

# SOUTHERN GRAMPIANS SHIRE COUNCIL

## Council Meeting Agenda Wednesday 12 July 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  
Ms Susannah Milne, Acting Director Wellbeing, Planning and Regulation  
Ms Marg Scanlon, 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 Colliton 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 21 June 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:

- Audit and Risk Committee 16 May 2023
- Briefing Session 21 June 2023

This agenda was prepared on 5 July 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:	Audit & Risk Committee Meeting
Date:	16 May 2023
Location:	Martin J Hynes Auditorium / Teams Meeting
Councillors in Attendance:	Cr Henry Cr Robertson
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Darren Barber, Director People and Performance Belinda Johnson, Manager Finance Tahlia Homes, Manager People & Culture

The Informal Meeting commenced at 2.00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome	Nil
2	Committee & Auditors in Camera	Nil
3	Apologies	Nil
4	Confirmation of Previous Minutes	Nil
5	Conflict of Interest Disclosure	Yes
6	Register of Committee Members Interests	Nil
7	CEO Report	Nil
8	Governance & Risk Management Disclosure	Nil
9	Summary Table of Outstanding Matters	Nil
10	Internal Audit Plan & Interim Annual Adjustments – SGSC & RSD Audit	Nil
11	Internal Audit Activity Status Reporting	Nil

	– Strategic Plan	
12	Internal Audit Report/s - Final Project Management Framework	Nil
13	Internal Audit Scope – Risk Management & Initial Risk Assessment	Nil
14	Progress Report of Internal Audit Actions (Interplan)	Nil
15	Reports & Correspondence of Note: VAGO, Ombudsman & IBAC Reports	Nil
16	Compliance Framework Review	Nil
17	Compliance Framework Reporting	Nil
18	Risk Review Plan	Nil
19	OH&S Quarterly (Summary) Report	Nil
20	Progress Report of Current Actions	Nil
21	Management Letter - Interim	Nil
22	Quarterly Finance Report/s	Nil
23	Quarterly Councillors Expenditure Report	Nil
24	Revenue & Rating Plan 2021/2021-2024/25	Nil
25	Draft Budget, Revenue Rating Strategy. LTFP & Pricing Register	Nil
26	Excess Leave Update	Nil
27	Other Items	Nil
28	Next Meeting	Nil

The Informal Meeting concluded at 4.00pm.

## Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session 21 June 2023
Date:	21 June 2023
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Brown Cr Calvano Cr Colliton Cr Henry Cr Malone Cr Rainsford Cr Robertson
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Darren Barber, Director People and Performance Rory Neeson, Director Wellbeing, Planning and Regulation Susannah Milne, Manager Community and Wellbeing Diana Dixon, Coordinator Leisure Facilities Andrew Nield, Planning Coordinator Jane Coshutt, Community Engagement Coordinator

The Informal Meeting commenced at 2:20pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor and CEO Meeting	Nil
2	HILAC Corporate, Community and Club Memberships	Nil
3	First Nations Officer Role and Report on RAP	Nil

The Informal Meeting concluded at 5:00pm.

## 12 Management Reports

### 12.1 Planning Permit TP/112/2022 - Melville Oval

<b>Directorate:</b>	Wellbeing, Planning and Regulation
<b>Report Approver:</b>	Susannah Milne (A/Director Wellbeing, Planning and Regulation)
<b>Report Author:</b>	Andrew Nield (A/Manager Shire Strategy and Regulation)
<b>Attachment(s):</b>	<ol style="list-style-type: none"><li>1. T P-112-2022 - Attachment 1 - Application documents [12.1.1 - 110 pages]</li><li>2. TP 112 2022 - Attachment 2 - Conditions and Notes [12.1.2 - 5 pages]</li><li>3. T P-112-2022 - Attachment 3 - City of Hamilton Conservation Study - Old Grandstand - Melville Oval [12.1.3 - 2 pages]</li></ol>

#### Executive Summary

A planning permit is required for the Melville Oval redevelopment because of the Heritage Overlay that exists across the subject site. The overlay requires that a planning permit be granted for any works associated with demolition of buildings, removal of trees, alterations/extensions to existing buildings and the construction of new buildings and/or infrastructure.

Planning application TP/112/2022 seeks approval under the Heritage Overlay for a redevelopment at Melville Oval, which comprises of the demolition of several brick and corrugated buildings, removal of trees, alterations and extensions to the existing grandstand, construction of a new pavilion, and construction of two netball courts. Associated works, such as underground electricity lines and landscaping, are also proposed.

The proposal is consistent with the current zoning for public recreation and will support local sporting teams by upgrading existing facilities. It is recommended that Council resolve to grant a permit for the redevelopment, subject to conditions.

#### Discussion

##### The proposal

The application proposes the demolition and removal of existing site features, alteration and extension of the existing grandstand, construction of a shelter, kiosk, storage shed, pavilion, two netball courts and supporting infrastructure at Melville Oval, in Hamilton. The land has several addresses, including 18 Market Place, 125 Brown Street, 135 Brown Street and 73 Lonsdale Street and comprises two crown allotments (CA 1 and CA 2 Section 54A Township of Hamilton Parish of Hamilton North). The site currently contains a sporting oval, playground, water tanks, outdoor seating and various buildings.

A summary of the changes is provided below –

- Demolition of the rear (north) section of the existing grandstand
- Redevelopment of the floor level of the grandstand to include club changerooms, umpires and official's rooms, canteen and first aid rooms.
- Demolition of the existing shed and club shelter southwest of the existing grandstand

- Existing bitumen surfacing around the existing shed and shelter to be made good
- Demolition of spectator seating and part of the oval fencing around the northern perimeter of the oval
- Construction of two netball courts at the bend of Market Place at Dryden Street and associated fencing and lighting
- Construction of a kiosk bar (9.8sqm) adjacent to the netball courts
- Construction of a netball store (12.4sqm)
- Construction of skillion-roofed open canopy for shelter adjacent to the netball courts
- Construction of a single storey pavilion adjacent to the existing grandstand
- Alteration to the roadway, part of the footpath and associated infrastructure at Market Place and subsequent extension of the oval grounds into what is currently the road reserve
- Car parking along the eastern side of Market Place will be reinstated at a 90-degree angle and landscaping (trees) planted at regular intervals
- Removal of the existing parameter fence at Market Place opposite Dryden Street and the Pittosporum and Photinia hedge
- Removal of the West Australian Red-flowering Gum (*Corymbia Ficifolia*) tree at the bend of Market Place at Dryden Street
- Removal of two Pittosporum (*Pittosporum Tenuifolium*) trees at the northeast corner of the existing grandstand
- Introduction of new garden beds and other landscaping, with a variety of native Australian species, including tussock grasses, rambling shrubs, and trees, and some exotic species such as Cycads.

The extension of the grandstand includes club changerooms, umpire's and official's rooms and amenities. It is also proposed that the existing balustrades be repainted, the eastern staircase be altered, and new doors and windows be included to allow suitable access.

The proposed new pavilion will provide netball change rooms, social room, kitchen, kiosk and umpire's and official's rooms. The building has a sloped roof which borrows from the heritage grandstand and provides viewing areas towards the oval for teams and spectators. The building has a single storey form adjacent to the public road.

Building materials include face brickwork in a sand-brown colour with a textural surface (such as Austral Bricks 'Hasselt' range), steel slat roller shutters in black satin finish, polycarbonate roller shutters, timber battens and cladding, aluminium framed, glazed windows, metal sheet cladding, galvanised S-rib cladding. Internal materials and finishes include but are not limited to plywood panels, perforated plywood panels, plywood slats, Laminex partitions, perforated plaster boards, tiling and so on.

Other fixtures to be replaced and/or relocated include bike rails, fire extinguishers, outdoor seating and polypad tactile indicators for access ramps.

The construction of the netball courts and pavilion relies on changes to the road at Market Place to create sufficient space for these components. The roadway is proposed to be narrowed from the corner of Milton Street and Dryden Street and parking at Market Place reoriented 90 degrees.

Overhead electricity lines are proposed to be relocated underground and various other assets, including drainage pits, will require relocation and renewal.

New landscaping will replace the hedge and flowering gum tree in the north-western portion of the site. Two pittosporum trees will be removed at the north-eastern corner of the grandstand and part of the parameter fence to create space for the expanded pavilion and netball courts.

#### Site context and history

Melville Oval is within the Public Park and Recreation Zone and bounded by Market Place to the northwest and west, Lonsdale Street to the southeast, Brown Street to the east and Milton Street to the northeast. Land opposite, on Brown Street, is occupied by the Alexandra Hotel, residential buildings and Sam Fitzpatrick Gardens. Land to the south forms the central business district of Hamilton and Lonsdale Street itself forms a key thoroughfare through the city. Land southwest of the site on Thompson Street is used for a hotel and petrol station. Council offices and the former Shire of Dundas building are located on Market Place to the west of the site. Properties located north of the site along Market Place and Milton Street are used for detached dwellings.

The oval space was allocated for public recreation use by 1902 and plans to beautify the area were drawn. The Edwardian grandstand was developed around 1909 and opened by the then-Premier of Victoria, the Honorable J. Murray. The ornamental gates and landscape elements support the grandstand and the site forms a key focus for Hamilton. The grandstand is in good condition and, aside from the extension to the rear, is largely intact. As detailed in the Statement of Significance, the removal of the band rotunda (to the Botanic Gardens) and alterations to the fabric of the grandstand have diminished the integrity of the complex.

#### Planning Scheme requirements

As the development has an estimated cost of less than \$10,000,000, a permit is not required under Clause 36.02 of the Southern Grampians Planning Scheme (Public Park and Recreation Zone), pursuant to the provisions of Clause 52.31 (Local Government Projects).

Clause 52.31-1 does not exempt the application from requiring a permit under any overlay except the Floodway Overlay, Land Subject to Inundation Overlay and Special Building Overlay. A permit is therefore required pursuant to Clause 43.01-1 (Heritage Overlay).

Melville Oval is registered in the schedule to Clause 43.01 as a heritage place (HO321 Grandstand c1909 No. 3673 W. H. Melville Developer). External paint controls do not apply but the permit requirement of Clause 43.01-1 still includes external alterations of any kind. A permit is also required to:

- demolish or remove a building,
- construct a fence visible from a street,

- carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials, and
- construct a building.

The oval is mapped within HO345, Market Heritage Precinct. External paint and tree controls apply in this area and therefore a permit is required to paint the grandstand and to remove trees from the site.

### Key considerations

#### Heritage Values –

The Grandstand at Melville Oval was constructed circa 1909 by well-known local developer, M. H. Melville. The grandstand has been altered, with the extension to the north being added sometime during the 1980s. The seating, external stairs, balustrades and other key features have remained unaltered. The grandstand is of local significance for its historical associations with various sports and recreational pursuits and for its Edwardian architecture.

Melville Oval forms part of the Market Heritage Area which also has local significance because of its historical associations as Hamilton's primary recreation reserve. The oval highlights the significance of sport for country Victorian towns.

The proposal includes demolition of the extension and alteration of the grandstand, including changes to windows and doors. Council's heritage advisor has reviewed the plans and provided the following advice:

- The design of the grandstand addition and the proposed building to the west are generally supported. They are sympathetic to the design and scale of the grandstand.
- The simplified netball canopy is not as sympathetic to the original design. The original cranked roof beams design shown on drawing A7.02 is more interesting and a more appropriate design than the proposed skillion roofed canopy now proposed, due to budget limitations.
- Further detail is required on the plans, particularly the elevation drawings. Timber cladding should be used on smaller buildings to provide continuity in the overall design.
- The retention / use of bitumen for tiered seating areas is supported.
- The cast iron drainpipe at the northwest corner of the grandstand should be retained if possible. A detailed section and elevation drawing is required for this section of the grandstand.
- The elevations should also detail any proposed changes to the corrugated iron cladding of the grandstand.
- Further information is required on the details of the repairs and maintenance works :
  - Iron trusses
  - Iron balustrades
  - Grandstand flooring, seating and timber framing to glazing at east and west ends at the top of the grandstand

- Timber stairs
- Stair handrail
- Access requirements generally.
- The use of a contemporary brick is supported as it is reasonably neutral and consistent with the colour of the galvanized sheet cladding on the grandstand.
- The tree removal is unlikely to have any impact on the heritage value of the place and is supported.
- The relocation of the playground to the Lonsdale Street side of the oval is supported.

The proposed removal of the brick building and shed structure which serve as a bar and changerooms is supported as they are newer buildings which do not enhance the heritage value of the site. Likewise, the removal of the extension to the rear of the grandstand is supported as it will be replaced by contemporary spaces that can integrate with the existing grandstand. The new pavilion and courts will offer functional space for sporting clubs, visitors and spectators. These structures are contemporary in nature but borrow design features from the grandstand to provide continuity in the overall aesthetic of the facility. More detail regarding conservation works, alterations and external materials, colours and finishes will be required prior to the endorsement of the plans to ensure all the changes are detailed and deemed to be appropriate.

The removal of trees is supported as new species, including more flowering gums can be established on the reserve boundaries. Garden beds with various plant species will soften the appearance of hard surfaces and provide pockets of greenery. None of the trees to be removed are particularly old or specifically mentioned in the heritage citation and therefore not particularly requiring conservation. The Weeping Scotch Elm and English Oak located to the east of the grandstand are to be retained and must be protected during construction works.

#### Lighting –

The proposed netball courts will be serviced with eight LED floodlights erected on 12 metre-high poles regularly spaced around the courts. The Philips Opivision Generation 3 LED floodlights have been selected as the proposed product and the lights have an average lux of 200 and a maximum lux of 310. The lights are tilted downwards to the courts for optimal lighting on the court and light spill is unlikely to cause significant disruption to the surrounding area (see the Lighting Proposal prepared by Sports Lighting SA, page 5 of 6).

#### Further Steps –

The redevelopment requires part of the roadway at Market Place to be altered, rezoned from General Residential Zone to Public Park Recreation Zone and subdivided into a new lot. The lot can then be consolidated with the existing oval site. The road closure process is underway and the correction to the zoning can be accomplished through the standard rezoning process. Once the land is rezoned, it can be subdivided from the roadway and consolidated to simplify the oval titles.

#### **Financial and Resource Implications**



Council has allocated a budget of \$8,400,000 for the project comprising Federal Government Funds.

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

### **Grow Our Regional Economy**

#### *2.2 Increase our regional profile*

*2.2.1 Leverage the Shire's strategic advantages in health, education, leisure and cultural activities as a means to increase the region's profile and stimulate economic and population growth.*

### **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.*

### **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**

*Local Government Act 2020*

*Planning and Environment Act 1987*

## **Gender Equality Act 2020**

This application has no direct implications for gender equity.

## **Risk Management**

The oval redevelopment is a substantial project and requires work from various parties, including but not limited to the tendered contractor, electricians, plumbers, arborists and tilers. Timeframes can be affected at different stages of the development, as can the estimated cost of works.

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

The project incorporates water sensitive urban design and other sustainability measures.

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

Notice of the application has been given by letter to the owners and occupiers of surrounding land. Three notices have been displayed around the perimeter of the site for fourteen days and the application documents made available online for the notice period.

One submission was received from a nearby resident who requests the inclusion of flowering gums as part of the new landscaping which has been included.

No objections were received.

### **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.

Anita Collingwood, Acting Planning Coordinator

Andrew Nield, Acting Manager Shire Strategy and Regulation

Rory Neeson, Director Wellbeing, Planning and Regulation

Susannah Milne, Acting Director Wellbeing, Planning and Regulation

### **RECOMMENDATION**

That, having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, Council resolve to grant a planning permit for under the provisions of Clause 43.01 of the Southern Grampians Planning Scheme in respect of the land known and described as 18 Market Place, 125 Brown Street, 135 Brown Street and 73 Lonsdale Street, Hamilton (Melville Oval) for the Demolition of buildings, removal of trees, alteration of existing buildings, construction of buildings and the carrying out of works in accordance with the endorsed plans and subject to the conditions included in Attachment 2.

## 12.2 Partial Road Discontinuance, Market Street Hamilton - Melville Oval Upgrade

**Directorate:** Infrastructure and Sustainability  
**Report Approver:** Marg Scanlon (Director Infrastructure and Sustainability)  
**Report Author:** Bill Scott, Manager Project Management Office  
**Attachment(s):** 1. Design Impact into Road Reserve [12.2.1 - 1 page]  
2. Title plan - Market Place Partial Closure [12.2.2 - 1 page]

### Executive Summary

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, umpires' 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, it is proposed to discontinue a section of the road reserve as shown on the plan attached in the hatched area (Attachment 2) to facilitate project construction.

To resolve this road discontinuance, Council is required to publicly advertise the proposal, inviting submissions from the public in accordance with the statutory requirements. Any submissions received will be considered by Council, including at a Hearing of Submissions meeting (if required). After considering submissions received, Council will receive a further report to consider 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. If Council makes such a decision, it must give public notice of the proposal, calling for submissions. Council must then consider any submissions made in response to the public notice, before deciding to proceed with the discontinuance or not. If Council makes a decision to discontinue the road, it must publish 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 consider 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.

If Council decides to discontinue the road, it will need to procure the agreement of the Department of Energy, Environment and Climate Action (on behalf of the Crown), to:

- i. temporarily reserve the discontinued road for the same purpose as the adjoining land; and
- ii. appoint Council as Crown land administrator of the discontinued road.

The proposed discontinuance is subject to a full community consultation process prior to Councils further consideration and 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 must give 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.

Where a person has made a written submission to Council requesting that he or she be heard in support of the written submission, Council must permit that person to be heard before a meeting of Council or the Committee which has delegated authority to hear those submissions, giving reasonable notice of the day, time and place of the meeting.

After hearing any submission made, Council must determine whether the Road is not reasonably required for public use, in order to decide whether the road should be discontinued.

### **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.

The following officers were involved in the production of this report:

- Tony McGann – Contracted Project Manager
- Bill Scott – Manager Project Management Office
- Vicky Collins – Executive Assistant Director of Infrastructure & Sustainability
- Marg Scanlon – Director Infrastructure & Sustainability.

## **RECOMMENDATION**

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

1. Resolves that the required statutory procedures be commenced 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 Sections 207A and 223 of the Act, public notice of the proposed discontinuance be given on Council's website, in a newspaper circulated in the local community, and in a major metropolitan newspaper;
3. Resolves that the public notice required to be given under sections 207A and 223 of the Act should state that if the Road is discontinued, it will vest in the Crown, and Council proposes to request 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.

## 12.3 Monthly Capital Works Report - May 2023

**Directorate:** Infrastructure and Sustainability  
**Report Approver:** Marg Scanlon (Director Infrastructure and Sustainability)  
**Report Author:** Bill Scott, Manager Project Management Office  
**Attachment(s):** 1. Council Report Summary - May 2023 [**12.3.1** - 6 pages]

### Executive Summary

This report provides Council with a summary update on the progress of the delivery of the 2022/2023 Capital Works Program up to 31 May 2023.

The report summarises the current financial expenditure and carry forward items.

### Discussion

At the beginning of the 2022/23 financial year Council adopted the Capital Works Program to the total value of \$29,402,817 and as at the 31 May 2023 the progress has been:

- Year to date expenditure: \$8,628,722
- Current confirmed carry forwards (Projects continuing into next financial year) total: \$12,821,818
  - Some carry forward projects are:
    - \$4.1M Melville Oval – Facility Upgrade
    - \$340K MJ Hynes Building roofing works and painting
    - \$420K Pedrina Park Soccer field drainage
    - \$530K of pool related projects
    - \$1.1M Hamilton Transfer Station Waste Separation Shed
    - \$3M Cox Street Redevelopment
    - \$760K Council contribution for the Botanical Gardens Intergenerational playground
    - \$350K Hamilton CDB Streetscape design
- Non-Capital Projects \$407,569 (development and feasibility for future capital)

Currently 51% of the adopted Capital Works Program is committed, which represents 69 of 106 individual projects.

The civil renewal programs near completion, specifically road resealing, gravel road re-sheeting and final-seals, kerb and channel, footpath in addition to the bridge renewal works. In total these programs represent \$6.37M of the total capital budget for 2202/2023, of which \$5.04M has been spent to date.

Refer to Attachment 1: Capital Works Program which indicates the following:

- Green refers to projects on schedule for delivery
- Yellow refers to projects delayed
- Red refers to project behind schedule



- Black refers to project which are complete
- Blue refers to projects on-hold.

### Financial and Resource Implications

In summary, the following table includes the previously agreed financial adjustments as reported to Council.

Project	Rationale	Outcome
EV Charging for Council fleet	Council contribution required as a co-contribution to the state government grant	\$37,500 unspent capital funds
PAC Internal Painting	Tender awarded noting costs slightly over budget	\$6K moved from PAC House Lighting Project savings.
Lonsdale/Brown Street Property Acquisition	Strategic Hamilton CBD Redevelopment	\$200k from Town Entrance Signs
Art Gallery Climate Control	Additional \$200k required to meet funding agreement requirements, renewing the existing climate control system.	\$200K transferred to support project from Building Renewal program
Silvester Oval Power Upgrade and Lighting	Additional funds required to complete works in accordance with the funding agreement.	\$78,900 from identified savings.

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

#### ***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.

### ***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

3.3.3 Improve and provide opportunities for shared community spaces.

## **Legislation**

The key legislative requirement relating to Capital Works Program reporting is defined within the Local Government Act 2020. Specific capital projects requirements relate to various legislative requirements such as the Environment Protection Act.

## **Gender Equality Act 2020**

There are not any Gender Equality Act implications specifically in the development of this report however gender equality implications and requirements are considered in the planning and delivery of specific capital projects and programs. The Gender Equality Act is also taken into consideration in the implementation of the program development and implementation including such processes as procurement, communications and engagement.

## **Risk Management**

Risk management is a key aspect of the capital program development ensuring risks are identified, mitigated and managed accordingly. More specifically each capital project has a risk management plan pertinent to the project details. This is also component of the Project Management Framework.

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

In accordance with Council's commitment to sustainability, various environmental and climate change considerations are considered in the planning and delivery of capital works including Build WELL principles, material selection and works methodologies.

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

The adopted 2022/2023 Capital Works Program has been published and these monthly reports provide the status report together with any adjustments to the program.

## **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.

The following officers were involved in producing this report:

- Bill Scott – Manager Project Management Office
- Marg Scanlon – Director Infrastructure & Sustainability.

<b>RECOMMENDATION</b>
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That Council note the Capital Works Program Progress Report for May 2023.

## 12.4 Rescind HILAC Corporate, Community and Club Membership Policy

**Directorate:** Wellbeing, Planning and Regulation  
**Report Approver:** Susannah Milne (A/Director Wellbeing, Planning and Regulation)  
**Report Author:** Diana Dixon, Coordinator Leisure Facilities  
**Attachment(s):** 1. Council Policy Community and Community and Club Membership [12.4.1 - 2 pages]

### Executive Summary

This report recommends that Council rescind the Council Policy, Hamilton Indoor Leisure and Aquatic Centre (HILAC) Corporate, Community and Club Membership Policy, as the policy is operational and the process for setting fees and charges is completed annually through the Council budget process.

### Discussion

This policy was first adopted on 13 November 2019 and clearly outlines the terms and conditions for how the 'Corporate, Community and Club Membership' is applied.

The policy is operational and its review is now completed annually as part of the setting of fees and charges through the Council budget process.

Due to its operational nature, it is recommended to rescind the existing Council policy and instead transfer the policy to Council's operational policy register.

The operational policy will continue to be reviewed to ensure that the Council's intention of the policy remains current to improve health and wellbeing by encouraging physical activity, social connection and volunteerism across the municipality.

### Financial and Resource Implications

There are no financial implications of this report, the incentivised membership promotion under the policy is already considered under the 'fees and charges' process of the annual budget process.

### 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

Under the Local Government Act 2020 Subsection 8, Council has a role to ensure that it provides good governance in its municipal district for the benefit and wellbeing of the municipal Community.

### **Gender Equality Act 2020**

A gender impact assessment was not required for the rescission of this policy.

### **Risk Management**

There are no adverse risks to Council or the community through the rescission of this policy.

### **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**

No internal or external consultation has been conducted in relation to this report. The recommendation is to rescind the Council policy and replace it with an Operational Policy therefore the community will still have access to the 'incentivised membership type'.

In line with HILAC's Marketing Plan, further advertising and promotion of this membership will occur in the community.

### **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.

The following officers were responsible for the preparation of this report:

Diana Dixon, Coordinator Leisure Facilities  
Susannah Milne, Manager Community Wellbeing  
Rory Neeson, Director Wellbeing Planning and Regulation

## **RECOMMENDATION**

That Council rescind the Hamilton Indoor Leisure and Aquatic Centre Corporate, Community and Club Membership Policy.

## 12.5 Audit & Risk Committee Meeting Minutes - 16 May 2023

**Directorate:** People and Performance  
**Report Approver:** Darren Barber (Director People and Performance)  
**Report Author:** Nadine Rhook, Executive Assistant to Director People and Performance  
**Attachment(s):** 1. 16-05-2023 - ARC Minutes - Final [12.5.1 - 11 pages]

### Executive Summary

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

### Discussion

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

### Financial and Resource Implications

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

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

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

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

##### 5.1 Transparent and accountable governance

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

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

##### 5.3 Committed and skilled staff

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

### Legislation

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

### Gender Equality Act 2020

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

### **Risk Management**

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

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

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

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

Changes in membership will be communicated to the relevant stakeholders, as necessary.

### **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.

Darren Barber – Director People and Performance

Nadine Rhook – Executive Assistant, Director People and Performance

<b>RECOMMENDATION</b>
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That Council note the Minutes for the Audit and Risk Committee Meeting held on 16 May 2023.

## 12.6 Planning Committee Meeting Minutes - 14 June 2023

**Directorate:** Wellbeing, Planning and Regulation  
**Report Approver:** Susannah Milne (A/Director Wellbeing, Planning and Regulation)  
**Report Author:** Sharon Clutterbuck, Executive Assistant to Director Wellbeing, Planning and Regulation  
**Attachment(s):** 1. Planning Committee Minutes 14 June 2023 [12.6.1 - 16 pages]

### Executive Summary

The Minutes from the Planning Committee meeting held on 14 June 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 \$5 million (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 to 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

2.4.3 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 14 June 2023.

## 13 Notices of Motion

### 13.1 Notice of Motion #4/23

**Councillor:** Cr Rainsford

**Attachment(s):** 1. Pedrina Park Advisory Committee 12 July 2023 copy [13.1.1 - 2 pages]

I hereby give notice of my intention to move the following motion at the Council Meeting to be held on 12 July 2023.

#### MOTION

That :

1. Southern Grampians Shire Council establish a Pedrina Park Advisory Committee in consultation with Pedrina Park current and potential users.
2. This Pedrina Park Advisory Committee will operate for 2 years then be reviewed by Southern Grampians Shire Council.
3. Due to the urgency of managing new investment included in the 2023/2024 SGSC Budget and balancing potential new users of Pedrina Park this Advisory Committee be established within the next month with two councillors nominated at this July 12<sup>th</sup> meeting to work with Pedrina Park Users, community and SGS officers to develop the MOU to be endorsed at the next SGSC meeting.
4. Councillors nominated to represent Southern Grampians Shire Council are  
Cr \_\_\_\_\_ and Cr \_\_\_\_\_

## 14 Urgent Business

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

## 15 Mayor, Councillors and Delegate Reports

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

## 16 Confidential Reports

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

## 17 Close of Meeting

This concludes the business of the meeting.