



SOUTHERN GRAMPIANS SHIRE COUNCIL

MINUTES

OF

**The Ordinary Meeting of the Southern Grampians Shire Council
held in the Council Chambers, 3 Market Place, Hamilton,
on Wednesday 9 December 2015, at 5.30pm**

Order of Business

1. Acknowledgement of Country
2. Prayer
3. Apologies
4. Confirmation of Minutes
5. Declaration of Interests
6. Questions on Notice
7. Public Deputations
8. Management Reports
9. Items for Information
10. Notices of Motion
11. Delegates' Reports
12. Confidential Matters
13. Closure

**SOUTHERN GRAMPIANS SHIRE COUNCIL
MINUTES
WEDNESDAY 9 DECEMBER 2015**

1. **ACKNOWLEDGEMENT OF COUNTRY**
2. **PRAYER**
3. **APOLOGIES**
4. **CONFIRMATION OF MINUTES**

Recommendation:
That the Minutes of the Ordinary Council Meeting held on 11 November 2015, as circulated be confirmed.
5. **DECLARATION OF INTERESTS**
By Councillors or Officers in respect of any item on the Agenda.
6. **QUESTIONS ON NOTICE** Page 3
6.1 Flood Mitigation
6.2 Flood Mitigation
7. **PUBLIC DEPUTATIONS**
Nil
8. **MANAGEMENT REPORTS**
8.1 Community Local Law No.1 of 2015 Page 6
8.2 Open Data Page 14
8.3 Procurement Policy Review Page 19
8.4 Audit Committee Charter and Internal Audit Committee Charter Page 22
8.5 Draft Digital Strategy - Southern Grampians and Glenelg Shire Councils Page 25
8.6 Municipal Building Control Intervention Filter Criteria Guideline Page 34
8.7 Cox Street 'Front Door' Precinct Streetscape Design Project - Adoption Page 38
8.8 Airport Project (*to be circulated separately*)
9. **ITEMS FOR INFORMATION** Page
9.1 Assembly of Councillors Record Page 49
9.2 Temporary Road Closures & Street Processions
9.3 Liquor Control Act Referrals
9.4 Tenders
9.5 Planning Report Page 50
9.6 Building Services Report Page 51
10. **NOTICES OF MOTION** Page 53
To be dealt with in Confidential Matters
11. **DELEGATES' REPORTS** Page 54
12. **CONFIDENTIAL MATTERS (not for public distribution)** Page 55
12.1 Minor Works and Services Preferred Suppliers Contract 1090-15, Goods Preferred Suppliers Contract 1105-15 and Plant Hire Preferred Suppliers Contract 1091-15. Amendment to Procurement Policy and Guidelines
12.2 Tender 1112/15 – Caramut-Glenhompson Rd Embankment Reconstruction.
12.3 Variation to contract no. 1096/15 – Hamilton Airport Redevelopment Project
12.4 Notice of Motion
13. **CLOSURE** Page 56

Present:

Councillors: P Dark, A Calvano, P Battista, D Dawson, K Rainsford, B Colliton, C Armstrong

Officers: B Davidson – Interim Chief Executive Officer,
B Herbert – Director Shire Services,
M McCarthy - Director Shire Futures,
K O'Brien – Director Shire Infrastructure,
M Kruger – Governance Coordinator

1. ACKNOWLEDGEMENT OF COUNTRY

The Mayor, Cr Dark, 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.”

2. PRAYER

Cr Colliton led the meeting in a prayer.

3. APOLOGIES: Nil

4. CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Council Meeting held on 11 November 2015, as circulated be confirmed.

Cr Dawson/Cr Battista

That the Minutes of the Ordinary Council Meeting held on 11 November 2015, as circulated be confirmed.

CARRIED

5. DECLARATION OF INTERESTS

By Councillors or Officers in respect of any item on the Agenda.

Nil.

6.1 Flood Mitigation

The following questions have been received from Mr D Lynch and responses provided by Kevin O'Brien, Director Shire Infrastructure.

“I refer Councillor’s to a meeting held September 4th, 2014 re; ex Mayor Councillor Calvano, Ex C.E.O Richard Perry re; Hamilton Mitigation report 2012 and release August 2012 for comment by the community.”

1. What matters were referred to the Engineering Department?

Concerns raised in relation to the flood mitigation funding, Young Street culvert and Lewis Street paddock were forwarded on to Engineering Department to action.

2. What progress has been made?

Maintenance works of drainage culverts in Young Street have been carried out. This involved cleaning out both ends of the culvert with an excavator then washing out the ends and the cleaning out again with an excavator.

The following works have been carried out in Lewis Street:

- Inlet “A” – Clearing of the water table at the inlet of the 2 large culverts and implementation of procedures for treatment of grate during flooding;
- Pit “B” - Modified to provide 125mm side opening around the perimeter of the raised pit cover. This will enable stormwater to enter the chamber at a faster rate;
- Nature Strip “C” – Lowering of nature strip level to reduce water level in King St and direct overflow to Pit “B”;
- Outlet “D” – Re-grading of water table.

3. What are the timelines seeing our meeting was over 14 months ago?

The above works have been completed.

4. Are there any other relevant issues such as, funding been applied to carry out the works for flood mitigation areas in Holden st and King street?

No funding has been applied for in relation to flood mitigation infrastructure for King Street. In the 15/16 Council budget there has been funds allocated (subject to matching funding being secured through the Natural Disaster Resilience Program) for design works to be carried out for flood mitigation works for King St and Holden Street as per the recommendations of the Hamilton Flood Study.

6.2 Flood Mitigation

The following questions have been received from Mr D Lynch and responses provided by Kevin O'Brien, Director Shire Infrastructure.

- 1. What amount has been allocated in Budget 2015/ 2016 for flood mitigation works in King street near Coleraine Road and Holden Street near Apex park as per the Hamilton flood study recommendations.**

In the 15/16 Council budget there has been \$100,000 of funds allocated for design works to be carried out for flood mitigation works for King St and Holden Street as per the recommendations of the Hamilton Flood Study. These design works will only be carried out if matching funding is secure through the Natural Disaster Resilience Program.

- 2. Is it \$100, 000 for this financial year and another \$100, 000 for 2016/ 2017 Budget?**

Yes there is \$100,000 over two financial years to complete design works. Council will contribute \$100,000 for the completion of design works and seek to secure funding through the Natural Disaster Resilience Program. These design works will only be completed if this matching funding is secured.

There are no public deputations.

DIRECTOR SHIRE SERVICES**8.1 Community Local Law No.1 of 2015****Attachment 1 – Community Local Law No.1 of 2015****Attachment 2 – Draft Lake Hamilton Usage Policy****Attachment 3 – Local Law Community Impact Statement****Attachment 4 – Human Rights Charter – Assessment of Compatibility****Summary**

Council's Community Local Law No. 4 2005 was adopted in 2005 and will sunset on 15 December 2015.

A proposed Community Local Law No. 1 of 2015 has been drafted following a review of the existing law. Public notice has been given on the proposed Community Local Law, submissions have been received and have been distributed to Council.

This report recommends, following the consideration of all submissions received, adoption of the Community Local Law No. 1 of 2015.

Background

Community Local Law No. 4 of 2005 regulates and controls uses and activities on Council land and roads, controls activities on any land which may be dangerous, cause a nuisance or be detrimental to the amenity of the area.

In accordance with section 122 of the Local Government Act 1989, the Community Local Law No. 4 of 2005 will be revoked on 15 December 2015.

Council Plan**Outcome 1.1 Soundly Based Decisions**

Strategy 1.1.1 – Base decisions on the highest available level of professional advice and expertise.

Strategy 1.1.2 - Develop and enact policies, plans and strategies to ensure consistency in decision making.

Strategy 1.1.3 – Demonstrate leadership through ethically, socially and environmentally responsible conduct.

Strategy 1.1.5 – Provide timely and accurate advice.

Outcome 1.2 Sound Working Relationships and Strong Advocacy

Strategy 1.2.3 – Ensure that our actions contribute positively to sounds relationships and engagement with our local communities.

Strategy – 1.2.4 - Engage well with our communities on the issues important to their quality of life, health and wellbeing.

Outcome 4.1 Maintaining Community safety

Strategy 4.1.3 – Managing the regulatory environment to protect amenity and safety.

Policy/Strategy/Legal/Statutory

Under section 111 of the Local Government Act 1989, Council has the power to make local laws, for or with respect to any act, matter or thing in respect of which the Council has a function or power under any Act.

8.1 Community Local Law No.1 of 2015 (cont'd)

The proposed Local Law contains several new clauses which were previously located in Council Policies. This change has been made so as much regulatory information as possible is available to the public in one document.

Social/Economic/Environmental

The proposed Community Local Law is designed to ensure that Council can regulate matters which are important to the members of its community such as amenity, disposal of domestic waste, public health and safety and animals.

Financial/Risk Management

There are no financial implications in reviewing the Local Law.

Discussion

In reviewing the operations and effectiveness of the existing Community Local Law No. 4 2005, officers have identified some changes and enhancements which will ensure that Council is better placed to provide a local law that satisfactorily addresses issues and matters, until the next review is undertaken. A summary of the recommended changes in the proposed new local law is outlined below:

Formatting Amendments

The formatting of the proposed Local Law is significantly different to the current Community Local Law. The current Community Local Law is divided into 5 sections being:

- Part One – Preliminary Provisions
- Part Two – Activities and Uses Requiring a Permit
- Part Three – Activities and Uses to Comply
- Part Four – Activities and Uses Not Permitted
- Part Five – Administration and Enforcement

with further guidelines in Schedule 1.

The current format is confusing as certain matters can be referred to in several sections of the document. During the development of the proposed Local Law, the format was altered into sections with all like clauses together in line with best practice principles.

The sections in the proposed Local Law are as follows:

- Part One – Preliminary Provisions
- Part Two – Administration and Enforcement
- Part Three – Animals and Livestock
- Part Four – Camping
- Part Five – Building Sites
- Part Six – Use of Roads, Council Land and Public Places
- Part Seven – Environmental Health and Waste
- Part Eight – Vehicles, Parking and Petrol Pumps
- Part Nine – Lake Hamilton and Water
- Part Ten – Obstructions, Interference and Noise

The purpose of this change in formatting is to make the proposed Local Law easier to read, easier to understand and to reduce repetitiveness.

8.1 Community Local Law No.1 of 2015 (cont'd)

Part Two – Administration and Enforcement

Three clauses have been added in Part Two – Administration and Enforcement to clarify matters which were silent in the previous Local Law.

Part Three - Animals and Livestock

The purpose of this section is to outline those activities to do with animals and livestock in the Southern Grampians Shire which are either prohibited or require a permit. These clauses are designed to protect the health and wellbeing of animals and people; prevent animals from being a nuisance; and to protect flora and fauna.

The following clauses are new or have been substantially reworded:

37. Dogs in Livestock Exchange

This clause has been inserted to ensure the protection of livestock being sold through the Hamilton Regional Livestock Exchange. (This control measure has been discussed with the Hamilton Regional Livestock Exchange Manager).

38. Keeping of Bees

The keeping of bees is not covered by the current Community Local Law. This clause, which requires a permit to keep bees within certain areas, has been inserted to ensure the protection of the community and enable Council to facilitate the management, placement and amount of bee hives within township areas.

39. Control of European Wasps

This clause has been inserted to ensure that owners or occupiers of properties are not allowing wasps to nest on their land and to protect the health and safety of the community.

43. Roadside Grazing

The clause has been expanded to include details about the areas on which roadside grazing will be permitted to ensure that flora and fauna are conserved and that roadside grazing contributes to the safety of the community by reducing fire hazards.

44. Removal of mud and animal excrement

This clause has been inserted to assist Council facilitate the removal of build-up of mud and animal excrement, mainly where stock are crossing roads on a daily basis. This clause is designed to protect the community from the risk of the road surface being compromised by mud and animal excrement build-up.

Part Four - Camping

The purpose of this section is to outline the places and times where camping is permitted within the Shire. The following clauses have been inserted:

45. Camping on Council Land or in Public Places and

46. Camping on Privately Owned Land.

These clauses have been included to facilitate better management of both legal and illegal camping on Council land and in public places and to maintain the amenity and aesthetics of the Shire.

8.1 *Community Local Law No.1 of 2015 (cont'd)*

Part Five - Building Sites

The purpose of this section is to protect Council land and assets and the community in and around building sites.

The following clauses have been inserted:

- 48. *Asset Protection*
- 49. *Fencing of Building Sites*
- 50. *Inspection of Building Sites*
- 51. *Stormwater Protection*
- 52. *Controlling Refuse and Building Materials*
- 53. *Disposal of Builders' Refuse*
- 54. *Removal of Builders' Refuse*
- 55. *Sanitary Facilities*
- 56. *Identifying a Building Site*

These clauses are also designed to help maintain the general amenity of an area by requiring that building sites be kept in a clean, safe, orderly manner.

Part Six - Use of Roads, Council Land and Public Places

The purpose of this section is to outline what activities are permitted on roads, Council land and in public places and what activities require a permit.

The following clauses have been inserted:

- 57. *Activities on Council Land*
- 58. *Council Buildings and Reserves*
- 59. *Behaviour in Council Buildings*
- 60. *Behaviour on Council Land*

These clauses have been included to help control activities on Council land to ensure the protection of buildings and other assets and to mitigate any issues which may arise.

In addition, the following clauses have been reworded, as described below:

61. Using Footpaths for Commercial Activities

This clause is in the current Local Law but has been expanded to:

- make it easier to apply for a permit;
- change the acceptable height above footpaths in line with the Road Management Act 2004;
- include a diagram for applicants; and
- include clauses in relation to wind breaks and dividers which are not in the current Local Law.

62. Trading, Collections, Subscriptions and Raffles

This clause has been expanded to make it clearer to applicants what matters will be considered in the granting of a permit. It also specifies that permits will not be issued more than 3 months in advance of the event to ensure that all applicants have a chance to apply for a permit for a particular site.

63. Sale of Prohibited Goods from Council Controlled Land

This clause has been included, so that Council can restrict the sale of prohibited items at stalls and events on Council Controlled Land.

8.1 Community Local Law No.1 of 2015 (cont'd)*64. Temporary Road Closures*

Temporary Road Closures are currently dealt with under Council Policy. This clause has been inserted, so that the community can find all instances where Council requires a permit in the one document. This clause provides for Council governance and facilitation of temporary road closures within the Shire.

Part Seven - Environmental Health and Waste

The following clause has been inserted:

68. Hygiene Requirements for Personal Care and Body Art Businesses

This clause is inserted, so that Authorised Officers can deal with minor breaches of the *Public Health and Wellbeing Act 2008* by way of an Infringement Notice rather than prosecuting people in the Magistrates Court. This will enable increased protection of the community from germs and diseases which can be transmitted at personal care and body art businesses.

Part Eight - Vehicles, Parking and Petrol Pumps

There are five new clauses inserted under the vehicles, parking and petrol pumps section of the proposed Local Law:

*73. Recreation Vehicles**77. Noise from Vehicles in Public Places**80. Abandoned, unregistered or derelict vehicles in public places**81. Storage of unregistered vehicles**82. Sale of vehicles*

These clauses have been inserted to allow Council better governance of these activities and issue Infringement Notices to those who offend rather than prosecuting them through the Magistrates Court. These clauses will help improve the amenity of the Shire and limit nuisances to the general public.

Part Nine - Using Lake Hamilton and Waterways

The following changes to clauses are reflected in the proposed Local Law:

85. Using Lake Hamilton Waterway and Reserve

This clause has been amended to reflect that Council will, by resolution, from time to time resolve upon the usage times of Lake Hamilton Waterway.

86. Taking Water from Council Operated Standpipes, Roadside Dams, Culverts and Lake Hamilton

This clause has been inserted to allow Council to monitor the removal of water from areas that may impact the capacity of providing a water source for fighting fires.

87. Interference with Watercourse

This provision provides Council with the controls over a number of activities which could, if left uncontrolled, detract from the natural environment.

Part Ten - Obstructions, Interference and Noise

The purpose of this section is to outline those activities which may cause an obstruction, interference or excessive noise to the community. Some of the activities in this section are only allowed once a permit has been granted, others are actions

8.1 *Community Local Law No.1 of 2015 (cont'd)*

that the community is obliged to take in order to maintain the safety of the Shire. These clauses are designed to protect the community and permit Council to issue Infringement Notices for offences rather than prosecuting offenders through the Magistrates Court.

The new clauses in this section are:

- 90. *Fireworks*
- 91. *Control of Noise from premises*
- 92. *Removal of fallen timber*
- 93. *Removal of sand and gravel from roadsides*
- 96. *Use of Chimneys, Purpose Built Outdoor Cooking and/or Heating Devices*
- 99. *Land not to be dangerous*
- 100. *Fire Hazards*
- 101. *Shipping Containers*

Comments on a draft Local Law were sought from the community on 20 June 2015 and 25 June 2015 and community feedback was sought by 17 July 2015. Copies of a draft Local Law were available on Council's website and at Council's offices. Copies of the draft Local Law were also sent directly to the Progress Associations within the Shire and the Hamilton Regional Business Association. 2 submissions were received by Council and have been noted by officers. Following the community feedback and internal workshops within Council, an updated proposed Local Law was prepared.

Following this update to the proposed Local Law the community was invited to make submissions in accordance with section 223 of the Local Government Act 1989. Submissions were invited by placement of a notice in the Hamilton Spectator and on Council's website. The closing date for receipt of submissions was 23 October 2015. Ten submissions were received in response to the public notice advising of the proposed Community Local Law and these have been circulated to Councillors. Two people chose to speak to their submissions at the Council Meeting on 11 November 2015. A meeting was held with the Lake Hamilton User Groups on 20 October 2015 to discuss the proposed changes in relation to the usage at Lake Hamilton.

Nine of the submissions received were in relation to section 85 of the proposed Community Local Law which details proposed changes to the usage of Lake Hamilton Waterway. All nine submissions objected to section 85 in the proposed Community Local Law.

Whilst some submitters were willing to see the usage of Lake Hamilton Waterway altered they did not feel the proposed section was appropriate. The objections to the proposed section are as follows:

- Allowing powered vessels to use Lake Hamilton Waterway until 5pm would exclude after school rowing;
- The use of the specific terms 'rowing craft vessels' and 'sailing craft vessels' instead of the more general 'non-powered vessels';
- Increased noise from powered vessel having more usage of Lake Hamilton Waterway.

Comments were also received in relation to:

- The lack of appropriate signage at Lake Hamilton in relation to parking restrictions; and

8.1 Community Local Law No.1 of 2015 (cont'd)

- The accuracy of zoning and information of zoning of the map in the proposed Community Local Law.

The tenth submission raised the following issues:

- Section 31 – why is this limited to cattle, pigs and donkeys?
- Section 83 – the provision for skateboards and other wheeled recreational devices is vague.
- Section 85 – the wording is overly complicated and seems to be of more benefit to one group of users than another.

Comments were also made in relation to:

- Section 40-43 – droving is not necessarily the best answer to reducing roadside vegetation so as to reduce fire hazards. There are issues with this in relation to overstocking.
- Public education and explanation in relation to the Local Law and Council's Local Laws Officers needs to be increased. The article on 25 July 2015 in the Hamilton Spectator was very constructive.

Following the consideration of all submissions received further internal discussion the following amendments have been made to the version of the proposed Local Law which went out for public submissions:

1. Section 85 - Lake Hamilton Waterway and Reserve

Section 85(3) and 85(4) have been removed and replaced with the following:

Lake Hamilton Waterway usage is shared between non-powered and powered vessels as follows:

- a) Non-powered vessels may use the restricted area of Lake Hamilton at any time;
- b) Powered vessels may use Lake Hamilton at any time at a speed of 5 knots or less;
- c) All other usage times are set from time to time by Council resolution.

Given the onerous amendment process in relation to Local Laws it is recommended that the details of Lake Hamilton usage times be detailed in a policy, rather than in the Local Law, so that amendments, if necessary, can be completed in a timely and efficient manner. Section 85(3)(c) has been written to reflect this recommendation.

A draft policy has been prepared based on the Lake Hamilton User Group meeting discussions and submissions received. As the community was not pleased with the Lake Hamilton Usage section in the proposed Local Law and the usage times in the policy are significantly different to what has been presented to the community previously the intention is to go back out to the community for further consultation on the Lake Hamilton usage.

2. Section 101 – Shipping Containers

Section 101(2) has been amended so that a permit for a shipping container is not required if a planning permit or building permit has already been granted which allows for this use of a shipping container.

8.1 Community Local Law No.1 of 2015 (cont'd)**Community Engagement**

There is no further community engagement planned for the Community Local Law No. 1 of 2015 once adopted.

Further engagement will take place in relation to the Lake Hamilton usage and the draft policy. This will allow for all members of the community, and the Lake Hamilton User Groups, to further discuss this matter before a decision is made by Council.

Communication of Decision

Public notice will be given in the Hamilton Spectator, the Victorian Government Gazette and on Council's website about the adoption of the Community Local Law No. 1 of 2015. Copies of the Community Local Law No. 1 of 2015 will be available inspection on Council's website.

Officer Declaration of Interest

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Bronwyn Herbert, Director Shire Services.

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Megan Kruger, Governance Coordinator.

In providing this advice as the Author, I have no disclosable interests in this report.

8.1 Community Local Law No.1 of 2015 (cont'd)**Recommendation**

1. That Council adopt the Community Local Law No 1 of 2015 as presented in Attachment 1 with the following amendments:
 - Section 46(1) be amended to read “A person must not, without a permit, allow camping for non-commercial purposes for more than 14 consecutive days on land owned or occupied by them.”
2. That Council note the Local Law Community Impact Statement and Human Rights Charter – Assessment of Compatibility.
3. That further community consultation be undertaken in relation to the usage of Lake Hamilton and a report be presented to Council to resolve upon a usage policy pursuant to section 85(3)(c).

Cr Dawson/Cr Colliton

1. **That Council adopt the Community Local Law No 1 of 2015 as presented in Attachment 1 with the following amendments:**
 - **Section 46(1) be amended to read “A person must not, without a permit, allow camping for non-commercial purposes for more than 14 consecutive days on land owned or occupied by them.”**
2. **That Council note the Local Law Community Impact Statement and Human Rights Charter – Assessment of Compatibility.**
3. **That further community consultation be undertaken in relation to the usage of Lake Hamilton and a report be presented to Council to resolve upon a usage policy pursuant to section 85(3)(c).**

CARRIED

8.2 Open Data

Summary

Open Data is an opportunity to foster greater transparency, accountability and drive innovation and economic opportunities for Southern Grampians Shire. Open Data is also an initiative that has been identified in the joint Glenelg/Council Digital Strategy.

It is recommended that Council adopt a position that promotes the publication of Open Data that is in line with privacy requirements.

Background

Open data is data that anyone can access, use or share. When big companies or governments release non-personal data, it enables small businesses, citizens and researchers to develop resources which make crucial improvements to their communities.

Open Data fosters greater transparency and accountability, to drive innovation and economic opportunities and, at the same time, create a more cost effective, efficient and responsive government.

All data collected and stored will be made available in machine-readable formats to the public while appropriately safeguarding sensitive information and rigorously protecting privacy. Open data means that data will be technically available and reusable and appropriate open licensing will be in place to facilitate its use.

Open Data:

- Allows scope for data to be analysed and visualised in unique and different ways (where government may not always have the expertise or resources to do so). This can lead to a more engaged, connected and informed community and can help highlight some of the work councils are doing behind the scenes to collect and manage public data.
- Facilitates social and commercial innovation, by allowing the growth of new business and service models that rely on open data.
- Improves service delivery and community satisfaction by allowing citizens to interact with public government data via online interfaces or community-developed apps.
- Can achieve long-term or unforeseen benefits. This is because it is not always possible to predict the kinds of innovation that may evolve in response to the release of open data.

Council Plan

Open Data can align to many of the Council Plan strategies

Leadership and Good Governance

Strategy 1.2.3

Ensure that our actions contribute positively to sound relationships and engagement with our local communities – Open Data can provide greater transparency of Council actions and can help highlight work council is doing behind the scenes which the community may not be aware of.

8.2 Open Data (cont'd)

Strategy 1.2.4

Engage well with our communities on the issues important to their quality of life, health and wellbeing – In regards to health and wellbeing, Open Data can be used to highlight walking tracks, community bus routes, location and opening hours of health services in the hire and much more.

Strategy 1.3.3

Maintain a continuous improvement approach to all Council operations – By releasing Council data via Open Data., this means Council can get community feedback on data quality issues that can then be rectified and help continuously improve Council data quality. Council can fix data quality issues that may have never been found with Council resources.

Foster Population and Economic Growth

Strategy 2.1.3

Support industries that have capacity to generate positive flow-on economic effects (propulsive industries) – Industry can leverage Open Data to enhance their service/product offering

Strategy 2.1.5

Support and encourage social and economic development in all our settlements – Open Data can be used by members of the community to create mobile applications that can provide benefits/improvements to the communities they live and can potentially turn into new businesses in their own right.

Strategy 2.3.1

Attract conferences and events to the Shire and facilitate and enrich the local events program – Open Data does not just release data locally, Council data can be accessed from anywhere in the world. Council could release conference and other facility information via Open Data which could potentially lead to new businesses.

Strategy 2.3.2

Enhance, facilitate and promote existing and new experiences – By releasing the Shire's attractions and event data via Open Data, this can help promote the events run in the Shire and attract greater visitation.

Help Communities Feel Dynamic and Resilient

Strategy 4.2.1

Provide support and services to enable communities to flourish – Open Data can achieve long-term or unforeseen benefit because it is not always possible to predict the innovation that may evolve in response to the release of Open Data.

Strategy 4.2.3

Providing the information and assistance that supports community empowerment – Open Data provide community with the power to use this data anyway they wish, they could analyse for their own benefit or look to create something new using Open Data that can enrich the local community. Open Data is not about Council dictating use of the data, it is up to the imagination of the public.

Strategy 4.3.2

Provide opportunities for youth participation and development – Open Data is a perfect way to engage youth and get them involved in developing an understanding

8.2 Open Data (cont'd)

the data that Council gather. They can then use this data and be creative to develop valuable community applications that can be accessed on smartphones or tablets.

Policy /Strategy/ Legal/ Statutory

Open Data datasets will be released under a Creative Commons licensing. Depending on which Creative Commons license is chosen Council can allow/restrict ability for data to be used commercially or whether the adaptations to the data can be on shared. Either way, Creative Commons licencing has the following stipulated in regard to Warranties and Limitation of Liability:

Section 5 – Disclaimer of Warranties and Limitation of Liability.

- a. Unless otherwise separately undertaken by the Licensor, to the extent possible, the Licensor offers the Licensed Material as-is and as-available, and makes no representations or warranties of any kind concerning the Licensed Material, whether express, implied, statutory, or other. This includes, without limitation, warranties of title, merchantability, **fitness for a particular purpose**, non-infringement, **absence of latent or other defects, accuracy, or the presence or absence of errors**, whether or not known or discoverable. Where disclaimers of warranties are not allowed in full or in part, this disclaimer may not apply to You.
- b. To the extent possible, **in no event will the Licensor be liable to You on any legal theory (including, without limitation, negligence) or otherwise for any direct, special, indirect, incidental, consequential, punitive, exemplary, or other losses, costs, expenses, or damages arising out of this Public License or use of the Licensed Material**, even if the Licensor has been advised of the possibility of such losses, costs, expenses, or damages. Where a limitation of liability is not allowed in full or in part, this limitation may not apply to You.
- c. The disclaimer of warranties and limitation of liability provided above shall be interpreted in a manner that, to the extent possible, most closely approximates an absolute disclaimer and waiver of all liability.

Social / Economic / Environmental

There is tremendous opportunity for Open Data to contribute positively towards the Social and Economic initiatives that Council is progressing. Open Data can engage members of the community to use Open Data to create information/application that can contribute positively to the community.

From an economic perspective, Open Data can be used by business to help improve services/products and provide opportunity for new entrepreneurs to use Open Data to create applications that can generate an income stream.

Financial / Risk Management

There is no financial implication to adopting a position that Council supports and participates in Open Data. There is a small amount of configuration work required (approximated at 1 hour per data set) per data set release, but once configured the future data changes are automated.

8.2 Open Data (cont'd)

Releasing data sets using the Creative Commons licensing minimises the risk in regards to releasing data that contains errors or inaccuracies.

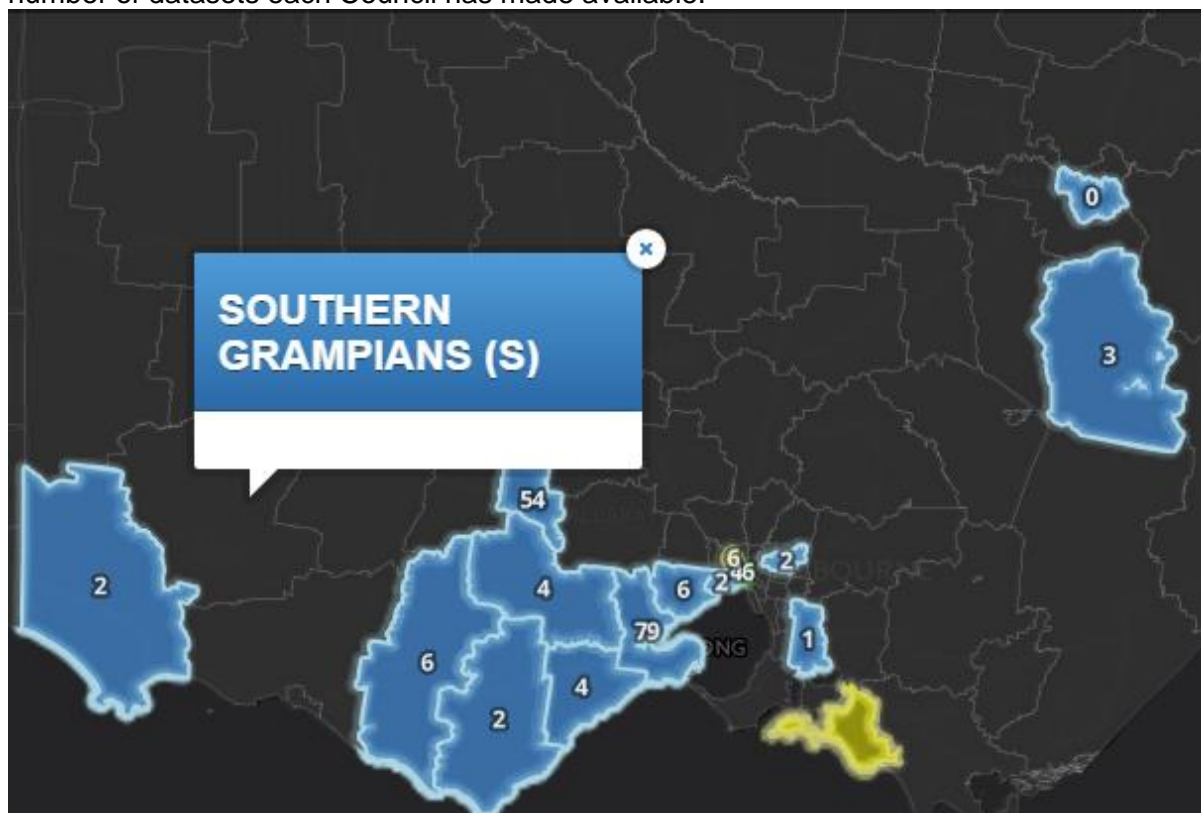
Discussion

Government data is a valuable public resource that can be a powerful tool to support the goals and values of the community. Government organisations around the world are rapidly adopting open data policies as they recognise the potential benefits that can be realised at all levels of government.

MAV Technology has established an open data initiative, using the expertise of those Councils already publishing open data sets such as City of Melbourne, City of Greater Geelong, City of Ballarat, City of Whittlesea and Corangamite Shire. This group has discussed and identified the following priorities for 2015:

- A preferred current publishing platform for open data
- A preferred policy for open data publishing
- A number of datasets as potential 'starters' for all councils (trees, garbage collection and accessible buildings)
- The need for ongoing discussion and collaboration.

The following image of Victoria shows all Councils currently publishing Open Data and the number of datasets each Council has made available:



By removing the barriers for innovative use and reuse of data, opportunities can be provided for the commercial, research and community sectors to use Council data to add value. This can assist the community in making better evidence-based policy and service delivery decisions, and support increased citizen participation in government.

8.2 Open Data (cont'd)

Council is already producing data publically via the public IntraMaps functionality available on the Council's website, however the data sets on public IntraMaps is not in a format/standard/location that others can use to create beneficial solutions for the community.

Discussion amongst consumers of *Open Gov* data has indicated that any data is better than no data. Even when data may be incomplete or inaccurate, there is still a public demand for it. In fact some councils are now being notified of incorrect data and are using public feedback to improve their data quality.

Data sets which contain information related to privacy, public safety, security and law enforcement, public health, and/or compliance with other agreements will not be considered for publication.

Community Engagement

Open Data is an opportunity to enhance transparency and accountability, to drive innovation and economic opportunities and, at the same time, create a more cost effective, efficient and responsive government.

Communication of Decision

Details of the decision will be provided to the community via various methods, e.g. Council website, Facebook and media release.

Officer Declaration of Interest

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Bronwyn Herbert, Director Shire Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Russell Bennett, Manager Business Systems

In providing this advice as the Author, I have no disclosable interests in this report.

Recommendation

That Council endorse the releasing of data sets via Open Data in accordance with the Creative Commons license and after ensuring that privacy requirements are not breached and that the integrity of the data has been checked.

Cr Colliton/Cr Dawson

That Council endorse the releasing of data sets via Open Data in accordance with the Creative Commons license and after ensuring that privacy requirements are not breached and that the integrity of the data has been checked.

CARRIED

8.3 Procurement Policy Review**Attachment 5 - Procurement Policy****Summary (including recommendations)**

In accordance with section 186A(7) of the Local Government Act 1989 (“the Act”) Council must review its Procurement Policy at least one in each financial year. This review has been undertaken and an amended Procurement Policy prepared.

This report recommends that the amended Procurement Policy be approved by Council.

Background

Under section 186A of the Act all Victorian Councils are required to have a Procurement Policy. This has been a requirement since 2008. The Policy was last fully reviewed by Council on 12 November 2014, with a minor amendment introduced on 24 June 2015. The amended version that has been prepared as a result of this review will be the 10th version of the Southern Grampians Shire Council Procurement Policy (if approved by Council).

Council Plan

Outcome 1.3 – Financial Responsibility and Security.

Strategy 1.3.1 – Compliance with and application of prudent financial principles to the Council’s annual budget.

Strategy 1.3.3 – Maintain a continuous improvement approach to all Council operations.

Outcome 2.1 Strong Economic Performance that Supports Population Growth.

Strategy 2.1.5 – Support and encourage social and economic development in all our settlements.

Strategy 2.1.9 – Facilitate and encourage business capacity and development

Policy /Strategy/ Legal/ Statutory

It is a statutory requirement to review the Procurement Policy at least once in each financial year.

Social / Economic / Environmental

Council’s Procurement Policy is a public document which is published on Councils website. This allows potential tenderers to download the document and understand the procurement processes which Council must abide by. Updating the Procurement Policy annually ensures that any relevant changes in circumstances are identified and addressed and the public is up to date with Council’s processes.

The Act provides that the objectives of all Councils include:

- The promotion of social, economic and environmental viability and sustainability of the municipal district.
- The promotion of appropriate business and employment opportunities.
- Ensuring transparency and accountability in Council decision making.

8.3 Procurement Policy Review (cont'd)

The Act also provides that part of the role of a Council is to maintain the viability of the Council by ensuring that resources are managed in a responsible and accountable manner. The regular review and refinement of the Procurement Policy and the associated Guidelines provide a means of demonstrating Council's fulfilment of its obligations to not only provide the best value for money for its community, but also that the processes applicable to the expenditure of funds are clear and transparent and treat all potential provider of goods and services with equity and fairness.

Financial / Risk Management

There is no cost or income related to the review and amendment of the Procurement Policy.

The Policy is essential to make sure that the responsibilities, processes, thresholds and compliance requirements in relation to the procurement of all goods, services and works comply with all Australian and Victorian legislation and are done ethically and transparently.

Discussion

A comprehensive process involving a broad range of staff has been undertaken. In addition to these internal processes, research and bench-marking has enabled best practice approaches to procurement to be assessed. This includes the State Government's Guidelines and several other Councils' policies.

The result of this review has been the recommendation to add four additional points to the Aim of the policy:

- the first two reflect section 3C of the Act, and reinforce the aim of efficient use of Council resources and the achievement of best value;
- the third reflects a commitment to support local businesses by giving preference where all else is equal; and
- the fourth point reflects a commitment to sustainability.

In addition, the responsibilities of the Procurement Officer have been updated to include the annual provision of an information session for suppliers. This is indicative of Council's commitment to community engagement.

The final minor amendment is to add a note below the competition thresholds table to indicate that, where possible, local suppliers should be included in requests for quotes.

Community Engagement

Two public information sessions were held in May and November of this year; these sessions were aimed at informing local suppliers about how local government procurement works, and how they can engage with Council. The revised policy includes a requirement to hold annual information sessions for suppliers.

A meeting was held with Hamilton Regional Business Association (HRBA) with regards to support for local business; broader procurement issues were also discussed including the requirement for annual reviews of the policy and the capacity for HRBA to have input into the process.

Communication of Decision

The amended Procurement Policy, and relevant Guidelines, will be uploaded to Council's website.

8.3 Procurement Policy Review (cont'd)**Officer Declaration of Interest**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Bronwyn Herbert, Director Shire Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Simon Nettleton, Procurement Officer

In providing this advice as the Author, I have no disclosable interests in this report.

Recommendation

That the amended Procurement Policy be adopted by Council.

Cr Dawson/Cr Battista

That the amended Procurement Policy be adopted by Council.

CARRIED

8.4 Audit Committee Charter and Internal Audit Committee Charter**Attachment 6 - Audit Committee Charter****Attachment 7 - Internal Audit Committee Charter****Summary**

The purpose of this report is to consider a revised Audit Committee Charter and a new Internal Audit Committee Charter.

Council is requested to approve both documents as attached.

Background

In accordance with Section 139 of the Local Government Act, it is mandatory for Councils to establish an Audit Committee as an Advisory Committee of Council.

Further, under Section 139(5) and (6), the Minister for Local Government may make Guidelines for the purposes of Section 139 which are required to be published in the Government Gazette. The latest Local Government industry guidelines have been utilised in preparing the attached Audit Committee Charter. It replaces an existing Charter adopted by Council.

Accordingly, the Charter has been prepared to clearly set out the Audit Committee's purpose and responsibilities, composition of the Committee, conduct of meetings and reporting to Council.

While the new revised Charter includes a new section of Internal Audit, it is also the Audit committee's recommendation that a specific Internal Audit Charter is also developed. This will be accompanied by the engagement of an internal auditor(s) to conduct internal audits on a structured basis. This will replace an issue specific approach over the last several years as required where external investigations have been conducted.

Council Plan

This is supported by the 2013 – 2016 Council Plan in the following strategies:

Strategy 1.1.2 - Develop and enact policies, plans and strategies to ensure consistency in decision making.

Strategy 1.1.5 - Provide timely and accurate advice.

Strategy 1.3.2 - Ensure financial responsibility and security by preparing, implementing and reviewing Council's long-term financial plan.

Strategy 1.3.3 - Maintain a continuous improvement approach to all Council operations.

Strategy 1.3.4 - Apply the principles of our Asset Management Strategy and Policies.

Policy /Strategy/ Legal/ Statutory

The development of a Charter for the Audit Committee is a legal requirement.

8.4 Audit Committee Charter and Internal Audit Committee Charter (cont'd)**Social / Economic / Environmental**

It is important for the community and the economy that Council operates effectively and meets the highest standards of governance and fiscal management.

Financial / Risk Management

The Audit Committee has an important role in terms of 'adding value to the organisation's operations and enables the organisation to evaluate and improve the effectiveness of risk management, control and governance processes.'

Discussion

The purpose of the Audit Committee is to assist Council in the effective conduct of its responsibilities for financial reporting practices, maintenance of Council's accounting policies, risk management and internal control systems.

However, the Audit Committee does not have delegated powers or authority to implement actions and does not have any delegated financial responsibilities. Therefore, the Committee does not have any management function and is therefore independent to management.

Council does authorise this Committee within its scope of responsibilities to:

- a) Perform activities within the scope of the Charter;
- b) Determine the composition of the Committee and information about the meetings;
- c) Report to the Council;
- d) Review the Charter;
- e) Require the attendance of Senior Council Officers at meetings as required;
- f) Have access to members of Executive Management Team, other staff and relevant information;
- g) Oversee the performance of the external auditor and the internal auditor;
- h) Meet in private without the attendance of management;
- i) Request necessary financial resources to be provided to enable the Committee to receive any necessary legal, accounting or other professional advice.

The new Internal Audit Charter provides the framework for the conduct of the internal audit function for the Council and has been considered and supported by the Audit Committee.

The Institute of Internal Auditors defines internal auditing as "an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes."

Internal audit provides an independent and objective review and advisory service to:

- a) provide assurance to Council, the Chief Executive Officer and management that Council's financial and operational controls designed to manage Council's risks and achieve the Council's objectives are operating in an efficient and ethical manner; and
- b) assist management in improving the Council's business performance.

The revision of the Audit Committee Charter and the development of a new Internal Audit Charter represents a new and enhanced phase for the Audit Committee. This should support and guide the organisation as it strives to meet its obligations to serve the community of the Southern Grampians Shire.

8.4 *Audit Committee Charter and Internal Audit Committee Charter (cont'd)***Community Engagement**

The two Charters do not require any direct community engagement. The Charters provide clarity regarding the roles and functions of the Audit Committee.

Communication of Decision

The decision will be publicised through a media release.

Officer Declaration of Interest

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Bronwyn Herbert, Director Shire Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Bronwyn Herbert, Director Shire Services

In providing this advice as the Author, I have no disclosable interests in this report.

Recommendation

That Council adopt the revised Audit Committee Charter and the new Internal Audit Charter.

Cr Battista/Cr Colliton

That Council adopt the revised Audit Committee Charter and the new Internal Audit Charter.

CARRIED

DIRECTOR SHIRE FUTURES**8.5 Draft Digital Strategy - Southern Grampians and Glenelg Shire Councils****Attachment 8 – Draft Digital Strategy****Summary**

This report highlights the development of a digital strategy for Southern Grampians and Glenelg Shire Councils. It details what the digital economy is, the potential impacts and opportunities, examines our existing local digital eco-system. current situation for our region, explores our business, industry and communities digital capacity, discusses local government's leadership role and provides a strategic direction for both regions to fully maximise the full potential of both regions in embracing Australia's Digital Economy.

The strategic direction and suggested actions are themed into four areas:

- Enabling Infrastructure
- Digital Local Government
- Building Digital Capacity
- Digital Industry

This report seeks Council's endorsement to release the report for public comment. A consultation document will be prepared to assist in gathering feedback including developing a number of questions designed to test our assumptions around the actions priorities.

Background

The introduction of fast speed downloads through the roll out of the National Broadband Network presents transformative opportunities for the communities and economies of Southern Grampians and Glenelg Shire. The challenge for both Southern Grampians Shire and Glenelg Shire of growing our population, economy and social cohesiveness is a reality faced every day. Whilst High Speed Broad Band (HSBB) provides enormous potential to assist in meeting these challenges, it also will accelerate the division between growing communities and stagnating/declining communities.

The 2011 census indicates that 64.7% of households within the Southern Grampians Shire and 66.3% within Glenelg Shire have an internet connection at their dwelling. This compares with 79.2% for Melbourne, 76.9% for Victoria and 68.4% for Regional Victoria. The challenge for both Shires is to build our connectedness, to build our skills and to ensure all the community is equipped with the abilities to understand and embrace new means of living life.

The advent of fast speed broadband, the continuous development on newer versions of technology, the continuous expansion of technological applications and adaptations opens opportunities to strengthen both business and community. High Speed Broadband offers the prospects of reducing the distance between businesses and markets, turning small companies into global exporters, increasing community vitality, increasing the attractiveness of regions to tree changers, connectivity that will match metropolitan cities and strengthening regional resilience. At a local government level we have a role to lead by example and encourage businesses and industry to get online to boost productivity. Recent studies have shown that for every 10% increase in broadband sophistication of a business they improve their contribution to the regional GDP by .44%.

8.5 Draft Digital Strategy - Southern Grampians and Glenelg Shire Councils cont'd

With the common elements identified Southern Grampians and Glenelg Shire Council's came together to address the current digital issues with the development of a Digital Strategy to maximise the full potential of both our regions in embracing Australia's Digital Economy.

Regional Development Victoria through the Regional Growth Fund – Putting Locals First Program provided \$60,000 towards the project and \$10,000 contributed by each council. A brief was developed and advertised for tender with 11 respondents. 4 businesses were short listed and interviewed with Geografia appointed to develop the strategy.

Council Plan

Objective 2 Foster Population and Economic Growth

Outcome 2.1 Strong economic performance that supports population growth

Objective 3 Enhance Wellbeing and Culture

Outcome 3.1 Coordinated and Accessible Services

Objective 4 Help Communities Feel Dynamic and Resilient

Outcome 4.2 A Dynamic Community

Social / Economic / Environmental

The Southern Grampians Shire has adopted a vision of being Australia's most liveable provincial community. As part of embracing that vision, Council has a vital role in building connectivity. Council needs to assume a leadership role if our community is not to split into socially inclusive or socially excluded groupings.

Digital technology can help address some of our social and economic challenges and opportunities, including:

- Ageing population - many of our communities are ageing faster than the Victorian regional average. This creates issues around productivity, social isolation, health and services access, and developing contemporary industry skills.
- Remoteness - some of our towns are remote with poor access to many services; something technology could help.
- Tourism - there is potential for tourism growth in parts of our Shires and technology plays an important role in tourism markets.
- Agriculture - is our key export, and could benefit from significant productivity increases on the back of digital.
- Strong community capital - our towns benefit from existing strong online and offline networks. New digital technologies provide an opportunity to build these social connections.
- Population growth - some towns continue to shrink, often due to limited economic opportunities. Working from home or remotely might provide opportunity to create new opportunities.

8.5 Draft Digital Strategy - Southern Grampians and Glenelg Shire Councils cont'd**Financial / Risk Management**

Digital technology also has the opportunity to completely redesign Council services. For example, mobile applications that allow residents to report maintenance issues to Councils not only increase the efficiency of Council maintenance operations, they can also provide real-time feedback to community members about when a maintenance request is complete, thereby increasing ratepayer satisfaction. Similarly, online community engagement is a key means to allow communities to have their say about Council decisions and direction.

To be successful digital organisations, cultural transformation will be important. Some other local governments have adopted a 'digital first' paradigm, where the digital opportunities and consequences are considered as part of all decisions in Council procedures. Other local governments have stimulated transformation through creating eGovernment or service transformation roles. This may be a longer term direction for Southern Grampians Shire. Several of the actions within the report will require financial consideration and external funding to achieve other actions will involve current budgets and services transforming using "digital first" principles. Recent changes to e-tendering and procurement examples of these.

Discussion

Digital technology is not just changing the way we do things, it is changing what we do. The future prosperity of communities is increasingly tied to their digital infrastructure, literacy and opportunities.

What is Digital?

Digital technologies are the tools that are enabled by computers and the Internet, especially broadband Internet connections. These tools are built upon established and emerging technologies such as smart phones, sensors, cloud computing, social media, video conferencing, data analysis and robotics.

How is Digital Changing the Economy?

Digital technology is redefining the structure of our national economy. Geografia has found that NBN access can drive productivity growth of up to 14% amongst Victorian businesses. Some of the key changes that digital technology is enabling, and those that we need to respond to, include:

1. The creation of new industries and jobs – such as programming, infrastructure engineering and user experience design.
2. The decline of many existing jobs – especially manual and repetitive tasks – with automation and computerisation. At the same time increasing productivity for many businesses.
3. The changing nature of work - with people working from home, on the road, and from afar. For the first time, many people are able to work from anywhere– connected by video and the cloud.
4. Access to new markets and customers, from anywhere in the world. This will increase opportunities but also competition.
5. The shift to new business practices. Increasingly, business relies on innovation, agility and entrepreneurship. In the new economy, business models that are slow to change will be threatened.

8.5 *Draft Digital Strategy - Southern Grampians and Glenelg Shire Councils cont'd*

How is Digital Changing Communities?

Digital is also changing the communities we live in – through the way we interact, and the structure of our social networks. It will:

- Increase social connections and opportunity. Technologies such as video conferencing and chat make it easier to connect with friends, family and community groups. Technology also allows new online interest or social networks to form, often spilling over into the offline world. These new opportunities can be important to retaining youth in regional areas.
- Increase inclusion and social mobility, especially in remote and disadvantaged areas. Technology will help reduce the tyranny of distance, including unequal access to services.
- Make life easier at home, especially for those who are ageing or with a disability. For example, technologies such as health monitoring, electronic health care, and home automation will help the sick and elderly live happily at home for longer. This is especially important in more remote areas, where access to health services can be an issue.

How is Digital Changing Government?

Digital technology will allow government to do more with less, and better respond to the needs of the community. The opportunities for local government are not just about changing the way services are provided (e.g. offering traditional offline services online). Digital provides the opportunity to completely redesign government services from the ground up. Some examples of the areas where digital is changing government services include:

- Encouraging online community participation – ensuring that decisions and services reflect the needs and views of the community.
- Increasing communication with constituents and between officers – using technologies such as video conferencing.
- Responding to issues or faults more efficiently through sensors or live reporting from the community.
- Providing information and data to the community to promote transparency and accountability.
- Reducing the cost of customer service transactions with the help of technology.
- Demonstrating the opportunities to local business and the community.

What is a Digital Strategy?

A Digital Strategy provides a pathway to take advantage of the opportunities in the digital age, enabled by high speed broadband Internet. This Strategy is focused on identifying the opportunities for moving toward a digital community and economy in the Southern Grampians and Glenelg Shires.

Both Shires will benefit from the staged rollout of the National Broadband Network (NBN) in the coming years, and this will change the way our community uses the Internet, opening up new possibilities. A strong local digital eco-system will be needed to take full advantage of the NBN and traditional broadband Internet. A local digital ecosystem recognises that it takes more than infrastructure to realise these new opportunities. Also necessary are:

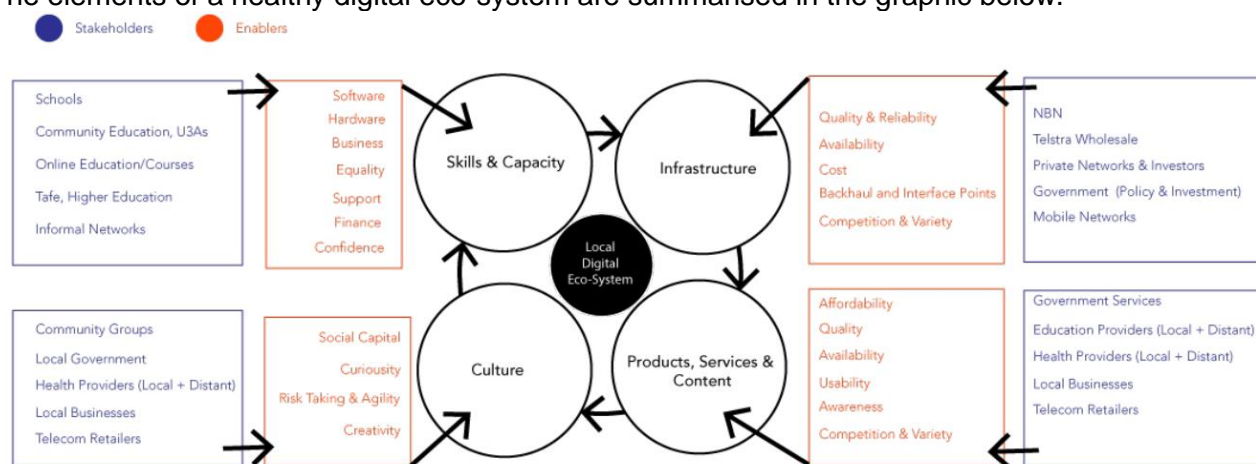
- Skills and capacity – technical ability, modern business skills
- Culture – leadership, entrepreneurship and curiosity
- Products and services – telecommunications product, online groups and sites
- Infrastructure – quality, speed, reliability and cost of Internet

8.5 Draft Digital Strategy - Southern Grampians and Glenelg Shire Councils cont'd

The Strategy focuses on how we can develop a strong local digital eco-system. It provides a pathway for developing:

- A more digitally connected community.
- An economy that can respond to the business opportunities in the digital area.
- Council leadership in providing digital services for the community.

The elements of a healthy digital eco-system are summarised in the graphic below.



In developing the Strategy, Geografia examined our existing local digital eco-system. This included gaining an understanding of our current key issues, our digital infrastructure, skills, culture and product mix.

It was also important to understand how digital technology can help address some of our social and economic challenges and opportunities, including:

- Ageing population - many of our communities are ageing faster than the Victorian regional average. This creates issues around productivity, social isolation, health and services access, and developing contemporary industry skills.
- Remoteness - some of our towns are remote with poor access to many services; something technology could help.
- Tourism - there is potential for tourism growth in parts of our Shires and technology plays an important role in tourism markets.
- Agriculture - is our key export, and could benefit from significant productivity increases on the back of digital.
- Strong community capital - our towns benefit from existing strong online and offline networks. New digital technologies provide an opportunity to build these social connections.
- Population growth - some towns continue to shrink, often due to limited economic opportunities. Working from home or remotely might provide opportunity to create new opportunities.

8.5 Draft Digital Strategy - Southern Grampians and Glenelg Shire Councils cont'dDigital Skills and Capacity

The consultation and surveys helped to reveal the level of existing digital skills and capacity within the regional business community, residents and youth. Key skills and capacity gaps noted through the survey and consultation include: digital strategy for business; social media; website development; mobile applications; online financial tools; and email marketing. These should provide the focus of future capacity building programs. Other areas of interest to the community, for developing their digital capacity, include:

- Internet security and privacy – a large proportion of survey respondents indicated they have anxieties regarding these issues, and this creates a barrier to full utilisation of digital.
- Basic programming and app development – there are not currently any opportunities to learn these skills within Glenelg and Southern Grampians Shires.
- Selling and buying goods online – through online marketplaces, and to generate additional income.

Local eGovernment

Local councils play a leadership role in the transition toward a digital economy and community. Digitised council services not only make life easier through efficiencies for both council officers and the community; they also help demonstrate the possibilities of digital services to the local community, and the digital culture of a place to outside investors. A detailed audit of eGovernment services in Glenelg and Southern Grampians Shire is provided at Appendix D. This has been informed by workshops with a cross-section of council staff.

Some of the key strengths for Glenelg and Southern Grampians Shires, when compared to other similar councils include:

1. Online web mapping
2. Social media use and audience
3. Electronic contact/enquiry forms

Some of key areas of improvement for the two councils include:

1. Online community engagement – allowing residents to have their say online.
2. Providing content for mobile phones (e.g. responsive web sites, mobile apps). Community expectations about accessing information online, from anywhere using phones continues to grow. This is especially important in some key markets (e.g. tourism).
3. Expanding digitised services, such as online planning permit/building permit tracking and submission.

Within both councils, the responsibility for digital services and enablement lies across many different actors/departments – such as information technology, communications, economic development, and finance. One of the challenges lies in coordinating digital efforts across the organisation. Some other councils have developed eGovernment portfolios to help provide this guidance – recognising that digital government is not just about technology, but also the redesign of services and cultural change.

The workshops with Council staff suggested there is a strong support internally for improving online services, and developing a digital culture within both councils. There is a critical mass of staff in each Council that could drive wider digital evolution.

8.5 *Draft Digital Strategy - Southern Grampians and Glenelg Shire Councils cont'd*

Our Digital Future – a digital economy and community

The vision outlined in the report is that by 2025, Glenelg and Southern Grampians will be leading examples of successful digital economies, communities and local governments in regional Australia. Digital technology will have helped to create a resilient economy, and connected community. Our councils, in partnership with businesses, the community, and services providers, have developed a healthy local digital eco-system that embraces digital change. This will be underpinned by enhanced digital infrastructure, and by stronger digital skills in our community.

Key Partners in a Digital Eco-System

A healthy digital eco-system cannot be developed by our councils in isolation. The wider digital eco-system needs to be cultivated by a mix of partners, including:

- Local education providers – schools, adult and community education providers, and skills groups.
- Local health services – given the significant opportunities to enhance health outcomes through digital technology.
- Local businesses – who can share skills and experiences, and stimulate demand for digital.
- The community – who can share skills, content and applications for digital technology.

Partners in our digital eco-system also extend beyond local groups. The beauty of digital is that it reduces the impact of distance. Key digital services (e.g. cloud services, internet service provision, online education) will continue to be provided from outside our local area. Exploring partnerships, wherever relevant, with outside groups should be promoted as part of the embrace of the digital era.

Connecting and leading these partners should be the role of councils. There are no other stakeholders that have the mandate or networks to help coordinate a response toward developing a local digital eco-system.

Progressively Developing the Eco-System

This Digital Strategy recognises that, in some areas, our communities are moving more slowly towards digital than other parts of Victoria. This is due to our infrastructure gaps, and limited local service availability. In the first years of the Strategy, the focus should be on developing the basic building blocks of a digital ecosystem, and then developing more sophisticated products, services and ideas as local capacity and confidence is developed. The basic building blocks that should provide the focus in the short to medium term include:

- Basic Internet infrastructure – exploring opportunities to bring forward investment in critical Internet infrastructure.
- Basic skills – continuing to develop foundation skills for business and the community participate in the digital world.

Monitoring Digital Outcomes

To ensure we are on track to achieve our vision for a digital ecosystem, it is crucial that progress is monitored. The proposed indicators below will help us do this. Baseline data is now available for these indicators, and can be regularly reviewed (ideally on a biennial basis). Measuring progress toward these goals will ensure that the Digital Strategy is adjusted as necessary to respond to changes, and helps to promote accountability for our digital future.

8.5 *Draft Digital Strategy - Southern Grampians and Glenelg Shire Councils cont'd*

Key performance indicators for our digital eco-system

Key performance indicator	Data source/updates
Broadband uptake	ABS Census
Average Internet speeds	Department of Communications
Digital adoption by local business	Regular business survey
Community attitudes toward technology	Regular community survey
Council adoption of online technologies	Regular audit of online Council services

Strategies and Actions

The back end of the draft Digital Strategy details the strategies and actions that will help achieve the digital vision. Strategies provide high level directions and principles that will help coordinate our actions related to all things digital. Actions provide specific programs that, together, will work towards the achievement of our digital vision.

The strategies embrace four key areas:

Focus A: Enabling Infrastructure

Basic infrastructure is crucial to enabling a digital local ecosystem. Existing provision and the current NBN roll-out plan are insufficient for stimulating local digital development.

Focus B: Digital Local Government

The provision of government services online saves time and money for both ratepayers/businesses and our councils. It also provides an opportunity for digital leadership in our region, showing what is possible and how to do it.

Focus C: Building Digital Capacity

Building new skills, culture and interest in digital technology will be critical to a functioning local digital eco-system. When building the capacity of businesses and community, there is a need to recognise that people are starting from very different levels, and that skill development should be highly relevant the audience.

Focus D: Digital Industry

Digital technology provides an opportunity for businesses in Southern Grampians and Glenelg to access new outside markets, promote local expenditure, and increase operational efficiencies. The current barriers to our industry realising the benefits of digital are the local availability of suitable skills, infrastructure, industry networks and contemporary business spaces.

A channel strategy will be developed once the digital strategy has been finalised. It will identify digital opportunities and makes recommendations for how they might be used as part of Council's wider communications plans. The document will outline an overview of the current channels used and resources for communications and engagement by both Councils, the status of digital communications in Council and context both Councils are working in as they transition to digital communications.

Access to High Speed Broadband, digital literacy and the use of digital tools to access information and services is inconsistent across the two Local Government areas. However some user types and use patterns did emerge through survey research and engagement and a number of profiles or personas have been developed to help develop recommendations that will be outlined the channel strategy. The recommendations will demonstrate a clear need to service both online and offline / multiple channels and support

8.5 Draft Digital Strategy - Southern Grampians and Glenelg Shire Councils cont'd

both Council staff and the community to transition to digital communications. The proposed draft channel strategy will take this into account and provides a pathway and metrics to help staff delivering communications and engagement for Council to transition to digital communications.

Once the responses are collated and incorporated into the final draft a channel strategy will be developed to identify digital opportunities and make recommendations on how they might be used as part of Council's wider communications plans. The channel strategy will outline an overview of the current channels used and resources for communications and engagement by both Councils, the status of digital communications in Council and context both Councils are working in as they transition to digital communications.

Community Engagement

Consultation with businesses and the community was held online (surveys, competitions) and through in-person workshops in mid- 2015. A full summary of business and community survey results is provided at Appendix H in the draft strategy. A Business and Community Reference Group was established and met twice through the project to provide input into the strategy. An online website was developed for the project www.ourdigitalstrategy.com

Communication of Decision

A consultation document will be prepared to assist in gathering feedback including developing a number of questions designed to test our assumptions around the actions priorities. A press release will be developed and distributed to local media, progress associations and business database. The press release will also be featured on our website and social media channels. The project website www.ourdigitalstrategy.com will also allow feedback to be taken.

Officer Declaration of Interest

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Michael McCarthy, Director Shire Futures

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Hugh Koch, Manager Economic Development and Tourism

In providing this advice as the Author, I have no disclosable interests in this report.

Recommendation

That the draft digital strategy for Southern Grampians and Glenelg Shire Councils be endorsed for release for public consultation.

Cr Colliton/Cr Rainsford

That the draft digital strategy for Southern Grampians and Glenelg Shire Councils be endorsed for release for public consultation.

8.6 Municipal Building Control Intervention Filter Criteria Guideline**Attachment 9: Municipal Building Control Intervention Filter Criteria Guideline****Summary**

This report describes the process regarding the handling of complaints Council may receive in relation to Private Building Surveyors acting within the Southern Grampians Shire. It recommends the adoption of the Victorian Municipal Building Surveyors Group's Filter Criteria as a sound risk based policy for use by the Municipal Building Surveyor as the delegated officer of Council and seeks Council's endorsement as the procedure should such complaints be lodged.

Background

The Victorian Municipal Building Surveyors Group in conjunction with Hoeys Lawyers and the MAV developed the Filter Criteria in 2003. The current version of the document was updated and amended in March 2015.

Council is required by section 212 of the Building Act to administer and enforce specified parts of that Act and the whole of the *Building Regulations* ("the Regulations") within its municipal district. As with many other responsibilities, Council has the ability to determine how it will carry out these functions having regard to competing obligations and limited resources.

Council Plan

The adoption of the Filter Criteria is considered to be relevant to Council Plan at Objective1 Leadership and Good Governance.

Legal/ Statutory

The Building Act 1993 Section 212 requires Council to administer and enforce the Building Act and Building Regulations within its Municipal district. The Filter Criteria will provide the basis for good decisions in relation to complaints received by council in relation to Private Building Surveyors.

Discussion

Since the introduction of the Building Act in June 1994 property owners have had a choice between using Council services (through the municipal building surveyor) to obtain a building permit or using a private building surveyor. The building surveyor (private or municipal) who issues the building permit is generally responsible for ensuring that the building work complies with the requirements of the Act and the Regulations. Council through the operation of section 212 of the Act retains the ability to enforce the Act and the Regulations even if a private building surveyor has been appointed. Section 212 provides as follows:

Council is required to administer building provisions in its municipal district

- (1) Except where otherwise expressly provided in this Act or the building regulations, a council is responsible for the administration and enforcement of Parts 3, 4, 5, 7 and 8 and the building regulations in its municipal district.
- (2) Nothing in this section limits a council's powers to act outside its municipal district."

There is no express provision in the Act removing Council's responsibilities where a private building surveyor has been appointed.

8.6 *Municipal Building Control Intervention Filter Criteria Guideline cont'd*

The Victorian Building Authority is a state statutory authority which has various powers under the Act to intervene in circumstances where a private building surveyor is appointed. Some of these powers include the ability to issue directions to the private building surveyor, enforce orders made by the private building surveyor, prosecute persons for non-compliance with orders issued by the private building surveyor in addition to being able to utilise all the powers that a municipal building surveyor has in certain circumstances. The Act states that monitoring and enforcing compliance with the Act and Regulations is a function of the Victorian Building Authority.

The Building Practitioners Board is the registration body for persons working in the building industry. Another of its functions is to supervise and monitor the conduct and ability to practise of these registered building practitioners. All building surveyors (both private and municipal) must be registered with that Board. The Building Practitioners Board is empowered to conduct disciplinary proceedings in respect of any registered building practitioner who may have not carried out their responsibilities correctly. 7 The legislative framework clearly shows that responsibility for monitoring and enforcing compliance and supervising private building surveyors rests with the Victorian Building Authority and the Building Practitioners Board (not Council). This responsibility includes those bodies taking appropriate action to resolve matters (which may include exercising powers to deal with any action/inaction taken by a private building surveyor that is/was contrary to the Regulations or the Act or conducting a disciplinary Inquiry) where a private building surveyor has not performed functions or has not carried out their work in a competent manner and to a professional standard.

As monitoring is not a legislated function of Council, there should be no requirement for Council to pro-actively check the standards of documentation or building work approved by private building surveyors. The proposed Building Control Intervention Filter Criteria policy is mainly intended to establish the circumstances for reactive MBS intervention into building work issues where a private building surveyor is appointed, without imposing an obligation to seek out such cases. On identification of malpractice, details of the circumstances may be referred to the Victorian Building Authority or Building Practitioners Board, however this also should not be taken to give any expectation that Council has a role to fully investigate such cases or provide a brief of evidence sufficient for court action by others.

Council frequently receives complaints from members of the public regarding building work that is being or has been carried out, for which a private building surveyor has been appointed. The complaints may vary from concerns over real risk of danger to persons or property to matters relating to the siting of buildings and /or structures and administrative errors.

The handling of these complaints can be complex and represent a significant expenditure of Council resources. 8 Since the introduction of the private permit issuing system in July 1994 the handling such complaints has generally been carried out by Council's Municipal Building Surveyor and its Building Department on an ad hoc basis.

The Victorian Municipal Building Surveyors Group Inc. ('the VMBSG') at its 2002 conference overwhelmingly recognised the need for adopting a consistent approach to dealing with such complaints across the State, . As a result of that conference, the VMBSG, working in consultation with the Municipal Association of Victoria ('the MAV'), undertook to develop a system to classify and manage those complaints. This is referred to as the Building Control Intervention Filter.

The Building Control Intervention Filter Criteria ('the Filter Criteria'), utilising a risk assessment matrix applying the principles of AS/NZ 4360, identifies standardised responses

8.6 *Municipal Building Control Intervention Filter Criteria Guideline cont'd*

to complaints from the public where a private building surveyor has been appointed. The Filter Criteria have been developed through consultation with municipal building surveyors throughout metropolitan and regional Victoria.

The Filter Criteria recognises that Council has a duty of care to the public with regard to dangerous situations which it can remedy or cause to be remedied. Where a danger exists and Council officers are aware of that danger, a lack of action on the part of Council could result in a claim against Council if innocent persons were to suffer loss or injury. This is regardless of whether a private building surveyor is or has been appointed. In those circumstances the Filter Criteria recommends Council staff taking action to remove the danger.

It also provides a number of standard templates to be used for communicating our decisions and actions with the Private Building Surveyor, the complainant and the various statutory boards appointed to investigate the conduct of Private Building Surveyors.

The Filter Criteria recognises that not all complaints received at council relate to significant dangers and many relate to matters stemming from administrative neglect or error by private building surveyors. In those circumstances the Filter Criteria recommends that the matter be referred to the private building surveyor for remedial action, failing which the matter should be referred to the Victorian Building Authority or Building Practitioners Board (or both) as appropriate.

In some circumstances it may be that the complaint is of a trivial or minor nature in which case the Filter Criteria may recommend merely referring it to the attention of the private building surveyor for action.

It is anticipated that the Filter Criteria will establish set procedures for the complaint handling processes. The referral of appropriate cases to the Building Practitioners Board and the Victorian Building Authority will also allow those bodies to more readily carry out their functions under the Act.

The majority of Local Government Agencies utilise the Filter Criteria with many having formally adopted these procedures for dealing with complaints. This provides a consistency of approach to such complaints across local government boundaries.

Communication of Decision

The Council adoption of the use of the Filter Criteria can be communicated by way of a media release and by placing the document on the Building Services heading of the Council web page.

Officer Declaration of Interest

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Michael McCarthy, Director Shire Futures

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Laurie Farrugia Manager Building Services.

8.6 *Municipal Building Control Intervention Filter Criteria Guideline cont'd*

In providing this advice as the Author, I have no disclosable interests in this report.

Recommendation

That Council adopts the Municipal Building Control Intervention Filter Criteria Guideline 2015 for handling complaints relating to private building surveyors.

Cr Armstrong/Cr Dawson

That Council adopts the Municipal Building Control Intervention Filter Criteria Guideline 2015 for handling complaints relating to private building surveyors.

CARRIED

DIRECTOR SHIRE FUTURES

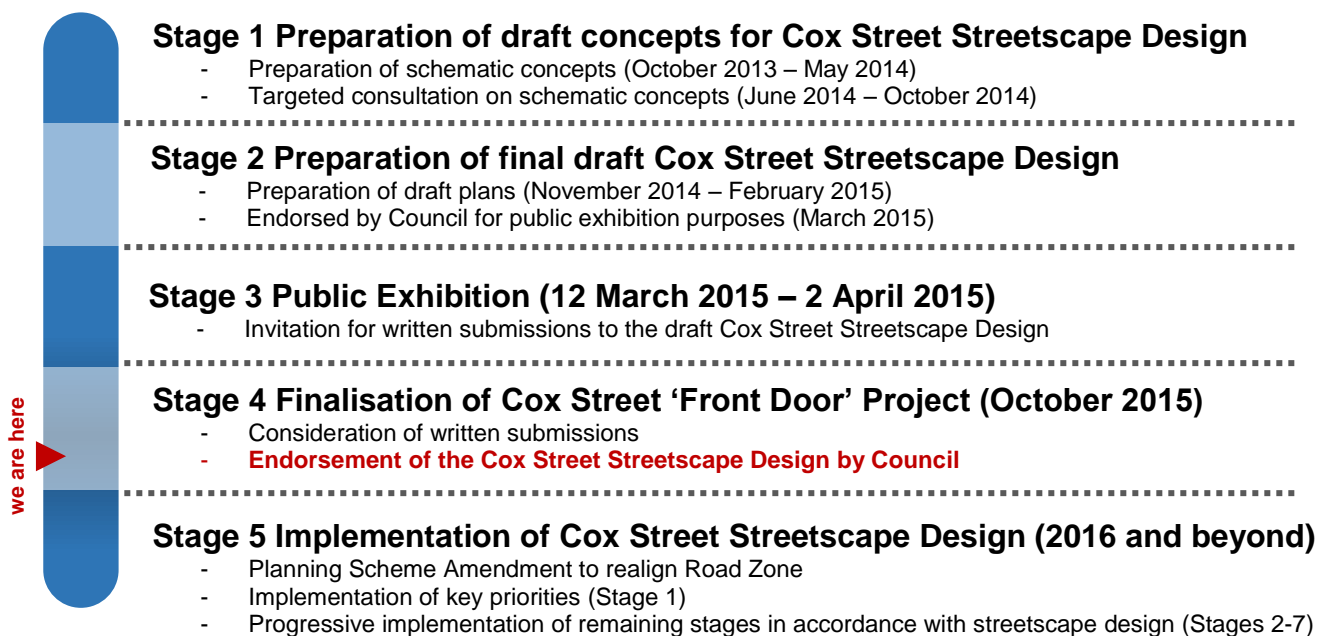
8.7 Cox Street 'Front Door' Precinct Streetscape Design Project - Adoption

Attachment 10 - Appendix A – Final Cox Street Streetscape Design

Attachment 11 – Appendix B - Detailed Documentation Requirements cost estimates

Summary

Council has undertaken an extensive process during the past two years to engage with the community, landowners/ business operators and government authorities to develop a new streetscape design for Cox Street, Hamilton. The process is summarised below:



It is recommended that Council endorse the final draft Cox Street Streetscape Design (**Appendix A**), commence the Planning Scheme Amendment process to realign, L1 – L14 road zone and prepare a business case for finalised design of the west side of Cox Street for consideration in the 2016-17 budget and identify funding opportunities for implementation.

Background

In March 2015, Council released the draft Cox Street Streetscape Design for public comment. The exhibited streetscape design contained the following design features:

- Undergrounding of power lines (on the east side of Cox Street).
- Improvements to amenity including a central, partially landscaped median strip, landscaping (i.e. street trees) within the nature strip and pavement/ kerb improvements.
- Improvements to pedestrian safety and amenity including a shared use bicycle/ pedestrian path.
- Improved on-street car parking arrangements.

8.7 Cox Street 'Front Door' Precinct Streetscape Design Project – Adoption cont'd

- Improvements to the Cox Street and Gray Street intersection including a proposed raised pedestrian crossing and the development of a 'pocket park'.
- Proposed rear laneways (east side of Cox Street).
- Identification of potential future development sites (east side of Cox Street).

Feedback has been received to the draft Cox Street Streetscape Design and some changes have been made to the final design in response to submissions. Refer to **Appendix A** for a copy of the final draft Cox Street Streetscape Design (Plans L1-L14).

Council is now invited to consider the final draft Cox Street Streetscape Design with a view to endorsing the concepts and commencing implementation.

Council Plan

Strategy 2.2.1

Implement Planning Scheme Policy and strategies to ensure the orderly and sustainable development of the Shire.

Policy / Strategy / Legal / Statutory

The *Hamilton Structure Plan (2011)* and the *Hamilton City Centre Urban Design Framework (2011)* guide development and investment within the Hamilton Central Business District. Of relevance to the Cox Street Streetscape Design project, the structure plan and urban design framework recommend (amongst other matters) that future planning in the Central Business District should:

- Establish an alternative heavy route to reclaim Lonsdale and Cox Streets.
- Strengthen urban gateways and edges of key streets.
- Strengthen links between the Grange Burn and the Hamilton Central Business District.
- Define and consolidate the retail core.
- Protect key views to landmarks and landscapes.
- Ensure a safe and amenable pedestrian setting on key retail pathways.
- Invigorate inter block laneways and resolve ownership to 'unlock' central development sites.
- Provide places for and accommodating the needs of youth and other groups within the community.
- Investigate opportunities for the integration of public art.

The final draft Cox Street Streetscape Design (Appendix A) implements these objectives.

Social / Economic / Environmental

The Cox Street Streetscape Design is expected to have positive social, economic and environmental benefits.

8.7 Cox Street 'Front Door' Precinct Streetscape Design Project – Adoption cont'd**Financial / Risk Management**

The Cox Street Streetscape Design was partially funded through the Victorian State Government's Region Growth Fund - 'Putting Locals First (Local Economic Development and Job Creation)' Fund and partially funded with Council funds (included within the 2014/2015 financial year budget).

Indicative costings have been prepared to implement the project. The project is estimated to cost a total of approximately \$4 million (2015 dollars) over seven (7) stages. The first and second stages (west side of Cox Street) is estimated to cost approximately \$815,000 to implement. Refer to **Appendix B** for cost estimates to implement the project.

Detailed documentation suitable for construction will be prepared for each stage of the project. The implementation of Stage 3 – 7 will be considered further in future Council budgets (based on detailed documentation for each stage).

Discussion

The draft Cox Street Streetscape Design was made available for three (3) weeks from 12 March 2015 to 2 April 2015.

Twelve (12) responses were received to the draft streetscape plans (including 7 from traders in Cox Street). The majority of submissions raised concern regarding reduced right-hand-turn access from Cox Street (south-bound) and lack of car parking. Refer to **Appendix C** for a summary report on feedback received.

Late communication has been received from three businesses with minor modifications to entrances recommended. These issues are not insurmountable and will be addressed at the technical design stage. Initial responses are shown in **Appendix C**.

Right-hand-turn access from Cox Street (southbound)

In response to submissions received, Council officers and the project consultants meet with VicRoads officers to investigate options to allow various vehicle turns within the Cox Street median.

It was agreed to allow opportunities for right-hand-turn access from Cox Street (south-bound) at number of locations. The plans (L14) have been amended to allow the following movements from the following properties:

- Kentucky Fried Chicken (KFC) – left in, left out and right in.
- Cox Street Vets – left in and left out (*no change from exhibited plans*).
- United petrol – left in, left out and right in.
- Kings Cars – left in, left out and right in.
- Permewans Home Timber & Hardware – left out and possible left in (subject to further detailed design (Vic Roads has proposed a U turn at the intersection of French and Cox Street to support existing customer behaviour).

The intersection with Sedgwick Street and Cox Street will allow all vehicle movements. The Clarendon Street and Cox Street intersection will allow left in, left out and right in from Cox Street. The remaining intersections of Gray and Lonsdale Streets (controlled by roundabouts) will allow traffic to undertake turns in all directions.

8.7 Cox Street 'Front Door' Precinct Streetscape Design Project – Adoption cont'dCar parking

A car parking plan has been prepared (Plan L4) that demonstrates a significant increase in formalised on-street car parking within the vicinity of Cox Street. In total, 81 new on-street car parks will be provided (currently 41 spaces). It is considered that the project will provide adequate levels of on-street car parking to service existing commercial uses within the vicinity of Cox Street.

Community Engagement

The project has been guided by a Community Reference Group (comprising community representatives, a representative of the Hamilton Regional Business Association, a representative the Hamilton Community Inclusion Advisory Committee and government authorities).

In March 2015, Council released the draft Cox Street Streetscape Design for public comment. Letters were sent to all affected landowners/ businesses. Electronic versions of the draft streetscape plans were available on Council's website (hard copy versions were available at the Hamilton Library and council offices). An information session was also held with community members and the project consultant (Michael Smith and Associates).

A Planning Scheme Amendment will need to be developed to realign the road width to accommodate the 3 meter median strip which is critical for pedestrian safety and the enhancement of the amenity and presentation of this key entry point. This process will require further notification and community consultation.

Communication of Decision

Council officers will write to all landowners and submitters to inform them of Council's decision regarding the adoption of the Cox Street Streetscape Design project.

Officer Declaration of Interest

Under section 80c of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Michael McCarthy, Director Shire Futures

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Michael McCarthy, Director Shire Futures

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

8.7 Cox Street 'Front Door' Precinct Streetscape Design Project – Adoption cont'd**Recommendation**

That Council:

1. Endorse the Cox Street Streetscape Design (Appendix A).
2. Commence a detailed design of and prepare a business case for construction of the Stage 1 and 2 west side of Cox Street, for funding consideration in the 2016-17 financial year budget and seek external funding to support the implementation.
3. Commence Planning Scheme Amendment to achieve the Road Zone Alignment that accommodates the increased road width required for the median strip and pedestrian avenue on the west side.

Cr Rainsford/Cr Dawson

That Council:

1. Endorse the Cox Street Streetscape Design (Appendix A).
2. Commence a detailed design of and prepare a business case for construction of the Stage 1 and 2 west side of Cox Street, for funding consideration in the 2016-17 financial year budget and seek external funding to support the implementation.
3. Commence Planning Scheme Amendment to achieve the Road Zone Alignment that accommodates the increased road width required for the median strip and pedestrian avenue on the west side.

The Interim Chief Executive Officer, Bruce Davidson, left the Chambers at 6.24pm.

The Interim Chief Executive Officer, Bruce Davidson, returned to the Chambers at 6.27pm.

CARRIED

A division was called

DIVISION	
FOR	AGAINST
Cr Dark	Cr Calvano
Cr Armstrong	Cr Battista
Cr Dawson	
Cr Rainsford	
Cr Colliton	

8.7 Cox Street (cont'd)

APPENDIX A – FINAL COX STREET STREETScape DESIGN

See Attachment 10

8.7 Cox Street (cont'd)

APPENDIX B – COX STREET STREETScape DESIGN (COST ESTIMATES)

See Attachment 11

8.7 Cox Street (cont'd)

APPENDIX C – SUMMARY OF SUBMISSIONS RECEIVED

Will be updated to accommodate late submissions

Submission	Summary of submission	Council officer response
1 Cox Street Vets (Ms Jane Barrie) 87 Cox Street, Hamilton	Concern that access to their property will be restricted (no right-hand-turn for south-bound traffic).	Submission is noted. Additional right-hand-turn movements have been provided from Cox Street (southbound). Unfortunately, a direct right-hand-turn from Cox Street (southbound) cannot be provided to the Cox Street Vets. Access to the veterinary clinic will be left in and left out. Clients (travelling south along Cox Street) will need to turn at the Gray Street round-about to access the clinic. <i>Refer to Vic Roads again. Potential for right hand turn to further fragment boulevard median strip. The layout of the entry is accessible with left turn only.</i>
2 Finchetts Pluming (Mr Ted Finchett) 135 French Street, Hamilton	Concern that there is no right-hand-turn from Sedgwick Street into Cox Street.	Submission is noted. The plan has been amended to reflect all movements at Sedgwick Street. Vehicles will be able to turn right from Sedgwick Street onto Cox Street.
3 Kentucky Fried Chicken (KFC) (Tait's Legal) Corner of Cox and Lonsdale Streets	Concern that access to their property will be restricted (no right-hand-turn for south-bound traffic). The submission also expresses concern that the project will increase congestion and that the implementation of the plan is premature.	Submission is noted. The streetscape plan has been amended to identify a right-hand-turn from Cox Street (southbound). Access to KFC will be left in, left out and right in.
4 Ms Pauline Porter 122 Lonsdale Street	Supports the proposal. Requests that the plan address: <ul style="list-style-type: none"> ▪ Seating ▪ Potential amenity impacts (noise, odour, litter) ▪ Suitable street tree species (concerned about maintenance). 	Submission is noted. Litter bins and seating will be provided within the improved streetscape. Potential amenity impacts are noted, future development will be subject to further planning permit assessment process. The planning process will ensure future use and development does not have any off-site amenity impacts.

Submission	Summary of submission	Council officer response
5	Permewans Hamilton Home Timber and Hardware (Mr Paul and Mrs Denise Bast) 57-61 Cox Street, Hamilton	Concern about lack of car parking and no right-hand-turn out of Sedgwick Street into Cox Street.
		Submission is noted. The plan has been amended to reflect all movements at Sedgwick Street. Vehicles will be able to turn right from Sedgwick Street onto Cox Street. Additional car parking spaces are provided in Cox Street. Provision of on-street car parking will be further refined in the detailed design of Stage 2. It is also noted that Council officers will continue to liaise with Permewans regarding site access (i.e. possible left in from Cox Street). <i>A meeting with Vic Roads identified the possible solution by providing a u-turn at Cox/French Streets intersection. This was considered acceptable by the building owner and the business owner. Appropriate signage will be required.</i>
6	Kings Cars Pty Ltd (Mr Peter King) 63-67 Cox Street, Hamilton	Concern about lack of access (southbound lane). Concern on-street car parking.
		Submission is noted. The streetscape plan has been amended to identify a right-hand-turn from Cox Street (southbound). Access to Kings Cars will be left in, left out and right in. Additional car parking spaces are provided in Cox Street. provision of on-street car parking will be further refined in the detailed design of Stage 1.
7	Reece Plumbing (Meinhart) 127 French Street, Hamilton	Support efforts to improve streetscape. Concern about proposal to change Flinders Street from two-way to one-way, removing right-hand movements onto Cox Street from Sedgwick Street, narrowing of Flinders Street, car parking, lack of exposure to existing business.
		Submission is noted. The Flinders Street road reserve width has been increased to accommodate two-way traffic and delivery vehicles (note: final road reserve width will be determined at detailed design of Stage 4). The plan has been amended to reflect all movements at Sedgwick Street. Vehicles will be able to turn right from Sedgwick Street onto Cox Street. 26 car parking spaces are provided on the western side of Flinders Street. Future development (east side of Cox Street) will be subject to further planning permit assessment process. The planning process will ensure car parking requirements are addressed for proposed uses.
8	United Petroleum Pty Ltd 79 Cox Street, Hamilton	Concern that access to their property will be restricted (no right-hand-turn for south-bound traffic). Concern about extent of proposed crossovers and proposed street tree species.
		Submission is noted. The streetscape plan has been amended to identify a right-hand-turn from Cox Street (southbound). The proposed crossovers are the same width as the existing crossovers. The proposed street trees species (<i>Eucalyptus Scoparia</i>) is a stable tree and unlikely to loose limbs. It is a clean-trucked tree allowing for motorist sight lines beneath the canopy.

Submission	Summary of submission	Council officer response
9 Ms Joyce McLeod 266 Gray Street, Hamilton	Concern about proposed laneway (east of Cox Street) between Gray Street and Sedgwick Street.	Submission is noted. The proposed laneways (east of Cox Street) between Gray Street and Sedgwick Street and Clarendon Street and Gray Street will be developed as the opportunity arises (i.e. as redevelopment of residential land east of Cox Street is redeveloped). The plans have been amended to reflect this. The lane can not be provided without the redevelopment of residential land.
10 Country Fire Authority	Comments regarding cross over and access ability on central median, clearance between trees and parked cars, median break width, roundabout design, rear lane access to new development areas.	Submission is noted and will be considered further in the detailed design of each stage. Clearance along roads will be maintained at all times for all vehicles (including emergency vehicles).
11 Mrs L.W. Noske 222 Rippon Road, Hamilton	Supports efforts to improve Cox Street. Suggests that the central median, street trees and development of land on the east side of Cox Street be removed from the project.	Submission is noted. The central median strip and street trees are critical components of the proposed plans and cannot be removed from the project. The plans identify future development sites. Development of this land will be subject to further planning approval.
12 Mr J.T. Stone 1/35 Shakespeare Street, Hamilton	General comments. No specific issues raised with the exhibited plans.	Submission is noted. Council officers will address the general issues raised directly with the submitter.
13 Palace Martial Arts	<ol style="list-style-type: none"> 1. Car parking space at entrance (with separate egress) will support business 2. Tree will limit signage 	<p><i>Agreed. Car Park that is proposed to block entrance will be removed. The planting of trees along Cox Street is integral to the overall aim to better present the Hamilton CBD. Trees will grow tall over time and signage can be varied to accommodate height of tree. The customers of this facility are not 'drive past' but rather established customers. A tree is not considered a major detriment to the business.</i></p>

9.1 ASSEMBLY OF COUNCILLORS RECORD

In accordance with the Local Government Act 1989 the following Assembly of Councillors records are attached:-

- Councillor Briefing Session – 25 November 2015
- Advocacy Priority Working Party – 24 November 2015

9.2 TEMPORARY ROAD CLOSURES AND STREET PROCESSIONS

There following applications were received during the past month for the temporary closure of roads and streets and/or the conduct of street processions:

- 100th Penshurst Show - temporary closure of Boundary Road (between Hamilton Highway and Cox Street), Penshurst – Saturday 5 December 2015 9am – 4pm
- Coleraine & District Development Association - Christmas Carnival and Street Parade - temporary closure of Whyte Street (between Henty and Gage Streets) and Winter Street (between McLeod and Turnbull Streets) - Friday 4 December 2015 5pm - 9:30pm
- St Mary's Primary School street parade - Saturday 5 December 2015 which will affect the following streets:
 - Kennedy Street between Clarke & Griffin Street, 9.30am to 11.30am
 - Gray Street between McIntyre & Kennedy Street, 9.30am to 11.30am
 - Gray Street between Kennedy Street and Brown Street, 10am to 11.45am
 - Brown Street between the Coles driveway to McDonalds driveway, 8.30am to 5pm
 - Brown Street between Gray Street and the Coles driveway, 10am to 11.45am
 - Brown Street between Lonsdale Street and the McDonalds Driveway, 8.30am to 11.45am

9.3 LIQUOR CONTROL ACT REFERRALS

During the past month, there were no applications referred to Liquor Licensing Victoria for the grant, variation or transfer of licences, permits and/or extended hours permits for comment.

9.4 TENDERS ACCEPTED BY THE CHIEF EXECUTIVE OFFICER UNDER DELEGATED AUTHORITY

The following tenders were accepted by the Chief Executive Officer under delegated authority for the month of November 2015.

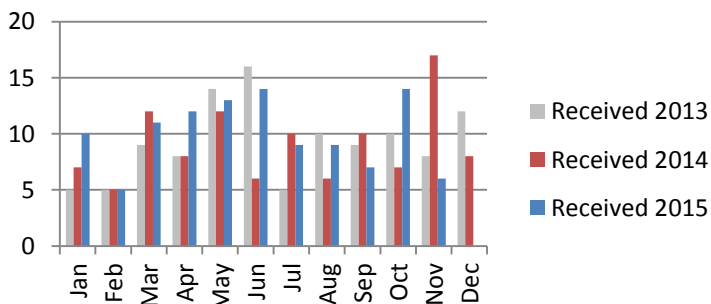
Contract No	Title	Contractor	Value
1110-15	Supply & Delivery of Two Photocopier	eResources Copy Print Systems	\$61,693.00

9.5 PLANNING REPORT**Delegated Planning Permits**

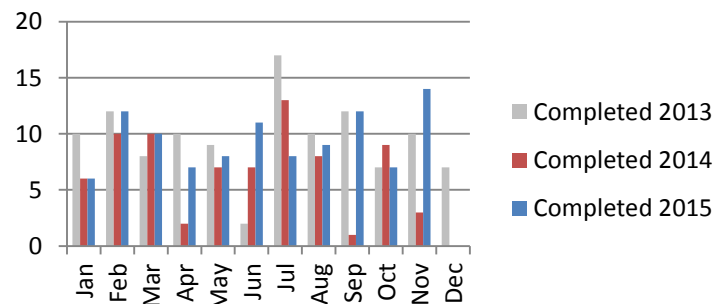
The following delegated decisions were made and planning permits issued for November, 2015.

Description	Location	Date of Decision	Decision within Statutory time?
Extension to an existing dwelling	111 Lodge Road HAMILTON	19/11/15	No
Buildings and works associated with the construction of an outbuilding	Park Street DUNKELD	06/11/15	Yes
Buildings and Works to change office window and extend side verandah.	109-113 Lonsdale Street HAMILTON	19/11/15	Yes
Subdivision (1-9 lots)	986 Hensley Park Road HENSLEY PARK	16/11/15	Yes
Buildings and works for the construction of a storage shed	4 Bell Street BALMORAL	23/11/15	Yes
Buildings and Works	40 Fairburn Street DUNKELD	30/11/15	No
Construct a fence between a church and hall in heritage overlay	29 McIntyre Street HAMILTON	19/11/15	Yes
Buildings and works to construct a shed	14 Sterling Street DUNKELD	27/11/15	Yes
Buildings and works for the construction of a store and carport associated with an existing Hospital	146 Cobb Street PENSURST	06/11/15	Yes
Development of buildings and works associated with the existing Emergency Services Facility	318 Top Hilgay Road COLERAINE	23/11/15	Yes
Buildings and works to construct business signage facing Ballarat Road	150 Ballarat Road HAMILTON	19/11/15	Yes
Extension of shed	73 Lonsdale Street HAMILTON	20/11/15	Yes
Buildings and Works – extension to existing shed	6960 Glenelg Highway DUNKELD	19/11/15	Yes

New Planning Applications Received



New Planning Applications Completed

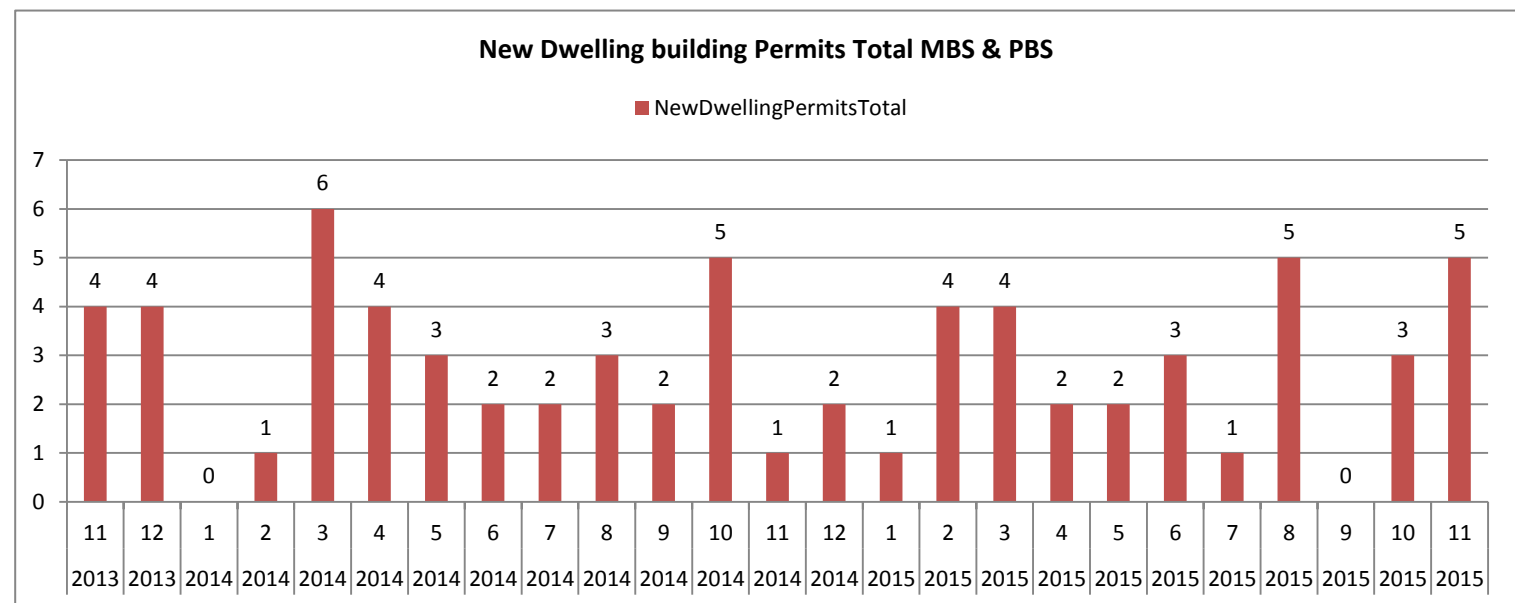
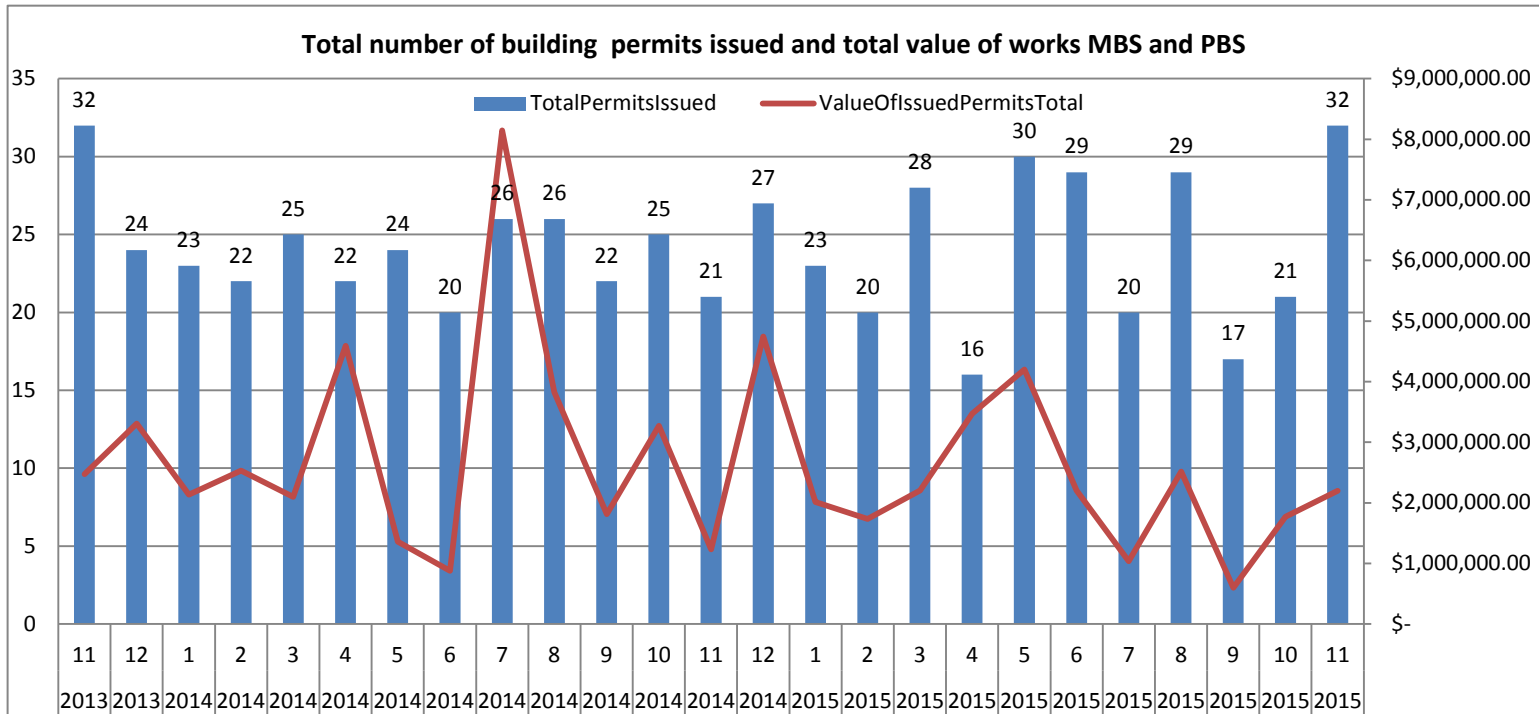


9.6 Building Services Report

The below graphs provide trend data relating to Building Permits over the last 2 years (by value and number of permits) and the number of new dwelling permits.

The total value of 22 Permits issued by the Municipal Building Surveyor for November, 2015 was \$1,037,292.00.

The total value of 10 Permits issued by Private Building Surveyors for November, 2015 was: \$1,161,184.00.



Total value of Building works for November 2015 = \$2,198,476.00.

Recommendation

That items 9.1 to 9.6 as listed above be received.

Cr Dawson/Cr Battista

That items 9.1 to 9.6 as listed above be received.

Notice of Motion

(To be dealt with in Confidential Matters)

Cr Dawson left the Chambers at 6.44pm.

Cr Dawson returned to the Chambers at 6.47pm.

11.1 MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE

Cr Battista, reported on his attendance at the Municipal Emergency Management Planning Committee meeting on 3 December 2015.

11.2 BARWON SOUTH WEST WASTE REGIONAL GROUP

Cr Colliton, reported on his attendance at the Barwon South West Waste Regional Group meeting on 30 November 2015.

11.3 ALLIANCE OF COUNCILS FOR RAIL FREIGHT DEVELOPMENT

Cr Dawson, reported on his attendance at the Alliance of Councils for Rail Freight Development meeting on 3 December 2015.

11.4 AUDIT COMMITTEE

The Mayor, Cr Dark, reported on his attendance at the Alliance of Councils for Rail Freight Development meeting on 19 November 2015.

11.5 MUNICIPAL FIRE PREVENTION ADVISORY COMMITTEE

The Mayor, Cr Dark, reported on his attendance at the Municipal Fire Prevention Advisory Committee meeting on 19 November 2015.

Recommendation:

That the following items be considered in Closed Council as it deals with matters specified in Section 89 (2) of the Local Government Act 1989:

- 12.1 MINOR WORKS AND SERVICES PREFERRED SUPPLIERS CONTRACT 1090-15, GOODS PREFERRED SUPPLIERS CONTRACT 1105-15 AND PLANT HIRE PREFERRED SUPPLIERS CONTRACT 1091-15.
- 12.2 TENDER 1112/15 – CARAMUT-GLENTHOMPSON RD EMBANKMENT RECONSTRUCTION
- 12.3 VARIATION TO CONTRACT No. 1096/15 – HAMILTON AIRPORT REDEVELOPMENT PROJECT
- 12.4 NOTICE OF MOTION – CR RAINSFORD

Cr Calvano/Cr Dawson

That the following items be considered in Closed Council as it deals with matters specified in Section 89 (2) of the Local Government Act 1989:

- 12.1 MINOR WORKS AND SERVICES PREFERRED SUPPLIERS CONTRACT 1090-15, GOODS PREFERRED SUPPLIERS CONTRACT 1105-15 AND PLANT HIRE PREFERRED SUPPLIERS CONTRACT 1091-15.**
- 12.2 TENDER 1112/15 – CARAMUT-GLENTHOMPSON RD EMBANKMENT RECONSTRUCTION**
- 12.3 VARIATION TO CONTRACT No. 1096/15 – HAMILTON AIRPORT REDEVELOPMENT PROJECT**
- 12.4 NOTICE OF MOTION – CR RAINSFORD**

CARRIED

This concludes the business of the meeting.

Meeting closed at 7.56 pm.

Confirmed by resolution this 10th day of February 2016.

.....
Chairman

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 24 November, 2015	
Description of meeting (eg Councillor Briefing, Name of Committee or Group) Advocacy Priorities Working Party	
Councillors in Attendance: Cr Peter Dark Cr Dennis Dawson Cr Bruach Colliton	
Council Staff in Attendance: Michael McCarthy Alison Quade Hugh Koch	Kevin O'Brien Sharon Clutterbuck
Matters Considered: 1 Media 2 Advocacy Update 3 Advocacy Priorities Matrix 4 RDV Expressions of Interest 5 Pilot Green Triangle Regional Road Action Plan	

Conflict of Interest	
Councillor's Name	Councillor Left Assembly While Matter Being Considered
	Yes/No
	Yes/No

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 25 November 2015	
Description of meeting (eg Councillor Briefing, Name of Committee or Group) Council Briefing	
Councillors in Attendance: Cr Peter Dark Cr Paul Battista Cr Dennis Dawson Cr Cathy Armstrong	Cr Katrina Rainsford Cr Albert Calvano Cr Bruach Colliton
Council Staff in Attendance: Michael McCarthy Bronwyn Herbert Bruce Davidson	Kevin O'Brien Megan Kruger
Matters Considered: 1. Proposed Community Local Law 2. Internal Audit 3. Open Data 4. Procurement Update	5. Staff Recognition of Service 6. Digital Strategy 7. Provision of Council Services on Extreme and Code Red Days Policy

Conflict of Interest	
Councillor's Name	Councillor Left Assembly While Matter Being Considered
	Yes/No
	Yes/No