

# SOUTHERN GRAMPIANS SHIRE COUNCIL

**Council Meeting Agenda  
Wednesday 13 September 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  
Mr Juan Donis, Acting Director Infrastructure and Sustainability  
Ms Karly Saunders, Governance Coordinator

# 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 Gunditjmara, 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 Malone 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 9 August 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 the 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 are no Petitions listed on tonight's agenda.



## 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:

- Balmoral Site Visit – 9 August 2023
- Briefing Session – 9 August 2023
- Briefing Session – 30 August 2023

This agenda was prepared on 6 September 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:	Balmoral Site Visit
Date:	9 August 2023
Location:	Balmoral
Councillors in Attendance:	Cr Brown 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

The Informal Meeting commenced at 11:45am.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Various site visits in Balmoral	Nil

The Informal Meeting concluded at 1:15pm.

## Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session 9 August 2023
Date:	9 August 2023
Location:	Balmoral Mechanics Hall
Councillors in Attendance:	Cr Brown 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

The Informal Meeting commenced at 2:00pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Matters Raised by Councillors	Nil
2	Gallery Air Control Project	Nil
3	Leadership Great South Coast Funding	Nil
4	Community Satisfaction Survey Results	Nil
5	Council Plan Report	Nil
6	Christmas Lights	Nil
7	Hamilton EV Charger	Nil

The Informal Meeting concluded at 5:00pm.

## Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session 30 August 2023
Date:	30 August 2023
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Brown Cr Colliton Cr Henry – left meeting at 2:00pm Cr Malone Cr Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Darren Barber, Director People and Performance Rory Neeson, Director Wellbeing, Planning and Regulation Juan Donis, Acting Director Infrastructure and Sustainability Andrew Nield, Planning Coordinator Susannah Milne, Manager Community Wellbeing Jane Coshutt, Acting Manager Communications and Engagement Brett Holmes, Manager Works

The Informal Meeting commenced at 12:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor and CEO Meeting	Nil
2	Matters Raised by Councillors	Nil
3	Gov Hub	Nil
4	Planning Scheme Amendment for Dunkeld and Balmoral	Nil
5	Draft Development Plan – Recreation Road, Dunkeld	Nil
6	Melville Oval Paying Surface Future Investment Direction	Nil
7	Community Partnership Grants	Nil
8	Christmas Holiday Closure – Council Offices	Nil

9	Hamilton Industrial Land Estate Funding	Nil
10	Long Term Plant Hire for Construction Season	Nil
11	Acquisition of Land	Nil

The Informal Meeting concluded at 5:00pm.

## 12 Management Reports

### 12.1 Community Partnership Grants

<b>Directorate:</b>	Chief Executive Office
<b>Report Approver:</b>	Tony Doyle, Chief Executive Officer
<b>Report Author:</b>	Jane Coshutt, Acting Manager Communications and Engagement
<b>Attachment(s):</b>	Nil

#### Executive Summary

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

#### Discussion

The Community Partnership Grants program was established to deliver Council grants that are responsive to the needs and opportunities of the community, inclusive and equitable to all, and one that facilitated the flexible delivery of key strategies identified within the Council Plan 2021 - 25 across the social, economic and environmental spectrum.

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

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

The first round of Community Partnership Grants for 2023-2024 closed on 31 July 2023. Sixty-seven applications asking \$409,181.49 were received and assessed by members of the community partnership grants team.

This round of grants includes 13 grants approved over \$2500 totaling \$129,410.14 and 21 grants approved for \$2,500 and under, totaling \$48,881.07.

Below is the summary of the approved grant applications, which requested funds above \$2,500. The total applications are \$129,410.14.

Category	Applicant	Project	Ask Amount	Funding Amount	Total Project Cost
Community Strengthening	Hamilton Lions Club	Smoothie Bike	\$6,435	\$3,217.50	\$6,435
Community Strengthening	Standing Tall in Hamilton Inc.	Valuing Our Volunteers, Enriching Our Community	\$10,000	\$10,000	\$20,000
Tourism and Events	Cavendish Red Gum Festival Development Group Inc.	Cavendish Redgum Festival 2024	\$8,044.54	\$8,044.54	\$16,089.08
Tourism and Events	Hamilton Rockfest Incorporated	Hamilton Rockfest	\$10,000	\$10,000	\$92,000
Tourism and Events	Btr Together Inc	The Better Together Festival	\$4,682	\$4,682	\$9,364.20
Tourism and Events	Hamilton Speedway Drivers Inc.	Australian Street Stock Title	\$13,900	\$13,900	\$51,583
Sustainability	Dunkeld Recreation Reserve Inc.	Football oval light upgrade	\$15,000	\$15,000	\$47,955.84
Community Infrastructure	Dunkeld Bowling Club	Green Replacement	\$15,000	\$15,000	\$170,000
Community Infrastructure	Cavendish Football Club	Digital Scoreboard	\$15,000	\$15,000	\$47,532
Community Infrastructure	Yulecart Hall	Painting of Supper Room	\$3,635	\$3,635	\$7,270
Community Infrastructure	Glenthompson Dunkeld Football Netball Club	Portable LED Video Screen / Scoreboard	\$12,906	\$12,906	\$37,906
Community Infrastructure	Hamilton Woodturners	Lathe Safety Upgrade	\$3,486.50	\$3,025	\$6,973
Heritage	G&M Schroeder	Façade Restoration - 86 Thompson Street Hamilton	\$15,000	\$15,000	\$59,165
<b>Total</b>			<b>\$133,089.14</b>	<b>\$129,410.14</b>	<b>\$572,273.12</b>

Below is the summary of grant applications approved, which requested funds of \$2,500 and under. The total applications are \$48,881.07.

Category	Applicant	Project	Ask amount	Funding amount	Total Project Cost
Community Strengthening	Byaduk & North Byaduk Progress Association Inc.	Community Christmas Gathering	\$2,500	\$2,500	\$2,500
Community Strengthening	Tahara Cricket Club	Hiring of Training Facilities in Hamilton	\$1,950	\$1,950	\$2,400
Tourism and Events	Hamilton Legacy	Torch Relay Celebration	\$1,600	\$1,600	\$1,600
Tourism and Events	Coleraine P & A Society	Coleraine P & A Society Annual Show	\$2,400	\$2,400	\$2,489
Tourism and Events	Hamilton Carols by Candlelight	Hamilton Carols by Candlelight	\$2,219.4	\$2,219.4	\$3,714.4
Tourism and Events	Hamilton Running Club Inc.	HRC Running Summit	\$2,500	\$2,500	\$4,475
Tourism and Events	Byaduk Spring Show Inc.	Inflatable Kids Activities at Byaduk Spring Show	\$2,420	\$2,420	\$2,420
Sustainability	Hamilton Clay Target Club	Reliable Water Supply	\$2,500	\$2,500	\$3,050
Community Infrastructure	Mockas Boxing Club	PPE and Gym Equipment Upgrade	\$2,500	\$2,500	\$2,518
Community Infrastructure	Hamilton Golf Club	Get up and Go – Range Mats	\$2,500	\$2,500	\$3,000
Community Infrastructure	Hamilton Pastoral Museum	Marquee Purchase	\$2,500	\$2,500	\$2,734
Community Infrastructure	Melville Forest Community Centre (Hall)	Lighting Upgrades	\$2,239.05	\$2,239.05	\$2,239.05
Community Infrastructure	Victoria Valley Hall	Gravel	\$1,500	\$1,500	\$1,500
Community Infrastructure	Dunkeld Public Lands	Youth Project - Basketball Hoop	\$2,479.4	\$2,479.4	\$2,479.4
Community Infrastructure	Grangeburn Bowling Club Inc.	Access handrails	\$2,330	\$2,330	\$2,330
Community Infrastructure	315 Army Cadet Unit	Store Shelving Safety Upgrade	\$2,480	\$2,480	\$2,480
Community Infrastructure	Karingal Senior Citizens Club	Chair Replacement	\$2,500	\$2,500	\$2,500
Community Infrastructure	Byaduk Recreation Reserve	Purchase Tables and Seating for community use	\$2,374	\$2,374	\$2,374
Community Infrastructure	Pigeon Ponds Recreation Reserve	Baby Change Tables	\$2,392.84	\$2,392.84	\$2,392.84
Community	Parklands Golf Club	Greening Parklands	\$2,500	\$2,500	\$3,632.95



Infrastructure	Inc.				
Heritage	Balmoral Historical Society	Balmoral Lock Up Repairs	\$2,496.38	\$2,496.38	\$2,496.38
<b>Total</b>			<b>\$48,881.07</b>	<b>\$48,881.07</b>	<b>\$55,325.02</b>

### **Financial and Resource Implications**

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

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

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

### **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.

#### **Legislation**

The Community Partnership Grants Program Policy was adopted in December 2022.

Each Grant category requests that applicants ensure that their project or idea demonstrates a link to the Council Plan, Health and Wellbeing Plan or other endorsed Strategic Plans of Council.

The Community Partnership Grants program assists Council to deliver on key outcomes of the Council Plan 2021 - 25. The Council Plan establishes that we will:

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

### **Gender Equality Act 2020**

There are no implications for the Gender Equality Act 2020 identified through this report or the grants program.

### **Risk Management**

There is a predetermined eligibility and assessment criteria with a set weighting, to identify and assess the risk exposure within each application. The assessment criteria ensure that projects and events have adequate control measures in place to ensure their successful and safe delivery.

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

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

No Environmental and Sustainability Considerations identified.

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

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

Jane Coshutt, Community Engagement Coordinator  
Alison Quade, Manager Communications and Engagement

## **RECOMMENDATION**

That Council:

1. Notes \$48,881.07 of Community Partnership Grants of \$2500 and under be awarded under delegation.
2. Notes \$129,410.14 of Community Partnership Grants over \$2500 be awarded under delegation.

## 12.2 Draft Development Plan - Recreation Road, Dunkeld

<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>	<ol style="list-style-type: none"><li>1. Development Plan Report _ Recreation Road Dunkeld [12.2.1 - 29 pages]</li><li>2. Draft Development Plan Recreation Road Dunkeld [12.2.2 - 1 page]</li><li>3. Attachment Council Report Development Plan Recreation Road Dunkeld [12.2.3 - 2 pages]</li></ol>

### Executive Summary

A Draft Development Plan has been prepared for the area identified in Development Plan Overlay, Schedule 12 (DPO12 – Residential Development: Recreation Road, Dunkeld) in accordance with the requirements of the Southern Grampians Planning Scheme.

The Development Plan relates to the future development of residential land and contains information regarding the precinct context, site assessment, general layout and staging of the Recreation Road Precinct. The plan provides a foundational guide for future planning permit applications within the Precinct.

The Development Plan was prepared following extensive engagement with key agencies, stakeholders and landowners, and was informed by expert consultant reports. The Development Plan was placed on community consultation during June/July 2023. One submission was received.

It is recommended that the Development Plan be endorsed, subject to changes outlined in this report.

### Background

The purpose of a Development Plan is to provide planners, landowners, and the community with guidelines to follow during the preparation and assessment of planning applications. Development Plans are required to be prepared and approved (to the satisfaction of Council) before a permit can be issued for land affected by the Development Plan Overlay.

A Draft Development Plan has been prepared for the area identified in Development Plan Overlay, Schedule 12 (DPO12 – Residential Development: Recreation Road, Dunkeld) in accordance with the requirements of the Southern Grampians Planning Scheme. The draft Development Plan is attached as Attachment 1.

The Development Plan relates to the future development of residential land and contains information regarding the precinct context, site assessment, general layout and staging of the Recreation Road Precinct.

The Development Plan provides a foundational guide for future planning permit applications within the Precinct over the next 20 years. Specifically, the Development Plan seeks to:

- Maintain the compact form and rural image of the township;
- Ensure the precinct develops in coordinated manner;
- Sustain the town's rural threshold and views and vistas to the Grampians National Park;
- Improve green linkages through the town;
- Ensure that infrastructure services in the public realm are unobtrusive;
- Require development to respond to existing topography and natural assets of the site;
- Protect the long-term subdivision and development opportunities;
- Allow development to occur incrementally;

The Development Plan seeks to strengthen the valued features of Dunkeld and create the opportunity for a legible, attractive, and connect urban network in this part of Dunkeld. Its focus is to ensure the celebration of the town's natural setting and rural character, while allowing for growth through urban densification.

The Development Plan has been informed by servicing constraints within the precinct, specifically reticulated sewerage. A new sewerage scheme is currently being completed by Wannon Water and in consultation with landowners. The sewerage scheme is investigating the western part of the precinct with two options e.g., gravity fed sewer network along rear property boundaries and low-pressure sewer along Recreation Road.

The ongoing Wannon Water sewerage scheme process requires the Development Plan to be considered in stages (Refer to Figure 1 below). Specifically, Stage 1 of the Development Plan will include land which is able to connect into the existing sewerage infrastructure, as shown in the below plan. Future stages will be subject to Wannon Water completing their servicing scheme.

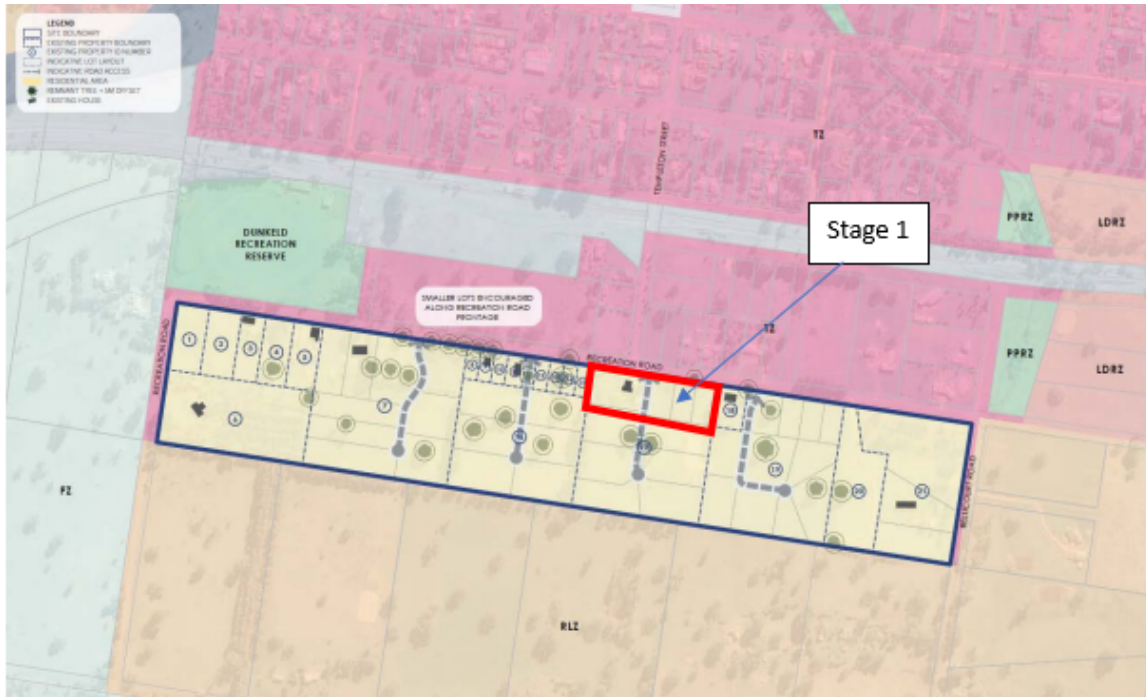


Figure 1 – Indicative Lot layout - Development Plan

The Development Plan was prepared following extensive engagement with key agencies, stakeholders, and landowners, and was informed by expert consultant reports.

The Development Plan was placed on community consultation during June/July 2023. Five submissions were received.

### Summary of Feedback

Of the five submissions received:

- Two submissions indicated positive support for the plan
- One submission requested changes to the plan
- Two submissions make suggestions to specific elements to the plan
- None objected to the plan

Each submission has been identified in a table at **Attachment 3** and lists the theme raised by each submission, provides an officer response, and whether a change to the Development Plan is recommended.

Key themes raised in submissions are:

- Some submitters were pleased with the opportunity to engage with the Development Plan.
- Submitters were generally supportive of the Development Plan, specifically the low-density lot layout.
- One submission suggested an additional area in the precinct should be made available for immediate residential development as part of Stage 1.

- Concerns were raised regarding the protection of River Red Gums within the Precinct.

### Agency/Authority Comments

The views of government agencies/Authorities were considered and outlined below:

Wannon Water did not object to the Draft Development Plan, but advised the indicative concept plan may have impact on the ability to install a gravity sewer design. Specifically, some of the lots may need to be serviced by means other than gravity e.g., pump station. The submission states there is an error at Section 7.5 of the plan, which states the new sewer needs to run along Recreation Road and extend down (e.g., south) through the proposed north south roads. Wannon Water note that this is incorrect and that an alternative alignment could provide a more cost-efficient way of servicing the precinct.

### Changes to the Plan

In response to submissions received, it is recommended that the Development Plan be updated as follows:

- Amend the Development Plan to include Lot 1 TP159903E Recreation Road to Stage 2, to allow subdivision subject to Wannon Water approval [refer to Figure 2 below. In order to provide Wannon Water with more flexibility in determining the best outcome for the sewer scheme, the sentence in Section 7.5 of the Development Plan referring to new sewer lines running along Recreation Road and extending down any proposed north-south roads into the precinct should be amended to read, 'new sewerage infrastructure will need to be provided throughout the precinct to service any proposed lots' or similar.

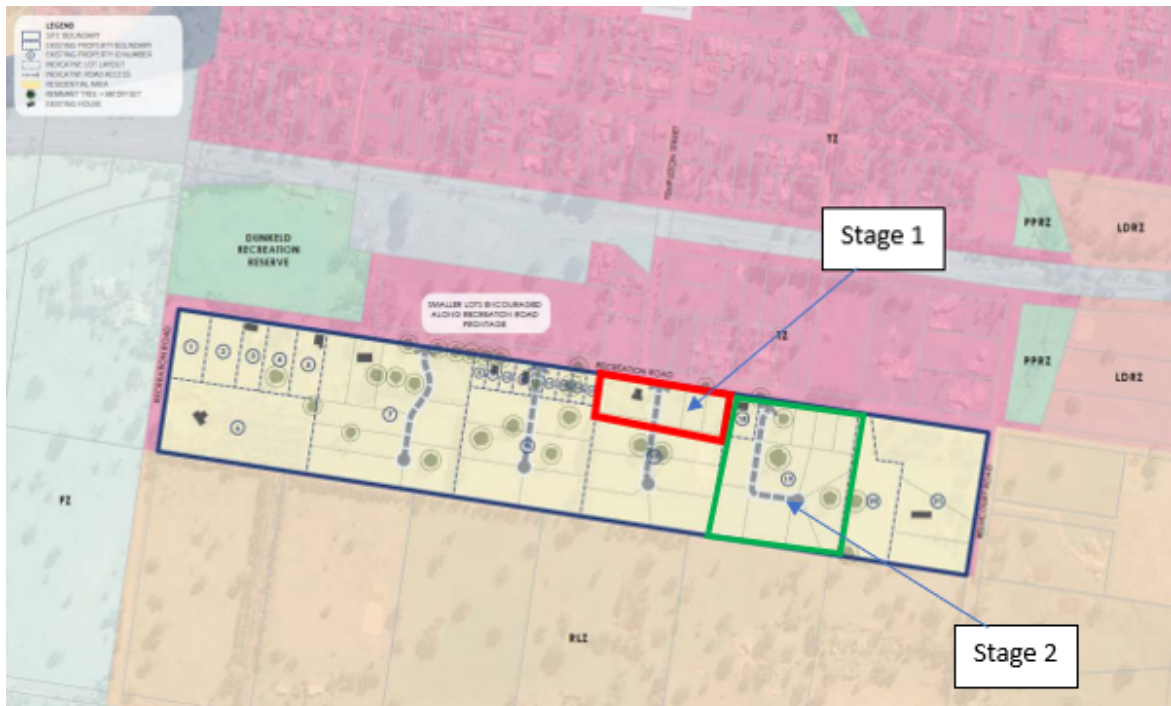


Figure 2 – Indicative Amended Staging Layout

## Consultation

The recent consultation on the draft Development Plan is the third stage of Landowner/community consultation and input into the development of the Plan.

The first round of consultation comprised a landowner/community briefing session, which was conducted in February 2023. Participants were provided with an introduction to the project and asked for feedback on their development aspirations for the precinct.

In the second round, two options for the Development Plan were made available at a landowner/community drop-in session on 13 June 23. Option 1 was a lower density outcome [lots of 4,000 square metres] and Option 2 was a higher density outcome [lots of 500 to 1,000 square metres]

There were seven written submissions received during the second round. Key matters raised included:

- Concerns over the protection of red gums
- Encourage native planting in the area
- Minor layout change to the subdivision layout.
- Landowners expressed desire for gravity fed sewer but preferred alignment to be along Recreation Road
- Requirements for secure fencing that allows wildlife safe access to private land
- Concerns over preservation of the night sky through the limitation of streetlights as much as possible in future development/subdivision.
- Request that the Development Plan is comprehensive enough that it does not require additional consents from each individual landowner prior to the development of each lot/site within the DPO12 area.

At the drop-in session, landowners expressed their preferred option was the lower density outcome with indicative lot size of 4000 sqm (Option 1).

Consultation on the final Draft Development Plan was undertaken from 24 July to 14 August 2023, and included:

- A letter to all landowners and property occupiers in precinct containing information about the project, details of consultation and an invitation to be involved.
- Council's Have Your Say website containing information about the project, details of consultation, an online submission form, and links to the draft plan.
- Notices on social media
- Copies of the documents were made available at the Civic Centre and online.
- An email providing information about the project, details of consultation and an invitation to be involved was sent to key agencies and authorities.

## Financial and Resource Implications

The project management, drafting and community engagement of the exhibited Development Plan is catered for within the financial year 2022-23 budget. The cost of engaging the consultants to prepare the Development Plan is \$35,000 and eight weeks of officer time spent in finalising the Development Plan.

## **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.

Clause 43.04-4 of the Southern Grampians Planning Scheme stipulates that a Development Plan be prepared and may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages. The development plan may be amended to the satisfaction of the responsible authority.

### **Gender Equality Act 2020**

There are no direct implications to the Gender Equality Act 2020 in preparing and exhibiting this Development Plan.

### **Risk Management**

Risk is managed through implementing the provisions of the Southern Grampians Planning Scheme and the Planning and Environment Act 1987.

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

The Development Plan will provide the ability for the land within an established residential neighbourhood of Dunkeld to be developed/subdivided for residential development.

No adverse environmental effects are anticipated as a result of the Development Plan. Future dwellings will be connected to reticulated sewer.

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

There is no public approval process for a Development Plan under the Planning and Environment Act (1987). However, the draft Development Plan has been informed and prepared through extensive engagement with landowners, the community, and servicing authorities in accordance with Councils community engagement policy.

Consultation on the final Draft Development Plan was undertaken from 24 July to 14 August 2023.

### **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 Regulations  
Andrew Neild, Planning Coordinator  
Parvesh Siroha, Senior Strategic Planner

## RECOMMENDATION

That Council:

1. Review and consider all submissions in response to the exhibition of the Recreation Road Development Plan (July 2023 Draft).
2. Amend the Recreation Road Development Plan (July 2023 Draft) in response to submissions as outlined in this report.
3. Resolves to endorse the Recreation Road Development Plan (July 2023 Draft), subject to completion of Item 2

## 12.3 Planning Scheme Amendments for Dunkeld & Balmoral Flood Investigations

<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. Glenelg River Regional Flood mapping [12.3.1 - 167 pages] 2. Dunkeld Flood Modeling PSA Summary [12.3.2 - 13 pages]

### Executive Summary

The purpose of this report is to consider the flood investigations for Dunkeld and Balmoral and recommends Council to request the Minister for Planning for authorisation of these amendments and to commence the process to amend the planning scheme as per the findings of that report.

In relation to introducing the planning scheme amendment to the Southern Grampians Planning Scheme as recommended in the Dunkeld and Balmoral Flood Investigation reports:

- a. Council to adopt the Dunkeld & Balmoral flood investigations for the purposes of introducing the flood risk mapping to the Southern Grampians Planning Scheme for Dunkeld and Balmoral town.
- b. Request the Minister for Planning to authorise Council to prepare and exhibit Planning Scheme Amendments; and
- c. Upon receipt of authorisation, prepare and exhibit the Amendments for Dunkeld (C61sgra) and Balmoral (C62sgra).

### Discussion

Amendments C61sgra and C62sgra seek to implement the findings of Dunkeld and Balmoral Flood Investigations respectively into the Southern Grampians Planning Scheme. The Amendments are the culmination of the combined efforts of Council and the Glenelg Hopkins Catchment Management Authority (GHCMA). It involved extensive investigations on the potential for flooding in Dunkeld and Balmoral and surrounds.

Council has an obligation to include overlays in its planning scheme to address flood risk. The proposed overlay mapping represents a snapshot in time that measures the full extent of a 1% AEP (1 in 100 year) event. Adopting the Dunkeld and Balmoral flood investigations for the purposes of introducing the Planning Scheme Amendment to the Southern Grampians maps (Floodway Overlay and Land Subject to Inundation Overlay) would:

1. add surety for building and development permits and reduce Council vulnerability to legal risk exposure

2. be consistent with the *Planning and Environment Act S6(2)(e)* which provides for planning schemes to regulate development in hazardous areas.

### **Planning Controls for Dunkeld and Balmoral**

Existing Controls:

Currently, there are no flood related planning controls in Dunkeld and Balmoral townships (i.e., LSIO, SBO, FO, UFZ) in Southern Grampians Planning Scheme.

Proposed Controls: Land Subject to Inundation (LSIO) and Floodway Overlay (FO) layer development will be applicable to Dunkeld and Balmoral townships.

The LSIO and FO layers have been prepared in accordance with Glenelg Hopkins Catchment Management Authority guidelines. Both LSIO and FO layers are created from the 1% AEP flood extent.

### **Dunkeld Flood Investigation**

The township of Dunkeld is at risk of inundation by several tributaries of the Wannon River. In recent years, severe weather events have caused significant damage to properties and infrastructure in the town, leading to a need for accurate flood mapping to aid in emergency planning and response.

A flood mapping study conducted for Dunkeld provides a summary of the methodology and key findings from the original flood mapping project undertaken by Water Technology in 2018. The outcome of the flood investigation also includes recommendations for development of Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO) layers based on the identified inundation across the township (attachment 2).

The recommendations in combination with the municipal flood emergency plan aim to mitigate the potential damage caused by future flooding events and to enhance the town's resilience to climate change and extreme weather conditions.

The study area encompasses the township of Dunkeld and its surrounding catchment area to the Wannon River. The catchment area covers approximately 16.75 km<sup>2</sup> and includes a range of land uses, including semi-urban, rural, farmland and naturally vegetated regions.

The topography of the study area is characterized by sloping terrain from the east towards the Wannon River in the west. A map of the study area is shown in Figure 1.

There are 55 properties included in the floodway overlay and 63 properties in the land subject to inundation overlay for the Dunkeld flood investigations.

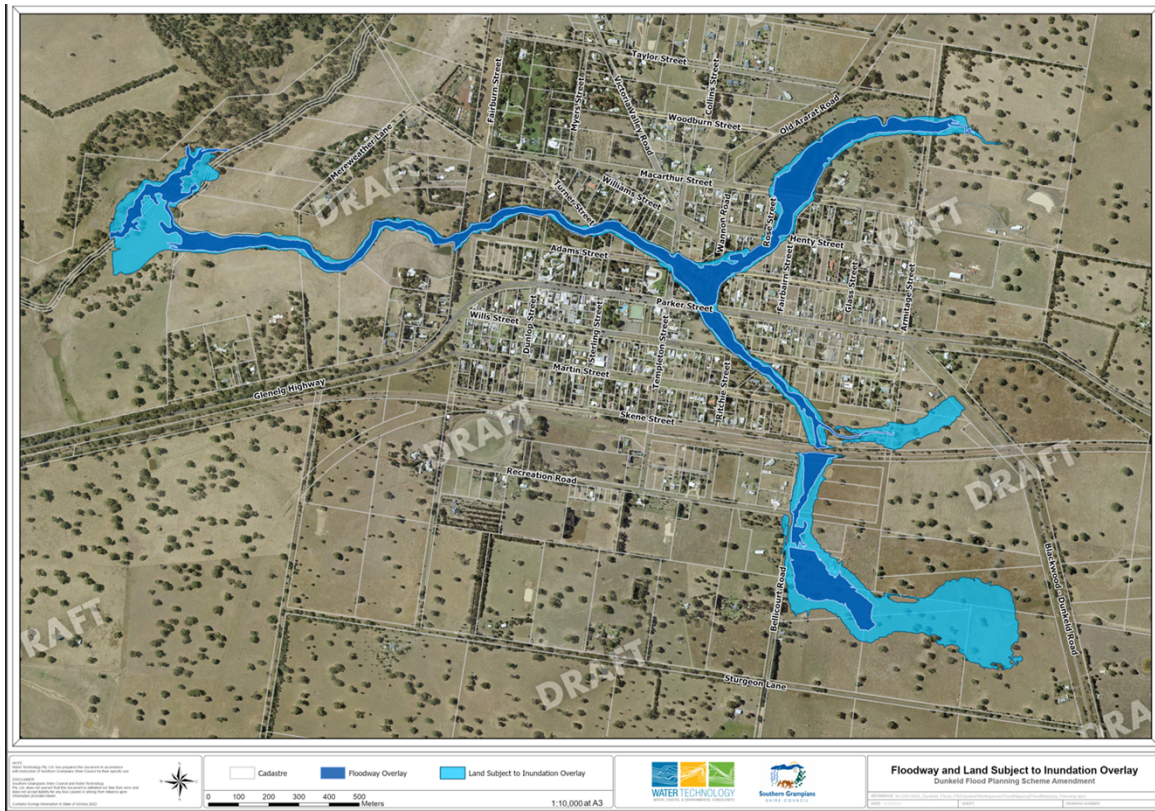


Figure 1: Dunkeld Draft Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO)

**Balmoral Flood Investigation**

(Glenelg River Regional Flood Investigation 2014)

The Department of Environment and Primary Industries (DEPI, renamed to DECCA) commissioned Water Technology in 2014 to investigate a regional flood mapping methodology for the Glenelg River from Rocklands to Casterton (attachment 1). The project developed hydrologic and hydraulic models of the catchment and river floodplain and produced flood mapping outputs including Balmoral town. A combined approach to hydrology was adopted for this study. Numerous streamflow gauges were available along the modelled reach; these were used to undertake Flood Frequency Analysis for design peak flows.

The LSIO and FO layers have been prepared in accordance with Glenelg Hopkins Catchment Management Authority guidelines. Both LSIO and FO layers are created from the 1% AEP flood extent for Balmoral town. The final proposed mapping changes reflected the more precise methodology employed by the flood consultants as part of this project, as well as the catchment wide assessment. Flooding remains a significant risk which must be managed through the application of planning controls.

There are 45 properties included in the floodway overlay and 47 properties in the land subject to inundation overlay for the Balmoral flood investigations.

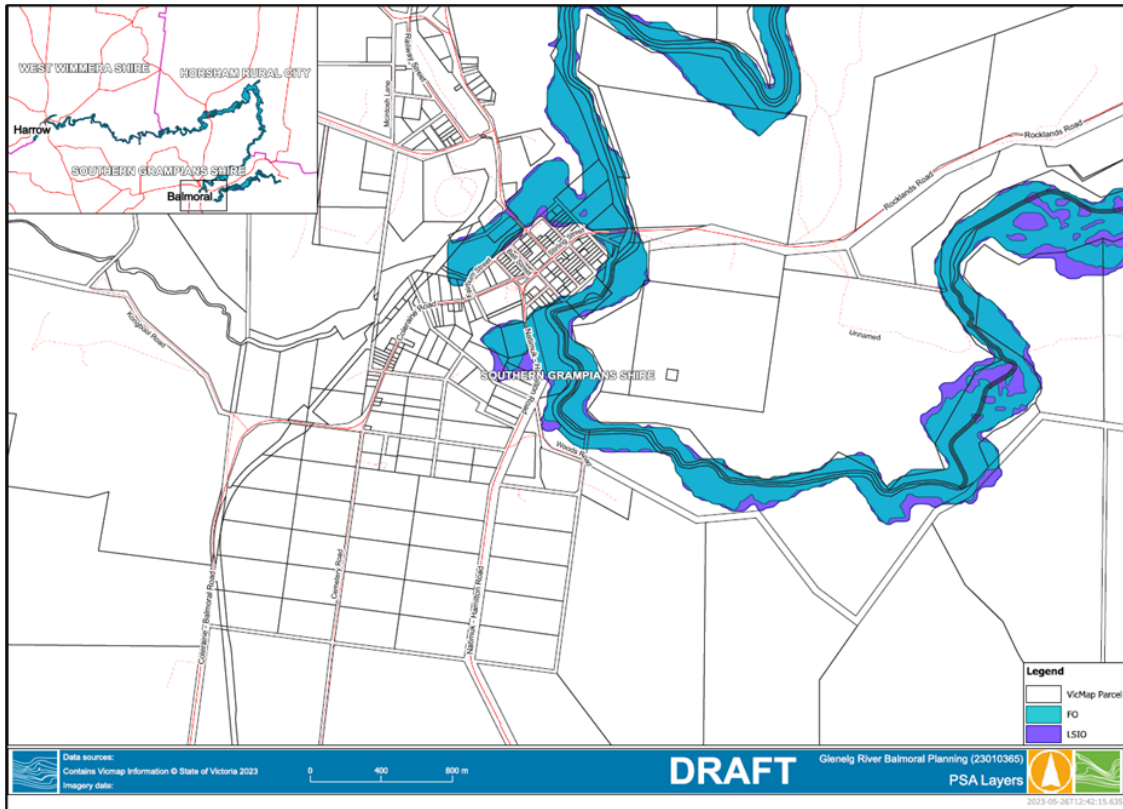


Figure 2: Balmoral Draft Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO)

## Financial and Resource Implications

### Dunkeld Flood Investigation

For the Dunkeld Flood Investigation, Council secured funding from the Department of Industry, Science, Energy and Resources (DISER) to conduct flood investigations for long term resilience to flooding hazard for Dunkeld.

- Dunkeld flood investigation prepared for SGSC by Water Tech consultants with GHCMA as project advisors.
- Joint Funding – DISER Grant (Federal) \$251,000 and SGSC \$6,500 (\$257,500) for Coleraine Levee Design and Dunkeld Flood Amendment.
- Dunkeld Amendment component - \$70,000 out of \$257,500.
- Eight weeks of officers' time spent finalising the flood investigation.

### Balmoral Flood Investigation

For Balmoral Flood Investigation Council secured funding from the National Disaster Resilience Grants Scheme for the adoption of the Glenelg River Regional Flood Investigation (2014) & Balmoral Flood Risk Mapping and Planning Scheme Amendment.

- Balmoral flood investigation prepared for SGSC by Water Tech consultants with GHCMA as project advisors.

- Funded under RRGF Grant for \$35,000 where SGSC in-kind contribution is \$5,000.
- Six weeks of officers' time spent finalising the flood investigation.

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

### **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.

### **Protect Our Natural Environment**

4.4 Mitigate against and adapt to climate change

4.4.2 Increase capability for emergency preparedness, responsiveness and capacity to recover.

## **Legislation**

The application of the *Planning and Environment Act 1987* relies on data from this investigation to apply flood overlays into the planning scheme.

## **Gender Equality Act 2020**

There are no direct implications to the Gender Equality Act 2020 in preparing and exhibiting this Development Plan.

## **Risk Management**

Introducing the planning scheme amendment provides surety for landowners where developers are informed of flood overlay implications as early as possible in the development approval process.

Council has an obligation to the community to ensure that its planning controls accurately reflect risk. If Council does not pursue the mapping update, it could result in risks for Council and the community. These risks could be:

1. The prospective buyers could buy land that they later learn has limited development potential
2. Incorrect perception of reduced development potential
3. Develop their land which is subject to flooding.

The introduction of flood overlay information in the planning scheme reduces Council's vulnerability to legal risk exposure. In practical terms, the risk is that if Council issues planning permits devoid of flood data that cannot be prosecuted in the building phase due to the late input of flood information. In essence the planning permit process is flawed where the known flooding risk cannot be considered. This risk has been noted in other councils and has led to protracted and expensive litigation.

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

Implementing the planning scheme amendment as recommended will contribute to improved sustainability of future development by avoiding unnecessary increases in flood related damage to private and public property.

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

The community will be consulted for the amendment and their comments will be incorporated into the flood investigations.

Both amendments will be placed on formal public exhibition process and will be advertised in the local newspaper and on Council's website. All affected landowners will be directly notified in writing.

Council officers will also prepare fact sheets to help explain the flood controls in the towns as part of the 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  
Andrew Neild, Planning Coordinator  
Parvesh Siroha, Senior Strategic Planner

## **RECOMMENDATION**

That Council:

1. Adopt the Dunkeld & Balmoral flood investigations for the purposes of introducing the flood risk mapping to the Southern Grampians Planning Scheme for Dunkeld and Balmoral town.
2. Requests the Minister for Planning to authorise Council to prepare and exhibit Planning Scheme Amendments;
3. Upon receipt of authorisation, prepare and exhibit the Amendments for Dunkeld (C61sgra) and Balmoral (C62sgra).
4. Officers develop a fact sheet containing specific information on what changes are being made to the Dunkeld and Balmoral flood controls as part of the exhibition process.

## 12.4 Declaration of partial road closure - Market Place

<b>Directorate:</b>	Infrastructure and Sustainability
<b>Report Approver:</b>	Juan Donis, A/Director Infrastructure and Sustainability
<b>Report Author:</b>	Bill Scott, Manager Project Management Office
<b>Attachment(s):</b>	<ol style="list-style-type: none"><li>1. Attachment 1_-_ Design Impact into Road Reserve [12.4.1 - 1 page]</li><li>2. Attachment 2_-_ Title plan_-_ Market Place Partial Closure [12.4.2 - 1 page]</li></ol>

### Executive Summary

As previously presented, the Melville Oval Redevelopment Project includes the construction of two netball courts, a new pavilion comprising a function room, netball changerooms, officials and first-aid rooms, improvements to the Grandstand facilities and redevelopment of the ground floor to incorporate new club changerooms, officials, umpire's rooms and canteen. The location of the new netball courts and the new pavilion buildings will be sited on a part of the existing road reserve known as Market Place, Hamilton.

To achieve this, Council previously declared its intention to close a section of the road reserve as shown on the plan attached in the hatched area (Attachment 2) to facilitate project construction.

Council has now completed the legal requirement of publicly advertising the proposal and inviting submissions from the public in accordance with the statutory requirements. No submissions were received, as such they will not need to be considered by Council and no Hearing of Submissions meeting is required. This report recommends a resolution to declare the discontinuance of the road for the purposes of the project delivery.

### Discussion

Council has received federal government funding to deliver the Melville Oval Redevelopment Project. This project is a key deliverable identified in the Hamilton CBD Master Plan. The new pavilion and netball courts will encroach into Market Place, subsequently a partial road discontinuance is required to facilitate the inclusion of these facilities within Melville Reserve. This partial road discontinuance is required as the infrastructure that is being constructed has no connection with the nature of a road reserve and should not be constructed on one.

The process that Council must follow, as set out in the *Local Government Act 1989*, stipulates Council must first consider whether to discontinue part of the road. In accordance with the previous report where Council declared its intention for the closure, public notices were given of the proposed intentions, calling for submissions this submission period has now closed. No submissions or objections to the proposed partial closure were made in response to the public notice. Council may now resolve to discontinue the road, it must then publish a notice of the discontinuance in the Victorian Government Gazette.

The road, known as Market Place:



- A) Crown land known to title as a government road
- B) Partly constructed as part of a public footpath from concrete including a kerb abutting the balance of Market Place, and is
- C) Partly covered with grass.

As the road is known to be titled as a road it is therefore a road; for the purpose of the Local Government Act 1989. Council has the power to discontinuing the road. As the Road is a government road on Crown land, if the road is discontinued, the road will vest in the Crown.

The road abuts the land contained in Crown Folio volume 11798 folio 023 (Adjoining Land - Melville Oval) which is:

- 1. The land contained in Crown Allotment 1 Section 54A Township of Hamilton Parish of Hamilton North
- 2. Temporarily reserved for public recreation purposes
- 3. Administered by Council as Crown land administrator.

Council may now resolve to discontinue the road, the Department of Energy, Environment and Climate Action (DEECA) have been contacted and are supportive of, on behalf of the Crown, to:

- 1. temporarily reserve the discontinued road for the same purpose as the adjoining land, and
- 2. appoint Council as Crown land administrator of the discontinued road.

The proposed discontinuance has been released and was open to a full community consultation process prior to the development of this report and the associated resolution.

### **Financial and Resource Implications**

The costs associated with this road discontinuance process are included in the project budget and primarily relate to officer time and advertising costs.

### **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.

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

1.3 Grow a diverse and inclusive community

1.3.4 Provide, promote and support appropriate and accessible services, facilities and activities for younger residents.

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

2.2 Increase our regional profile

2.2.4 Develop strategies that not only attract visitors but encourage them to consider living, learning or investing in the Shire and grow the Visitor Economy.

### ***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.

3.1.4 Strategically plan a sustainable long-term capital program with identification of funding and partnership opportunities.

### ***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**

This proposal is in accordance with the *Local Government Act 1989*.

## **Gender Equality Act 2020**

The Melville Redevelopment Project includes improved facilities for female participation specifically in netball and provides opportunity for future female participation in Australian Rules Football.

## **Risk Management**

The discontinuance of the road reserve aligns with Council's risk framework specifically relating to the requirements of the project works. If Council were to decide not to proceed with the discontinuance, Council would expose itself to financial, reputation and legal risks, due to the associated project funding agreements which define agreed deliverables and timelines.

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

While there are no environmental or sustainability considerations arising from the road discontinuance, there are various environmental and sustainability considerations and outcomes within the project design and construction.

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

Before proceeding with the discontinuance, Council gave notice of the proposal in accordance with Section 223 of the Local Government Act 1989, which provides that a person, within 28 days of the date of the public notice, lodge a written submission regarding the proposal.

No submission written or otherwise were received by Council in the allotted timeframe or up to the current point in time.

### **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 McGann - Project Manager – (Contractor)  
Bill Scott – Manager Project Management Office  
Juan Donis – Acting Director Infrastructure & Sustainability

## **RECOMMENDATION**

That Council, acting under clause 3 of Schedule 10 of the *Local Government Act 1989*:

1. Resolves that the required statutory procedures have been completed to discontinue part of the government road known as Market Place, Hamilton, being the land shown hatched in the Plan attached to this report as Attachment 2 (Road):
2. Directs that, under clause 3 of schedule 10 of the Act, Council officers issue notice of the discontinuance published in the Government Gazette;
3. Resolves that the Gazette notice should be issued and state that the Road is now discontinued, and Council has proposed that the Crown amend the Crown land reservation of the adjoining land to include the discontinued road, in order to facilitate the development of the Melville Oval Facilities upgrade.

## 12.5 Hamilton Electric Vehicle Charging Station – Community Consultation Results

**Directorate:** Chief Executive Office  
**Report Approver:** Tony Doyle, Chief Executive Officer  
**Report Author:** Juan Donis, Sustainable Community Lead  
**Attachment(s):** Nil

### Executive Summary

As part of the Destination Charging Across Victoria state government program, Council was allocated two EVIE Networks Electric Vehicle Charging Stations; one in Dunkeld and one in Hamilton. In April 2023 the EVIE Networks electric vehicle charging station was installed in Hamilton, to the east of the Beersheba Memorial Park and directly west of the Hamilton Uniting Church. Following installation, Council received a request from Hamilton RSL to relocate the station.

Based on this request a motion was presented at the 21 June 2023 Council Meeting. At this meeting, Council resolved to:

1. Conduct community engagement to develop a suitable position for the EV Charger
2. Based on that consultation the EV Charger could be removed from its current location at the Sam Fitzpatrick Gardens
3. Following consultation a report is to come back to Council
4. The final decision on the location of the EV Charger come back to a council meeting to be considered.

A survey was conducted by Council to determine the community's preferred location for the EV Charger. Council asked the community for feedback on the three proposed locations, including the current site for the permanent placement of the EV charger in Hamilton.

The purpose of this report is to provide Council with details of relocation options and outcomes of Community opinion gathered via a survey conducted between 17 August 2023 and 30 August 2023.

### Discussion

EVIE Networks have assessed the Hamilton CBD for further potential locations. A number of sites were considered and dismissed due to road safety concerns, private land ownership or accessibility.

Listed below are the three options identified and approved as suitable by both EVIE Networks and Council. The community was asked to consider all three options and to vote for which location they believed to be the most appropriate location for the EV Charger.

**Option 1:** Hamilton Place (Behind the Visitor Information Centre)

**Option 2:** Thompson Street (opposite Shell Service Station)

**Option 3:** Retain current location (east of the Beersheba Memorial Park, directly west of the Hamilton Uniting Church and include screening through landscaping).

Community opinion was gathered via a survey conducted between 17 August 2023 and 30 August 2023. The survey was promoted via local print and radio news, Council's regular advertising spaces (print and radio) and Council's social media platforms (shared by third parties, e.g., Hamilton Regional Business Association and Hamilton RSL).

There was a total of 383 survey respondents (363 online, 20 hard copy). A summary of the survey results is below;

**Option 1 – Hamilton Place (Behind the Visitor Information Centre)**

270 voted yes.

Key comments:

- Safer and roomier site.
- Won't interfere with businesses or traffic thoroughfare.
- Easy for drivers to access/find.
- Most people look for an EV charger at a visitor information centre.
- Encourages more visitation to the Visitor Information Centre.
- Walking distance to public facilities and shops – lots to do whilst waiting.
- Close to Melville Oval for those attending sport.
- Quiet and shaded area.
- Enough room for another charger to be placed there in the future.

71 voted no.

Key comments:

- No 24-hour food/coffee close by.
- Would result in less parking for customers and workers from nearby businesses.
- Concerns about vandalism as the area is out of general view.

**OPTION 2 – THOMPSON STREET**

37 voted yes.

Key comment:

- Close to fuel, food and refreshment outlets that would appreciate the customers.

247 voted no

Key comments:

- The location is on a high traffic, major road.
- Would interrupt traffic flow.
- Dangerous at school pick up time.
- No food outlets/too far from CBD
- Trucks currently park in the location.
- General parking is often taken up by Melville Oval users and hotel patrons.

**OPTION 3 – CURRENT LOCATION**

88 voted yes.

Key comments:

- Common area for visitors to park already.
- EV charger can be easily found.
- Highlights the location of our war memorial and encourages visitation to CBD attractions.
- Close to amenities whilst waiting for the car to charge.
- Electric cars are clean and quiet and less 'disrespectful' than some of the cars and trucks that already park there.
- Money has already been spent – leave it there.

213 voted no

Key comments:

- Too close to memorials and busy church.
- Too much traffic.
- No room for larger vehicles or towing vehicles to park and charge.
- If it stays, don't plant a screen - EV chargers should be clearly visible.

**Financial and Resource Implications**

Council received this charging station free of charge as it was allocated through the state government program Destination Charging Across Victoria.

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

The installation of the electric vehicle charging stations is consistent with Council's commitment to sustainability.

***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.

***Protect Our Natural Environment***

#### 4.3 Sustainable waste management services

4.3.3 Investigate, support and advocate for opportunities in renewable energy sources and re-use of waste streams.

#### **Legislation**

As Victoria strives for a 2020 target for half of all new light vehicle sales to be zero emissions, Victorians will need greater access to charging equipment, including public and private chargers.

#### **Gender Equality Act 2020**

A gender equity assessment was not necessary for this report.

#### **Risk Management**

Risks have been taken into consideration for the consideration of alternative sites for the electric vehicle charging station including road safety and access.

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

The provision of public electric vehicle charging stations within Southern Grampians is consistent with Councils commitment to sustainability.

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

Community consultation was undertaken as outlined under the Executive Summary heading with the outcomes reported on and summarised under the Discussion heading.

#### **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.

Juan Donis, Acting Director Infrastructure and Sustainability  
Jane Coshutt, Acting Manager Communications and Engagement

### **RECOMMENDATION**

That Council:

1. Note the outcome of the community consultation
2. Determine the location of the EV Charger be (state location)

## 12.6 Contract 59-23 Long Term Plant Hire

**Directorate:** Infrastructure and Sustainability  
**Report Approver:** Juan Donis, Acting Director Infrastructure & Sustainability  
**Report Author:** Brett Holmes, Manager Works  
**Attachment(s):** Nil

### Executive Summary

Council's 2023/2024 Capital and Maintenance Works programs are an integral part of ensuring an effective and efficient service delivery to renew Council's assets parallel to Council's Long Term Financial Plan.

Council's Works Department currently operates a range of plant within the fleet that are integral to our road construction and maintenance works programs throughout the Shire.

Long-Term Plant Hire is required to deliver this service and historically Council has identified plant to be hired to support works delivery for a predetermined period to cover seasonal works.

This tender is for 1 x 12-month period of various plant items. The tender was advertised as separable portions giving Council the option of awarding based on the preferred items available from each supplier.

Council seeks to hire for a period of no more than 52 weeks (less time for some items). Tenders were publicly advertised on 16 June 2023 for the 059-23 Long Term Plant Hire for the following items:

- 3 x Smooth Drum Rollers
- 1 x Twin Drum Roller
- 1 x Pad Foot Roller
- 3 x Multi Wheel Rollers
- 1 x Ride on Footpath Scrubber
- 3 x Rigid Water Tankers
- 1 x Truck Mounted Aggregate Loader/Trommel
- 1 x Tipper Truck with Remote Aggregate Spreader Box
- 1 x Haulage Tipping Truck & Trailer
- 1 x Skid Steer Loader
- 1 x Bitumen Sprayer Truck
- 1 x Compact Street Sweeper

13 tender submissions were received and evaluated based on;

Tendered Price - 40%

Fit for Purpose of Submitted Units - 25%

Breakdown & Maintenance and Time Commitments - 25%



Environmental - 10%

The recommendation is to award Tender No. 059-23 to the following for the GST inclusive prices of-

- a) ConPlant Pty Ltd - \$67,800.00
- b) Nigmel Pty Ltd t/a Hamilton Bobcat - \$417,724.00
- c) Proquip Rental and Sales - \$50,240.00
- d) Sherrin Rentals - \$5,400.00

Total Value - \$541,164.0

### **Discussion**

Throughout the peak season of work, Council utilises the benefits of hiring various plant items to complement our existing fleet.

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

Smooth Drum, Pad Foot, and Multi-Wheel rollers are staple plant items required to complete the associated works undertaken by Council.

Water Trucks and their spraying functionality provide a key operation in the delivery of road construction and maintenance works. Their capacity of between 12,000ltrs - 14,000ltrs and being rigid drive allows for ease of site operation and less lead time sourcing water from various predetermined fill points. The water trucks are often utilised in conjunction with the CFA during emergency situations and are fitted with the required couplings to assist with the transfer of water.

The Haulage Truck and Trailer will provide top up material carting of roadmaking material and aggregate for sealing works. The Skid Steer Loader is a key item of plant utilised at the Hamilton Livestock Exchange for various maintenance works within the pens and surrounding grounds.

Consultation was conducted with the Team Leader Construction and Planning Works, Manager Works, Manager Livestock Exchange, Logistics Co-Ordinator together with the guidance from the Council's Procurement Officer.

The following 13 tender submissions were received:

- BILD Infrastructure (Bitu-Mill)
- East West Grab Hire (EWGH)
- Tutt Bryant Hire Pty Ltd (Tutt Bryant)
- Proquip Rental & Sales Operations Pty Lt
- Nigmel Pty Ltd (Hamilton Bobcat Contracting)

- ConPlant Pty Ltd (ConPlant)
- William Adams Pty Ltd
- Sherrin Rentals Pty Ltd
- Brooks Hire Service Pty Ltd (Brooks)
- Porter Hire Pty Ltd
- OnTrak Rentals Pty Ltd (OnTrak)
- Coates Hire Operations Pty Ltd (Coates)
- Luxton Plant Hire

The evaluation of the tenders included consideration of the fit for purpose of submitted units and compliant submissions were evaluated based on the age and hours/kilometers of offered machines. Maintenance and breakdown response and commitments were evaluated based on response times to issues and subsequent attendance on-site to perform both routine maintenance and emergency repairs.

Consideration was also given to the replacement policy of machines if major repairs were required, resulting in stand-down of machines. Environmental considerations were also evaluated using the supplied Euro Rating of each machine.

### **Financial and Resource Implications**

Council adopted the 2023/2024 Capitals Works Program which includes civil renewal and maintenance programs to which the dry hire of water trucks, smooth drum, pad foot and multi wheel rollers, tipper and haulage trucks skid steer are required. The hire costs are managed within the specific program budgets. The following construction programs will absorb most of these costs;

- Road Rehabilitation Program total budget allocation for 2023/2024: \$2,738,000;
- Gravel Re-Sheet Projects: \$594,000;
- Urban and Rural Sealing Projects: \$2,500,000;

Some of the hired fleet will also be costed against specific capital projects and other maintenance programs.

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

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

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

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

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**

Procurement section 186 of the *Local Government Act 2020* is linked to Council's Procurement Policy.

### **Gender Equality Act 2020**

There are no Gender Equity implications for this Tender.

### **Risk Management**

All vehicles are delivered with a current plant risk assessment. Once handed over Council's pre-start check process is part of the plant's daily requirements. Council works with the successful tenderers regarding on-going maintenance requirements in or to mitigate the risk of breakdowns.

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

One of the key aspects of the evaluation process was reference to the Euro Rating of each individual plant item, which reports the results of tests carried out by vehicle makers to simulate the levels of harmful emissions produced in certain driving conditions. The panel evaluated the submitted Euro Ratings during the process and considered fit-for-purpose fleet items that addressed environmental and sustainability impacts. Tenderers were required to supply data confirming the amount emissions from specific heavy plant.

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

Public notice was given of the tender in accordance with the Local Government Act 2020 and the tender process complied with Council's Procurement Policy.

Tenderers will be notified by the Procurements Officer of the decision made by Council at its meeting on 13 September 2023.

### **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.

John Pierce – Team Leader Construction and Planning;  
Quenton Overton – Central Sector Supervisor;  
Trevor Haley – Works Business Partner;  
Janelle Dahlenburg – Senior Procurement Officer

**RECOMMENDATION**

That Council:

1. Award contract 059-23 to the following for the GST inclusive prices of:
  - a) Complant Pty Ltd - \$67,800.00
  - b) Nigmel Pty Ltd t/a Hamilton Bobcat - \$417,724.00
  - c) ProEquipment Rental and Sales - \$50,240.00
  - d) Sherrin Rentals - \$5,400.00For a total value of \$541,164.00.
2. Delegate to the Chief Executive Officer the power to sign and seal the contract documents when prepared.

## 12.7 Christmas Holiday Closure - Council Offices

**Directorate:** People and Performance  
**Report Approver:** Darren Barber (Director People and Performance)  
**Report Author:** Tahlia Homes (Manager, People and Culture)  
**Attachment(s):** Nil

### Executive Summary

Council can elect to close workplaces during the period between Christmas and New Year. It is recommended that Council workplaces close for the Christmas/New Year break from 1:00pm on Friday 22 December 2023 and reopen 8:30am on Tuesday 2 January 2024.

### Discussion

Council's current Enterprise Bargaining Agreement states that if Council decides to close workplaces over the period between Christmas and New Year at least one month's notice must be provided to staff. Staff can then elect to take leave over this time, or work on the non-public holiday days with permission from their manager.

Having the Christmas/New Year break from 1:00pm on Friday 22 December until Tuesday 2 January means that staff who elect to take this time off are required to take leave for this period using leave as agreed with their direct supervisor. The other three days of closure are public holidays.

Some services will continue to operate during the Christmas/New Year period including:

- Council's after hours service
- HILAC
- lifeguards
- transfer stations
- art gallery
- Hamilton and Grampians Visitor Information Centre
- library
- livestock exchange

### Financial and Resource Implications

Services required to operate during this time will have rostered staff to meet any demands over this period.

There are no financial implications during this time as salaries are budgeted for.

The office closure supports staff utilising their leave entitlements to minimise any outstanding staff leave balances.

### 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.

### **Legislation**

The recommendations in this Report are in accordance with Council's Enterprise Bargaining Agreement.

### **Gender Equality Act 2020**

There are no Gender Equality Act 2020 implications.

### **Risk Management**

Not applicable.

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

Not applicable.

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

Staff will be notified via email, teams and details will also be published in the Exchange Newsletter.

The community will be notified via Facebook posts, the Spectator and notices will be communicated by appropriate offices and service providers.

### **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.

Please list all officers who were involved in providing advice or approving this Report.

Tahlia Homes – Manager People and Culture

Darren Barber – Director People and Performance

## **RECOMMENDATION**

That Council approves the Christmas Holiday Closure of Council's Offices from 1:00pm on Friday 22 December 2023 and reopening on Tuesday 2 January 2024 at 8:30am

## 12.8 Planning Committee Minutes - 3 July 2023

**Directorate:** Wellbeing, Planning and Regulation  
**Report Approver:** Rory Neeson (Director Wellbeing, Planning and Regulation)  
**Report Author:** Sharon Clutterbuck (Executive Assistant to Director Wellbeing, Planning and Regulation)  
**Attachment(s):** 1. Planning Committee - Minutes - 3 July 2023 [12.8.1 - 9 pages]

### Executive Summary

The Minutes from the Planning Committee meeting held on 3 July 2023 and endorsed by members of the Committee are presented to Council for information.

### Discussion

This committee was established as a Delegated Committee of Council on 12 August 2020 in accordance with Section 64 of the *Local Government Act 2020*

Matters for consideration at a Planning Committee:

- All planning permits valued between \$1million and \$5million (or less if the officer is recommending refusal)
- All planning permits that receive between three and five objections
- All applications where the officer is recommending refusal.
- Power to decide to grant an amendment to a planning permit if the value of the original development exceeds \$1 million or if three or more objections were received, or if the officer is recommending refusal.
- All planning permits made pursuant to Section 97C of the Planning and Environment Act 1987 to request the Minister to decide the application.
- All planning scheme amendment under section s.8A(7) of the Planning and Environment Act 1987 to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 days.
- All planning scheme amendments that clarify or correct mistakes in the planning Scheme (applied for under Section 20(4) of the Planning and Environment Act 1987.
- Whether applications should be referred to the full Council for a decision.

### Financial and Resource Implications

Preparation of reports, agenda and minutes of the Planning Committee Meeting utilises council resources. Council officers present reports and provide information to the committee.

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

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

2.4 Support local business and industry

2.4.2 Support and facilitate business development and growth initiatives.

2.4.3 Streamline services to reduce red tape in approval process.

## Legislation

The Planning and Environment Act 1987 provides that certain local government authority responsibility and functions can be delegated to Committees of Council or Council Officers

## Gender Equality Act 2020

There are no gender equality implications

## Risk Management

Not applicable

## 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 on 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

A copy of the Minutes are available on Council's website.

## Disclosure of Interests

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

Sharon Clutterbuck, Executive Assistant, Director Wellbeing, Planning and Regulation  
Rory Neeson, Director Wellbeing, Planning and Regulation

## RECOMMENDATION

That Council receive the minutes of the Planning Committee meeting held on 3 July 2023.



## 12.9 Extension of Due Date for Payment of Rates

<b>Directorate:</b>	People and Performance
<b>Report Approver:</b>	Darren Barber, Director People and Performance
<b>Report Author:</b>	Belinda Johnson, Manager Finance
<b>Presenter(s):</b>	Belinda Johnson, Manager Finance
<b>Attachment(s):</b>	Nil

### Executive Summary

Councils are required to issue rates notices which contain details about the ratepayers property and the dates when payments are due. These details include the property's legal descriptions, the valuation, rates and charges, payment options and methods of objection.

This year, Council has experienced some processing delays and therefore rates notices will be issued later than usual.

Council can extend the due date to Friday 13 October 2023 (currently 2 October 2023) for either the first instalment or payment in full (with discount).

### Discussion

The *Local Government Act 1989* sets out that a Council must allow a person to pay a rate or charge (other than a special rate or charge) in four (4) instalments. An instalment is due and payable on the date fixed by the Minister by notice published in the Government Gazette.

A Council may allow a person to pay a rate or charge in a lump sum. If allowed, a lump sum payment of general rates, municipal charges and service rates or service charges is due and payable on the date fixed by the Minister by notice published in the Government Gazette.

Where this date falls on a weekend or public holiday, some councils allow payment on the next business day.

The due date for rates were set by the Minister for Local Government in 1998 and are as follows:

#### Four Instalments:

30 September,  
30 November,  
28 February, and  
31 May.

#### Payment in Full (Optional)

15 February

Councils are required to send an annual notice at least 14 days before the due date the first payment is due, and if rates are being paid by instalments, reminder notices must also be sent 14 days before the due dates of the second, third and fourth instalments.

Section 168 of the *Local Government Act 1989* allows for incentives for prompt payment and states that at the meeting when Council declares any rates and charges, the Council may declare that incentives are to be given by it for the payment of those rates and charges before the due date and must include in the declaration details the circumstances in which an incentive will be given and a notice requiring payment of a rate or charge must specify any incentives.

On 21 June 2023, Council adopted its budget for 2023/24.

The budget included the declaration of rates and charges as well as the offering, as an incentive for prompt payment, a discount of two per cent in accordance with Section 168 of the *Local Government Act 1989* where all four instalments of rates and charges declared for the current year (less the discount) are paid on or before 30 September 2023, excluding any arrears of rates and charges outstanding from previous years.

Payment of rates can be by four instalments made on or before the following dates:

Instalment 1 – 2 October 2023; (first business day after 30 September 2023)  
Instalment 2 – 30 November 2023;  
Instalment 3 – 28 February 2024; and  
Instalment 4 – 31 May 2024.

Generally, this Council has been in the practice of sending rates notices out either late in the month before or within the first few days of the month in which the rates/instalment is due – despite only being required to give 14 days notice.

Due to processing delays associated with the production and distribution of the notices due for payment at the end of September, it is proposed to extend the due date of the 1<sup>st</sup> instalment or the payment in full (with discount) to Friday 13 October 2023 to compensate for the later than usual distribution.

### **Financial and Resource Implications**

Council is required to implement the principles of sound financial management detailed in Section 136 of the *Local Government Act 2020*.

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

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

5.1 Transparent and accountable governance

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

## Legislation

*Local Government Act 1989* – Section 158 – Declaration of Rates and Charges

*Local Government Act 1989* – Section 167 – Payment of Rates and Charges

*Local Government Act 1989* – Section 168 – Incentives for Prompt Payment

## Gender Equality Act 2020

Not Applicable.

## Risk Management

There is no significant risk in extending the due date for the first instalment of payment in full with discount.

## Climate Change, Environmental and Sustainability Considerations

Not applicable.

## Community Engagement, Communication and Consultation

Council has not carried out direct consultation regarding this matter, it believes that extending the payment due date is in line with ensuring the community has the best possible options available for making an informed choice as whether to pay by instalments or in full and giving them a reasonable time to pay in excess of the mandatory 14 day requirement in the Act.

The information will be communicated to ratepayers following the decision.

## 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.

Belinda Johnson, Manager Finance

Darren Barber, Director People and Performance

## RECOMMENDATION

That Council extend the due date for either the first instalment or payment in full (with 2% early payment incentive discount) from Monday 2 October 2023 to Friday 13 October 2023 and communicate this decision to the public as soon as practicable.

## 13 Notices of Motion

There are no Notices of Motion listed on tonight's agenda.

## 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

### RECOMMENDATION

That the following items be considered in Closed Council as specified in section 66(2)(a) and referenced in section 3(1), (a) council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

## **17 Close of Meeting**

This concludes the business of the meeting.