

# SOUTHERN GRAMPIANS SHIRE COUNCIL

**Council Meeting Agenda  
Wednesday 13 December 2023**

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



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# 1 Membership

## **Councillors**

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

## **Officers**

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

# 2 Welcome and Acknowledgement of Country

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

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

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

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

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

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

### 3 Prayer

Cr Henry 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

<b>RECOMMENDATION</b>
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That the Minutes of the Council Meeting held on 8 November 2023 be confirmed as a correct record of business transacted.

### 6 Declaration of Interest

### 7 Leave of Absence

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

## 8 Questions on Notice

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

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

Questions must:

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

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

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

There are no questions on notice listed on tonight's agenda.

## 9 Public Deputations

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

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

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

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

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

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

## 10 Petitions

There is one Petition listed on tonight's agenda.

### 10.1 Glenthompson Swimming Pool

A petition has been received which contains 142 signatures calling on Council to look for ways to keep the Glenthompson Swimming Pool open.

<b>RECOMMENDATION</b>
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That Council receive the petition.



## 11 Informal Meetings of Councillors

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

If there is a meeting of Councillors that:

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

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

An Informal Meeting of Councillors record was kept for:

- Audit and Risk Committee Meeting – 16 October 2023
- Briefing Session – 1 November 2023
- Briefing Session – 8 November 2023
- Briefing Session – 22 November 2023
- Audit and Risk Committee Meeting – 27 November 2023

This agenda was prepared on 6 December 2023 Any Informal Meeting of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Council Meeting.

## Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session 1 November 2023
Date:	1 November 2023
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Brown Cr Calvano Cr Colliton Cr Henry Cr Malone Cr Rainsford Cr Robertson
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Darren Barber, Director People and Performance Marg Scanlon, Director Infrastructure and Sustainability Rory Neeson, Director Wellbeing, Planning and Regulation Brett Holmes, Manager Works

The Informal Meeting commenced at 4:00pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Supply of Road Making Materials	Nil

The Informal Meeting concluded at 5:00pm.

## Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Audit & Risk Committee Meeting
Date:	16 October 2023
Location:	Martin J Hynes Auditorium / Teams Meeting
Councillors in Attendance:	Cr Henry Cr Robertson
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Darren Barber, Director People & Performance Belinda Johnson, Manager Finance Tahlia Homes, Manager People & Culture Nadine Rhook, EA to Director People & Performance

The Informal Meeting commenced at 2.00pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome	Nil
2	Committee & Auditors in Camera	Nil
3	Apologies	Nil
4	Confirmation of Previous Minutes	Nil
5	Conflict of Interest Disclosure	Nil
8	Governance & Risk Management Disclosure	Nil
9	Draft 2022-2023 Financial & Performance Statements	Nil
10	Consideration of Fraud and Error – ARC Assessment	Nil
13	Internal Audit – Final – Climate Change – Final Report	Nil
21	Other Items	Nil
22	Next Meeting	Nil

The Informal Meeting concluded at 3.49pm.

## Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session 8 November 2023
Date:	8 November 2023
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Brown Cr Calvano Cr Colliton Cr Henry Cr Malone Cr Rainsford Cr Robertson
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Darren Barber, Director People and Performance Marg Scanlon, Director Infrastructure and Sustainability Rory Neeson, Director Wellbeing, Planning and Regulation Daryl Adamson, Manager Shire Strategy and Regulation Andrew Nield, Planning Coordinator Karly Saunders, Governance Coordinator Susannah Milne, Manager Community and Leisure Services Bill Scott, Manager Project Management Office Vaibhav Gavande, Project Manager

The Informal Meeting commenced at 11:30am.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Council Only Meeting	Nil
2	Matters Raised by Councillors	Nil
3	Review of the Planning Committee	Nil
4	Planning Scheme Review	Nil
5	Natural Assets Strategy	Nil
6	Glenthompson Swimming Pool	Nil
7	Recreation Framework	Nil
8	Outdoor Activation	Nil

The Informal Meeting concluded at 5:00pm.

## Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session 22 November 2023
Date:	22 November 2023
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Brown Cr Calvano Cr Colliton Cr Henry Cr Malone Cr Rainsford Cr Robertson
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Marg Scanlon, Director Infrastructure and Sustainability Rory Neeson, Director Wellbeing, Planning and Regulation Tahlia Homes, Acting Director People and Culture Julie Markby, Property Officer Daryl Adamson, Manager Shire Services and Regulation Bonnie Hewett, Community Safety and Natural Resources Coordinator Bill Scott, Manager Project Management Office Diana Dixon, Acting Manager Community Wellbeing Karly Saunders, Governance Coordinator

The Informal Meeting commenced at 11:30am.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor Only Meeting	Nil
2	Councillor and CEO Meeting	Nil
3	Matters Raised by Councillors	Nil
4	Settlement Date Extension 92 Lonsdale Street Hamilton	Nil

5	Soccer Field Drainage	Nil
6	Glenthompson Toilets	Nil
7	Fire Season Briefing and Emergency Management Update	Nil
8	School Crossings Program	Nil
9	Request to Exhibit the Hamilton Showgrounds Draft Masterplan	Nil
10	S18 Instrument of Sub-Delegation from Council to Staff	Nil
11	Council Plan Quarterly Report – 1 July 2023 to 30 September 2023	Nil

The Informal Meeting concluded at 5:00pm

## Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Audit & Risk Committee Meeting
Date:	27 November 2023
Location:	Teams Meeting
Councillors in Attendance:	Cr Henry Cr Colliton
Council Staff in Attendance:	Rory Neeson, Acting Chief Executive Officer Darren Barber, Director People & Performance Tahlia Homes, Manager People & Culture Belinda Johnson, Manager Finance

The Informal Meeting commenced at 11.00am.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome	
2	Committee & Auditors in Camera	
3	Apologies	
4	Confirmation of Previous Minutes	
5	Conflict of Interest Disclosure	
6	CEO Report	Nil
7	Governance & Risk Management Disclosure	Nil
8	Summary Table of Outstanding Matters	Nil
9	ARC Self Assessment	Nil
10	ARC Chair Report to Council	Nil
11	ARC Annual Plan 2024	Nil
12	Final Financial Statements, Performance Statement &	Nil

	Representation Letter	
13	Quarterly Councillor's Expenditure Report (For Information)	Cr Henry and Cr Colliton
14	Final Management Letter and Closing Report	Nil
15	Internal Audit - Update on Procurement	Nil
16	Progress Report of Internal Audit Actions (Interplan)	Nil
17	Reports & Correspondence of Note: VAGO, Ombudsman & IBAC Reports	Nil
18	Compliance Framework Review & Quarterly Compliance Reporting	Nil
19	OH&S Quarterly (Summary) Report	Nil
20	Risk Management Quarterly Report	Nil
21	External Audit - Progress Report of Current Actions	Nil
22	Excess Leave Update	Nil
23	Response to Question without Notice – Business Continuity Plan	Nil
24	Other Items	Nil
25	Next Meeting	Nil

The Informal Meeting concluded at 12.24pm.



## 12 Management Reports

### 12.1 Glenthompson Toilets

<b>Directorate:</b>	Infrastructure and Sustainability
<b>Report Approver:</b>	Marg Scanlon, Director Infrastructure and Sustainability
<b>Report Author:</b>	Marg Scanlon, Director Infrastructure and Sustainability
<b>Attachment(s):</b>	Nil

#### Executive Summary

Council is the owner and operator of the public toilet amenity block located at 45 Memorial Road, Glenthompson which is one of three public toilet facilities within Glenthompson.

Following resident complaints about the failing septic system and sewage effluent contaminating the surrounding environment, delegated Council Officers inspected the facility, concluding there was an immediate risk to human health and the surrounding environment. The facility was closed on 20 February 2023. A Prohibition Notice was subsequently served to rectify septic maintenance issues and replace with the failing components to achieve compliance.

A preliminary building condition assessment confirmed the facility does not meet current Environment Protection Act and AustRoads Guides, and the cost of repairs and necessary improvements to provide a current best practice, compliant facility is not financially viable.

A petition from the Glenthompson community, submitted to Council on 11 October 2023, requests that the amenity should be kept open at any cost. The initial petition has 258 signatures. On 15 November 2023, a further 82 petition signatures were submitted to Council resulting in a total of 340 signatures. The purpose of this report is to inform Council of the demolition of the public amenities located at 45 Memorial Road, Glenthompson and receive the community petition.

#### Discussion

As the owner and operator of the public toilets, Council is responsible for the wastewater management system and the associated effluent trenches which have failed, contaminating the surface, 15 metres from Yuppeckiar Creek. Council Officers acting under delegation concluded there was a reasonable basis to issue a Prohibition Notice pursuant to section 272 of the *Environmental Protection Act 2017* resulting in closure of the facility.

This decision was based on harm to human health and environment from leaking raw effluent. Officers ordered the public toilets be closed at 45 Memorial Road, Glenthompson until these defects could be rectified. This action was carried out on the 20 February 2023 and the public toilets have since remained closed.

Council officers are obliged under the *Environmental Protection Act 2017* to investigate and issue regulatory notices should there be impact on human health or the environment.

Following closure of the facility, a preliminary building condition assessment was undertaken which identified the following:

1. The plumbing infrastructure is in disrepair with pipes broken requiring replacement.
2. The facility location is not compliant with AustRoads Guidelines, specifically there is:

- a. No defined parking.
- b. The current layout provides less than 4 metres from the intersection which is six meters less than the Austroads Guidelines.
- c. The current informal parking arrangements impact sight distance with two adjacent intersections especially when large vehicles park in the area.

The layout and amenities within this facility do not meet current standards or best practice including Disability Discrimination Act (DDA) compliance as the toilet does not have a separate ambulant toilet. Access is also limited due to the internal layout and space.

### **Financial and Resource Implications**

In November 2022 Council was Briefed on the current asset condition of the public amenities across the Southern Grampians Shire including Glenthompson facilities. Council supported the proposal as presented at this Briefing to rationalise the public amenities in Glenthompson noting the existing three separate public facilities are aged with functional issues and not consistent with current standards. The proposal presented included the consolidation of the Memorial Road and Lions Park facilities through design development and construction of a new public amenities' facility including community engagement.

The location of the Memorial Road public toilets has limited land available which is a key constraint when considering the option for a replacement facility at this site.

A budget allocation of \$250,000 is included in the 2023/2024 Capital Works Program for the development of designs and construction of a new public toilet facility. Glenthompson has been identified as the priority town due to the known compliance and site issues with the facility located at 45 Memorial Road Glenthompson.

### **Council Plan, Community Vision, Strategies and Policies**

Petitions are covered under Council's Governance Rules: subrule 3.8.3 and subrule 3.8.3(d) outlines which motions may be considered in relation to them.

A petition was submitted to Council on 11 October 2023 stating:

*'Council has closed this toilet block without consultation. It is booked for demolition. Generations of traveller's, truckies and locals have used these toilets. We, the undersigned, agree that this important amenity should be kept open at any cost.'*

The petition included 258 signatures.

### **Maintain and Renew Our Infrastructure**

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

3.2.3 Provide infrastructure that supports a connected and active community.

### **Maintain and Renew Our Infrastructure**

3.3 Attractive Council-owned and managed community and open spaces

3.3.1 Continue to invest in and activate open spaces within Southern Grampians.

## Legislation

*Environmental Protection Act 2017*

*Domestic Wastewater Management Plan 2019*

The Plan identifies risks associated with onsite wastewater management systems within the Shire and how the risks are managed.

## Gender Equality Act 2020

Requirements of the Gender Equality Act 2020 do not apply to this item.

## Risk Management

The following risks have been identified:

1. The current old style septic system is beyond repair, and it is unlikely permission would be granted to install any conventional treatment system noting the proximity to the waterway.
2. The facility is not consistent with current standards for public amenities which exposes Council particularly in relation to Universal Access.
3. The non-compliance with Austroads guidelines and Australian standards regarding sight distance issues and lack of safe parking also exposes Council. The implications of a serious or fatal accident occurring as a direct result of the current arrangement must also not be understated.

## Climate Change, Environmental and Sustainability Considerations

The Memorial Road public toilet block septic tank system has contravened the Environmental Protection Regulation 2021 as the system is not in good working order, poses a risk of harm to human health and the environment due to the following reasons:

1. Contents of the septic tank system are overflowing.
2. Absorption field of the septic system is sodden with wastewater pooling on the surface of the surrounding land.
3. Located within EPA Onsite Wastewater Management Code of Practice (2016) 60m primary treated wastewater and 30m secondary treated wastewater setback distance to a waterway.

New public amenity facilities are required to meet building code requirements and Universal Access best practice which are significantly different to the current building. Any redevelopment of the existing facility would require compliance with the current standards which would be, financially not viable.

## Community Engagement, Communication and Consultation

Council has acknowledged receipt of the petition to the lead petitioner. Further correspondence will be provided to the lead petitioner advising them of the demolition of the

public amenities at 45 Memorial Road and Council's commitment to engage with the Glenthompson community through the design and construction of a new facility. Community engagement will be undertaken to ascertain the new public toilet facility location and design options. This engagement is expected to commence early in 2024 and it is proposed that a project reference group will be established.

### **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.

Daryl Adamson, Manager Shire Strategy and Regulation  
Pauline Porter, Environmental Health Coordinator  
Kunal Ponanna, Strategic Infrastructure Engineer  
Marg Scanlon, Director Infrastructure and Sustainability

## **RECOMMENDATION**

That Council:

1. Acknowledge the petition received from the Glenthompson community in relation to the Glenthompson Public Toilet closure.
2. Note that the public amenities located at 45 Memorial Road will be demolished due to the condition of the current facility including non-compliance of public health and Austroads Guides.
3. Write to the lead petitioner advising that the 45 Memorial Road Glenthompson Public Facility will be demolished with Council's commitment to engage with the Glenthompson community on the design and construction of a new facility within Glenthompson.

## 12.2 Natural Assets Strategy - Plan for Nature

<b>Directorate:</b>	Wellbeing, Planning and Regulation
<b>Report Approver:</b>	Rory Neeson, Director Wellbeing, Planning and Regulation
<b>Report Author:</b>	Daryl Adamson, Manager Shire Strategy and Regulation
<b>Attachment(s):</b>	<ol style="list-style-type: none"><li>1. SGSC Plan for Nature draft report V 3.1 [<b>12.2.1</b> - 42 pages]</li><li>2. Overall SG Plan for Nature summary [<b>12.2.2</b> - 1 page]</li><li>3. SG Plan for Nature Summary 1 - Connections [<b>12.2.3</b> - 1 page]</li><li>4. SG Plan for Nature Summary 2 - Protections [<b>12.2.4</b> - 1 page]</li><li>5. SG Plan for Nature Summary 3 - Country [<b>12.2.5</b> - 1 page]</li><li>6. SG Plan for Nature Summary 4 - Working Together [<b>12.2.6</b> - 1 page]</li></ol>

### Executive Summary

The Southern Grampians Shire holds significant environmental and landscape assets, important for their ecosystem values, and a vital component of the Shire's tourism industry and livability. The natural environment of the Shire consists of outstanding features such as the Grampians National Park (Gariwerd), the Glenelg and Wannon Rivers, ancient geological forms and mountain peaks, and fertile farming land interspersed with magnificent red gums and diverse grasslands that define the landscape values of the area.

The Shire also has a rich Aboriginal heritage, with the original inhabitants the Bunganditj, Gunditjmarra, Tjap Wurrung and Wotjabaluk Aboriginal people today represented through the Eastern Maar Aboriginal Corporation, Gunditj Mirring Traditional Owners Aboriginal Corporation and Barengi Gadjin Land Council Aboriginal Corporation. The landscape remains rich in cultural values with Traditional Owners maintaining their spiritual connection to lands where they have custodial rights and responsibilities.

Despite these values, the condition of Shire's natural resource base is continuing to decline due to a range of threatening processes, such as climate change, land use change, pest plants and animals and loss of native vegetation.

This report seeks Council to approve the release of the draft 'Plan for Nature Strategy' for community consultation.

### Discussion

This Southern Grampians Plan for Nature 2023-2033 (the Plan) aims to address this decline and deliver a shared vision between the Council, community, the region's Traditional Owners and other regional stakeholders to protect and enhance the Shire's biodiversity and natural values.

This focus includes Council's direct legislative obligations (reserve and roadside management and administration of the Southern Grampians Planning Scheme), as well broader objectives to support and advocate for a healthy environment across the Shire.

### VISION FOR THE PLAN

‘A thriving landscape of protected volcanic grasslands, red gum woodlands, and waterways (upper Glenelg and Wannon Rivers) that supports biodiversity, sustainable production and regional tourism.’

This vision was derived from both the Glenelg Hopkins Regional Catchment Strategy, 2021 and Council’s Southern Grampians 2041 - Community Vision Framework.

To achieve the vision, the Plan has the following four goals:

1. **Connections:** Supporting biodiversity and resilience through enhanced bio-links and best practice stewardship
2. **Protections:** Protecting the Shire’s natural assets through strategic land use planning and other controls
3. **Country:** Supporting Traditional Owners to protect and manage Country
4. **Working together:** Working with community and stakeholders to value, protect and enhance the Shire’s natural areas.

Based on these four goals, the Plan presents four key focus areas, each with a series of time bound strategic actions and a measure of what success looks like. These actions support the Council’s existing plans and other state and regional strategic plans aimed at protecting the natural environment, particularly the 2021 Glenelg Hopkins Regional Catchment Strategy and Biodiversity 2037.

Key actions focus on:

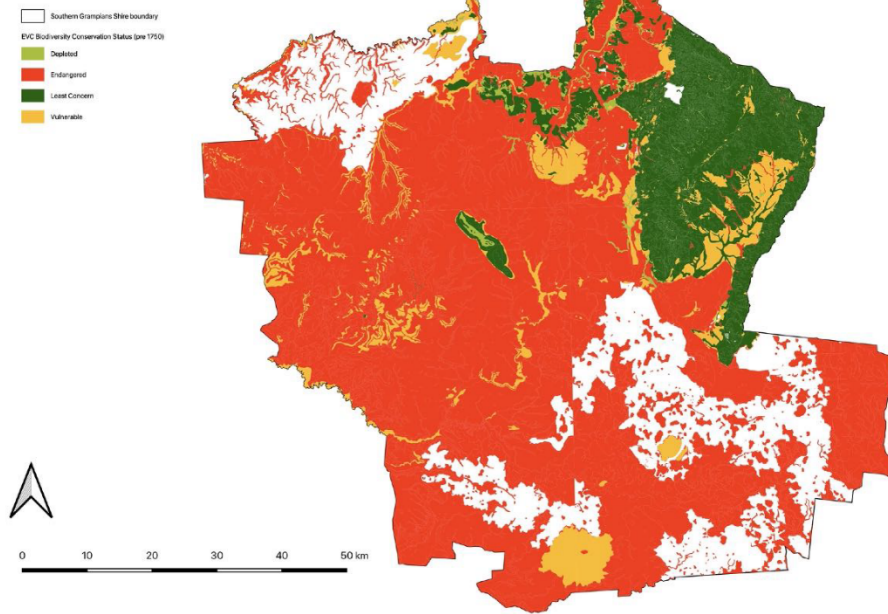
- Increasing habitat quality at Council managed nature reserves
- Increasing the number of significant roadside vegetation sites
- Improving habitat connectivity to aid species movement
- Increasing the protection of remnant native vegetation and biodiversity values, especially large paddock trees and native grasslands
- Increasing Indigenous cultural landscape management practices into the management of Council nature reserves and roadsides
- Engaging and empowering the regional community to participate and partner in regional biodiversity management.

The Plan has been developed in consultation with the community of the Southern Grampians, agency stakeholders, Traditional Owners, and Council staff, and included a community-wide engagement phase during 2022 – 2023.

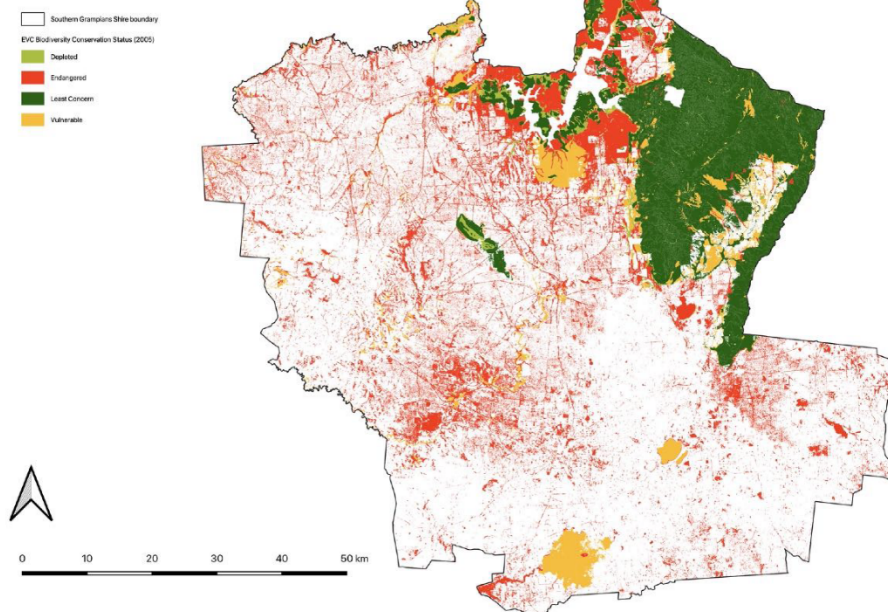
Extensive tracts of native vegetation have been lost in the Southern Grampians Shire, particularly on private land. The broader Glenelg catchment has approximately 28% of its original native vegetation cover. This has also had an impact on the health of Shire’s waterways, including the Glenelg and Wannon Rivers. On a State-wide scale the extent of the Shire’s woodlands is limited, fragmented, and extremely depleted. Perennial native grassland communities are extremely limited. The loss of native vegetation cover is reflected in the considerable number of exceedingly rare or threatened species.



Southern Grampians Shire - EVC Biodiversity Conservation Status (pre 1750)



Southern Grampians Shire - EVC Biodiversity Conservation Status 2005



**Goals of the Plan:**

1. Supporting biodiversity and resilience through enhancement bio-links and best practice stewardship (includes management of Council roadsides and nature reserves)
2. Protecting the Shire's natural assets through strategic land use planning and other controls
3. Supporting Traditional Owners to protect and manage Country
4. Working with community and stakeholders to value, protect and enhance the Shire's natural areas.

What success looks like:

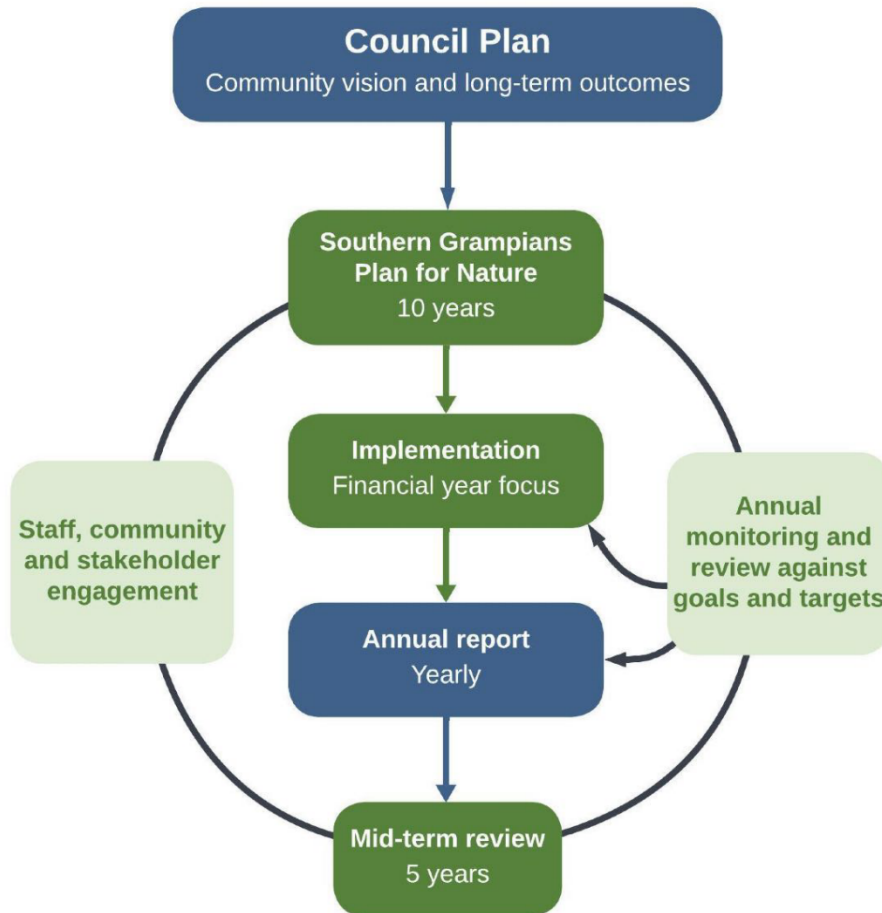
- Increase in habitat quality at Council managed nature reserves.
- Increase in the number of significant roadside vegetation sites.
- Improved habitat connectivity across Southern Grampians Shire to aid species movement.
- More connected urban greenspaces, including enhancement of nature strips through indigenous plantings.
- No net loss of native vegetation on Council managed land or through Council activities across Southern Grampians Shire.
- An increase in the protection of remnant native vegetation and biodiversity values, especially large paddock trees and native grasslands.
- Reduced impacts to wildlife from domestic and wild pest animals.
- Increase in the protection of natural areas on private and public land, through covenants and reclassification of Crown land.
- Traditional Owner rights, interests, obligations and access to Country and water, across the Shire are acknowledged and improving.
- The Indigenous cultural landscape management practices of the Bunganditj, Gunditjmara, Wotjobaluk and Tjap Wurrung Aboriginal people have increased across the Shire based on the principles of Aboriginal self-determination; and are increasingly being incorporated into the management of Council nature reserves and roadsides.
- The regional community is more engaged and empowered to participate and partner in regional biodiversity management (including Council reserves and roadsides).
- The regional community recognises that the social, cultural and economic benefits of people connecting with nature depend on a healthy environment.

Successful implementation of the Plan requires the combination of long-term and annual monitoring, and regular evaluation so actions can be improved.

A key focus for measuring the strategy's success will be collecting appropriate baseline information against each of the focus areas and developing SMART (specific, measurable, achievable, relevant, and time-bound) targets.

The Southern Grampians Plan for Nature will be delivered via annual Council budget cycles which focuses on achieving KPI's and targets.





### Financial and Resource Implications

The adoption by Council of the Plan for Nature Strategy will conclude the works funded under this project however future budget cases will be prepared to implement strategic planning items identified within the strategy.

### Council Plan, Community Vision, Strategies and Policies

#### ***Protect Our Natural Environment***

4.1 Protect and enhance biodiversity including the health of waterways, wetlands, soil and air

4.1.1 Advocate for, promote and support natural resource management with stakeholders.

4.1.2 Partner with key agencies to deliver integrated water management solutions.

4.1.3 Protect endemic flora and fauna species throughout the Shire.

4.1.4 Liaise with stakeholders to support and promote sustainable agricultural and land management practices.

#### ***Protect Our Natural Environment***

4.2 Balance environmental protection with Council's support for growth

4.2.1 Ensure land use planning balances growth with appropriate levels of environmental stewardship.

4.2.3 Identify and manage via the Planning Scheme, significant landscapes, key biodiversity assets and contaminated land.

### ***Protect Our Natural Environment***

4.4 Mitigate against and adapt to climate change

4.4.3 Plan for climate resilience in Council and community infrastructure.

### **Legislation**

Consideration of the draft Plan for Nature Strategy is consistent with the Southern Grampians Shire Council Plan 2021- 2025 which commits to:

- Improving the livability of Southern Grampians Shire through the management of our facilities, town planning and environmental sustainability.
- Ensure the Southern Grampians Planning Scheme provides for the fair, orderly, economic, and sustainable use, and development of land.
- Preserve the natural environment of Southern Grampians Shire.

### **Gender Equality Act 2020**

There are no direct implications to the *Gender Equality Act 2020* in preparing the draft strategy.

### **Risk Management**

The Plan for Nature Strategy has been prepared against all relevant requirements of the Southern Grampians Planning Scheme and the *Planning and Environment Act 1987*, including all relevant Minister Directions and Practice Notes.

### **Climate Change, Environmental and Sustainability Considerations**

The Great South Coast region of Victoria is already experiencing the effects of climate change, which are likely to be exacerbated into the future. Likely impacts include increasing year-round temperatures, fewer frosts, more frequent and more intense rainfall events, more hot days and warm spells, less rainfall in autumn, winter and spring, harsher fire weather and longer fire seasons.

As the climate becomes less suitable for existing vegetation communities, there will be a gradual change in species composition and dominance as some species resulting in structural changes in native fauna.

Increased frequency and intensity of bushfires will impact on long-lived species and may lead to significant long-term changes to some vegetation communities. It will also lead to erosion, loss of topsoil and nutrients and pollution of waterways.

## **Community Engagement, Communication and Consultation**

The Plan has been developed in consultation with the community of the Southern Grampians, agency stakeholders, Traditional Owners and Council staff, and included a community-wide engagement phase between 25 November 2022 and 27 January 2023.

Further consultation is planned once the draft strategy has been released by Council, which will include a mixture of in-person and online consultation.

## **Disclosure of Interests**

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

Rory Neeson, Director Wellbeing, Planning and Regulation  
Daryl Adamson, Manager Shire Strategy and Regulation  
Andrew Nield, Planning Coordinator

## **RECOMMENDATION**

That Council approves the release of the draft Plan for Nature Strategy for a six week public community consultation before considering any feedback at a future Council Meeting.

## 12.3 Recreation Framework

<b>Directorate:</b>	Wellbeing, Planning and Regulation
<b>Report Approver:</b>	Rory Neeson, Director Wellbeing, Planning and Regulation
<b>Report Author:</b>	Roger Rook, Coordinator Recreation Services
<b>Attachment(s):</b>	<ol style="list-style-type: none"><li>1. Draft Southern Grampians Shire Council Recreation Framework [12.3.1 - 17 pages]</li><li>2. Draft Recreation Reserves Capital Works Contributions Policy [12.3.2 - 5 pages]</li><li>3. Draft Reserves and Halls Operational Funding Policy [12.3.3 - 5 pages]</li><li>4. Draft Recreation Reserves Fees and Charges Policy [12.3.4 - 6 pages]</li></ol>

### Executive Summary

This report requests Council permission to conduct a public engagement process to seek feedback from the community on the Draft Southern Grampians Shire Council Recreational Framework (the draft Framework).

The draft Framework has been developed in response to Council's direction to provide a fairer and more equitable approach to Council support of recreational facilities across the Shire. Council acknowledges the importance of community recreational facilities in improving the health and wellbeing of the wider community and its role in supporting community and sporting groups.

The draft Framework details Council's approach to the provision of operational funding, capital contribution to projects and user fees and charges for Council owned/managed, it allows for a more streamlined and transparent method to support recreation users from all sports across the Shire.

### Discussion

#### BACKGROUND

The existing policy Management of Recreation Reserves (MRR) Policy used to guide the management of sporting facilities across the Shire was last reviewed in 2014. It outlines the provision of financial assistance to State Government managed recreation reserves across the Shire, along with determining the contribution of regular users to the operational costs of maintaining Council operated facilities.

While the MRR Policy deals with the operational elements of reserves within Council, there is inconsistency between maintenance of differing infrastructure, and no clear direction regarding renewal requirements and capital development contributions on Council or non-Council Reserves. The existing policy simply outlines the contribution and user fees charges depending on the facility, with some rudimentary justification.

#### COUNCIL OPERATED FACILITIES

The MRR policy identifies differing user contributions for Council facilities with the users of the Hamilton Showgrounds and Melville Oval contributing 25% of the relevant reserves

previous years operational costs. Pedrina Park users contribute 15%, and Mitchell Park users contribute 10%. The differing percentage recognises that level of infrastructure and hierarchy of each facility. Allocation of individual users' portion of the operation costs is determined every three years as part of the user agreement renewal, in consultation with all the users of each site to provide maximum fairness and equity.

The existing system for fee allocation is cumbersome to administer and fails to provide flexibility or accountability over the actual use of Council facilities. Additionally, the current method of allocation does not allow for variations in user groups between the three year cycle, or support fluctuations in requirements of the users.

Current user agreements are due to expire on the 30 June 2024, and a review of the current cost recovery method has identified that the existing method is cumbersome to understand and implement, along with the user groups having no capacity or flexibility to impact their fees by consolidating their usage.

Given the nature of charging based on historical expenditure, user groups have minimal capacity to budget or plan for future usage costs due to the dynamic nature of the facility requirements. User fees are also dependent on the impacts of other users on the site, with users effectively sharing in additional costs, regardless of any contribution or benefit.

Variations between user agreements, within and across sites, also provides difficulty in determining equity and consistency. While these variations are taken into account during the allocation of the recovery fees, it becomes difficult to quantify the fairness of the distribution.

Where organisations have exclusive use of their facility, a separate access agreement should be entered into outlining the fees and responsibilities for the site.

## FUTURE DIRECTION

The Recreation and Leisure Facilities Management Framework was developed to establish a fair and equitable policy for managing outdoor recreation facilities within the Southern Grampians Shire Council.

The framework covers a number of aspects of facilities management including:

- Management structures;
- Users;
- Fees and charges;
- Service levels;
- Maintenance; and
- Planning for upgrades and/or renewal.

The framework applies to all facilities that are either owned by, or vested in, the Southern Grampians Shire Council, with the exception of Council's swimming pool facilities, and facilities not operated by Council staff such as the Coleraine Sporting Grounds, and the Hamilton Lawn Tennis Club.

### User Fees and Charges

The Recreation Fees and Charges Policy identifies a structured fee proposal for Council facilities. This structure will enable clear consideration for any new users who may be looking at the use of a facility, as well as providing clear information for existing users.

The framework incorporates a seasonal license fee for all regular users aligned to club usage to replace the former methodology. The license caps the fee charge to ensure affordability to seasonal users. Based on historical usage, the proposed fee structure will provide the following comparative outcomes.

Reserve	User	2022/23 Costs	2024/25 Costs
<b>Melville Oval</b>			
	Hamilton Cricket Association	\$ 2,402.18	\$ 5,850.00
	Hamilton Kangaroos FNC	\$ 17,000.00	\$ 20,480.00
	Hamilton Fire Brigade	\$ 472.64	\$ 600.00
<b>Pedrina Park</b>			
	St Andrews Cricket Club	\$ 3,197.10	\$ 2,920.00
	Hamilton Kangaroos FNC	\$ 1,682.69	\$ 1,600.00
	Glenelg Regional Hockey	\$ 1,514.42	\$ 8,600.00*
	Hamilton Soccer Club	\$ 5,552.86	\$ 5,150.00
	Hamilton Netball Association	\$ 4,879.79	\$ 4,620.00
<b>Note:</b>	St Andrews assumes utility costs		
	Council assumes maintenance of Hockey Pitch		
<b>Mitchell Park</b>			
	Hamilton Cricket Association	\$ 713.60	\$ 800.00
	Hamilton Running Club	\$ 642.24	\$ 1,650.00
	Hamilton Athletics		
<b>Note:</b>	Hamilton Running Club have doubled their use of Mitchell Park with the implementation of the Little Athletics		

Table 1: Recreation Reserve User Group Fees

\*While the fee is a significant increase, the change to fee structure would see Glenelg Regional Hockey no longer having to pay an annual maintenance fee of \$9,000 providing a saving to the association.

### Capital Contributions to Projects

Community contributions for capital improvement projects are essential to enable continued development of recreational facilities throughout the Southern Grampians Shire. The Recreation Reserves Capital Works Contributions Policy provides the principles for determining funding options and responsibilities. Where a user group is not able to provide an up-front contribution to a project on a Council operated reserve, Council can allow an annual contribution to be provided by the users additional to their user fee.

Additionally for a funded project that Council is requested to make a financial contribution, subject to Council budget allowance, Council will provide a maximum of 1:1 (Council:Community) contribution after external funding. An example of a new sporting club facility assuming an SRV 3:1 funding application on an \$800,000 facility would be funded as follows:

SRV	\$600,000
User Group	\$100,000
Council	<u>\$100,000</u>

Total \$800,000

Non-Council Operated Facilities

Council currently provides operating contributions for State Government DEECA recreational reserves based on three categories of significance. The allocation for each reserve is provided in Table 2 Below, identifying the initial contribution provided in 2014-2015, the latest contribution provided in 2023-2024, and the proposed contribution for 2024-2025.

Reserve Contributions	2014/15	2023/24	2024/25
<b>Balmoral Recreation Reserve</b>	\$9,145	\$11,660	\$11,660
<b>Hamilton Recreation Reserve</b>	\$9,145	\$11,660	\$11,660
<b>Kennedy Oval Recreation Reserve</b>	\$9,145	\$11,660	\$11,660
<b>Branxholme Recreation Reserve</b>	\$5,546	\$6,940	\$11,660
<b>Byaduk Recreation Reserve</b>	\$5,546	\$6,940	\$11,660
<b>Cavendish Recreation Reserve</b>	\$5,546	\$6,940	\$11,660
<b>Dunkeld Recreation Reserve</b>	\$5,546	\$6,940	\$11,660
<b>Glenthompson Recreation Reserve</b>	\$5,546	\$6,940	\$11,660
<b>Penshurst Recreation Reserve</b>	\$5,546	\$6,940	\$11,660
<b>Tarrington Recreation Reserve</b>	\$5,546	\$6,940	\$11,660
<b>Pigeon Ponds Recreation Reserve</b>	\$1,770	\$2,220	\$11,660

Table 2: Recreation Reserve Contributions

Operating contributions are set annually as part of the budget process, and while there is a provision in the MRR Policy to increase these contributions by 5% or alternate rate, the budget process determines the actual amount.

Council additionally provides operational support to a public hall in each township. The Public Halls support has not been reviewed since 2014 with the contribution to these halls remaining stagnant at \$2,000 per year. Additionally, three Council Section 65 committee of managements do not currently receive any operational support. Table 3 below identifies the halls which currently receive a contribution, including the amount provided in 2023-2024, and the proposed contribution for 2024-2025.

Public Halls	2023/24	2024/25
<b>Balmoral Mechanics Hall</b>	\$2,000	\$2,220
<b>Branxholme Public Hall</b>	\$2,000	\$2,220
<b>Byaduk Mechanics Institute Hall</b>	\$2,000	\$2,220
<b>Cavendish Soldiers Memorial Hall</b>	\$2,000	\$2,220
<b>Coleraine Mechanics Hall (S65)</b>	\$2,000	\$2,220
<b>Dunkeld Community Centre</b>	\$2,000	\$2,220
<b>Glenthompson War Memorial Hall</b>	\$2,000	\$2,220
<b>Penshurst Memorial Hall</b>	\$2,000	\$2,220
<b>Woodhouse-Nareeb Reserve</b>	\$2,220	\$2,220
<b>Nareen Hall (S65)</b>	\$0	\$2,220
<b>Carapook Hall (S65)</b>	\$0	\$2,220
<b>Konongwootong Hall (S65)</b>	\$0	\$2,220

Table 3: Public Halls Contributions



The framework's objective is to communicate to all stakeholders how facilities will be managed by Southern Grampians Shire Council Shire.

### **Financial and Resource Implications**

In preparing this report, officer time with respect to research and consultation are its only implications.

Based on the outcomes of the engagement, staff will finalise the documentation that will set the upcoming approach to management and contribution through user fees and annual operating grants that would then be adopted as part of the 2024-2025 budget.

Initial analysis of the fee changes would result in user fees rising from \$38,053 for 2022-2023 to \$52,270 in 2024-2025.

The increase in contributions to Recreation Reserves and Public Halls will have a budget impact of \$42,480 for the Recreation Reserves, and \$8,420 for the Public Halls. These increased contributions will provide an additional investment of \$50,900 in our rural communities and consider that these fees have not increased for nearly ten years.

### **Council Plan, Community Vision, Strategies and Policies**

#### ***Support Our Community***

1.1 An empowered and connected community

1.1.1 Facilitate opportunities for people to participate in community life, through volunteering, civic leadership, social programs, to enable inclusion, social connection and wellbeing.

#### ***Support Our Community***

1.2 Support and promote a healthy community

1.2.1 Provide and advocate for accessible, inclusive and equitable Council services, facilities, activities and participation practices.

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

#### ***Maintain and Renew Our Infrastructure***

3.1 Plan and maintain sustainable assets and infrastructure

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

### **Legislation**

There are no legislative requirements as part of this Council Briefing.

### **Gender Equality Act 2020**

This newly created Recreation Framework must comply with the *Victorian Government's Fair Access Policy 2022*.



The Gender Equality Act 2020 requires that Councils “...must consider and promote gender equality; and take necessary and proportionate action towards achieving gender equality.” Council is also expected to meet the requirements of the Victorian Government’s Fair Access Policy which aims to improve the access to, and use of, community sports infrastructure for women and girls, and was introduced in 2022. This is a new element that must be incorporated into the Recreation and Leisure Facilities Management Framework and will be incorporated within a Fair Access Policy for Council.

### **Risk Management**

There are no risks associated with this preparation of this report, however careful consideration and engagement with impacted stakeholders needs to be planned to manage any reputational risk associated with any increases to sporting clubs for use of Council facilities.

### **Climate Change, Environmental and Sustainability Considerations**

There are no climate change, environmental or sustainability considerations as part of this Council Report.

### **Community Engagement, Communication and Consultation**

Initial communication with some Council facility users has occurred regarding the development of the Recreation Framework.

Communication has occurred with some neighbouring Shire’s as part of the development of the Recreation Framework.

Engagement and consultation will now occur with all impacted users, and the community as part of the implementation of this Recreation Framework.

This will be completed via both direct engagement with impacted clubs and other traditional users such as schools.

### **Disclosure of Interests**

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

Rory Neeson, Director Wellbeing, Planning and Regulation  
Susannah Milne, Manager Community Wellbeing  
Roger Rook, Coordinator Recreation Services  
Sarah Cassidy, Recreation Officer

## **RECOMMENDATION**

That Council:

1. Approve the Southern Grampians Shire Council Recreation Framework for community engagement;
2. Approve the following policies for community consultation;
  - Reserves and Halls Operational Funding Policy;
  - Recreation Reserves Capital Works Contributions Policy;
  - Sport and Recreation Reserve and Facilities User Fees and Charges Policy;
3. Note that following the engagement process, the framework and associated policies will come back to Council for formal adoption at a future Council Meeting.

## 12.4 Hamilton - Bushfire Place of Last Resort

<b>Directorate:</b>	Wellbeing, Planning and Regulation
<b>Report Approver:</b>	Rory Neeson, Director Wellbeing, Planning and Regulation
<b>Report Author:</b>	Vicky Collins, Emergency Management Officer
<b>Attachment(s):</b>	1. CFA Assessment Guidelines [12.4.1 - 9 pages]

### Executive Summary

A 'Neighbourhood Safer Place' (also known as a 'Bushfire Place of Last Resort' or NSP-BPLR) is a place of last resort when all other bushfire plans have failed. In Hamilton Melville Oval has historically been Hamilton's Bushfire Place of Last Resort (BPLR). However, in September 2023 works commenced on new Melville Oval Facilities Project and as a result Council has been requested to move the location NSP-BPLR until such time these capital works have been completed.

Pursuant to provisions within Part IIIA, Division 3 of the *Country Fire Authority Act 1958* a municipal council can identify and designate an NSP-BPLR within our townships. This report seeks the endorsement from Council to designate the Hamilton Showgrounds for this purpose.

### Discussion

While not all Victorian townships have a Bushfire Place of Last Resort, Southern Grampians Shire Council had formally decided to establish an NSP-BPLR in each town. To ensure that Hamilton has a designated space that meets CFA assessment criteria, Council determined that Melville Oval would not be appropriate while undergoing works during the Fire Danger Period. It is important our community are aware of what NSP-BPLRs, they are:

- Locations that may provide some protection from direct flame and heat from a fire, but they do not guarantee safety.
- Not an alternative to planning to leave early or to stay and defend your property; they are a place of last resort if all other fire plans have failed.
- An existing location and not a purpose-built, fire-proof structure. It is important to know that many NSP-BPLRs are simply a clearing that provides separation distance from the bushfire hazard (e.g., forest).
- Not to be confused with Community Fire Refuges, Relief Centres, Recovery Centres or Assembly Areas, each of which have a different and specific purpose.
- Not an appropriate destination when leaving the area early.
- Not a place of shelter from other types of emergencies (e.g., to escape rising floodwaters or severe weather events).

In determining where an NSP-BPLR are located within our municipality Council uses the following criteria:

- An NSP-BPLR may be an open space at a local sports field, foreshore, or park, or they may be located within a community building such as a hall or sports pavilion.
- Community can recognise an NSP-BPLR by a green and white sign which includes the words:
  - a) 'Bushfire Neighbourhood Safer Place - A Place of Last Resort' or

b) 'Bushfire Place of Last Resort – Neighbourhood Safer Place'



Using the Neighbourhood safer place – Bushfire Place of Last Resort assessment guidelines – July 2020, the Country Fire Authority (CFA) has assessed the Hamilton Showgrounds as meeting these criteria.

### **Financial and Resource Implications**

There are no financial or resource implications as a result of this report.

### **Council Plan, Community Vision, Strategies and Policies**

#### ***Support Our Community***

1.1 An empowered and connected community

1.1.2 Support the community and other agencies to build resilience and preparedness in planning for emergencies and climate change impacts and mitigation.

#### ***Support Our Community***

1.4 A safe community

1.4.1 Collaborate with law enforcement authorities and other agencies to support community safety and crime prevention.

#### ***Protect Our Natural Environment***

4.1 Protect and enhance biodiversity including the health of waterways, wetlands, soil and air

4.1.1 Advocate for, promote and support natural resource management with stakeholders.

### **Legislation**

1. *Country Fire Authority Act 1958*
2. *Emergency Management Act 1986*

### **Gender Equality Act 2020**

There are no *Gender Equality Act 2020* implications as a result of this report.

### **Risk Management**

Reducing the impact of bushfires is a shared responsibility between government, emergency service organisations and the community. The community plays an integral role.

Municipal councils identify potential suitable locations, designate, establish, and maintain NSP-BPLRs within their municipal district, pursuant to provisions within Part IIIA, Division 3 of the Country Fire Authority Act 1958. The Country Fire Authority (CFA) supports municipal councils in the establishment of NSP-BPLRs as a last resort option for communities living in high-risk areas (and people visiting, working in or traveling through high-risk areas).

An NSP-BPLR location:

- is a place of last resort in the near vicinity for individuals to access during a fire event affecting their neighbourhood, without the need to take a high-risk journey beyond their neighbourhood.
- eliminates direct exposure to flames from a fire front and manages radiant heat to survivable levels.
- should only be accessed when personal bushfire plans (for individual properties) cannot be implemented or have failed.

An NSP-BPLR does not guarantee the survival of those who assemble there. An NSP-BPLR may offer improved protection if caught in a fire but cannot be considered as 'safe'. Those who gather at an NSP-BPLR must remain vigilant and monitor the fire. Active defence against the effects of bushfire (heat and embers) and possible consequential spot fires may be necessary.

### **Climate Change, Environmental and Sustainability Considerations**

The 2009 Victorian Bushfires Royal Commission (VBRC) Final Report stated that "The people who left their homes sheltered in a variety of locations - other houses or buildings, bunkers, reserves and ovals, pubs, in-ground swimming pools, cars, dams, and so on."

The VBRC stated that "many people did not have a well-thought-out plan and were left to make their own decisions without the benefit of assistance from the authorities. For these people, the lack of alternatives - the provision of shelters, refuges, or evacuation - can become critical because as they have no fallback option.

The Victorian Government established 'Neighborhood Safer Places' in response to the recommendations from the VBRC regarding the need for a range of community shelter and relocation options for the increasing bushfire risk associated with Climate Change.

### **Community Engagement, Communication and Consultation**

Councils Community and Leisure Services are the service managers of the Hamilton Showgrounds have informed showground user groups of this change including the Hamilton Lions Club, SES, Western District Umpires Association, Hamilton Brass, Greater Hamilton Archery and Hamilton P&A Society.

Upon formal endorsement by Council, the Emergency Management team will initiate a communications plan to educate residents and visitors alike by utilising social media platforms, local newspapers, and updated signage.

In addition, and in collaboration with local CFA and volunteers, Council has developed an educational video that will provide the community with further guidance on the purposed of NSP-BPLR and their limitations when considering their bushfire emergency plans.

### **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.

Vicky Collins, Emergency Management Officer  
Daryl Adamson, Manager Shire Strategy & Regulation  
Rory Neeson, Director Wellbeing, Planning and Regulation

<b>RECOMMENDATION</b>
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That Council, pursuant to provisions within Part IIIA, Division 3 of the *Country Fire Authority Act 1958* designate the Hamilton Showgrounds as A Neighbourhood Safer Place - also known as a Bushfire Place of Last Resort (NSP-BPLR).

## 12.5 Planning Scheme Review Report

<b>Directorate:</b>	Wellbeing, Planning and Regulation
<b>Report Approver:</b>	Rory Neeson, Director Wellbeing, Planning and Regulation
<b>Report Author:</b>	Parvesh Siroha, Senior Strategic Planner
<b>Attachment(s):</b>	1. R 1 Planning Scheme Review Report Final 2023 [12.5.1 - 60 pages]

### Executive Summary

This report provides information to the Council on the progress of the review of the Southern Grampians Planning Scheme. The report recommends that the draft review be released for the purposes of public consultation before being brought back to Council for adoption at a future Council meeting.

### Discussion

Regular reviews of the Southern Grampians Planning Scheme are required under Section 12B of the *Planning and Environment Act 1987*.

A copy of the Southern Grampians Planning Scheme review is provided at **Attachment 1**.

The purpose of the planning scheme review is to enhance the effectiveness and efficiency of the planning scheme in achieving the objectives of planning in Victoria and of the planning framework established by the *Planning and Environment Act 1987*.

The review must evaluate the planning scheme to ensure it:

- Is consistent in form and content with the directions or guidelines issued by the Minister;
- Sets out effectively the policy objectives for use and development of land;
- Makes effective use of State provisions and local provisions to give effect to State and local policy objectives.

The last review of the planning scheme was undertaken in 2019.

### Issues

The review has found that the Southern Grampians Planning Scheme is operating effectively. However, the review has identified several opportunities to update and improve the local content of the scheme to ensure Council's vision for land use and development, as expressed in the Council Plan and other relevant adopted strategic documents, is reflected by the policy and planning controls of the scheme.

The review has recommended that the highest priorities for Council are:

- Implementation of the Rural Land Use Strategy to enhance agricultural and rural land use strategic directions in the Municipal Policy Statement and local policy in the Planning Policy Framework.

- Prepare structure plans for Cavendish, Coleraine and Penshurst based on the issues and opportunities identified in the draft Small Towns Strategy.
- Improving the drafting of overlay and zone schedules to clarify objectives and strategies, increase permit exemptions, reduce unnecessary permit triggers, correct mapping errors, and align permit and applications requirements with the Department of Transport and Planning, planning directives.
- Finalise the draft Grampians Landscape Assessment and Southwest Landscape Assessment studies and implement into the scheme as updated SLOs and VPOs (as relevant) to identify and protect significant landscape features and habitat values across the Shire.
- Identify and protect environmental assets, finalise previous strategic work to map wetlands and expand existing controls to include significant linear waterways.
- Develop internal policies and procedures for managing Development Plans and developer and open space contributions.

Note, Council Officers are preparing a work plan to implement the Rural Land Use Strategy in 2024, and structure plans for Cavendish and Coleraine are included in the 2023/24 budget with project briefs prepared to send out for quotations. The remaining priorities will be actioned when resources are available.

The planning scheme review has identified many policy-neutral changes that should be made to the planning scheme to bring it into alignment with Ministerial Direction: The Form and Content of Planning Schemes. These are purely administrative matters and do not change the policy intent of the scheme.

These changes are marked up in the supporting Ordinance at **Attachment 2**.

### **Financial and Resource Implications**

The costs associated with the Southern Grampians Planning Scheme review have been funded by the Department of Transport and Planning. Costs to Council are limited to officer time.

### **Council Plan, Community Vision, Strategies and Policies**

#### ***Support Our Community***

1.1 An empowered and connected community

1.1.3 Provide opportunities for increased community engagement and participation in Council decision making and activities.

#### ***Grow Our Regional Economy***

2.4 Support local business and industry

2.4.3 Streamline services to reduce red tape in approval process.

#### ***Maintain and Renew Our Infrastructure***

3.1 Plan and maintain sustainable assets and infrastructure

3.1.2 Maintain infrastructure to the agreed standard and ensure the principles of



sustainability and universal design are considered in the planning and development of infrastructure to support community access and connection meeting the needs of the communities.

### ***Protect Our Natural Environment***

4.2 Balance environmental protection with Council's support for growth.

4.2.1 Ensure land use planning balances growth with appropriate levels of environmental stewardship.

4.2.3 Identify and manage via the Planning Scheme, significant landscapes, key biodiversity assets and contaminated land.

### **Legislation**

Consideration of the Southern Grampians Planning Scheme review is consistent with Section 12B of the *Planning and Environment Act 1987*.

### **Gender Equality Act 2020**

There are no direct implications to the *Gender Equality Act 2020* in the Planning Scheme Review 2023.

### **Risk Management**

Risks are mitigated by ensuring compliance with the relevant Ministerial Directions, Planning Practice Notes, as well as the *Planning and Environment Act 1987*.

### **Climate Change, Environmental and Sustainability Considerations**

Nil

### **Community Engagement, Communication and Consultation**

The review has been informed by consultation with stakeholders, referral agencies, and government departments.

The project team is looking forward to presenting the draft review to the community for final engagement period. We are optimistic that the draft will not require substantial changes prior to adoption by Council.

Public consultation in the draft review is scheduled to be undertaken over three weeks including:

- Media release and public notice
- Public notice in the Hamilton Spectator
- Council website
- Social media

Council will consider the Planning Scheme Review final report, following feedback from the community consultation, before the report will be submitted to the Minister for Planning.

### **Disclosure of Interests**

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

Rory Neeson, Director Wellbeing, Planning and Regulation  
Parvesh Siroha, Senior Strategic Planner

### **RECOMMENDATION**

That Council approve the release of the Planning Scheme Review Report 2023 for the purpose of public consultation before considering any feedback at a future Council meeting.

## 12.6 Council Plan Quarterly Report - 1 July 2023 - 30 September 2023

<b>Directorate:</b>	Chief Executive Office
<b>Report Approver:</b>	Tony Doyle, Chief Executive Officer
<b>Report Author:</b>	Karly Saunders, Governance Coordinator
<b>Attachment(s):</b>	1. Council Plan - Quarterly Report - 1 July 2023 - 30 September 2023 [12.6.1 - 32 pages]

### Executive Summary

The Action and Task Progress Report for the period 1 July 2023 to 30 September 2023 has been prepared to provide information regarding the performance of the organisation against the Annual Plan.

### Discussion

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

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

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

This is the first report for the 2023-2024 year, being 1 July 2023-30 September 2023.

There are 84 actions in the report of which:

- 71 actions (85%) are on track - at least 90% of the target achieved;
- 5 actions (6%) require monitoring –between 70% and 90% of the target achieved;
- 8 actions (10%) are off track – less than 70% of target achieved; and
- 0 actions (0%) have no target set.

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

### Financial and Resource Implications

Financial implications will have been accounted for in Council's adopted Budget.

### Council Plan, Community Vision, Strategies and Policies

***Provide Strong Governance and Leadership***

5.1 Transparent and accountable governance

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

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

***Provide Strong Governance and Leadership***

5.2 Effective advocacy

5.2.2 Advocate on behalf of the community in line with identified and agreed priorities.

**Legislation**

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

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

**Gender Equality Act 2020**

Not Applicable.

**Risk Management**

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

**Climate Change, Environmental and Sustainability Considerations**

Not Applicable.

**Community Engagement, Communication and Consultation**

The Report is publicly available and accessible to the public to ensure regular updates are required regarding the implementation of the Council Plan.

**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.

Karly Saunders, Governance Coordinator.

**RECOMMENDATION**

That Council receive the Action and Task Progress Report for 1 July 2023 – 30 September 2023.

## 12.7 Pedrina Park Soccer Field Drainage

**Directorate:** Infrastructure and Sustainability  
**Report Approver:** Marg Scanlon, Director Infrastructure and Sustainability  
**Report Author:** Bill Scott, Manager Project Management Office  
**Attachment(s):** Nil

### Executive Summary

Within the 2023/2024 Capital Works Program, two projects are listed for Pedrina Park; Soccer Field Drainage with a budget allocation of \$450,000 and Car Park Construction with a budget allocation of \$250,000. The Pedrina Park Soccer Field Drainage tender garnered two submissions, both exceeding the allocated budget and scope. To ensure the 2024 soccer season proceeds, the renovation works for the soccer pitch must be scheduled to be completed in the 2023/2024 summer. The Pedrina Park car park construction also received submissions over budget.

The immediate priority works for Pedrina Park is the soccer field drainage to address the water ponding issues on the existing surface, the solution is sub-surface drainage which will resolve the retention of excess water on the field. Following the recent procurement process, a refined scope has been developed and a quote has been sourced from a local contractor. The proposed reduced scope of work aims to enhance field drainage and maximize the project's value for money, while reducing the works required on the surface itself.

It is recommended that Council approve the amended Pedrina Park soccer field drainage works be undertaken this financial year for the quoted lump sum price of \$135,000 (ex GST) plus contingency up to \$28,000 (ex GST) as provided by BS and SK McLean trading as Sportsfields Australia. Council is also requested to endorse the procurement exemption from the public tender process.

It should be noted that the remaining budget allocation of \$519,920 will be retained within the current financial year. Rehabilitation of the soccer car park and a new footpath within the reserve have been defined as priority works to be undertaken at Pedrina Park which supports Pedrina Park user group needs and a separate report will be tabled to Council.

### Discussion

The advertised soccer field tender scope included the replacement of approximately 3500 cubic meters of high clay content soil, along with associated drainage works. The quotes received for these tasks exceeded the allocated budget significantly.

The amended scope of work includes sand grooving, reseeding, trenching (350mm x 150mm), subsurface lines for drainage. The total cost for these activities is \$135,000 excluding GST.

The total project cost is summarised below;

	Budget (ex GST)	Expenditure (ex GST)
Budget	\$450,000	
Geo Technical Report (completed)		\$7,080
Quote		\$135,000
Contingency (20%)		\$28,000
Works to be conducted by Council		\$10,000
Total predicted expenditure		\$180,080
Saving		\$269,920

Council will manage the removal of the goal posts and footings in preparation for the site works, with an estimated cost to Council of \$10,000 for labour, materials and equipment.

The current timeline, spanning from public procurement to the council meeting, anticipates the tender being awarded in mid-February. Consequently, the contractor will have only two months to complete all required tasks before the onset of the wet season on May 2024. The reseeded grass will prevent the ground from being unused for a minimum of 12 weeks. This constrained schedule is likely to deter potential contractors from engaging in the tender process, posing a risk to the project's delivery due to bids being overbudget and stringent time constraints.

Renovation to the soccer field early next year will significantly contribute to community well-being through improving mental and physical health, youth engagement and social cohesion.

### **Financial and Resource Implications**

The allocated budget for Pedrina Park Soccer Field is \$450,000 and the current works proposed in this report for award will cost \$135,000 excluding GST, with an additional contingency value of \$28,000 excluding GST.

Detailed in table 1 – cost summary above there are additional costs associated with the project delivery which will be required.

As a result, there is a surplus of \$269,920 excluding GST from the allocated soccer drainage budget in 2023-2024 to which Officers are establishing a new scope of works for Council's consideration.

### **Council Plan, Community Vision, Strategies and Policies**

#### ***Support Our Community***

1.2 Support and promote a healthy community

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

#### **Legislation**

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

### **Risk Management**

Works will need to be programmed to ensure sufficient time for re-seeding is allowed as the time required for this process is 12 weeks. Project management to ensure co-ordination of the work elements is required.

### **Climate Change, Environmental and Sustainability Considerations**

The project is considered as low impact on environmental parameters, the contractor's environmental management plan will be assessed and approved prior to works commencing on site.

### **Community Engagement, Communication and Consultation**

Community engagement, particularly with the key stakeholders including the sportsground users has been undertaken to inform the design requirements. Engagement will continue through the life of the project including the management of operational arrangements. Public notice was given of the tender in accordance with the Local Government Act 2020 and the tender process complied with the Council's Procurement Policy.

The tender was publicly advertised in the Council's e-Tendering portal and Hamilton Spectator for the Soccer Field from 29 September 2023 and closed on 23 October 2023. The Carpark Development was advertised from 22 September 2023 and closed on 17 October 2023). Nearby neighbours and the community will be notified of the proposed works prior commencement.

### **Disclosure of Interests**

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

Marg Scanlon, Director Infrastructure and Sustainability  
Bill Scott, Project Management Office  
Vaibhav Gavande, Project Manager

## **RECOMMENDATION**

That Council:

1. Endorse the amended scope of works for the Pedrina Park Soccer Field Drainage project to be undertaken this financial year for the quoted lump sum price of \$135,000 (ex GST) plus a contingency allocation up to \$28,000 (ex GST) as provided by BS and SK McLean trading as Sportsfields Australia.



2. Provides a procurement exemption from the public procurement process to address the priority drainage issues on the Pedrina Park Soccer Field.
3. Authorise the Chief Executive Officer to execute the agreement with BS and SK McLean trading as Sportsfields Australia and any other documents required by or to give effect the terms of this agreement on behalf of Council.

## 12.8 Request to Exhibit the Hamilton Showgrounds Draft Masterplan

<b>Directorate:</b>	Wellbeing, Planning and Regulation
<b>Report Approver:</b>	Rory Neeson, Director Wellbeing, Planning and Regulation
<b>Report Author:</b>	Susannah Milne, Manager Community Wellbeing
<b>Attachment(s):</b>	1. 231114 Hamilton Showground Masterplan [12.8.1 - 59 pages]

### Executive Summary

This report seeks Council endorsement of the draft Hamilton Showgrounds Master Plan to be released for community consultation.

Council allocated \$45,000 of funding to prepare the Hamilton Showgrounds Master Plan (the Master Plan) which would build on from the 2007 adopted Hamilton Showgrounds Master plan and the Hamilton Pastoral and Agricultural Society developed draft Master Plan - October 2020.

The new masterplan is aimed to develop a broad vision and priorities for the Hamilton Showgrounds over the next 10-year period and includes:

- The strategic direction for long term use and investment in the site.
- Consider regional context and future opportunities for the showgrounds that recognises economic, social and community opportunities at the site.
- Recommendations on key priorities, timelines and indicative costs that will inform further detail design and costing for future projects; and
- A recommended governance model for the site to maximise on the objectives of the masterplan.

Partners Hill and Realm Studios were appointed to facilitate the development of the masterplan. The masterplan has been developed in consultation with the Hamilton Showgrounds Advisory Committee, current Showgrounds User Groups, potential user groups and Council staff. It is now appropriate for the draft to be circulated to the wider community to seek feedback on the draft. Current and future user groups will also provide feedback outside the Advisory Committee format, through this process.

It is recommended that Council resolve to permit the draft Showgrounds master plan to be placed on public exhibition process for a period of six weeks (taking into account the Christmas – New Year period) and to allow for submissions be reported back to Council prior to any report recommending adoption of the master plan at a future Council Meeting.

### Discussion

The Hamilton Showgrounds is an important site that acts as a community, economic and tourism driver for the community, providing a space for many community groups to meet and conduct activities from, an event space where the community can gather and where

commercial activities can be held that attract visitors to the municipality that have a wider economic benefit.

For the Showgrounds to continue to meet the needs of the community, user groups and to be an attractive and contemporary site for events, the draft master plan must aim to develop a broad vision and priorities for the Hamilton Showgrounds over the next 10-year period and includes that will:

- The strategic direction for long term use and investment in the site.
- Consider regional context and future opportunities for the showgrounds that recognises economic, social and community opportunities at the site.
- Recommend on key priorities, timelines and indicative costs to inform further detail design and costing for future projects; and
- A recommended governance model for the site to maximise on the objectives of the masterplan.

The proposed enhancements seek to increase the capacity of event spaces and modernisation of facilities, including the development of a modern shared shed facility for user groups. Whilst the site hosts Sheepvention and the Hamilton Ram Sale, it is important to note that it provides accommodation and activity centre for several community and sporting groups such as the Hamilton Archery Club, Western District Umpires Association, Hamilton Brass, Lions Club of Hamilton and the Hamilton and District Dart Club.

The State Emergency Services (SES) local Hamilton Branch office, vehicle and equipment storage as well as local call centre, operate from the showgrounds. The SES have indicated that their current facilities no longer meet their operational needs and will be seeking funding from State Government to develop new facility. Through the master planning process it has been identified that the mandatory requirements for a SES facility cannot be accommodated at showgrounds site. It was therefore recommended by the Advisory Committee that Council work with the SES to find a suitable alternative site for any proposed new development. This matter will be progressed outside the master plan process, and SES will remain in their current location in the medium term.

The Showgrounds site is owned by the State Government but managed by Council through a Committee of Management arrangement. Operational expenditure at the Hamilton Showgrounds is approximately \$180,000 whilst income received is \$16,400.

The draft master plan has been informed by:

- Master plan review summary of the 2007 master plan and Hamilton Pastoral and Agricultural Society developed draft Master Plan - October 2020;
- Review and assessment of existing facilities and spaces;
- Consultation with the Hamilton Showgrounds Advisory Committee, current and potential user groups and the wider community;
- Analysis of issues and opportunities for the showground;

The recommendations of the draft master plan include:

- New office and shared facilities;
- Refurbish or replace the Sheep Pavilion;
- Extend/upgrade the Ram Sale Pavilion to include amenities to support more activation and use;
- Construct new pavilions to increase all year-round event capacity and increase financial sustainability;
- Upgrade flexible turf area;
- Increase parking opportunities around in and around venue and improve pedestrian access;
- Upgrade and renew amenity facilities;
- Develop secure storage space;
- Improve of services across the site such as drainage, power, water and internal access tracks to facilitate activation;
- Update entrances and improve landscaping;
- Development of event/short term stay area to complement activation and event facilitation.
- Clearer governance arrangements which acknowledge that Council has a clear responsibility with respect to management and facilitation of activation of the site.

The draft masterplan should be placed on public exhibition to the community for comment and feedback for six weeks.

Upon completion of the public exhibition period the feedback received will be compiled and Council will be updated. It is noted that dependent on the feedback received the final master plan may require amendments prior to it returning to Council for adoption.

### **Financial and Resource Implications**

A budget of \$45,000 has been provided by Council for the preparation of this draft master plan.

There have been no costs associated with this report's development and it has been prepared within existing resources.

If the exhibition process of the draft Master Plan results in Council requesting that significant changes are required to the current draft, then further costs may be associated with those changes.

As a matter of process, any major changes should also be presented to the Hamilton Showgrounds Advisory Committee and Showground User Groups for their information,

which will have some minor resource implications that can be absorbed into existing staff resources.

Actions and outcomes that arise from the master plan should Council adopt the plan after the consultation process will be subject to the normal Council budget process.

## **Council Plan, Community Vision, Strategies and Policies**

### ***Support Our Community***

1.1 An empowered and connected community

1.1.3 Provide opportunities for increased community engagement and participation in Council decision making and activities.

### ***Support Our Community***

1.2 Support and promote a healthy community

1.2.1 Provide and advocate for accessible, inclusive and equitable Council services, facilities, activities and participation practices.

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

### ***Maintain and Renew Our Infrastructure***

3.1 Plan and maintain sustainable assets and infrastructure

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

## **Legislation**

The *Local Government Act 2020* Section 9 Overarching governance principles and supporting principles outlines several principles that Council's must follow with respect to making decisions and providing services to the Community to ensure good and transparent governance. The principle relevant to this report are:

- b) priority is to be given to achieving best outcomes for the municipal community including future generations;
- d) the municipal community is to be engaged in strategic planning and strategic decision making; and
- g) the ongoing financial viability of the Council is ensured;
- i) the transparency of Council decisions, actions and information is to be ensured.

## **Gender Equality Act 2020**

This decision to release the master plan for community engagement does not have a negative bias towards gender impact, so there has been no gender impact assessment conducted in relation to this report.

## **Risk Management**

Consultation during the development of this draft master plan has been predominately with the Hamilton Showgrounds Advisory Committee and current User Groups of the site. Therefore, some proposals within the plan may not be supported by the wider community.

The financial commitment to deliver on the recommendations will be challenging considering Council's existing long term financial plan, reoccurring service provision costs and competing expenditure expectations for other community projects and priorities.

### **Climate Change, Environmental and Sustainability Considerations**

Any capital projects and initiatives that arise from the master plan once adopted will be required to consider environmental and sustainability principals in their design, construct or implementation and will be done so on a case-by-case basis.

### **Community Engagement, Communication and Consultation**

The draft master plan has been developed based on a series of targeted engagement session with the Hamilton Showgrounds Advisory Committee, interviews with user groups, a community survey and consultation with SGSC staff.

Considerable discussion and feedback have been collated and provided to the consultants in response to key findings and emerging issues as the draft master plan has evolved. It is now appropriate to seek wider community feedback on the draft master plan process through a public exhibition process.

### **Disclosure of Interests**

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

Rory Neeson, Director Wellbeing, Planning and Regulation  
Susannah Milne, Manager Community Wellbeing.

## **RECOMMENDATION**

That Council approves the release of the draft Hamilton Showgrounds Masterplan for a six week public consultation process before considering any feedback at a future Council Meeting.

## 12.9 Review of the Planning Committee

<b>Directorate:</b>	Wellbeing, Planning and Regulation
<b>Report Approver:</b>	Rory Neeson, Director Wellbeing, Planning and Regulation
<b>Report Author:</b>	Karly Saunders, Governance Coordinator, Daryl Adamson, Manager Shire Strategy and Regulation, Andrew Nield, Planning Coordinator
<b>Attachment(s):</b>	<ol style="list-style-type: none"><li>1. Planning Committee Terms of Reference Updated November 2023 [<b>12.9.1</b> - 2 pages]</li><li>2. C5 Instrument of Delegation Planning Committee December 2023 [<b>12.9.2</b> - 2 pages]</li><li>3. s6 Instrument of Delegation from Council to Staff Updated December 2023 [<b>12.9.3</b> - 73 pages]</li></ol>

### Executive Summary

In August 2020, the Planning Committee was re-established under the *Local Government Act 2020* and transitioned from a Special Committee to a Delegated Committee. Council reaffirmed its governance structure, adopted updated terms of reference and approved an Instrument of Delegation.

At the 13 September 2023 Council Meeting, Councillors requested a briefing be prepared and presented to Council regarding a review of the Planning Committee.

This review has been conducted in consultation with Councillors and this Report recommends the Planning Committee continues as a Delegated Committee, the Terms of Reference be adopted to reflect the changes outlined in this Report, the Planning Committee Instrument of Delegation and the s6 Instrument of Delegation from Council to Staff be approved.

### Discussion

Under Section 63 of the *Local Government Act 2020*, a delegated committee by Council, must:

1. Include at least two Councillors; and
2. May include any other persons appointed to the delegated committee by the Council who are entitled to vote.

A meeting of a delegated committee established by Council must be chaired by:

1. A Councillor appointed by the Council or the Mayor to chair meetings of the delegated committee; or
2. If the Councillor appointed by the Council or the Mayor to Chair the meetings is not present, a Councillor who is present at the meetings and is appointed by the members present at the meeting.

Delegated Committees of the Council are bound by *Section 61 of the Act* (Council Meetings), which includes voting rights, quorum requirements and to what extent the delegated committee is bound to operate under the Council's Governance Rules and remain open to the public.

Current Councillor Membership includes Cr Brown and Cr Malone, with the option to nominate a proxy.

Current Staff Membership includes Director Infrastructure and Sustainability, Director Wellbeing, Planning and Regulation or one other member of ELT should they be unavailable to attend.

The Terms of Reference, Instrument of Delegation and the s6 Instrument of Delegation from Council to Staff have been updated to reflect the following changes:

- Applications receiving between 10 and 20 objections; and
- Applications valued between \$5 million and \$10 million (or less if the officer is recommending refusal (except if refusal relates to a matter which is prohibited under the Planning Scheme); and
- The Officer is recommending refusal (except if refusal relates to a matter which is prohibited under the Planning Scheme); and
- Officers to decide to grant an amendment to a planning permit if the value of the original development exceeds \$5 million or if 10 or more objections were received, or if the officer is recommending refusal (except if refusal relates to a matter which is prohibited under the Planning Scheme).

This is the recommended governance structure for this Committee, it allows applications to be considered within a short turn around (two weeks), taking into consideration there is a 60 day statutory decision timeframe for the notice of decision.

### **Financial and Resource Implications**

The Secretariat duties for the Planning Committee as a delegated Committee are currently handled by the Wellbeing, Planning and Regulation Directorate.

### **Council Plan, Community Vision, Strategies and Policies**

#### ***Support Our Community***

- 1.1 An empowered and connected community
- 1.1.3 Provide opportunities for increased community engagement and participation in Council decision making and activities.
- 1.1.4 Ensure communication and engagement methods use inclusive practices and processes.

#### ***Provide Strong Governance and Leadership***

- 5.1 Transparent and accountable governance
- 5.1.1 Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting the role.
- 5.1.2 Ensure flexible and transparent decision making through open and accountable governance.



## Legislation

*Local Government Act 2020*

*Planning and Environment Act 1987*

Best Practice Principles, Advice and Conditions for Council Planners – Department of Transport and Planning, 2023

## Gender Equality Act 2020

There are no Gender Equality implications.

## Risk Management

Regular review of the Planning Committee Terms of Reference and Instrument of Delegation ensures the Committee is fit for purpose and meeting its objectives.

## Climate Change, Environmental and Sustainability Considerations

Not applicable.

## Community Engagement, Communication and Consultation

The terms of reference of the Planning Committee are publicly available and attached to this Report and all Planning Committee meetings are advertised and open to the public.

## 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.

Tony Doyle, Chief Executive Officer  
Rory Neeson, Director Wellbeing, Planning and Regulation  
Daryl Adamson, Manager Shire Strategy and Regulation  
Andrew Nield, Planning Coordinator  
Karly Saunders, Governance Coordinator

## RECOMMENDATION

In exercise of the powers conferred by s 63 of the *Local Government Act 2020 (the Act)* and s 188 of the *Planning and Environment Act 1987*, Council resolves that:

1. From the date of this resolution, there be established as a delegated committee, the Planning Committee.
2. The purposes of the Committees established by this resolution are those set out in the terms of reference.

3. The members of the Planning Committee are:
  - a) Two Councillors as per appointments made at Council's annual statutory meeting or available meeting thereafter;
  - b) Director Wellbeing, Planning and Regulation; and
  - c) Director Infrastructure and Sustainability.
4. The Committee is required to meet at the intervals specified in the terms of reference.
5. The Committee is required to report to Council at the intervals specified in the terms of reference.
6. The Chairperson of the Planning Committee is to be appointed annually by the Council.
7. A quorum for the Planning Committee is a whole number that is an absolute majority, which is the number of members that is greater than half the total number of members of the Planning Committee.
8. There be delegated to the Planning Committee the powers discretions and authorities set out in the attached Instrument of Delegation (**the Instrument**).
9. The Instrument:
  - 9.1 comes into force immediately the common seal of Council is affixed to the Instrument; and
  - 9.2 remains in force until Council determines to vary or revoke it.
10. The powers discretions and authorities conferred on the Planning Committee by the Instrument must be exercised in accordance with the delegations and limitations set out in the Instrument and with any guidelines or policies Council may from time to time adopt.
11. The Instrument be sealed.
12. The Terms of Reference be adopted.

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

13. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
14. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
15. On the coming into force of the instrument, the previous delegation is revoked.
16. The duties and functions set out in the instrument must be performed, and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

## 12.10 92 Lonsdale Street Hamilton - Property Settlement Date

**Directorate:** Infrastructure and Sustainability  
**Report Approver:** Marg Scanlon, Director Infrastructure and Sustainability  
**Report Author:** Marg Scanlon, Director Infrastructure and Sustainability  
**Attachment(s):** Nil

### Executive Summary

Council previously resolved that the property settlement for 92 Lonsdale Street Hamilton would take place on 31 December 2023. The tenant seeks to extend the date of settlement to 30 June 2024 to support continued trade. The purpose of this report is to seek Council's endorsement to extend the settlement.

### Discussion

The purchase of 92 Lonsdale Street Hamilton was a strategic purchase to enable the development of the Hamilton CBD community and cultural precinct to which Council is progressing concept development. The current tenant has requested an extension to occupy the property until 30 June 2024. Council has no immediate need to access 92 Lonsdale Street and subsequently Officers recommend that the request to extend the settlement date is supported.

The property settlement also included 121 Brown Street Hamilton however, the proposed change to settlement does not impact Council's settlement for the Church which is 121 Brown Street Hamilton.

Council has sought legal advice and confirmed that the contract of sale settlement dates can be split to reflect settlement of the 121 Brown Street Hamilton remaining on 31 December 2023 and include the new settlement date for 92 Lonsdale Street to be 30 June 2024.

Access to 121 Brown Street Hamilton will enable use, for example, for community engagement and consultation activities related to the Hamilton CBD Revitalisation and Government Hub projects. Other uses would need further consideration to ascertain any building or planning permit requirements.

### Financial and Resource Implications

The proposed recommendation does not result in any financial or resource implications.

### Council Plan, Community Vision, Strategies and Policies

#### ***Support Our Community***

1.1 An empowered and connected community

1.1.1 Facilitate opportunities for people to participate in community life, through volunteering, civic leadership, social programs, to enable inclusion, social connection and wellbeing.

#### ***Support Our Community***

1.2 Support and promote a healthy community

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

1.2.3 Partner with community services and agencies to plan for the outcomes outlined in the Public Health and Wellbeing Plan.

### **Legislation**

Section 112 of the *Local Government Act 2020* allows Council to purchase property to support its functional requirements. This purchase was a result of the community and stakeholder engagement undertaken as a part of the Hamilton CBD Master Plan which identified the need to redevelop the CBD precinct to enable business growth and development, social and visitor connection and improved access. The purchase of these two properties is consistent with the Hamilton CBD Master Plan objectives.

### **Gender Equality Act 2020**

It is important to note that under the *Gender Equality Act 2020*, there is an obligation for the Council to consider and promote gender equality in all their functions and activities. This includes the acquisition of property. A gender impact assessment was not required as part of the acquisition.

### **Risk Management**

There are no risks identified to adopt the extension of settlement.

### **Climate Change, Environmental and Sustainability Considerations**

Climate Change, Environmental, and Sustainability factors have been considered. There are no environmental or sustainability considerations in relation to this report.

### **Community Engagement, Communication and Consultation**

This property purchase is directly aligned with the Hamilton CBD Revitalisation projects which were identified in the Hamilton CBD Master Plan 2011. Community and stakeholder engagement has been undertaken to inform these projects.

### **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.

Julie Markby, Property Officer  
Marg Scanlon, Director Infrastructure and Sustainability

**Recommendation**

That Council endorse the extension of the settlement date for 92 Lonsdale Street Hamilton to 30 June 2024, noting the settlement date for 121 Brown Street Hamilton remains in place for 31 December 2023.

## 12.11

### Contract - Telstra Mobile Services

**Directorate:** People and Performance  
**Report Approver:** Darren Barber, Director People and Performance  
**Report Author:** Matthew Tulloch, Manager Business Systems & Transformation  
**Attachment(s):** 1. SGSC - VTS Contract - Briefing Oct 2023 [12.11.1 - 10 pages]

#### Executive Summary

Council seeks to migrate to the new Victorian Telecommunications Services (VTS) State Purchasing Contract for mobile voice and data services, taking advantage of the new service model providing access to improved services (faster speeds and greater coverage). This change represents savings of approximately \$70,000 over the 36-month contract period and also provides access to an additional \$30,000 of Telstra store credit for purchasing hardware (mobile phones, tablets) reducing the cost of Council's mobile device replacement program.

This change will represent an estimated total of \$100,000 cost savings to Council during the length of this new contract.

Given Telstra is the only viable carrier with extended mobile coverage in our region, a procurement exemption has been requested along with delegation of authority to CEO to award the new contract is being requested.

#### Discussion

The Victorian Government's existing Telecommunications Purchasing and Management Strategy (TPAMS) Contract expired on 1 February 2021, which at that time combined the current Victorian Office Telephony Services agreement (VOTS) to become VTS.

VTS stands for Victorian Telecommunications Services and is the State Purchase Contract that enables government agencies and other approved entities to purchase telecommunications services under contracts negotiated by the Department of Premier and Cabinet (DPC).

The State Purchase Contract itself lists multiple telecommunications providers to engage with, however, due to Telstra having a far greater network coverage within our municipality they remain the only viable option to provide the service coverage we require to operate our mobile device fleet.

Council was notified by Solve Communications, our appointed Telstra Business partner, in April 2023 that our existing TPAMS contract had come to an end and recommended to migrate to the new VTS contract at which time provided a like for like analysis of the new contract rates against our current TPAMS contract services.

At this time Councils IT officers conducted an audit of all council mobile services using data provided by Telstra and its Telstra Business, Solve Communications, along with our internal device register and staff consultation. This was carried out to ensure all services required

are aligned to the correct plans, are fit for purpose and provide the most cost-effective solution to match councils current and known future for voice and mobile data as follows:

### Current

- Mobile Phones - Adaptive Mobility UL Voice and data pack – 118 Services
- Tablets/Laptops - Adaptive Mobility Mobile Broadband Essential - 111 Services
- IoT Sensors - Telstra IoT Shared plan - 25 Services

### Known future increase

- \*Tablets - Adaptive Mobility Mobile Broadband Essential to enable Digital Outdoor Workforce – 29 services

*\*Digital Outdoor Workforce – Tablets for depot staff to utilize and gain productivity efficiencies from the new CORE IT systems while out in the field, reducing manual data input including timesheet management and health and safety reporting. It gives them access to and the ability to efficiently record and access information immediately.*

The known 36-month contract expense is expected to be \$155,021.04 could potentially reach up to \$200,000 with Digital Outdoor Workforce expansion to provide significant productivity increase in those areas as our technology, system and ability to use them mature.

### Financial and Resource Implications

Council has a budget currently in place for the current TPAMS contract as well as a budget for mobile device replacements. The proposed recommendation will provide overall cost savings as well as an increase in workforce efficiency allowing an expansion of Council's current mobile device fleet.

Projected costs/savings:

	Amount ex GST
New VTS contract p/m	\$4,306.14
1 year estimated total	\$51,673.68
3 year estimated total	\$155,021.04
	<b>*does not include additional services for digital outdoor workforce</b>
Current TPMS contract p/m	\$6,519.55
1 year estimated total	\$78,234.59
3 year estimated total	\$234,703.78
Savings per year	\$26,560.91
Telstra Store credit – 36 months (10% of contract)	\$15,502.10

**Extra Telstra Store credit pre month 10% spend**

**\$430.61**

## **Council Plan, Community Vision, Strategies and Policies**

### ***Provide Strong Governance and Leadership***

5.3 Committed and skilled staff

5.3.1 Encourage an organisation that values equality, diversity, workplace health, safety and wellbeing.

5.3.2 Invest and shape Council as a learning and agile organisation to promote the region as a workplace of choice.

### ***Provide Strong Governance and Leadership***

5.4 Customer-focused services

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

5.4.2 Improve the customer experience by delivering accessible and responsive customer service.

## **Legislation**

### ***Privacy and Data Protection Act 2014***

Principle 4—Data Security 4.1 An organisation must take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.

As council embraces and migrates further towards a digital outdoor workforce will minimise the use of paper records resulting in increases in privacy and data protection requirements. Personal information and confidential council data council staff require for their day-to-day activities become protected using mobile devices instead of paper base processes with digital security mechanisms and access auditing.

### **Gender Equality Act 2020**

A Gender Impact Assessment is not required as there is no significant or direct impact on the public.

## **Risk Management**

There are no major risks identified with this contract itself, but consideration has been given to the risks with the increases in outdoor services using more mobile technology.

<b>Identified Risk</b>	<b>Initial Risk Rating</b>	<b>Risk Treatment</b>	<b>Residual Risk Rating</b>
Unauthorised access to council data due to device or system access sharing.	High	SGSC Code of Conduct and ICT Usage Policy covers the importance of confidentiality, information and data security as well as that	Low



		<p>sharing\allow access to council systems assigned to individual staff with others is not acceptable.</p> <p>Reeducation of this is planned as part of future technology adoption in these areas.</p>	
<p>Inefficient use of technology due to lack of training and/or support in changing to digital base solutions and process.</p>	High	<p>It is understood that Councils outdoor staff have a varying degree of IT competency and desire to use more digital base solutions and process.</p> <p>Training for these areas is being planned out with the appropriate stakeholders to ensure a holistic approach is taking in supporting Council outdoor workforce in efficiently utilising digital technologies.</p>	Medium

### **Collaborative Procurement Opportunities**

The new Victorian Telecommunications Services contract is a collaborative procurement option negotiated by the Department of Premier and Cabinet. It has been developed to allow eligible public sector agencies access to better telecommunication services for a lower price.

### **Climate Change, Environmental and Sustainability Considerations**

Improved mobile services for outdoor workforces will produce a reduction in paper and printing requirements with outdoor staff able to access the data, work orders, auditing, inspections and customer requests on site using mobile devices. They can collect evidence of work carried out increasing the efficiency of their duties. In addition to this the costs savings gained from this new contract increase Council's sustainability.

### **Community Engagement, Communication and Consultation**

No community consultation is required for this contract.

### **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.

Matthew Tulloch – Manager Business Systems & Transformation

Darren Barber – Director People and Performance

<b>RECOMMENDATION</b>
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That Council:

1. Provides a procurement exemption from the public tender process as Telstra is the only provider with adequate mobile network coverage required for the Council's purposes.
2. Authorise the Chief Executive Officer to execute a contract with Telstra to the value of \$200,000 excluding GST over 36 months to allow for future expansion of a digital outdoor workforce.

## 12.12 Asbestos Removal Program

**Directorate:** Infrastructure and Sustainability  
**Report Approver:** Marg Scanlon, Director Infrastructure and Sustainability  
**Report Author:** Thomas Grounds, Project Manager  
**Attachment(s):**

### Executive Summary

The Victorian Asbestos Eradication Agency (VAEA) has provided a long-term plan for the removal of identified materials containing asbestos in Victorian and local Government owned buildings. In March 2023 Council received notification from VAEA specifically in relation to seven buildings within Southern Grampians Shire that have been identified as a part of this program. The asbestos removal program ensures that the works will be undertaken in accordance with compliance and safety requirements. This program is funded through the Victorian State Government.

The purpose of this report is to award the contract to AC Laser Electrical based out of Horsham and their subcontractor AAH Contracting to the value of \$485,955.

### Discussion

The VAEA's plan is to support the successful removal of asbestos through the specification which includes the defined scope of works, timelines, roles and responsibilities, along with reporting and communication requirements. The program will ensure there will be a reduced risk of asbestos related diseases in Victorian government buildings, by the removal of asbestos containing material.

Specifically for Southern Grampians Shire, this program includes the following;

- Patterson Park Hall, Hamilton: Removal and replacement of the electrical switch board
- Former Penshurst Maternal Child Health Centre: Removal and replacement of the electrical switch board
- Silvester Oval Pavilion, Coleraine: Main building entrance removal and replacement of electrical switchboard
- Hamilton Indoor Leisure and Aquatic Centre, Hamilton: Remove settled dust and debris from the ceiling space and removal and replacement of the roof ceiling above the squash courts
- Hamilton Showgrounds Shield Hut: Remove dust and debris from roof insulation at the Red Shield Hut
- Melville Oval Grandstand: Removal of asbestos within the rear porch.

It is noted that the Melville Oval GrandStand is not included in this contracted program of works. The partial demolition of the Grandstand has addressed the asbestos removal in the rear porch.

VAEA defined the scope of work and the requirement for a qualified hygienist to be contracted as a part of the project team. Based on these stipulations the only suitably contractor is AC Laser Electrical based in Horsham. Council Officers have undertaken the necessary assessment that supports the appointment of AC Laser Electrical and the nominated sub-contractor AAH Contracting.

### **Financial and Resource Implications**

Council incurs the associated project management costs for these works, the total cost for the contract works is \$485,955.

Council has entered a funding agreement with the VAEA to participate in the project, the proposal requires Council to pay the initial costs of the contract works and be reimbursed by the VAEA. All works are to be completed by June 2024

### **Council Plan, Community Vision, Strategies and Policies**

#### ***Maintain and Renew Our Infrastructure***

3.1 Plan and maintain sustainable assets and infrastructure

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

### **Legislation**

Council is obligated under the *Occupational Health and Safety Act 2003* and the *Occupational Health and Safety Regulations 2017* to ensure that users of Council owned and managed buildings are safe from asbestos containing materials.

### **Gender Equality Act 2020**

There are not any *Gender Equality Act 2020* implications specifically in relation to this asbestos removal program and the associated works.

### **Risk Management**

The risks associated with these works are medium to high, with items such as exposure to asbestos by workers and the public. To mitigate risks associated with the works, licensed contractors will be engaged along with air monitoring and clearance certificates for all works by an independent auditor.

Works are programmed to ensure that public users will not be in the vicinity for the works areas in accordance with EPA requirements.

Works are currently programmed to start in January to avoid major impacts of various community activities in the building such as HILAC, in addition the grant must be completed by 30 June 2024 for the claim to be eligible under the program funding.

### **Climate Change, Environmental and Sustainability Considerations**

This program directly addresses environmental risks associated with asbestos within community buildings.

### **Community Engagement, Communication and Consultation**

Officers continue to engage with VAEA to resolve the governance to support this program noting VAEA is the contract manager and Council's role is project management.

Community engagement with all building user groups will be undertaken prior to commencing work, advising stakeholders of the program including details of the restricted access to buildings. Council's intent is to target the works during January 2024 when public usage is low.

### **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.

Thomas Grounds – Project Manager

Bill Scott – Manager Project Management Office

Marg Scanlon – Director Infrastructure and Sustainability

## **RECOMMENDATION**

That Council:

1. Award the contract AC Laser Electrical for the tendered lump sum price of \$485,955.00 (ex. GST) to undertake the Asbestos Removal Program as detailed in this report, contingent upon referee checks and a corporate scorecard.
2. Note the contract costs will be reimbursed from the Prioritised Asbestos Removal Program to Council before 30 June 2024.
3. Authorise the Chief Executive Officer to execute the contract and any other documents required by or to give effect the terms of the contract on behalf of Council.

## 12.13 Amendment to CEO Annual Performance Review Date

<b>Directorate:</b>	People and Performance
<b>Report Approver:</b>	Darren Barber, Director People and Performance
<b>Report Author:</b>	Karly Saunders, Governance Coordinator
<b>Attachment(s):</b>	Nil

### Executive Summary

This report seeks Council's approval to amend the contract and revise the CEO's annual review date to align with the financial year to enable the review to be undertaken annually between 1 July – 30 September of each year.

### Discussion

A requirement of the employment contract between Council and the Chief Executive Officer is that an Annual Performance Review be undertaken by a CEO Employment and Remuneration Committee including the setting of annual key performance indicators.

The contract states that the CEO's performance review must be undertaken annually within three (3) months of the commencement date (or by such later date as agreed upon the parties).

The commencement date is defined in the contract as the date of appointment and employment being 25 December 2021. Therefore, an annual performance review is required each year between 25 December – 25 March unless Council resolves to agree upon another date.

Amending the commencement date of the Annual Performance Review will allow more accuracy in terms of reporting against the objectives of the Council Plan and the Budget.

### Financial and Resource Implications

There are no financial or resource implications as no contract amendments were required.

### Council Plan, Community Vision, Strategies and Policies

#### ***Provide Strong Governance and Leadership***

5.1 Transparent and accountable governance

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

### Legislation

The contract states the annual performance review can be undertaken within three (3) months of the commencement date or by such later date as may be agreed upon by the

parties. The CEO Employment and Remuneration Advisory Committee is advisory in nature and all decisions are required to be a decision of the Council, therefore formally amending the annual performance review date is being considered by Council for transparency and formality.

### **Gender Equality Act 2020**

Not applicable.

### **Risk Management**

Amending the commencement date of the Annual Performance Review removes the requirements to complete the review within 3 months of Christmas as the current commencement date is 25 December of each year. Staff and Councillors take leave during this time and Council does not reconvene until February of each year. Amending the commencement date moves the review into a financial reporting year.

### **Climate Change, Environmental and Sustainability Considerations**

Not applicable.

### **Community Engagement, Communication and Consultation**

Not applicable.

### **Disclosure of Interests**

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

Darren Barber, Director People and Performance  
Karly Saunders, Governance Coordinator

## **RECOMMENDATION**

That Council agree the commencement date of the CEO Annual Performance Review change from within three months of 25 December each year to within three months of 1 July of each year.

## 12.14                      Audit and Risk Committee - Annual Assessment 2022/2023

<b>Directorate:</b>	People and Performance
<b>Report Approver:</b>	Darren Barber, Director People and Performance
<b>Report Author:</b>	Nadine Rhook, Executive Assistant Director People and Performance
<b>Attachment(s):</b>	1.     Audit & Risk Committee Charter 2022 [ <b>12.14.1</b> - 9 pages] 2.     ARC Self Assessment Survey Results 16 November 2023 [ <b>12.14.2</b> - 51 pages]

### **Executive Summary**

Subsection 54(4) of the *Local Government Act 2020* requires Council's Audit and Risk Committee (the Committee) to undertake an assessment of its performance against the Audit and Risk Committee Charter.

The annual assessment for the 2022/2023 financial year has been completed and is attached for noting by Council.

### **Discussion**

It is a requirement under subsection 54(4) the *Local Government Act 2020* that the Committee must:

- (a) Undertake an annual assessment of its performance against the Audit and Risk Committee Charter; and
- (b) Provide a copy of the annual assessment to the Chief Executive Officer for tabling at the next Council meeting.

Council adopted the current Audit and Risk Committee Charter at its Meeting on 10 August 2022.

The Committee membership consists of three independent members with expertise in financial and risk management and two councilors. Four of the committee members participated in the 2022/2023 assessment.

The assessment results were positive with responses showing that the members either agree or strongly agree that the Committee has met all requirements/expectations as outlined in the Charter. Question 27 of the survey reflects an unfavorable response from one member, however, follow up discussions with the committee ascertained that this response was made in error and the committee has complete confidence in the committee chair.

### **Financial and Resource Implications**

There are no financial implications in relation to this report.

### **Council Plan, Community Vision, Strategies and Policies**



***Provide Strong Governance and Leadership***

5.1 Transparent and accountable governance

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

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

The Committee is guided by the Audit and Risk Committee Charter.

**Legislation**

The establishment of the Committee is a requirement under section 53(1) of the Local Government Act 2020.

**Gender Equality Act 2020**

Gender equity compliance is reviewed by the Committee regularly. The committee strives for gender equality as part of the Committee's membership.

**Risk Management**

A key component of the Committee is oversight of Councils strategic and operational risks.

**Climate Change, Environmental and Sustainability Considerations**

Preparation of documentation for the Committee is conducted electronically to ensure that limited environmental impacts are achieved.

**Community Engagement, Communication and Consultation**

There are no implications in relation to community engagement and consultation for this report.

**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.

Nadine Rhook, Executive Assistant – Director People and Performance  
Darren Barber, Director People and Performance.

**RECOMMENDATION**

That Council receive the Audit and Risk Committee Annual Assessment.

## 12.15 Review of S18 Instrument of Sub-Delegation under the Environment Protection Act 2017

**Directorate:** Chief Executive Office  
**Report Approver:** Tony Doyle, Chief Executive Officer  
**Report Author:** Karly Saunders, Governance Coordinator  
**Attachment(s):** 1. s18 Instrument of Sub Delegation under the Environment Protection Act 2017 [**12.15.1** - 4 pages]

### Executive Summary

The *Local Government Act 2020*, and a variety of other legislation, makes express provision for the appointment of delegates to act on behalf of Council. The delegation of powers is essential to enable day to day decisions to be made and for the effective operation of the organisation.

The s18 Instrument of Sub-Delegation under the *Environment Protection Act 2017* from Council to Staff is attached for consideration.

### Discussion

The s18 Instrument of Sub-Delegation under the *Environment Protection Act 2017* was last resolved upon by Council on 14 July 2021. On 4 June 2021, the Environment Protection Authority conferred new powers to Councils and as such this Instrument sub-delegates these power to the appropriate staff within the organisation and are detailed in the attached Instrument.

Maddocks Lawyers regularly update Instruments in conjunction with Council routinely reviewing its instrument to ensure powers are delegated to the correct staff members to enable day-to-day operations and decision to be made by appropriate staff.

### Financial and Resource Implications

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

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

### Council Plan, Community Vision, Strategies and Policies

#### ***Provide Strong Governance and Leadership***

5.1 Transparent and accountable governance

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

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

### Legislation

These Instruments are required to be made to ensure that staff within the organisation have authorisations and delegations under the *Environment Protection Act 2017* and the *Environment Protection Regulations 2017*, so they can undertake duties relating to statutory provisions in a timely manner.

### **Gender Equality Act 2020**

Not applicable.

### **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 fractions. The updates are done regularly and capture any legislative changes. The service is available to all Victorian Councils which enables consistency.

### **Climate Change, Environmental and Sustainability Considerations**

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

### **Community Engagement, Communication and Consultation**

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

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

### **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.

Karly Saunders, Governance Coordinator  
Tony Doyle, Chief Executive Officer

## **RECOMMENDATION**

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

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instruments.
3. On the coming into force of the instrument, all previous delegations are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

## 12.16 Minutes - Community Asset Committee - Coleraine Sporting Grounds

**Directorate:** Chief Executive Office  
**Report Approver:** Tony Doyle, Chief Executive Officer  
**Report Author:** Karly Saunders, Governance Coordinator  
**Attachment(s):** 1. Minutes 2023 09 19 Coleraine Sporting Grounds Committee [12.16.1 - 5 pages]

### Executive Summary

In accordance with Council's Governance Rules and section 47(4)(b) of the *Local Government Act 2020*, approved minutes of Community Asset Committees are to be reported to Council Meeting to ensure governance requirements and appropriate standards of probity are being met.

### Discussion

The following minutes of the Coleraine Sporting Grounds Community Asset Committee are attached to this report:

- 19 September 2023

The minutes have been confirmed by the Committee and forwarded through to Council's Governance Coordinator for reporting to the next available Council Meeting.

### Financial and Resource Implications

Not applicable.

### Council Plan, Community Vision, Strategies and Policies

#### ***Support Our Community***

1.1 An empowered and connected community

1.1.1 Facilitate opportunities for people to participate in community life, through volunteering, civic leadership, social programs, to enable inclusion, social connection and wellbeing.

#### ***Provide Strong Governance and Leadership***

5.1 Transparent and accountable governance

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

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

#### ***Provide Strong Governance and Leadership***

5.2 Effective advocacy

5.2.2 Advocate on behalf of the community in line with identified and agreed priorities.

## Legislation

Community Asset Committees are established under section 65 of the *Local Government Act 2020* and operate under a section 47 delegation by the Chief Executive Officer and are bound by Council's Governance Rules and the Committee Terms of Reference.

## Gender Equality Act 2020

Not applicable.

## Risk Management

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

## Climate Change, Environmental and Sustainability Considerations

Not applicable.

## Community Engagement, Communication and Consultation

The minutes form part of the public Council Meeting agenda and are accessible by the public.

## 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.

Karly Saunders, Governance Coordinator

## RECOMMENDATION

That Council receive the minutes from the Coleraine Sporting Grounds Community Asset Committee for the meeting held on 19 September 2023.

## 12.17                    Audit & Risk Committee Meeting Minutes - 27 November 2023

**Directorate:**                People and Performance  
**Report Approver:**        Darren Barber, Director People and Performance  
**Report Author:**         Nadine Rhook, Executive Assistant Director People and Performance  
**Attachment(s):**         1.    27-11-2023 - ARC Minutes [12.17.1 - 13 pages]

### **Executive Summary**

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

### **Discussion**

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

### **Financial and Resource Implications**

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

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

### **Council Plan, Community Vision, Strategies and Policies**

#### ***Provide Strong Governance and Leadership***

##### 5.1 Transparent and accountable governance

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

#### ***Provide Strong Governance and Leadership***

##### 5.3 Committed and skilled staff

5.3.1 Encourage an organisation that values equality, diversity, workplace health, safety and wellbeing.

### **Legislation**

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

### **Gender Equality Act 2020**

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

### **Risk Management**

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

### **Climate Change, Environmental and Sustainability Considerations**

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

### **Community Engagement, Communication and Consultation**

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

### **Disclosure of Interests**

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

Darren Barber, Director People and Performance

Nadine Rhook, Executive Assistant to Director People and Performance

<b>RECOMMENDATION</b>
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That Council note the Minutes for the Audit and Risk Committee Meeting held on 27 November 2023.



## 13 Notices of Motion

### 13.1 Notice of Motion #5/23

**Councillor:** Cr Rainsford

**Attachment(s):** Nil

I hereby give notice of my intention to move the following motion at the Council Meeting to be held on 13 December 2023.

#### MOTION

Southern Grampians Shire Council prepare to develop a shire wide Caravan & Camping RV Strategy with the first stage being collating a report of current Caravan and Camping facilities in the Shire.

#### Background

Southern Grampians Shire Council alongside community and business support developing events, attractions and experiences for our residents and visitors to enjoy as part of our economic development. People will come and live in places they holiday, contributing to population growth.

Dunkeld has a long standing well established Caravan Park which includes some Cabins. With the popularity of the Grampians and multitude of events in and around Dunkeld, we at times hear of their need for more facilities.

Currently there is excellent work being undertaken on reviewing the Coleraine and Peshurst Caravan & Camping facilities. Including local community engagement and preparation of draft plans.

Cavendish has a well developed Camping Ground / Caravan Park. Given a boost with a new amenities blocks when successful in receiving the local " Pick My Project" State Government funding with Community and Council financial contribution. Alongside the Wannan River in the heart of Cavendish incorporating the Cavendish Recreation Sport Reserve providing a multi use facility.

Glenthompson has an under-utilised swimming pool and ammenities with space alongside which could be utilised for caravans and RV's.

Balmoral has a Caravan Park with Cabins central to the town located close to the Glenelg River.

Townships of Tarrington, Byaduk and Branxholme could benefit from attracting overnight visitors with appropriate investment enhancing exisiting facilities.

Within the Hamilton Showgrounds Masterplan process there has been suggestions of the inclusion of Caravan and Motorhome parking as part of redevelopment of this facility. Public consultation will be part of developing this Masterplan ensuring all needs of these grounds are served adequately.

Council owned land at Lakes Edge has been partially developed via the VicUrban housing development and the future use of the remaining 22 HA is currently under investigation and consideration.

Where are the best places for expanding or RV Tourist sites? Who funds and operates these facilities? What external funding is available and what private investment potential is there? Having our officers provide an initial in-house report on our existing Caravan and Camping RV footprint can be the first stage of this Southern Grampians Shire wide project.

## 14 Urgent Business

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

## 15 Mayor, Councillors and Delegate Reports

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

## 16 Confidential Reports

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

## **17 Close of Meeting**

This concludes the business of the meeting.