



Southern Grampians
SHIRE COUNCIL

Council Meeting Minutes

Ordinary Meeting
14 June 2018

Held at 5.30pm in the Council
Chambers at 5 Market Place, Hamilton

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The Meeting opened at 5.30pm

1 Present

Councillors

Cr Mary-Ann Brown – Mayor
Cr Cathy Armstrong
Cr Albert Calvano
Cr Colin Dunkley
Cr Greg McAdam
Cr Katrina Rainsford

Officers

Mr Michael Tudball – Chief Executive Officer
Ms Evelyn Arnold – Director Community and Corporate Services
Mr Michael McCarthy - Director Shire Futures
Mr David Moloney – Director Shire Infrastructure
Ms Tania Quinn – Council Support Officer

2 Acknowledgement of Country

The Mayor, Cr Brown, 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.”

3 Prayer

Cr Armstrong led the meeting in a prayer.

4 Apologies

Cr Chris Sharples, Deputy Mayor

5 Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 9 May 2018 be confirmed as a correct record of business transacted.

COUNCIL RESOLUTION

MOVED: Cr Dunkley
SECONDED: Cr Rainsford

That the Minutes of the Ordinary Meeting of Council held on 10 May 2017 be confirmed as a correct record of business transacted.

CARRIED

6 Declaration of Interest

None declared.

7 Questions on Notice

There were no Questions on Notice listed on tonight's agenda.

8 Public Deputations

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

9 Records of Assemblies of Councillors

Written records of Assemblies of Councillors must be kept and include the names all Councillors and members of Council staff attending the meeting, the matters considered, any conflicts of interest declared and when the person/s with a conflict left and returned to the meeting.

Pursuant to section 80A (2) of the Act, these records must be, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that meeting.

Section 3 of the Local Government Act 1989 defines as Assembly of Councillors as:

1. A meeting of an advisory committee of the Council, if at least one Councillor is present; or
2. A planned or scheduled meeting of at least half of the Councillors and one member of Council staff;

which considers matters that are intended or likely to be:

- a) The subject of a decision of the Council; or
- b) Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

As there are some meetings which may or may not be classed as an Assembly of Councillors depending on who is present and the topics that are discussed Southern Grampians Shire Council records these meetings as an Assembly of Councillors to ensure that transparency in relation to these meetings is publicised.

An Assembly of Councillors record was kept for:

- Council Briefing Session – 2 May 2018
- Glenthompson Community Engagement Session – 2 May 2018
- Council Briefing Session – 9 May 2018
- Community Inclusion Advisory Committee – 9 May 2018
- Pedrina Park Working Group – 18 May 2018
- Industry Visits – 23 May 2018
- Council Briefing Session – 23 May 2018

This agenda was prepared on 6 June 2018. Any Assemblies of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Ordinary Meeting of Council.

RECOMMENDATION

That the record of the Assembly of Councillors be noted and incorporated in the Minutes of this Meeting.

COUNCIL RESOLUTION

MOVED: Cr Rainsford
SECONDED: Cr McAdam

That the record of the Assembly of Councillors be noted and incorporated in the Minutes of this Meeting.

CARRIED

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Council Briefing Session
Date:	2 May 2018
Location:	Martin J Hynes Auditorium
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Cathy Armstrong Cr Albert Calvano Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Michael McCarthy, Director Shire Futures David Moloney, Director Shire Infrastructure Rhassel Mhasho, Manager Planning and Regulatory Services Aten Kumar, Manager Assets

The Assembly commenced at 1:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	3D Geological Projections	Nil
2	Annual Plan	Nil
3	Planning Scheme Amendment	Nil
4	Road Register Update	Nil
5	Risk Appetite	Nil
6	Pick My Project Update	Nil

7	WDHS Development Update	Nil
8	Family Day Care Update	Nil
9	Update on Major Projects Botanic Gardens Aviary Recycling Hamilton Regional Livestock Exchange Pedrina Park Draft Budget	Nil
10	Naracoorte Hockey Pavilion	Nil

The Assembly concluded at 5:15pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Glenthompson Community Engagement Session
Date:	2 May 2018
Location:	Glenthompson Recreation Reserve
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Katrina Rainsford Cr Greg McAdam Cr Cathy Armstrong Cr Albert Calvano
Council Staff in Attendance:	Michael Tudball, CEO Evelyn Arnold, Director Community and Corporate Services Melanie Russell, Community Engagement Coordinator Jane Coshutt, Community Engagement Coordinator

The Assembly commenced at 6.30pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Public WiFi	Nil
2	The Western Rail Project	Nil
3	Swimming Pool Usage	Nil

The Assembly concluded at 8.00pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Council Briefing Session
Date:	9 May 2018
Location:	Martin J Hynes Auditorium
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Cathy Armstrong – arrived at 1:25pm Cr Albert Calvano Cr Colin Dunkley – arrived at 1:53pm Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Michael McCarthy, Director Shire Futures David Moloney, Director Shire Infrastructure Belinda Johnson, Manager Finance Lachy Patterson, Manager Community Relations Darren Barber, Manager Organisational Development Sarah Franks, Coordinator Organisational Development Susannah Milne, Manager Community and Leisure Services

The Assembly commenced at 1:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Economic Migration Program	Nil
2	Revaluation of Rateable Properties	Nil
3	Friends of the Hamilton Botanic Gardens	Nil

4	Library Service Review	Nil
5	Vicroads Service Review	Nil
6	Child Safe Standards	Nil
7	Fire and Storm Recovery Update	Nil
8	Emerging Priorities: <ul style="list-style-type: none">• Economic Migration• Building Events Capacity• Melville Oval	Nil
9	Energy Contract	Nil

The Assembly concluded at 5:00pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Community Inclusion Advisory Committee
Date:	9 May 2018
Location:	Nigretta Furniture, 4 Peck Street Hamilton
Councillors in Attendance:	Cr Cathy Armstrong
Council Staff in Attendance:	Lachy Patterson, Manager Community Relations Jane Coshutt, Community Planning Coordinator

The Assembly commenced at 10:30am

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome & Apologies	Nil
2	Overview/Tour of Nigretta Furniture	Nil
3	Meeting Close	Nil

The Assembly concluded at 12:00pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Pedrina Park Working Group
Date:	18 May 2018
Location:	Brown Street Conference Room
Councillors in Attendance:	Cr Colin Dunkley
Council Staff in Attendance:	Evelyn Arnold, Director Community & Corporate Services Susannah Milne, Manager Community & Leisure Services Melanie Starr, Manager Recreation

The Assembly commenced at 8.30am

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome	Nil
2	Apologies	Nil
3	Pavilion Design	Nil
4	Shelter Options	Nil
5	General Business	Nil

The Assembly concluded at 9.25am



Southern Grampians
Shire Council

ASSEMBLY OF COUNCILLORS

ASSEMBLY DETAILS	
Title:	Industry Visits
Date:	23 May 2018
Location:	Various
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Cathy Armstrong Cr Colin Dunkley Cr Katrina Rainsford
Council Staff in Attendance:	Evelyn Arnold, Director Community and Corporate Services Michael McCarthy, Director Shire Futures Peter Johnson, Business Development Officer

The Assembly commenced at 10:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Prestonholme Nurseries	Nil
2	Jenni Mitchell Fine Art	Nil

The Assembly concluded at 12:00pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Council Briefing Session
Date:	23 May 2018
Location:	Martin J Hynes Auditorium
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Cathy Armstrong Cr Albert Calvano Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Michael McCarthy, Director Shire Futures David Moloney, Director Shire Infrastructure Rhassel Mhasho, Manager Planning and Regulatory Services David Gagliardi, Manager Performing Arts Centre Kylie McIntyre, Sustainability Coordinator Susannah Milne, Manager Community and Leisure Services

The Assembly commenced at 1:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Rural Land Use Study	Nil
2	Roadside Management Plan	Nil
3	Harman's Valley	Nil

4	Performing Arts Service Review	Nil
5	Environmental Sustainability Service Review	Nil
6	Capital Works Update	Nil
7	Pedrina Park Working Group	Nil

The Assembly concluded at 6:00pm

10 Management Reports

10.1 Chief Executive Officer – Annual Leave

Directorate: Michael Tudball, Chief Executive Officer
Author: Michael Tudball, Chief Executive Officer
Attachments: None.

Executive Summary

This report requests noting of the Chief Executive Officer taking conference leave and annual leave in July/August 2018, and the appointment of Evelyn Arnold, Director Corporate and Community Services, as the Acting Chief Executive Officer.

Discussion

It is requested that the Council note the CEO's conference leave for the period 25 July to 27 July 2018 inclusive, and the CEO's annual leave from 30 July to 3 August 2018 inclusive.

The Acting Chief Executive Officer for the period 25 July to 3 August 2018 inclusive, is recommended as Evelyn Arnold, Director Corporate and Community Services.

Financial and Resource Implications

There are no additional cost implications as leave is budgeted and allowed for.

Legislation, Council Plan and Policy Impacts

Under the Local Government Act 1989 Council must appoint a Chief Executive Officer and others in an acting capacity as and when required.

Risk Management

There are no risks involved in the approval of leave and an appropriate Director is recommended to act as the Chief Executive Officer

Environmental and Sustainability Considerations

There are no Environmental and Sustainability Considerations.

Community Consultation and Communication

Prior to the leave, Council staff will be informed via an all staff email from the Chief Executive Officer and will be noted in the staff newsletter.

Disclosure of Interests

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

RECOMMENDATION

1. That the CEO, Michael Tudball's conference and annual leave for the period 25 July to 3 August 2018 inclusive, be noted.
2. That Evelyn Arnold, Director Corporate and Community Services be appointed Acting CEO for the period 25 July to 3 August 2018 inclusive.

COUNCIL RESOLUTION

MOVED: Cr Armstrong
SECONDED: Cr Dunkley

1. That the CEO, Michael Tudball's conference and annual leave for the period 25 July to 3 August 2018 inclusive, be noted.
2. That Evelyn Arnold, Director Corporate and Community Services be appointed Acting CEO for the period 25 July to 3 August 2018 inclusive.

CARRIED

10.2 Scoping Study & Masterplan for a new Hamilton Gallery; Tender report

Directorate: Michael McCarthy, Director Shire Futures
Author: Michael McCarthy & Sarah Schmidt

Executive Summary

Tenders were publicly advertised on 21 April for the Scoping Study & Masterplan for a new Hamilton Gallery

Four tender submissions were received and evaluated based on:

- Price
- Demonstrated ability to deliver outstanding design outcomes for major public architectural projects
- Demonstrated performance undertaking feasibility analysis, developing investment logic mapping scenarios and developing business cases for major public projects
- Demonstrated knowledge of the public gallery sector and service trends
- Demonstrated project management skills and ability
- Environmental Sustainability Considerations

The tenders were assessed by a Panel consisting of Council officers, industry expertise and stakeholder involvement.

Four high quality submissions were received and after detailed consideration and scoring by the Assessment Panel, the recommendation is to award Tender No. 26-18 to Denton Corker Marshall Pty Ltd for the GST exclusive price of \$200,000

Discussion

In February 2017 the Council resolved to endorse the Project Brief for the 'Feasibility Study and Masterplan for a new Hamilton Gallery'.

At its Ordinary Meeting of Council in April 2018, Council resolved to allocate \$200,000 to the project and to advertise the Tender for this project this financial year.

The Tender was advertised on 21 April for three weeks

The following tender submissions were received:

Ontoit Global Pty Ltd
 Denton Corker Marshall Pty Ltd
 PricewaterhouseCoopers
 Conrad Garget Pty Ltd

Company Name	Qualitative Score(%)	Moderated Total Price	Quantitative Score(%)	Total Score
Ontoit Global Pty Ltd	40.10%	\$184,800.00	30.00%	70.10%
Denton Corker Marshall	61.65%	\$220,000.00	25.20%	86.85%
PricewaterhouseCoopers	39.69%	\$429,000.00	12.92%	52.61%
Conrad Gargett Pty Ltd	54.93%	\$426,470.00	13.00%	67.93%

Prices shown in this Table are GST inclusive

This tender received an excellent response from high quality candidates. Whilst there was a strong field, the assessment team found that there was one stand-out candidate. Denton Corker Marshall Pty Ltd demonstrated a thorough grasp of the project brief and was able to respond to each criteria comprehensively demonstrating the relevant experience and appropriate skills.

Denton Corker Marshall Pty Ltd and associates scored the highest against all qualitative criteria and in particular they demonstrated their ability to deliver outstanding design outcomes, project management skills, feasibility assessment and business case development. They also demonstrated an extensive knowledge of the public gallery sector including a sound understanding of a gallery's environmental requirements.

Whilst not the least expensive tender submission Denton Corker Marshall Pty Ltd provided a cost that was within Council's budget.

The tender submission was fully compliant with the requirements of the tender process

It is therefore the recommendation of the Tender Evaluation Panel that the tender submitted by Denton Corker Marshall Pty Ltd for the GST exclusive price of \$200,000 be accepted.

Financial and Resource Implications

This recommendation is consistent with the financial commitment adopted at Council's April 2018 meeting as follows

That Council:

1. *Allocates a further \$100,000 to replace external funding for a total Council allocation of \$200,000.*

Legislation, Council Plan and Policy Impacts

SGSC Asset Management Strategy, policy statement: "Council recognizes that assets must be planned, provided and refurbished so that they continue to meet the service delivery needs of the community." –The Gallery's maintenance costs are increasing as an aging building. The building struggles to meet appropriate museum standards in an environment of increasing professionalization and competition. There is obligation as custodian of a \$25million collection to maintain the collection in appropriate museum conditions.

SGSC Arts and Culture Strategic Plan 2014

Arts, culture and heritage are crucial to the region's development socially, culturally, environmentally and economically (guiding principle)

- Increase participation and engagement with the Shire's creative facilities, programs and services by further developing these environments to be more vibrant and inclusive.
- Utilise and build upon our substantial strengths in arts and culture to support tourism

Council Plan

Strategy 3.2.2: Provide high quality and inclusive cultural facilities, services and experiences.

Risk Management

The undertaking of this project does not have any risk implications for Council. The results of this study will be presented to Council once completed for consideration

Environmental and Sustainability Considerations

The specifications for this tender sought the environmental credentials of the supplier as well as the need for full consideration of the environmental issues needed for a successful Gallery operation.

Community Consultation and Communication

This project has considerable community interest and the tender specifications placed emphasis on the need to consult fully at each stage of the project.

The appointment of the successful tenderer will be announced through a press release.

The consultation plan will be reviewed and agreed to at the inception meeting once the contract is let.

Tenderers will be notified by the Procurements Officer of the decision made by Council.

Disclosure of Interests

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

The evaluation panel affirm that no direct or indirect interests need to be declared in relation to any matters in this Report:

Michael McCarthy, Director, Shire Futures
Sarah Schmidt, Hamilton Gallery Director
Kylie McIntyre, Sustainability Co-ordinator
Jason Cay, Finance Co-ordinator
David Islip, Victorian Office of Government Architects
Sue Robertson, Trustee, Hamilton Art Gallery Trust Fund

RECOMMENDATION

1. That the tender received from Denton Corker Marshall Pty Ltd for \$200,000. exclusive of GST be accepted.
2. That the Contract documents be signed and sealed when prepared.

COUNCIL RESOLUTION

MOVED: Cr Rainsford
SECONDED: Cr McAdam

1. That the tender received from Denton Corker Marshall Pty Ltd for \$200,000. exclusive of GST be accepted.
2. That the Contract documents be signed and sealed when prepared.

CARRIED

Michael Tudball, CEO left the Chambers at 5:35pm and returned at 5:37pm.

10.3 Amendment C36 - Southern Grampians Planning Scheme Harman' Valley-Post Panel Report

Directorate: Michael McCarthy, Director Shire Futures
Author: Rhassel Mhasho Manager Planning & Regulatory Services
Attachments: 1. Panel Report Southern Grampians Planning Scheme C36
2. Comments on Panels Process and Report
3. Revised Mapping 1 and 2 edits (showing changes)
4. Revised Schedule 6

Executive Summary

The purpose of this Report is for Council to adopt Amendment C36, including the recommendations of the independent Planning Panel, and submit the Amendment to the Minister for approval.

The Report recommends that Council resolves to:

- 1 Accept recommendations 1 and 2 by the independent Planning Panel for Amendment C36 to the Southern Grampians Planning Scheme and adopt Amendment C36 Harman's Valley Significant Landscape Overlay Schedule 6 (SLO6), including some additional noting as indicated on the Schedule, and the revised mapping pursuant to section 29 of the Planning and Environment Act 1987.
- 2 Submit the adopted Amendment C36 to the Minister for Planning requesting approval pursuant to section 31(1) of the Planning and Environment Act 1987.
- 3 Notify all submitters of Council's decision.

Discussion

Planning Scheme Amendment C36 seeks to apply a permanent Significant Landscape Overlay to the Harman's Valley landscape by replacing the interim planning provision which was applied by the Minister for Planning in 2016 through Amendment C50 to the Southern Grampians Planning Scheme.

At its Meeting on June 2017 Council resolved that:

- a) Pursuant to Section 8A of the Planning and Environment Act 1987, request the Minister for Planning to Council to prepare and exhibit a Planning Scheme Amendment C36 that seeks to include a permanent Significant Landscape Overlay for Harman's Valley by deleting the Expiry Clause 7.0 in Schedule 6 to the Significant Landscape Overlay and introducing a permanent SLO42 Map, as shown on attachment 1 and attachment 2.
- b) Upon receipt of authorisation, pursuant to Sections 12, 17, 18 and 19 of the Planning and Environment Act 1987, prepare and formally exhibit the Amendment.

Authorisation to prepare and exhibit the Amendment was received from the Minister for Planning in August 2017.

Amendment C36 attracted 75 submissions, most of which supported the Amendment and highlighted a range of values associated with the area and the lava flow. Many of these

submissions also raised concerns about the adequacy of the overlay provisions and the extent of area covered by the overlay.

Other submitters, including landowners, opposed the Amendment and the current SLO6 arguing that it covered an extensive area of farm land that is a significant distance from the lava flow and that the permit requirements were an unnecessary impediment to farming in the area.

Following exhibition of the Amendment, at its Meeting in November 2017 Council resolved to request the Minister for Planning to appoint an independent Planning Panel pursuant to section 23 and the provisions of Part 8 of the Planning and Environment Act 1987 to consider submissions received to Amendment C36.

The Minister appointed a two member independent Planning Panel in December 2017 to consider the Amendment with the Panel Hearing taking place on Tuesday 6 and Wednesday 7 March 2018. The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, submissions, evidence and other material presented to it during the Hearing in reaching its conclusion.

The Panel report was received by Council on the 16 April 2018 is included in **Attachment 1** to this Report.

Council has received 4 submissions from the public on the Panel's report and a letter from the one land owner was received before the Panel Report was received expressing concern on the whole process. **(Refer to attachment 2)**

The Panel was satisfied that the Harman's Valley lava flow is a State significant geological and landscape asset that warrants permanent planning scheme protection. Below is a summary of the Panel's recommendation.

Based on the reasons set out in this Report, the Panel recommends that the Southern Grampians Planning Scheme Amendment C36 be adopted as exhibited, subject to the following:

1. Apply the revised Significant Landscape Overlay Schedule 6 boundary proposed by Council and shown in Figure 2 of the Panel's report, subject to:
 - a) Excluding the part of the property owned by Mr Last on the west side of the Hamilton-Port Fairy Road that contains the dwelling and associated outbuildings.
 - b) Including any further changes identified by Council following a review of the boundary to identify any detailed mapping errors or inconsistencies. The review might include ground truthing, discussions with landowners or advice from a geologist or suitably qualified person where appropriate.
2. Apply the Significant Landscape Overlay Schedule 6 included at Appendix E of the Panel's report.
3. Southern Grampians Shire and the Department of Environment, Land, Water and Planning consider the joint production of a permit application guide or kit for the area within the Significant Landscape Overlay Schedule 6. The purposes of the guide or kit might include a 'plain English' explanation of the key provisions and an outline of the type of information that should accompany different types of permit applications.

Officers have consulted with Mr Last regarding excluding part of the property on the west side of the Hamilton-Port Fairy Road that contains the dwelling and associated outbuildings which was highlighted in the Panel report. Mr Last indicated he was happy with the proposed new boundary.

Council officers also proposed to exclude part of the dwelling and associated outbuildings owned by the Stevenson family which was included in the overlay as a result of the 50m buffer. The Stevenson family indicated that were happy to have part of their dwelling and associated outbuildings excluded.

It is recommend that Council accept recommendations 1 and 2 by the independent Planning Panel for Amendment C36 to the Southern Grampians Planning Scheme. With regards to further recommendations, Officers are of the opinion that this is not essential. The idea is noted and will be included in the planning scheme review and will be on the list of priorities.

Further to recommendations 1 and 2 of the Panel it is suggested that the wording in Clause 3.0 – Permit Requirement, of Schedule 6 to the Significant Landscape Overlay be changed from:

A permit is not required for the construction of a farm access track that does not change the topography of the land or damage or require modification to the lava flow or associated geological features or structures.

To:

A permit is required for the construction of a farm access track only if it changes the topography of the land or damages or requires modification to the lava flow or associated geological features or structures.

Attachments **3 and 4** show the final proposed map with the changes proposed in the Report and the Schedule with the suggested wording changes.

Next steps

The figure below shows the steps in the Planning Scheme Amendment process.



Council is currently on stage 4. Council has three options at this stage:

1. Adopt Amendment C36 accepting all the independent Planning Panel's recommendations.
2. Adopt Amendment C36 accepting some / none of the independent Planning Panel's recommendations.
3. Abandon Amendment C36.

It is recommended that Council accept the recommendations of the independent Planning Panel, noting the importance of translating C50 permanently into the Planning Scheme for future planning decisions. It is also recommended that Council lodge Amendment C36 with the Minister for Planning for approval, with the Minister then required to make the ultimate decision as to whether to approve or abandon the Amendment.

Financial and Resource Implications

The costs involved with preparing the amendment documents will be managed in the 2017/2018 budget.

Legislation, Council Plan and Policy Impacts

State Planning Policy Framework

The outcomes of the Amendment must be consistent with the objectives and strategies of the State Planning Policy Framework (SPPF) in the Southern Grampians Planning Scheme.

Key clauses from within the SPPF relevant to this proposal include:

- Clause 12 'Environmental and Landscape Values', by protecting and conserving an area of geological and landscape value;
- Clause 12.04 'Significant environments and landscapes'; 12.04-4 'Landscapes' by protecting a landscape and significant open spaces that contribute to character, identity and sustainable environments.
- Clause 15.03-1 'Heritage conservation', by ensuring the conservation of a place of heritage (scientific, aesthetic and cultural) significance.
- Clause 15.03-2 'Aboriginal cultural heritage', by ensuring the protection and conservation of places of Aboriginal cultural heritage significance.

Local Planning Policy Framework

The proposed Amendment will implement the strategic directions found in the existing Local Planning Policy Framework (LPPF) which include:

- Clause 21.01-3 'Key planning issues', by protecting the Shire's environmental and cultural assets;
- Clause 21.01-6 'Strategic Issues and Directions', by protecting volcanic features in the rural landscape;
- Clause 21.03 'Environmental and Landscape Values', by protecting geologically significant volcanic features identified in Clause 21.03-2 'Landscape' (Harman's Valley and tumuli);
- Clause 21.05-2 'Heritage', Objective 1: to protect and enhance places of Aboriginal, natural and cultural heritage significance;
- Clause 21.07-2 'Tourism', to protect and promote the natural and cultural assets of the Shire.

Council Plan

The Amendment aligns with a number of objectives and strategies identified to deliver each of the objectives in the Council Plan 2013-2017. In particular the following objectives, outcomes and strategies are relevant:

- Council Plan Theme 5 – Provide Governance and Leadership

- Objective 5.1 – Provide transparent and responsible governance

Risk Management

There is no anticipated risk associated with the adoption of the Planning Scheme Amendment.

Environmental and Sustainability Considerations

The Amendment will create a regulatory environment which will help to protect the landscape, geological, scientific, aesthetic, cultural and biodiversity significance of Harman's Valley.

Community Consultation and Communication

Public exhibition for Amendment C36 was held from 12 September 2017 to 20 October 2017. A total of seventy four (75) submissions were received, six (6) of the submissions objected to the amendment with one (1) submission requesting Council to abandon the process.

Further consultation occurred on the 6 and 7 March 2018 when all submitters were invited to present to the independent Planning Panel.

Disclosure of Interests

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

RECOMMENDATION

Council resolves to:

- 1 Accept recommendations 1 and 2 of the independent Planning Panel for Amendment C36 to the Southern Grampians Planning Scheme and adopt Amendment C36 Harman's Valley Significant Landscape Overlay Schedule 6 (SLO6), including some additional noting as indicated on the Schedule, and the revised mapping pursuant to section 29 of the Planning and Environment Act 1987.
- 2 Alter the wording of Clause 3.0 – Permit Requirement, of Schedule 6 to the Significant Landscape Overlay from:

A permit is not required for the construction of a farm access track that does not change the topography of the land or damage or require modification to the lava flow or associated geological features or structures.

To:

A permit is required for the construction of a farm access track only if it changes the topography of the land or damages or requires modification to the lava flow or associated geological features or structures.

- 3 Submit the adopted Amendment C36 to the Minister for Planning requesting approval pursuant to section 31(1) of the Planning and Environment Act 1987.
- 4 Notify all submitters of Council's resolution to accept the independent Planning Panel's recommendations; adopt Amendment C36 and submit the Amendment to the Minister for Planning for approval.

COUNCIL RESOLUTION

MOVED: Cr McAdam

SECONDED: Cr Dunkley

Council resolves to:

- 1 **Accept recommendations 1 and 2 of the independent Planning Panel for Amendment C36 to the Southern Grampians Planning Scheme and adopt Amendment C36 Harman's Valley Significant Landscape Overlay Schedule 6 (SLO6), including some additional noting as indicated on the Schedule, and the revised mapping pursuant to section 29 of the Planning and Environment Act 1987.**

- 2 **Alter the wording of Clause 3.0 – Permit Requirement, of Schedule 6 to the Significant Landscape Overlay from:**

A permit is not required for the construction of a farm access track that does not change the topography of the land or damage or require modification to the lava flow or associated geological features or structures.

To:

A permit is required for the construction of a farm access track only if it changes the topography of the land or damages or requires modification to the lava flow or associated geological features or structures.

- 3 **Submit the adopted Amendment C36 to the Minister for Planning requesting approval pursuant to section 31(1) of the Planning and Environment Act 1987.**
- 4 **Notify all submitters of Council's resolution to accept the independent Planning Panel's recommendations; adopt Amendment C36 and submit the Amendment to the Minister for Planning for approval.**

CARRIED

Michael Tudball, CEO left the Chambers at 5:45pm and returned at 5:48pm.

10.4 Financial Statements to 31 May 2018 – 17-18 Budget

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Jason Cay, Finance Coordinator
Attachments: 5 Financial Statements

Executive Summary

The Financial Reports for the period 1 July 2017 to 31 May 2018 (copy attached) have been prepared to provide information regarding Council's current financial position.

The report includes an Income Statement, Balance Sheet, Statement of Cash Flows, Statement of Capital Work and Statement of Human Resources. A narrative has also been prepared to explain variances between 2017/18 Budget and actual performance.

Discussion

The financial report includes an Income Statement, Balance Sheet, Statement of Cash Flows, Statement of Capital Work and Statement of Human Resources. A detailed narrative has also been prepared to explain variances between 2017/18 Budget and actual performance.

Income Statement (Operating Statement)

Council is forecasting an operating surplus for the 2017/18 financial year. Actual Income and Expenditure YTD is a net surplus to May of \$2.19m compared to Council's budgeted result of a \$21.85m operating surplus.

Balance Sheet

The budgeted balance sheet is understated in net equity and Property, Plant & Equipment due to the impairment of infrastructure assets in the 2016/17 year after the 2017/18 Budget had been set. This is further understated due to the capital works for the current 2017/18 year not being posted the balance sheet – this occurs after the end of the financial year period. All other balance sheet items are expected to be in-line to their original budgeted figures.

Statement of Cash flows

Cash balances are strong with \$23.9m of cash and investments held at the end of the month. This means all commitments can be met with cash, as and when required. Even with the carry forward of capital works and some unexpected expenses, Council is still forecasting a strong end of year cash position.

Statement of Capital Works

Council budgeted \$42.39m of capital works. This is a large increase on previous years to the amount of Capital works budgeted for Flood Recovery projects.

Actual expenditure of \$12.314m has occurred (29% of the budgeted amount).

Statement of Human Resources

The breakup between operating and capital salaries is variable for a large proportion of Council's workforce (Infrastructure Services in particular). Capital Expenditure is seasonal due the majority of works occurring during the construction season. Overall spend was at 87% of the forecast at the end of the month.

Legislation, Council Plan and Policy Impacts

Council Plan

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

Legislation

Section 138 of the Local Government Act 1989 requires that at least every three months, the CEO must ensure that a statement comparing the budgeted and actual revenue and expenditure for the financial year is presented to the Council at a Council meeting which is open to the public.

Financial reports are generally prepared following the month ends of September, December, January, February, March, April & May. The June report forms part of Council's Annual Report.

Council is also required to implement the principles of sound financial management detailed in Section 136 of the Local Government Act 1989 which states:

- 1) A Council must implement the principles of sound financial management.
- 2) The principles of sound financial management are that a Council must-
 - (a) manage financial risks faced by the Council prudently, having regard to economic circumstances;
 - (b) pursue spending and rating policies that are consistent with a reasonable degree of stability in the level of the rates burden;
 - (c) ensure that decisions are made and actions are taken having regard to their financial effects on future generations;
 - (d) ensure full, accurate and timely disclosure of financial information relating to the Council.
- 3) The risks referred to in subsection (2)(a) include risks relating to-
 - (a) the level of Council debt;
 - (b) the commercial or entrepreneurial activities of the Council;
 - (c) the management and maintenance of assets;
 - (d) the management of current and future liabilities;
 - (e) changes in the structure of the rates and charges base.

Disclosure of Interests

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

RECOMMENDATION

That the financial report for the period 1 July 2017 to 31 May 2018 be received.

COUNCIL RESOLUTION

MOVED: Cr Calvano
SECONDED: Cr Rainsford

That the financial report for the period 1 July 2017 to 31 May 2018 be received.

CARRIED

11 Notices of Motion

11.1 Notice of Motion #2/18

Cr McAdam

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 14 June 2018

MOTION

That SGSC work to make the local community aware of the economic contribution of the Hamilton Regional Livestock Exchange and in particular the cattle producers and their agents of the benefits and attributes of the exchange.

Background

Much media and commentary has been circulating in recent times about the HRLX and the dwindling numbers of cattle at the markets. Suggestions of changing sale days, providing incentives or just rolling over and accepting that the cattle markets in particular will ultimately cease in Hamilton.

This notice of motion is to work in conjunction with the analysis and options report already underway by Council to ensure that producers and agents in particular are aware of the significant investment that has been made in recent times, council's commitment to the HRLX and its intention to grow the business to ensure a viable and sustainable industry exists in Hamilton and Southern Grampians Shire.

Officers Comments

Council is aware of a significant research and options paper currently in progress that should be progressed over the next six weeks. This work covers a detailed analysis of the current and future trends across the State, Region and HRLX. The further report and options paper to be finalised over the next weeks will consider options and where and how to grow the markets in a competitive environment and provide options for Council to focus its energies and resources.

This notice of motion is consistent with this work currently underway.

MOTION

MOVED: Cr McAdam
SECONDED: Cr Calvano

That SGSC work to make the local community aware of the economic contribution of the Hamilton Regional Livestock Exchange and in particular the cattle producers and their agents of the benefits and attributes of the exchange.

AMENDMENT

MOVED: Cr Rainsford

That the Budget documents include in the Service Performance Indicators for the Hamilton Regional Livestock Exchange under Utilisation, the number of cattle sold through the Hamilton Regional Livestock Exchange as well as the number of sheep sold.

The Mayor did not allow the Amendment as it contravened Clause 47 of the Meeting Procedure Local Law No. 10 of 2013.

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Calvano

That SGSC work to make the local community aware of the economic contribution of the Hamilton Regional Livestock Exchange and in particular the cattle producers and their agents of the benefits and attributes of the exchange.

CARRIED

11.2 Notice of Motion #3/18

Cr Rainsford

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 14 June 2018

MOTION

That Southern Grampians Shire Council instigate Pedrina Park Hockey Clubroom community consultation for consideration by Glenelg Hockey Association Hockey members and players including all location options considered by the Pedrina Park Hockey Pavilion Working Group, including costing and related overheads and impact on planned second synthetic hockey field at Pedrina Park as a Regional Sport Centre which includes options previously considered by GRHA members.

- (1) A new build alongside the Synthetic hockey field which could be placed like Footscray Hockey Pavilion between two synthetic fields
- (2) A transportable building lateral to synthetic field which again could be central to the second synthetic field which is made more affordable
- (3) A large multipurpose facility in the middle of Pedrina Park alongside Football Cricket and Soccer but behind the Hockey Goal posts.

Background

A comprehensive professional 2017/2018 budget submission supported by the Glenelg Regional Hockey Association resulted in councillors adopting the 2017/2018 Southern Grampians Shire Budget which included a \$100,000 allocation to support building a Pedrina Park Hockey Clubroom (reference Budget adoption meeting July 2017). At the time of the submission Glenelg Regional Hockey Association had matching funding of \$100,000 cash reserves on hand and the anticipated successful Sport and Recreation Victoria application for matching 1/3 1/3 1/3 funds would have seen this project provide a very strong grant application.

During the process of establishing the Football Netball and Cricket Regional Strategic Plan and the Southern Grampians Recreation and Leisure Strategic Plan councillors and GRHA representatives were assured that these two pieces of work would not delay or interfere with the commitment to the council supporting a Pedrina Park Hockey Clubroom.

In November 2017 due to the lack of any progress on planning and design of the Pedrina Park Hockey Clubrooms Cr Katrina Rainsford moved a successful motion on November 22nd 2017 to immediately establish a Pedrina Park Hockey Pavilion working group.

The vote division records Crs Brown, Calvano and Dunkley voting against the establishment of this working group.

Cr Sharples then moved that Cr Dunkley be nominated as the councillor representing SGSC on the working group. Seconded by Cr Rainsford and supported by majority of councillors. It is now June 4th 2018 and in a State Election year Southern Grampians Shire Council, with a club with matching funds to contribute, has failed to prepare an application for a State RDV grant.

There have been two verbal reports to council briefings, nothing documented, with an outline of the remaining committee members preferred large multipurpose facility three to four times the anticipated cost of the hockey clubrooms to be positioned in the middle of Pedrina Park along the sideline of the Soccer field and behind the goal posts of the one Synthetic

Field that represents the GRHA one playing field where all association games are played and most training takes place.

A Pedrina Park Hockey Clubrooms that would be THE ONLY CLUBROOMS for outside team sports to be placed BEHIND THE GOAL POSTS and not a midfield centreline placement.

I am concerned that the emphasis on female friendly facilities and the imminent world cup soccer event has distracted the attention away from supporting the hockey association's affordable and reasonable request for support for their first and only hockey clubroom on a council managed grounds of Pedrina Park.

This council asked for budget submissions twelve months ago. They got a cashed up submission from a sport that has a history of contributing funds towards their own facilities. And in twelve months they have failed to deliver or demonstrate support for a Pedrina Park Hockey Clubroom which was the intent of the budget allocation.

The current draft budget has misquoted the project as a Pedrina Park Pavilion which was not the intent of motion supported by the majority of councillors when adopting the 2017/2018 budget, a Pedrina Park Hockey Clubroom.

Officers Comments

Council officers are currently developing a Recreation and Leisure Strategy and reviewing the Pedrina Park Master Plan. Both these pieces of work have involved the opportunity for extensive consultation not only with Glenelg Hockey Association Hockey members but also other clubs, community members, and all sporting groups (including other Pedrina Park user groups). As per a previous resolution of Council (in November of 2017), a working group to specifically address the needs of both Hockey and Soccer has been established. This group has representatives selected by the clubs whom they believe will best represent their views. From the last meeting of the working group a draft building design was agreed upon. This was sent to an Architect to be professionally drawn and costed. The resulting documents have been recently circulated to the working group members for feedback and endorsement from the committees and clubs they represent. Once this has been received Council will then be briefed on the outcome. Council officers are working to expedite this process to allow every opportunity to secure external funding and ensure a successful outcome for Hockey, Soccer and the wider Southern Grampians community.

MOTION

MOVED: Cr Rainsford

That if Glenelg Regional Hockey Association does not support contributing funds to a multiuse central facility in Pedrina Park that does not provide the ideal of a 'Pedrina Park Hockey Clubrooms' then Southern Grampians Shire Council will not obstruct applications from Glenelg Regional Hockey Association for their original 2017/18 SGSC Budget Submission request for a field side Hockey Clubroom on the existing grass mound.

MOTION lapsed for want of a SECONDER

12 Delegated Reports

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

12.1 COMMUNITY INCLUSION COMMITTEE

Cr Armstrong reported on her attendance at the Community Inclusion Advisory Committee on 9 May 2018.

12.2 D FORCE - ICE CHALLENGE PROJECT

Cr Rainsford gave an update on the D-Force – Ice Challenge Project and the support they have received from the Southwest Foundation and Southern Grampians Shire Council.

13 Mayors and Councillors Reports

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

14 Confidential Matters

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

15 Close of Meeting

This concludes the business of the meeting.

Meeting closed at 6:17pm.

Confirmed by resolution 11 July 2018.

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Chairman