



Southern Grampians
SHIRE COUNCIL

Council Meeting Agenda

Council Meeting
9 February 2022

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

TABLE OF CONTENTS

1. Membership	3
2. Welcome and Acknowledgement of Country	3
3. Prayer	3
4. Apologies	3
5. Confirmation of Minutes	4
6. Declaration of Interest	4
7. Questions on Notice	5
8. Public Deputations	6
9. Informal Meetings of Councillors	7
10. Management Reports	14
10.1 Community Investment Plan	14
10.2 Children's Garden and Community Precinct Hamilton Botanical Garden Design ..	17
10.3 Hamilton Regional Livestock Exchange – Terms of Reference and Membership Approval	25
10.4 Development Car Parking Contributions – Disbursement.....	28
10.5 Finance Reports	31
11. Notices of Motion.....	33
11.1 Notice of Motion #1/22	33
11.2 Notice of Motion #2/22	35
12. Delegated Reports	37
13. Mayors and Councillors Reports.....	38
14. Confidential Matters.....	39
15. Close of Meeting	40

1. Membership

Councillors

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

Officers

Mr Tony Doyle, Chief Executive Officer
Ms Evelyn Arnold, Director Community and Corporate Services
Ms Marg Scanlon, Director Infrastructure
Mr Andrew Goodsell, Director Planning and Development

2. Welcome and Acknowledgement of Country

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

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

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

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

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

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

3. Prayer

Cr Rainsford will lead the meeting in a prayer.

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

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

4. Apologies

5. Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Council Meeting held on 8 December 2021 be confirmed as a correct record of business transacted.

That the Minutes of the Unscheduled Meeting held on 15 December 2021 be confirmed as a correct record of business transacted.

6. Declaration of Interest

7. Questions on Notice

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

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

Questions must:

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

If the member of the public 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.

8. Public Deputations

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

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

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

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

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

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

9. Informal Meetings of Councillors

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

If there is a meeting of Councillors that:

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

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

An Informal Meeting of Councillors record was kept for:

- Briefing Session – 1 December 2021
- Briefing Session – 8 December 2021
- Briefing Session – 15 December 2021
- Briefing Session – 27 January 2022

This agenda was prepared on 9 February 2022. Any Informal Meeting of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Ordinary Meeting of Council.

Southern Grampians Shire Council

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	1 December 2021
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Marg Scanlon, Director Infrastructure Andrew Goodsell, Director Planning and Development Kylie McIntyre, Acting Team Leader Aerodrome, Waste and Sustainability Hugh Koch, Manager Economic Development and Tourism Amy Knight, Manager Cultural Arts Daryl Adamson, Manager Shire Strategy and Regulation Sherie Bain, Regulatory Services Coordinator

The Informal Meeting commenced at 1:30pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Sustainability Strategy	Nil
2	Port Fairy and Portland Road Gateways	Nil
3	Arts and Culture Strategy	Nil
4	Natural Assets Discussion Paper	Nil

The Informal Meeting concluded at 5:00pm.

Southern Grampians Shire Council
 Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	8 December 2021
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Marg Scanlon, Director Infrastructure Andrew Goodsell, Director Planning and Development Tahlia Homes, Acting Manager Organisational Development Karly Saunders, Governance Coordinator Daryl Adamson, Manager Shire Strategy and Regulation Parvesh Siroha, Senior Strategic Planner Susannah Milne, Manager Community and Leisure Services Roger Rook, Coordinator Leisure Facilities Belinda Johnson, Manager Finance Hugh Koch, Manager Economic Development and Tourism Jason Cay, Acting Manager Assets
External Presenters	Brian Densem, Chair Audit and Risk Committee

The Informal Meeting commenced at 11:45am.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Matters Raised by Councillors	Nil
2	Audit and Risk Committee Chair Report	Nil
3	Gender Equality Action Plan	Nil
4	HRLX Terms of Reference and Membership Approval	Nil
5	Community Infrastructure Framework	Nil
6	Outdoor Swimming Pool Discussion	Nil
7	Procurement Policy	Nil
8	Regional Tourism Partnerships	Nil
9	Cox Street Water Mains Relocation	Nil

The Informal Meeting concluded at 5:00pm.

Southern Grampians Shire Council
Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	15 December 2021
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Marg Scanlon, Director Infrastructure Andrew Goodsell, Director Planning and Development Russel Bennett, Manager Business Systems
External Presenters	Ben Shoo, One Collective

The Informal Meeting commenced at 1:30pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	90 Lonsdale Street	Nil
2	Cyber Security	Nil
3	Digital Hubs	Nil

The Informal Meeting concluded at 4:40pm.

Southern Grampians Shire Council
Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	27 January 2022
Location:	Virtual via Teams
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Marg Scanlon, Director Infrastructure Andrew Goodsell, Director Planning and Development Susannah Milne, Manager Community and Leisure Services

The Informal Meeting commenced at 11:30am.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor and CEO Meeting	Nil
2	Matters Raised by Councillors	Nil
3	Community Investment Plan	Nil
4	Children's Garden Hamilton Botanic Gardens	Nil
5	Transport Gap Analysis	Nil

6	Lake Hamilton Grangeburn Masterplan Update	Nil
7	HRLX Governance and Future Direction	Nil
8	Register Public Roads	Nil
9	Road Management Plan 2021-2025	Nil

The Informal Meeting concluded at 5:00pm.

10. Management Reports

10.1 Community Investment Plan

Directorate: Tony Doyle, Chief Executive Officer
Author: Tony Doyle, Chief Executive Officer
Attachments: 1. Community Investment Plan

Executive Summary

At its Briefing Session on 29 September 2021, Council considered the projects that would make up its advocacy priorities in the lead up to the next federal and state election periods.

It is important, particularly in the revenue constrained environment created by rate capping, that Council is a very active and strategic advocator to other levels of government. Council has previously produced a booklet entitled "Towards 2030: Advocacy Priorities 2018 – 2030", a document that summaries Council's advocacy requests and is used as collateral when advocating.

Based on the feedback provided by Councillors in the September 2021 Briefing Session, officers prepared a draft of the new version of our advocacy booklet, titled "Community Investment Plan", detailing the projects nominated by Councillors.

The draft of this booklet was reviewed by Councillors at a Briefing on 31 January 2022. It was identified in that Briefing that two additional matters should be included in our advocacy, Key Worker Housing and the Condition of State Roads. Separate advocacy sheets to cover these issues are currently being prepared and will be used in tandem with the Community Investment Plan.

The Draft Community Investment Plan is now presented to Councillors for adoption.

Discussion

The next Victorian state election will be held on 26 November 2022. Under federal parliamentary rules, federal government terms are not fixed, with a window available within which an election can be called. The earliest the federal government could have called an election was 7 August 2021, with the latest date being 21 May 2022. However, there are also number of triggers a government can use to call an earlier election.

Whilst both these election dates are some months away, it is important that we allow a significant lead time to ensure our projects and asks are embedded in government thinking, well ahead of the election dates. Thus, the Mayor and Executive have been actively meeting with representatives of both the state and federal government, ahead of the finalisation of our Community Investment Plan.

Project Choice:

Whilst Council has a significant number of projects it wishes to undertake in the coming years, the projects selected for our Community Investment Plan align with state and federal government policies and are "shovel ready".

The projects are:

- Volcanic Trail Masterplan
- Revitalisation of Hamilton CBD
- Multiuse Trails
- West Grampians Water Pipeline
- Peshurst Sewer Project
- New Hamilton Gallery
- Hamilton Botanic Gardens Playspace
- Hamilton Digital Hub
- Enhanced Bus Regional Services
- Return of Passenger Rail to Hamilton
- Maroona to Portland Rail Line
- Western District Health Service Hamilton Base Hospital Redevelopment
- Hamilton and Coleraine Police Stations Redevelopment.

These projects represent a compelling and exciting vision for the future of Southern Grampians Shire. They will grow our economy, provide economic opportunity, develop tourism, support the health and wellbeing of our community and the Shire's connectedness with other regional centres and Melbourne.

Layout of The Community Investment Plan:

Community Infographics

The majority of the statistics have been selected to indicate and support a need that one or more of our chosen projects addresses. They provide evidence as we discuss the projects with stakeholders.

Introduction from the Mayor

This has been written to identify our strengths that can be leveraged but call out gaps which require investment. The desired overall tone is one of strong partnership with community and other levels of government.

The Projects

Presented in a consistent and easy to read format, detailing:

- Challenge: What is the issue/opportunity we are wanting to address
- Solution: how this issue/opportunity can be addressed
- The Ask: what are we specifically requesting from other levels of government to support the implementation of the solution
- Priorities Addressed: Which government priorities do we believe the project addresses.

The information presented in the Community Investment Plan is designed to be quickly and easily understood, with more detailed project information provided as a follow up to initial discussions.

Financial and Resource Implications

Council's advocacy program is an important activity to fund projects from sources other than rate revenue. This is particularly important post the implementation of rate capping where

Council's capacity to increase rate revenue to fund generational projects is limited. Capital grant funding will enable the delivery of a substantial capital program.

Legislation, Council Plan and Policy Impacts

The funding sought in Council's Community Investment Plan will support the achievement of goals within its Council Plan and support the delivery of Council's Community Vision.

The Council Plan priorities that these projects specifically support are:

Priority 1: Support our Community

Priority 2: Grow our Regional Economy

Priority 3: Maintain and Renew our Infrastructure.

Risk Management

These projects will build a strong future for our community, providing economic growth and opportunity, mitigating risks from populations decline. Individual risk associated with the delivery of each project will be managed through proactive project management plans.

Environmental and Sustainability Considerations

Whilst these projects will be delivered with a strong environmental and sustainability lens, none are direct environmental or sustainability initiatives. Once Council's Sustainability and Climate Change Strategy is complete, we anticipate future editions of the Community Investment Plan will feature projects that directly support sustainability and the environment.

Community Consultation and Communication

Extensive community consultation was undertaken for the development of the Council Plan and Community Vision, from which these projects have been developed.

Disclosure of Interests

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

RECOMMENDATION

That Council adopt the attached Community Investment Plan.

10.2 Children's Garden and Community Precinct Hamilton Botanic Gardens Design

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Susannah Milne, Manager Community & Leisure Services
Attachments: 2. Children's Garden and Community Precinct Landscape Design Report
3. Children's Garden and Community Precinct – Landscape Drawings,
4. Children's Garden and Community Precinct – Selection Schedule,
5. Children's Garden and Community Precinct- Safety In Design Report.

Executive Summary

Southern Grampians Shire Council (Council) received funding from the Department of Environment Land Water and Planning under the 'Growing Victoria's Botanical Gardens grant program' (GVBG) in February 2019 to develop a design, heritage planning and scoping for the Children's Garden and Community Precinct.

The Children's Garden and Community Precinct is a key component of the Hamilton Botanic Gardens Master Plan 2015 (Laidlaw and Laidlaw), that seeks to link the former animal enclosure with the new flight aviary, Curators Cottage and with the remaining gardens.

Outerspace Landscape Architects were appointed to lead a design team to develop a plan that reflected the Master Plan, and combined the ideas and thoughts received from key stakeholders and the community through engagement for a nature based accessible play space for children and families.

The Hamilton Botanic Gardens were designed by William Guilfoyle and are listed by Heritage Victoria as a significant historical site, given Guilfoyle's contribution and the garden's rich cultural and horticultural assets preserved within the gardens valued by the Southern Grampians community and visitors alike.

Council owns and manages the site with the support of Abor cultural and heritage experts and the Friends of the Hamilton Botanic Gardens. Any works of significance such as a new play space must be approved by Heritage Victoria.

This report recommends that Council endorse and adopt the final Children's Garden and Community Precinct Design for the Hamilton Botanic Gardens, which has been designed and developed in accordance with the principles of the Masterplan in consultation with Heritage Victoria.

Discussion

In 2015, Council adopted the Hamilton Botanic Gardens Master Plan prepared by Laidlaw and Laidlaw. The Master Plan makes a series of recommendations to preserve elements of the Guilfoyle design, introduce elements that had not been built from the original design and to introduce new elements that would incorporate disused spaces into the Garden.

The Master Plan identified that the former animal enclosure was the ideal location for the Children's Garden and Community Precinct as it would 'open up this under used area with poor presentation and unsatisfactory relationship to the rest of the gardens'. It suggests that

the space should be nature play with non-equipment play, including water elements, clambering rocks and rock cascade that flows to a natural amphitheatre and lower lawn. The garden design should tie in the depot, cottage and flight aviary into 'the one landscape'.

Council received funding from the Department of Environment Land Water and Planning under the 'Growing Victoria's Botanical Gardens Grant Program' (GVBG) in February 2019 to develop a design, heritage planning and scoping for the Children's Garden and Community Precinct, which would be used as a basis for the heritage permit which would be required by Heritage Victoria. Given the expertise required to prepare such a design, Council sought external expertise through a tender process to respond to a design brief that required the respondent to demonstrate that they could:

1. Be reflective of the Master Plan
2. Be respectful to the Guilfoyle design principles
3. Be inclusive and accessible for all ages and abilities
4. Showcase and demonstrate the zoological historical elements
5. Incorporate the natural, geographical and cultural landscape.

Outerspace Landscape Architects (OSLA) were appointed to lead the design and worked with the following technical experts on the design:

1. WSP Engineering – engineering design
2. Rider Bucknall Quality Surveyors – cost and quantity of materials
3. Plant Agent – specialist planting design and selection
4. Romanis Trinham Collaborations – art and play space design.

Further additional expert assistance was sought from the following people/organisation to contribute to the design:

1. Council Heritage Advisor
2. Friends of the Hamilton Botanic Gardens
3. John Hawker
4. Heritage Victoria
5. Arborsafe
6. Council staff.

The design has been developed in two stages to produce a concept design and a final design. The concept design was formed from the Master Plan recommendations, consultation sessions with key identified stakeholders/staff/Councillors, as well as community engagement which saw over 200 responses received that contributed to the concept design.

The feedback on the developed concept design was sought directly from:

1. Friends of the Hamilton Botanic Gardens
2. Councillors
3. Staff
4. Heritage Advisor
5. Arborsafe
6. Heritage Victoria.

The feedback is summarised in the table below:

Feedback	Respondent	Response	Incorporated into final design
The heritage and high value significant trees in the area need to be retained and protected	Heritage Victoria Heritage Advisor	Aborsafe have provided a report on trees and protection zones – all but one tree (dying) will be retained. A number of moderate and low retention trees will be removed as a part of the overall project.	Design has been amended to ensure elements minimise impact on tree canopies and rootzones. High retention value trees to be retained.
Fire line, cascade and fall – size and colour selection introduced significant hard surface areas with bright colours	Heritage Victoria Heritage Advisor Friends of the Hamilton Botanical Gardens	Agreed that the size and colour increase the dominance of those elements into the design	The size of the design elements has been reduced to the satisfaction of Heritage Victoria
Pathway treatment to main existing pathway – query as to the need to alter and materials used	Heritage Victoria Heritage Advisor	The pathway is critical to the gaining access to the new play space and therefore must meet accessibility elements requirements. Agree colour pallet should be reflective of existing pathway.	Pathway design has been altered to comply but be less intrusive. The materials to be used have been altered to ensure consistent with existing path colours to the satisfaction of Heritage Victoria
Revised location of Kennedy Street entrance	Friends of Hamilton Botanic Gardens Heritage Victoria	Question as why this is different to masterplan – proposed location was not suitable due to height, fall, accessibility and location of services in road reserve.	No alteration required
Curators Cottage – condition status requested and recommendation to ensure Cottage is incorporated into the design – removal of fencing, increase in planting and integration into gardens	Heritage Victoria	Heritage Advisor has completed a report and made recommendations that would permit accessibility issues to be addressed, no major structural issues found. Fence to be removed to allow for the DDA compliant pathway, also achieve the directive for the Cottage and sensory garden to be integrated into the gardens.	Design realised the significance of this asset into the project and the ability for the use of the cottage to complement the design and increase accessibility for general community
Better acknowledgement of the zoological history in the design	Heritage Victoria	Designs play and art elements can be used to reflect the historical element of the garden's zoological displays	Significant sculpture/play and art elements have been used to meet this design requirement to the satisfaction of Heritage Victoria
Material selection and colour pallet not within keeping of the heritage values	Heritage Victoria	Agreed	More muted tones have been incorporated into the design to the satisfaction of Heritage Victoria.
Fence treatments should be more consistent with	Heritage Victoria	Agreed – Heritage Advisor has completed	Design has been altered to reflect fencing that will result in hedge border

other existing fences bordering gardens		an assessment and recommendation	similar to existing fence line.
Heritage Impact Assessment required to assess existing site and proposed elements.	Heritage Victoria	Heritage Advisor has completed assessment to accompany application for permit	Assessment is reflective and design is responsive to assessment. Some items determined not to have any significant heritage value and therefore could be removed.
Existing manufactured playground to be removed and natural play elements within the design	Heritage Victoria	Existing playground to be removed and natural play elements in new design. This is a design outcome of the 2015 Master Plan and is supported by the Friends of the Hamilton Botanic Gardens.	No alteration to existing design required.

The above feedback was incorporated into the design and therefore it was determined that the final round of engagement could be conducted to show the amended design which included:

- Heritage Victoria pre-application meeting
- Presentation to Project Control Group, Friends of Hamilton Botanic Gardens Committee, Mayor, Deputy Mayor and Director of Infrastructure
- Detail plans and summary provided to Councillors through CEO Update
- Detailed plans provided to Friends of the Hamilton Botanic Gardens
- Final design drawings provided on the 'Have your say' section of Council's website and Facebook page.

Responses received are summarised in the table below:

Respondent	Detail	Response
Heritage Victoria	Have agreed with the amended design and would be happy to receive a Heritage Permit Application with supporting documentation	Noted given the heritage significance of the site Heritage Victoria's acceptance and positive response of the revised design is a critical requirement of the design and funding agreement
PCG	Satisfied with the resulting design elements	N/A
Friends of Hamilton Botanic Gardens Committee	Very positive of the overall design elements – note would like to review planting design. Have raised query on the need to remove the picket fence and change accessibility to the Cottage. Support the removal of the existing playground and rehabilitation of site – as it is a non -heritage element to the garden.	Positive response noted and detailed plans provided to Friends to provide feedback on planting design which will be worked on with Infrastructure Directorate and incorporated at construction stage. The picket fence is not of original heritage design added in 1990's and has no heritage value. It gives the impression that the Cottage and surrounds is restricted access. Fence must also be removed to allow for the revised DDA compliant pathway and access to the Children's garden.

		Playground removal is supported by Heritage Victoria and Heritage Advisor. Should be relocated to a more appropriate setting outside gardens – consistent with master plan and conservation reports.
Community 'Have your say' and Facebook Website	Overall positive response to design, 2% respondents requested that the existing playground remain or be relocated to a more suitable location. One response suggested that resources for maintenance would need to be accommodated for.	This is inconsistent with master plan recommendation and Heritage Victoria requirements- playground will be removed after construction of the garden and community precinct.
Infrastructure Directorate	Overall positive response to the design and achievement of project brief. Have some recommendations that can be incorporated into the construction specifications to enhance the design such as increasing pathway widths to allow for better accessibility, incorporate water harvesting and irrigation to reduce water consumption, incorporate some more simple, low cost and effective play elements through design inlays and plant pallet. Review planting design in more detail to ensure suitable for local climate and conditions	This feedback will be incorporated and worked through into the next stage of the project through the construction documentation and detail.
John Hawker	Overall impressed with the design and work delivered by the Consultant. Concern that Guilfoyle pathway will be narrowed to 4 m where recommended to be inline with existing pathway. Connecting pathways should be 1.8M wide not 1.2M for DDA compliance. Clarification on the number of trees to be removed and suggestion to include show location of another plant on the plan. Revised Guilfoyle pathway and include centre ramp in the design. Pagoda (previously covered Major Mitchell Tree Stump) – need to consider relocation.	Noted Note and will confirm with OSLA Agreed and will seek to have design amended. Overall 11 moderate to low retention value trees to be removed – reviewed and in-principle by Heritage Victoria and Aborsafe. Significant and high retention value trees to be protected through modification to design. Gradient 1:21 and does not permit centre ramp to be included as suggested. Ramp would require significant earthworks and alteration to topography of site. Design solution acceptable DDA compliance. Heritage Victoria advise that significant alteration and previous relocation has diminished value and is not required to be retained or relocated.

The overwhelming response to the final design as a whole has been positive, the OSLA have coordinated technical expertise to realise the project brief and the Master Plan under the guidance of the Project Control Group, incorporating the engagement and feedback from the community, stakeholders and Heritage Victoria.

Heritage Victoria has provided significant feedback into the design detail at all stages, which has been incorporated into the design to ensure that the design is acceptable to heritage design principles and will not detract from the significance of the Gardens. Heritage Victoria has indicated that the design and supporting documentation is ready to proceed through the formal permit process, which satisfies the funding agreement with DELWP.

This report recommends that Council endorse and adopt the final Children's Garden and Community Precinct Design for the Hamilton Botanic Gardens and give approval for staff to submit for heritage and planning permits to the relevant authorities, as well as approval to seek funding opportunities to move the design to construction.

As the project moves from the initial design to construction, the final design feedback from the Friends can be incorporated where appropriate into the constructed detail, Heritage approval permitting, which will add to the overall outcomes of the garden to be a space for children to explore and play, a place for people of all ages and abilities to visit and for a disused space to be incorporated into a historical and important garden.

Financial and Resource Implications

The preparation of this design, specialist advice and supporting documentation, was funded by the grant of \$86,000 received by DELWP, with Council contributing \$10,000 and in-kind support. At the completion of this project at the current stage it is anticipated that approximately \$7,000 of the project budget remains unspent but will be utilised for the permit approval process and minor design alteration if required.

If Council decide not to endorse this design, there are no additional funds for a major redesign process which would require external technical expertise.

With respect to taking the design to construction, a 'probable cost estimate' has been provided by OSLA for the design, which is estimated at \$1.35 million, and there are a number of exclusions associated with that cost estimate.

It is recommended that if we proceed to construction that an allowance would be required for detail construction design specifications for tender, additional contingency for exclusions and project management costs, resulting in a final budget estimated cost of \$1.55 million.

It should be noted that any funding applications that require Council co-contribution will be subject to a budget allocation.

Council should also note that there would be ongoing maintenance and renewal costs associated with the construction of this project.

Legislation, Council Plan and Policy Impacts

Council Plan 2021 – 2025:

Key Priority No. 1 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 culture, education, leisure and recreation and sporting opportunities

Key Priority No. 3 Maintain and renew our infrastructure:

3.3 Attractive Council – owned and managed community and open spaces

3.3.3 Improve and provide for opportunities for shared community space.

Risk Management

- The Community would benefit if Council adopted this design and actively pursue funding to allow construction as it would provide more active recreational space for the community and attract visitation to Hamilton which would have an onflow economic impact
- The design has been supported by Heritage Victoria at a preapplication meeting, significant alteration to the design requested would require funding and a request to DELWP for an extension to the funding timelines, which is unlikely to be supported
- Not supporting the design may result in the project not progressing further
- The cost estimate for construction will be subject to contingencies, project management and industry specific/materials increases and may vary slightly.

Environmental and Sustainability Considerations

Our Infrastructure Directorate will look for opportunities to introduce elements of sustainability within the construction phase of the design should we receive funding to proceed with construction. Elements suggested are water harvesting and reuse, irrigation installation and review of planting schedules to ensure climatic and suitable plantings made.

Community Consultation and Communication

There has been extensive consultation with respect to the design of the Children's Garden and Community Garden throughout the development of the Master Plan and the final design which includes:

Concept Plan Development:

- Direct engagement with onsite meetings with Friends of Hamilton Botanic Gardens, Local Elders, local land managers and staff.
- Community survey where over 200 responses capturing ideas and thoughts of the community predominantly younger children and young families.
- Consultation with Councillors and Project Control Group which included Council's Heritage Advisor – through presentation and direct feedback.
- Friends of Botanic Gardens Committee – presentation of the concept plan to committee members
- Heritage Victoria – provision of plan and consultation meeting.

Final Plan Development:

Amendment to the concept plan from the engagement feedback, particularly with Heritage Victoria and advisory specialists is to ensure that the final design would meet heritage requirements and design principles.

- John Hawker – onsite meeting to determine significance and age of some elements of existing animal enclosure
- Aborsafe – onsite assessment and written advice on the protection of significant trees
- Heritage Advisor – conducting assessments of heritage impact of design proposal, condition of Curators Cottage and design advice on proposed fence. As well as liaison with Heritage Victoria
- Heritage Victoria – preapplication meeting to discuss revisions and indicate if design alteration would be successful.

Final Plan Consultation.

To close the loop on the final design that resulted from the concept plan and final plan development consultation.

- Presentation of design by OSLA to PCG, Friends of the Hamilton Botanic Garden Committee, Mayor and Deputy Mayor
- Plans distributed to the wider Friends of the Hamilton Botanic Gardens
- Distribution of the final design documentation to Councillors and briefing session
- Plans and design documentation provided to the wider community through 'Have your say' section of the website and social media pages.

Disclosure of Interests

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

RECOMMENDATION

That Council:

1. Adopt the design and design documentation for the Children's Garden and Community Precinct
2. Endorse the lodgement of a heritage permit application with Heritage Victoria
3. Endorse the lodgement of a planning permit with Council's Planning department
4. Endorse the application for funding opportunities to assist in the construction and delivery of the Children's Garden and Community Precinct.

10.3 Hamilton Regional Livestock Exchange – Terms of Reference and Membership Approval

Directorate: Marg Scanlon, Director Infrastructure
Author: Marg Scanlon, Infrastructure
Attachments: 6. Draft HRLX Charter

Executive Summary

Early 2020 Southern Grampians Shire Council (Council) undertook a review of the Hamilton Regional Livestock Exchange (HRLX) which resulted in the Bringing it Home for HRLX Report. This report includes recommendations for the future HRLX governance, options for a skills-based delegated committee, fee structure and sale days.

Further to this, at the October 2020 Ordinary Meeting of Council, Council resolved to;

1. Rescind the commitment of Council to transition the HRLX Advisory Committee to a Delegated Committee as per S.63 LGA (2020) and
2. Note the HRLX Committee is to remain an Advisory Committee.

The key focus of the Bringing it Home for HRLX Report is the future strategic positioning of HRLX to optimise this regional facility. To support this, the development of a skills-based delegated advisory committee to Council was recommended (referred to as the Committee hereon). In late 2021, Council called for Expressions of Interest for persons to perform the role of independent members on the Committee. The purpose of this report is to provide Council with the outcomes from this process and recommend appointment of three independent members.

Discussion

Council is the owner and operator of HRLX which is noted to be one of Australia's busiest livestock exchanges, with approximately one million sheep and 20,000 cattle sold annually. The catchment area for HRLX includes producers and buyers from South West Victoria, as well as vendors from as far afield as Horsham, Skipton, Mortlake, Warrnambool and into New South Wales and Queensland.

In May 2021 a draft HRLX Charter was developed which indicates the Committee shall:

- Ensure there is a current strategic and business plan consistent with the purpose of the HRLX Committee and provide advice to Council on all matters relating to the strategic development of the HRLX
- Develop the HRLX as a commercial standalone entity
- Make recommendations to Council through regular reporting on the development, implementation, monitoring and provide feedback on the policies, plans and priorities of the HRLX
- Undertake consultation with relevant stakeholders at least twice per year and with relevant interest groups or persons as required
- Provide advice and input to Council on issues relevant to the development of the facility including industry matters and quality assurance issues.

The draft HRLX Charter is attached to this report.

Following a public call for nominations for interested persons to fill the independent roles, the submissions were reviewed and the following three nominees are recommended for appointment to the HRLX Committee;

- Dr. Scott Williams
- David Byrd and
- John Wyld

It is noted that the draft Terms of Reference recommends five independent Committee members in addition to the two Councillor and Council Officer representatives. It is proposed that the Committee be established and the recruitment process for the two remaining vacancies continue with the intention to fill these vacancies.

Council resolved in 2020 that Councillors Brown and McAdam are the Councillor representatives on the HRLX Committee.

Financial and Resource Implications

The establishment and ongoing support to the Committee will be managed through existing operational budgets and Officer support will be provided by the Infrastructure Directorate.

Legislation, Council Plan and Policy Impacts

The development of the HRLX Committee is consistent with Councils key priorities to support our community, grow our regional economy, maintain and renew our Infrastructure and provide strong governance and leadership as detailed in the 2021-2025 Council Plan.

Once established, it is proposed that the Committee will review the HRLX Master Plan and establish a strategic plan with deliverable targets. This plan will be presented to Council by the Committee for Councils further consideration.

Risk Management

The establishment of the HRLX Advisory Committee to Council will further strengthen the mitigation of strategic risks associated with the HRLX. Risks will be further considered and assessed as a part of the development of the HRLX Strategic Plan which the Committee will undertake.

Environmental and Sustainability Considerations

HRLX currently has environmental sustainability measures in place such as rainwater collection and reuse and solar power which contribute to operational needs. Further environmental sustainability applications for HRLX include additional solar power, digitalisation for sale and operational functions and collection and treatment of effluent for reuse purposes.

The HRLX Committee will further explore and consider HRLX environmental and sustainability options through the development of the HRLX Strategic Plan.

Community Consultation and Communication

The draft terms of reference for the HRLX Committee acknowledges the importance of engagement with stakeholders. Industry representatives, community and other expertise will be engaged to contribute to the development of the HRLX Strategic Plan developed by the HRLX Committee.

The HRLX Committee will also regularly report to Council and provide advice on a range of items and updates on their progress.

The Committee will review the draft Terms of Reference and report back to Council with the proposed final terms Council's consideration.

Disclosure of Interests

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

RECOMMENDATION

That Council;

1. Appoint Dr. Scott Williams, David Byrd and John Wyld to the HRLX Committee
2. From the CEO's Office write to the unsuccessful nominees thanking them for their interest in the HRLX Committee.
3. Continue the recruitment process for the remaining two independent positions with the intention to fill these roles and receive a further report on recommended nominations.

10.4 Development Car Parking Contributions – Disbursement

Directorate: Andrew Goodsell, Director Planning and Development
Author: Daryl Adamson, Manager Shire Strategy and Regulation
Attachments: None

Executive Summary

Southern Grampians Shire Council collects car parking contributions under the Southern Grampians Planning Scheme Schedule 1.

As previously briefed, the Hamilton Central Business Area Activation Master Plan (adopted 2020) confirmed that there were extensive areas of off-street car parking provided in the Hamilton CBD. Most of these are privately owned and located central to many CBD blocks.

Council Policy 096, rescinded on 12 June 2012, governed the disbursement of collected funds.

Contributions collected since this time, valued at \$97,733 require a Council resolution to disburse the collected funds in accordance with Southern Grampians Planning Scheme for the purposes of constructing car parks within the Melville Oval/Lonsdale Street Precinct and/or Cox Street Entry Precinct.

That Council resolution is now being sought.

Discussion

The strategic purpose of requesting an endorsed disbursement is to use the collected car parking contributions to undertake detailed design and documentation of off-street car parking in the Melville Oval precinct, as outlined in the 2020 Hamilton CBD Activation Masterplan. These funds will be used to determine the appropriate number of off-street car parks that can be provided that caters to oval users, spectators, visitors to the Council building and that will satisfy development requirements for the new Melville Oval Development. The balance of funds held will be allocated to the construction phase of the project.

By way of background, Schedule 1 cl.45.09 (Southern Grampians Planning Scheme - Parking Overlay) utilises the following principles:

- a) Council collects car parking contributions via an overlay; and
- b) this overlay only exists in Hamilton.

Collection of money is for the purposes of:

- Maximising the supply of on-street parking in core commercial areas giving preference to customer parking and encouraging appropriate turnover rates
- To locate employee and trader parking remote from central commercial areas
- To discourage parking in laneways to allow for access for loading vehicles
- To capitalise on sharing parking opportunities throughout the Hamilton CBD
- To capitalise on consolidation of car parking opportunities, to make better use of available land in terms of the number of spaces within car parks and circulation
- To encourage infill city centre blocks with developments incorporating car parking within their form rather than expansive exterior at-grade car parking
- To encourage mid-block parking cells as opposed to block edge parking cells to promote active street frontages

- To promote shared or public parking in preference to single user or private parking to capitalise on shared parking opportunities and make better use of the parking supply
- To provide for the collection of financial contributions to contribute to the construction of shared car parking facilities.

Council has secured advice from Mesh Planning confirming the general approach being taken to be appropriate. A previous briefing on these issues was provided to Council on 22 September 2021.

Any parking overlay should be regularly monitored and reviewed to ensure it continues to reflect the requirements of the CBD precinct. The overlay only applies to Hamilton and has not been applied for cash in lieu contributions for over 5 years. If the Parking Overlay is no longer strategically justified, then it is recommended that it be abandoned. Car parking requirements for new developments within the CBD will then be subject to the state standard requirements of Clause 52.06 of Southern Grampians Planning Scheme.

The parking overlay is no longer strategically justified (Figure 1 – Off Street Carparking – Hamilton CBD), and it is recommended that it be rescinded through an amendment to the Southern Grampians Planning Scheme.



Vehicular Movement + Parking

Extensive areas of off street car parking (mostly privately owned) are located central to many CBD blocks.

-  Site
-  Major Road - Glenelg Highway (Ballarat Road)
-  Minor Road - Local Roads (includes on street car parking)
-  Off Street Car Parking

Figure 1 - Off Street Car Parking - Hamilton CBD

Financial and Resource Implications

Currently the Southern Grampians Planning Scheme asks for a financial contribution of \$8,000 (plus GST, and has been adjusted annually from 1 July 2012 using the CPI all groups as an index) in lieu of car parking space required but not provided on the land subject to a permit application.

The contribution must be made before the new use of development commences unless a permit condition allows payment in instalments through an agreement under section 173 of the *Planning and Environment Act 1987*.

Since the Planning Scheme amendment was gazetted, Council has collected \$97,733 in contributions. It is recommended these funds are assigned to the detailed design of the Melville Oval carpark which has been quoted as \$95,425 with the balance of the contributions used for the construction phase of the project.

Legislation, Council Plan and Policy Impacts

Car parking contributions are collected under cl45.09 Schedule 1 of the Southern Grampians Planning Scheme. Historically Council Policy 096 governed the disbursement of funds. This Policy was rescinded in 2012, as such there is no current governance mechanism to administer the funds. The planning schedule identifies Melville Oval/Lonsdale Street Precinct and Cox Street Entry Precinct as priority projects for identified contributions.

Risk Management

Not applicable.

Environmental and Sustainability Considerations

Not applicable.

Community Consultation and Communication

Not applicable.

Disclosure of Interests

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

RECOMMENDATION

That Council:

1. Endorse disbursement of funds totalling \$97,733 to be used in the development of carparking in the Melville Oval precinct.
2. Endorse that the Parking Overlay placed on developers and businesses through the Southern Grampians Planning Scheme be removed through planning amendment after disbursement of collected funds.

10.5 Finance Reports

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Belinda Johnson, Manager Finance
Attachments: 7. Finance Report to 30 September 2021
8. Finance Report to 31 December 2021

Executive Summary

The Finance Reports for the Year to 30 September 2021 and 31 December 2021 are presented for information.

Discussion

The Finance Reports contain the Standard Statements namely:

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

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

Narratives accompany each of the statements.

Detailed reports of the financial progress of the capital works and major projects are also provided for information.

Legislation, Council Plan and Policy Impacts

Council Plan:

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

Legislation:

Section 97 of the Local Government Act 2020 requires that after the end of each quarter, the CEO must ensure that a quarterly budget report is presented to the Council. The report must include a comparison of the actual and budgeted results to date and an explanation of material variations, and any other matters prescribed by the regulations.

In addition, the second quarterly report of a financial year must include a statement by the CEO as to whether a revised budget is, or may be, required.

The June report is indicative only with the final report being Councils official financial report which is audited and then included as part of Council's Annual Report.

Council is also required to implement the principles financial management detailed in Section 101 of the Local Government Act 2020 which states:

- (1) The following are the financial management principles—

- (a) Revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans;
 - (b) Financial risks must be monitored and managed prudently having regard to economic circumstances;
 - (c) Financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community;
 - (d) Accounts and records that explain the financial operations and financial position of the Council must be kept.
- (2) For the purposes of the financial management principles, **financial risk** includes any risk relating to the following—
- (a) The financial viability of the Council;
 - (b) The management of current and future liabilities of the Council;
 - (c) The beneficial enterprises of the Council

Disclosure of Interests

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

RECOMMENDATION

That the Finance Reports for the year to 30 September 2021 and 31 December 2021 be received.

11. Notices of Motion

11.1 Notice of Motion #1/22

Cr Henry

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 9 February 2022

MOTION

That the Southern Grampians Shire Council develop and implement a Youth Policy and Charter.

Background

In brief:

Of the 16,100 people living in Southern Grampians Shire, 2004 are aged between 10-19 – 12.5% of the population (2019 census data)

Another 779 are aged 20-24

This data does not take into account COVID and the recent trend for young people to remain in the area.

Why focus on youth:

1. Young people are the future of our area – anecdotal evidence from Campaspe Shire (Echuca) suggests that young people that have a positive experience growing up in a rural/regional community are more likely to return to raise families later on.
2. The Royal Commission and the productivity reports suggest that investment in preventative community based strategies for young people is essential to lowering instances of serious mental health issues later in life.
3. Council's budget, plans, strategies and community consultation regarding infrastructure and services currently consider a range of factors (environmental, financial etc) as built in mechanisms to ensure a holistic approach to decision making. This should also include youth.

Current issues:

- There is a **critical lack of services** in our area for young people. – How do we support schools and WDHS to advocate for funding?
- There are **gaps in the preventative strategies and services** for young people in our Shire – What can we do to lead, support and advocate for filling the gaps?
- We have no **Youth Charter and Youth policy/strategy** as an organisation. We are one of only two Shires in Victoria that do not have a Youth Policy or Charter.

Officers Comments

During the Council Plan engagement, Youth was identified as a key priority for the community. As such, officers have applied for and been successful in securing funding to further work with the young people of Southern Grampians to provide better health and wellbeing outcomes.

Whilst Council does currently have a Youth Policy, it is due for review and now that the Council Plan have been completed, this would be timely to ensure it aligns and supports future actions.

11.2 Notice of Motion #2/22

Cr Calvano

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 9 February 2022

MOTION

That the shire of southern Grampians writes to the premier Daniel Andrews, Victorian State Ministers, MP Mary Anne Thomas Minister of Agriculture and Honourable Lily D/Ambrosio Minister for Energy, Environment and Climate Change, and appropriate shadow ministers to state our complete opposition to Recommendation 8 and 28 of the 2021 Ecosystem Decline Inquiry Report.

Background

This Reports recommends the reintroduction of dingoes/wild dog hybrids into any park/reserve in Victoria, and to make them protected and to cease lethal control. These Recommendations if accepted by Victorian MPs, would cause devastation to farmers and livestock and wool industry, the people it employs and rural communities.

Ceasing lethal control of pests would mean that pest numbers would increase rapidly and lead to more livestock and native animals being mauled or killed.

Agriculture is our number one industry in our Shire and I see no benefit in introducing a species such as Dingoes/Hybrid Wild Dogs that threatens this industry and their livelihood. Dingoes/Hybrid Wild Dogs would be a Safety threat to Tourists, families and children that visit parks/reserves, camping and bush walking.

Dingoes would threaten existing smaller native animals and birds.

The S.A. Government has pledged \$25million to rebuild the 100-year-old, 1,600km Wild Dog Fence.

In W.A., the government is extending the historic existing state Wild Dog Fence by 660km's.

In Queensland, the Government Parks and Wildlife Service have a concerted wild dog and fox control management program that supports the livelihoods of farmers and that also helps the conservation for endangered native wildlife.

On Fraser Island despite the safety warnings, tourists and children are often bitten by dingoes, some dingoes wearing GPS tracker collars.

In NSW, there are Wild Dog Control Programs run by Local Land Services/Forestry NSW, National parks and Wildlife Service.

In Victoria in, East Gippsland there has been 75km of Exclusion Fencing built for Wild Dog Control.

In 2019, Australian Wool Innovation funded Wild Dog Coordinators, who collaborate with the East Gippsland Landcare Networks and Victorian Department of Land, Water and Planning

(DELWP) to coordinate and, deliver the construction of the fencing, also a program of targeted baiting to find solutions to the wild dog problem.

Introducing Dingoes/Hybrid Wild Dogs would be creating interbreeding with domestic dogs creating another problem for Agriculture.

There are reports that certain parasites are being spread by dingoes in NSW and Northern Victoria.

In conclusion, we do not need this problem in our parks/reserves and in our shire and in our state and a threat to our number one industry which is agriculture.

Officers Comments

We commend the Victorian Government for the work undertaken with regard to the Inquiry into Ecosystem Decline in Victoria, and many of the very important recommendations to improve threatened species and local biodiversity.

However, Southern Grampians Shire is heavily dependent on agricultural production. The introduction of dingoes into this landscape without adequate fencing and control mechanisms therefore pose a significant risk to the local economy and community.

Council has recently passed resolutions concerning this issue in Gariwerd National Park in 2021. Should a further resolution be made by Council concerning potential reintroduction in other parts of the state, it would be recommended to write to the appropriate Ministers as per the Councillor motion to not support Recommendations 8 and 28 in the 2021 Ecosystem Decline Inquiry Report.

12. Delegated Reports

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

13. Mayors and Councillors Reports

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

14. Confidential Matters

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

15. Close of Meeting

This concludes the business of the meeting.