for tree surrounds particularly in reference to the Coleraine Street Tree infrastructure issues.

Environmental and Sustainability Considerations

Council meets the compliance requirements in relation to Electric Line Clearance which specifically relates to tree maintenance. Council also has a commitment to the Greening Hamilton Plan which also provides guidance and direction to the location of trees and specie selection. As a part of Council's commitment to environmental sustainability and climate change action, further community engagement and strategic planning will be undertaken to identify further opportunities to increase the tree canopy across the Southern Grampians.

Community Consultation and Communication

Council staff will continue to work with both the residents of May Street, Hamilton and representatives of CDDA to plan and implement the recommendations from the arborist assessment together with resolving the infrastructure impact issues.

Consultation and engagement will focus on planned works and how they will occur, start dates, impact to affected residents, business owners and pedestrians. Council staff will also inform the public of the works via social media posts and public notices in the local paper.

Residents in May Street, Hamilton and the businesses in Whyte Street will also be engaged face to face by Council staff- both prior to works commencing and during the works.

Disclosure of Interests

N/A

RECOMMENDATION

That Council:

1. Adopt the recommendations from the Arborist reports to;
 - a) Remove 13 *Lagunaria Patersonia* (aka Itchy Bomb or Norfolk Island Hibiscus) trees in May Street, Hamilton- between Park Street, Hamilton and Bree Road, Hamilton and replant with a more suitable species;
 - b) Remove two (2) London Plane Trees in Whyte Street, Coleraine, replant and complete the required pruning, shaping and maintenance works on the remaining trees in Whyte Street, Coleraine
2. Endorse continued engagement with the Coleraine community to resolve the infrastructure issues in Whyte Street Coleraine, specifically tree surrounds, footpaths and kerb, on the premise that the existing healthy London Plane street trees will be retained.

10.3 Hamilton Performing Arts Centre Seating Upgrade

Directorate: Belinda Johnson, Acting Director Planning and Development
Author: Belinda Johnson, Acting Director Planning and Development
Attachments: None

Executive Summary

In June 2022, Council was successful in securing \$150,000 through Creative Victoria's Creative Neighbourhoods Infrastructure Support Program. The program provides one-off grants for infrastructure upgrades that support secure and accessible workspaces for creative practice.

The funding will contribute to the replacement of the seating infrastructure in the Hamilton Performing Arts Centre Auditorium which has not been upgraded in thirty years and no longer meets the expectations of contemporary audiences.

The total project cost is estimated to be in the order of \$270,000. This report seeks a resolution of Council to accept the grant and to fund the balance of the cost of the works.

Discussion

The Handbury Auditorium is the primary presentation space within the Performing Arts Centre. A 491-seat single-tier auditorium with rear control room.

The room was originally built as a flat-floor Town Hall with rear balcony. Renovations filled in the stalls to meet the balcony and thereby creating the Ted Kenna VC Room. The Auditorium has a traditional proscenium leading to an unranked stage which is level with the front of the stalls.

The room has undergone renovations several times since its original 1910 form, however the seating is tired and the configuration does not compare favourably to newer auditoria. Seating within the auditorium itself is a single bank of tiered seats that have not had significant refurbishment in three decades. The aging of the seats has reduced their comfort and presentation, with seats appearing uneven and tattered. The straight-line configuration of the seating detracts from the intimacy of the space.

The current configuration and seating infrastructure diminish the overall visitor experience with the seating standard far behind its closest regional partners of Warrnambool and Horsham.

By reviewing the auditorium layout and function, this project seeks to:

- Develop an improved seating plan and layout that meets industry standards, and which is accessible for those with a disability, access impairment or mobility restriction.
- Reduce barriers in accessing the facility through a commitment to equitable access and inclusion.
- Provide a high-class venue that meets the expectations of contemporary audiences to engage with our local and touring creative practitioners.
- To ensure the facility is fit for purpose and meets the needs of all touring performances, music, and community.

The project aims are:

- improved wheelchair access spaces and accessible theatre seats
- industry standard ergonomic seating throughout
- an auditorium layout which allows multiple access options for patrons including a significant increase in aisle row seating
- a fit for purpose facility for touring artists with the aim of establishing a viable touring circuit in Southwest Victoria

The project does not propose, nor budget for, significant building works to be undertaken, including alterations to the raking of the seats.

Internal painting, separately funded from Councils adopted 2022/23 budget, will be undertaken while the theatre is clear of seating.

Accessibility

The project looks to provide the same performance experience to people with a disability as other audience members. There will be an increase in the number of accessible seats provided, as well as providing the opportunity for removable and relocatable seats to be utilised depending on audience needs (e.g. if no accessible seating is required, these can be reverted to regular seating minimizing audience dispersal in the front row).

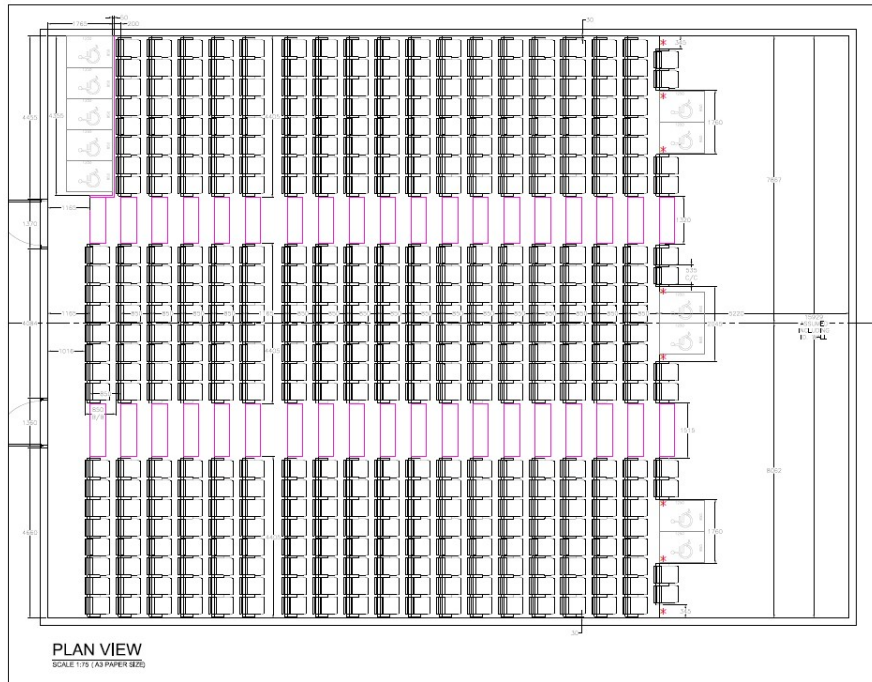
The seating proposals which are attached reconfigure the aisle locations to be centrally located dividing existing rows into three banks (eight seats maximum per bank, 27 seats previously). Three options are proposed, which result in a reduction in seating. All configurations seek to minimize audience movement and disturbance during performances with greater access to aisles.

Seat numbers

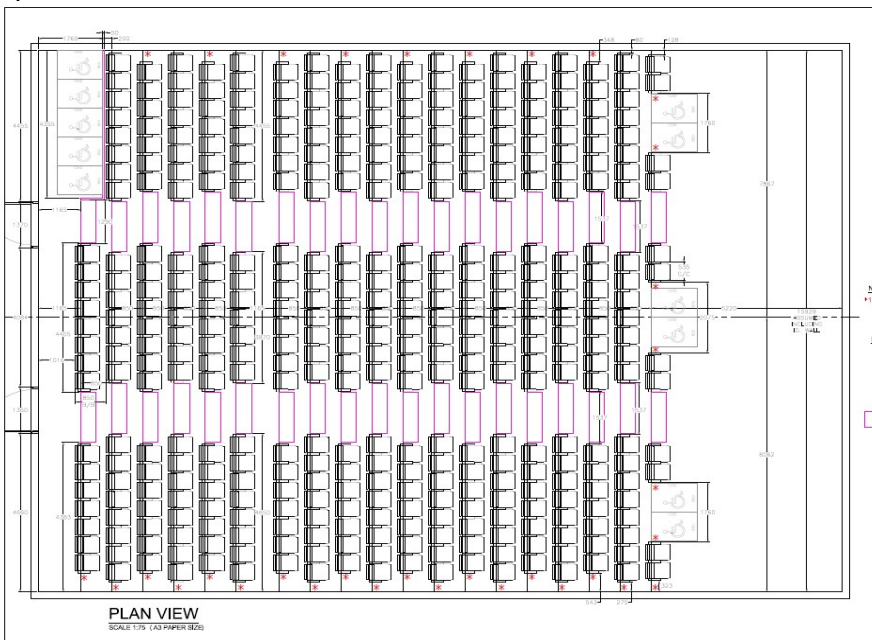
The current static seating capacity of the Auditorium is **491** with limited accessible seating.

Option	Design	Static Seats	Removable/Relocatable Seats	Total Seats
A	Traditional Seating	425	11	436
B	Offset Seating	399	11	410
C	Traditional Seating on the sides and offset in the centre aisle	411	11	422

Option A



Option B



Budget	\$
Estimated Project cost	
Seating	\$230,000
Associated building costs	\$ 40,000
Total Expenditure	<u>\$270,000</u>
Proposed Funding	
Creative Victoria Grant	\$150,000
Reallocation from underspend in the recurrent budget	\$ 50,000
Council contribution (Capital Works Program – LTFFP)	\$ 70,000
Total Income	<u>\$270,000</u>

Legislation, Council Plan and Policy Impacts

The expected cost of the project is above the threshold in Councils procurement policy and will require a decision of Council.

The following strategies from the Council Plan are applicable for this project:

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

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

Risk Management

Tenders have been called for the project and the closing date is 31 October 2022. It is expected a final decision will be made by Council at a meeting prior to Christmas.

The major financial risk is the cost of the seats and this will not be known until tenders are received.

The other significant risk is the ability of contractors to complete the construction and installation of seats by early March, to limit the unavailability of the PAC. This risk will be partially mitigated through an early Council decision and securing the commitment of the successful contractor.

Environmental and Sustainability Considerations

It is proposed the old seats will be offered to local community groups at no cost. An open and transparent process will be developed to achieve this outcome, with any residual being offered to the general public. This will reduce the impact on landfill.

Community Consultation and Communication

Whilst it is recognised that the project will not completely resolve community feedback around seating options, it does aim to substantially improve the audience experience and bring the Hamilton Performing Arts Centre in line with industry standards. These standards have changed substantially over the life of the seating.

Various forums, community and stakeholder engagement opportunities has provided feedback and input around the current condition of the theatre furniture, access challenges and industry comparisons. This input has guided the project specification requirements.

The external funding opportunity presented a timely opening to address these issues sooner than otherwise achievable by Council alone through its Building Renewal Program. Staff engagement with Creative Victoria enabled the opportunity to share and advocate for the priority needs of the Centre with community support.

Disclosure of Interests

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

RECOMMENDATION

That Council;

1. Accept the grant of \$150,000 through Creative Victoria's Creative Neighbourhoods Infrastructure Support Program;
2. Note that a tender specification has been prepared and advertised;
3. Reallocate \$50,000 from savings in the 2022/23 operational budget; and
4. Fund the balance of the cost of the works up to an estimated \$70,000 from the capital works program following review of the 2021/22 carry forwards, 2022/23 current program for delivery and future years renewal allocations.

10.4 2021/22 Annual Report

Directorate: Kevin Leddin, Acting Director Community and Corporate Services
Author: Alison Quade, Manager Community Relations
Attachments: None

Executive Summary

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

Discussion

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

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

The Mayor must report on the implementation of the Council Plan by presenting the annual report at a Council meeting open to the public. This Council meeting must be held— (a) in the year of a general election, on a day not later than the day before election day; and (b) in any other year, within 4 months of the end of the financial year, being 31 October 2022.

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

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

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

The Annual Report provides a comprehensive overview of activities of Council for the period 1 July 2021 to 30 June 2022, including social, economic and environmental achievements in respect of a range of projects, services and assets managed. The Annual Report of Council is an important record of the activities of Council, including its financial performance over the year for which the Auditor-General has provided unqualified audit opinions on the Financial Statements and Performance Statement for the year ended 30 June 2022. The Financial Report includes General Purpose Financial Statements, Standard Statements and the Performance Statement.

Legislation, Council Plan and Policy Impacts

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

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

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

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

Disclosure of Interests

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

RECOMMENDATION

That Council considers the Annual Report 2021-22 for the year ended 30 June 2022, including the progress on implementation of the Council Plan 2021-25.

10.5 Cricket Victoria – 3 Year Events Support

Directorate: Belinda Johnson, Acting Director Planning and Development
Author: Belinda Johnson, Acting Director Planning and Development
Attachments: None.

Executive Summary

Cricket Victoria (CV) are planning to hold a number of events and programs that will attract visitors to the Southern Grampians Shire over the next 3 years.

To continue the support since Council auspiced the funding for the Western Waves Regional Cricket Centre at Monivae (WWRCC), it is proposed that Council enter into a three year sponsorship agreement to support their events program with an annual payment rather than continued application for individual events throughout the year.

Annual support of \$10,000 is recommended.

Discussion

WWRCC hosted the Under 16 Premier League Carnival in Dec 2021.

CV have provided information that the total cost to run the event was \$130,000. The flow-on effects are that the event attracted 50 families, each requiring 4 nights accommodation (\$30,000) and food & beverage (\$15,000). Direct spend approx. \$175,000 without multiplier effect into the local economy.

They are expecting similar budget and economic benefits for 12-16 Dec 2022 event.

The Youth Premier League embraces all talented players with varied backgrounds from across Victoria to be the best player they can be. This competition is promoted via Social Media and Live Streaming.

CV want to showcase grounds within the shire and give all players the opportunity to play in different conditions. They utilise local umpires to support their development and the various Clubs are paid to get grounds ready for the Carnival.

CV have other programs/events planned:

- Cricket Expos
- Junior Cricket forums
- Western Country presentations
- U19 Victorian Male State Squad 3 days in September
- U19 Victorian Female State Squad – July
- Other Carnivals – State and Interstate TBC for 23/24

Previous funding has assisted to support venue hire, umpire payments and accommodation for the cricket carnival. It is envisaged that this proposal will encompass all activities of CV in Southern Grampians Shire annually.

With other Cricket Hubs coming online in Victoria, there will be greater competition for junior carnivals. This approach locks in our hosting of this event.

Cricket Victoria has invested heavily into the redevelopment of the cricket hub at Monivae College and Melville Oval.

Financial and Resource Implications

The \$10,000 allocation will be funded from the events program in the 2022/23 operational budget with two further years be provided in the 2023/24 and 2024/25 Budgets.

Legislation, Council Plan and Policy Impacts

The Council Plan specifically provides:

1.2.2 Support and encourage participation in quality arts and cultural, education, leisure, recreation and sporting opportunities

1.2.4 Provide, promote and support appropriate and accessible services, facilities and activities for young people

2.4.1 Improve the reputation of the Shire as a destination of choice for events and conferences

Risk Management

Failure to commit to a 3 year program may see the event going elsewhere in future years whereby Council would be void of the possible \$175,000 per annum spend within the local economy.

Environmental and Sustainability Considerations

The proposal does not have any direct negative environmental or sustainability impacts.

Community Consultation and Communication

Consultation has been undertaken with the following:

- SGSC Recreation Team
- CV have been in contact with Hamilton Cricket Association

Several accommodation businesses reported increase in occupancy when the Carnival was on in December 2021 in what is generally seen as a quieter time before Christmas.

Disclosure of Interests

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

RECOMMENDATION

That:

1. Council enter into a 3 year sponsorship agreement with CV to support the Under 16 Premier League Carnival in December and other CV activities annually,
2. \$10,000 be allocated from the 2022/23 Events budget to support this year's event and that the following two years budget provides the same allocation, and
3. The agreement be reviewed annually.

10.6 Amended Council Meeting Minutes – 13 April 2022

Directorate: Kevin Leddin, Acting Director Community and Corporate Services

Author: Tania Quinn, Acting Governance Coordinator

Attachments: Amended Council Meeting Minutes - 13 April 2022

Executive Summary

The Minutes from the Council Meeting held on 13 April 2022 and confirmed by resolution of Council at the Meeting held on 11 May 2022 have been amended and require adopting by Council.

Discussion

As per Council's Governance Rules, the draft Minutes from each Council Meeting are to be submitted to the next appropriate Council meeting to be confirmed by resolution of Council.

While actioning the resolution regarding a Notice of Motion relating to the establishment of a Hamilton Showgrounds Advisory Committee from the 13 April 2022 Meeting it has become apparent that the "printed" Minutes as presented to Council contained an error.

The motion put forward in Item 11.1 was inaccurately recorded in the Minutes and requires a Council resolution to confirm the amended "printed" Minutes as the correct record of business transacted. Due to the confines of the *Local Government Act 2020* the resolution as it stands is unable to be actioned.

The resolution recorded in the printed Minutes and confirmed at the Meeting on 11 May 2022 states:

That Southern Grampians Shire Council:

1. Establishes a Hamilton Showgrounds Advisory Committee reflecting the intent of the current Hamilton Showgrounds Masterplan and consistent with the function of a Community Asset Advisory Committee as defined in the Local Government Act 2020.
2. Appoints two councillor delegates to the Hamilton Showgrounds Advisory Committee, with the intention of one of the councillors Chairing the Asset Advisory Committee and reporting to Council.
3. Develops a Terms of Reference for the Hamilton Showgrounds Advisory Committee to be adopted by Council within 2 months.
4. Two councillor delegates nominated to represent Southern Grampians Shire Council are Cr Katrina Rainsford & Cr David Robertson.

The resolution as intended, carried by Council and confirmed by Council's Acting Governance Coordinator after viewing the recording of the Meeting which was live streamed on Council's Facebook page should have been:

That Southern Grampians Shire Council:

1. Establishes a Hamilton Showgrounds Advisory Committee.
2. Appoints two councillor delegates to the Hamilton Showgrounds Advisory Committee.
3. Develops a Terms of Reference for the Hamilton Showgrounds Advisory Committee to be adopted by Council within 2 months.

4. Two councillor delegates nominated to represent Southern Grampians Shire Council are Cr Katrina Rainsford & Cr David Robertson.

The motion was moved by Cr Rainsford, seconded by Cr Robertson and carried by a majority vote.

A resolution by Council is required to confirm that the Amended Minutes of the 13 April Council Meeting are a correct record of the business transacted.

Financial and Resource Implications

There are no financial or resource implications associated with this report.

Legislation, Council Plan and Policy Impacts

Governance Rules section 3.12 Minutes
The *Local Government Act 2020*

Risk Management

By amending and adopting the minutes the Council resolution to establish an advisory committee can be actioned and comply with the *Local Government Act 2020*.

Environmental and Sustainability Considerations

There are no environmental or sustainability considerations associated with this report

Community Consultation and Communication

The amended Minutes from the 13 April 2022 will be made available on Council's website.

Disclosure of Interests

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

RECOMMENDATION

1. That the resolution for item 11.1 in the printed 13 April 2022 Council Meeting Minutes be amended, as written below, to reflect the resolution as carried:

That Southern Grampians Shire Council:

- (1) Establishes a Hamilton Showgrounds Advisory Committee.
 - (2) Appoints two councillor delegates to the Hamilton Showgrounds Advisory Committee.
 - (3) Develops a Terms of Reference for the Hamilton Showgrounds Advisory Committee to be adopted by Council within 2 months.
 - (4) Two councillor delegates nominated to represent Southern Grampians Shire Council are Cr Katrina Rainsford & Cr David Robertson.
2. The amended Minutes of the Council Meeting held on 13 April 2022 be confirmed as a correct record of business transacted.

10.7 Review of s11A Instrument of Appointment and Authorisation

Directorate: Kevin Leddin, Acting Director Community and Corporate Services
Author: Tania Quinn, Acting Governance Coordinator
Attachments: s11A Instrument of Appointment and Authorisation

Executive Summary

Council appoints many powers to its staff through instruments of delegation and authorisation.

The s11A Instrument of Appointment and Authorisation appoints Council staff to be authorised under the *Planning and Environment Act 1987* and allows them to fully discharge their duties and responsibilities under that Act.

The s11A Instrument of Appointment and Authorisation has been updated to reflect recent staffing changes and is attached for Council consideration.

Discussion

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

The Instruments of Delegation and Appointment and Authorisation are prepared for Council by Maddocks Lawyers.

S11A Instrument of Appointment and Authorisation

The s11A Instrument of Appointment and Authorisation:

- Appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- Authorises the officers generally to institute proceedings for offences against the *Planning and Environment Act 1987* and the regulations made under that Act.

The previous Authorisation needs to be revoked due to some of the staff listed in the Instrument no longer working for Council.

As with the delegations under the *Planning and Environment Act 1987* these appointments and authorisations must be made by Council and are not delegated by the CEO.

It is recommended that Council adopts the s11A Instrument of Appointment and Authorisation.

Financial and Resource Implications

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

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

Legislation, Council Plan and Policy Impacts

Objective 5.1 – Provide transparent and responsible governance.

Risk Management

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

Environmental and Sustainability Considerations

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

Community Consultation and Communication

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

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

Disclosure of Interests

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

RECOMMENDATION

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

1. Council adopt the attached s11A Instrument of Appointment and Authorisation for the members of Council staff set out in the instrument.
2. The s11A Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it, and on coming into force all previous s11A instruments are revoked.

10.8 Audit & Risk Committee - Minutes

Directorate: Kevin Leddin, Acting Director Community and Corporate Services
Author: Kevin Leddin, Acting Director Community and Corporate Services
Attachments: Minutes – 13 September 2022

Executive Summary

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

Discussion

The Audit and Risk Committee, as an Advisory Committee of Council, fulfils both a statutory and consultative function. It provides feedback, advice and direction to Council. The intention is not to focus on financial risk which is adequately addressed by the external auditors, but rather to review internal processes in line with the culture of continuous improvement.

Legislation, Council Plan and Policy Impacts

The Local Government Act 2020 (Section 53).

Disclosure of Interests

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

RECOMMENDATION

That the Minutes for the Audit and Risk Committee meeting held on 13 September 2022 be noted.

11. Notices of Motion

There is one Notice of Motion listed on tonight's agenda.

11.1 Notice of Motion #6/22

Cr Rainsford

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 12 October 2022

MOTION

That Southern Grampians Shire Council reinforce Returning Passenger Rail to Hamilton advocacy by;

- 1) Lobbying all upper and lower house Western Victorian candidates for the November 2022 State Election
- 2) Lobbying the Federal Government in particular including the case of rapid reduction in use of fossil fuels to reach Climate Change Policy targets.

Background

The current Southern Grampians Council Advocacy campaign includes the re-introduction of Passenger Rail to Hamilton.

There is a lack of convenient and dedicated rail services into Hamilton which is disadvantaging residents and visitors of Southern Grampians Shire.

Many comparable towns such as Swan Hill, Benalla, Bairnsdale, and Yarrawonga have access to passenger rail in Victoria to travel to larger regional cities which Southern Grampians currently lacks.

Underlying reasons for recommending return of rail services to Horsham and Hamilton are that:

- It responds to many of the identified needs
- It provides better intercity connections
- It is strongly supported by the regional communities
- It provides equity with other cities and towns throughout Victoria
- It is operational and financially feasible.

Solution:

Six return daily train services to Ararat, four to Horsham and three to Hamilton is vital. These services would all connect at Ballarat with direct trains to/from Melbourne via Ballan. An upgraded train station at Hamilton, overnight stabling in Hamilton and Horsham, along with standardisation of rail gauge between Ballarat to Ararat and other associated works is required.

Detailed design is needed for conversion of existing track between Ballarat and Ararat from broad to standard gauge, new rolling stock, train station upgrades, and associated works.

The 2017 Feasibility Report funded by eight Western Victorian Councils and Department of Transport into Returning Passenger Rail to Western Victoria identified the cost of this strategy would be in the order of \$371 million.

Stage 1 of the proposals (those for early implementation) are costed at \$1.6 million.

Stage 2, including new trains and standardisation of the Ballarat to Ararat railway and associated train stabling maintenance and signalling, has an estimated cost of \$369 million and an additional operating cost of \$6.1 million.

Priorities addressed with this strategy

- > Community Activation
- > Economic Growth
- > Environment
- > Mental Health
- > Jobs

Further work to cost an initial return of passenger rail via a shuttle service from Portland through Hamilton to Ararat would fasten the return of passenger rail to Southern Grampians and Glenelg Councils. This would reduce the initial budget by not including the gauge change project between Ararat and Portland.

The Maroona Portland Rail Line which has previously served to provide both Passenger Rail and Rail Freight through Hamilton to Portland is currently attracting investment to reduce the pressure of heavy freight on our challenged roads.

A multipurpose track long needing upgrade investment which could now serve to be fast track the reduction of use of fossil fuels, part of the solution for reaching State and Federal Climate Change Policy targets utilising the high energy efficiency of rail over road transport.

Officers Comments

A detailed briefing to Council was provided on transport gaps and progression towards an integrated transport strategy on 27 January 2022. As indicated at that time, the DoT Director Grampians Region wound up the working group on passenger rail in September 2021 indicating it had no further purpose. That working group was substantially empowered by Horsham Rural City and Southern Grampians Shire Council's staff (at CEO/Director level).

Since then, Council has adopted its Council Plan, SG 2041 – Community Vision Framework and the Southern Grampians Community Investment Plan. All three refer to improved bus linkages and connections to regional centres and ongoing advocacy for passenger rail.

The way forward was identified as:

1. Delivering a local transport forum
2. Undertake an integrated transport plan (Hamilton Moves)
3. Continue advocacy on bus, freight rail and passenger rail in conjunction with completion of 1 and 2.

The "Hamilton Moves" project is presently being developed.

Council has continued to advocate for improved transport services including the reintroduction of passenger rail, with an immediate focus on enhanced regional bus services to provide vital links to Warrnambool and Ballarat. This year Councillors and the CEO have met with a range of State Government Ministers, including the Minister for Public Transport, as well as local members of parliament to advocate for our transport priorities.

12. Delegated Reports

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

13. Mayors and Councillors Reports

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

14. Confidential Matters

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

15. Close of Meeting

This concludes the business of the meeting.