



Southern Grampians
SHIRE COUNCIL

Council Meeting Minutes

Ordinary Meeting
13 May 2020

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 Chris Sharples, Mayor
Cr Colin Dunkley, Deputy Mayor
Cr Cathy Armstrong
Cr Mary-Ann Brown
Cr Albert Calvano
Cr Greg McAdam
Cr Katrina Rainsford

Officers

Mr Michael Tudball, Chief Executive Officer
Ms Evelyn Arnold, Director Community and Corporate Services
Mr Andrew Goodsell, Director Planning and Development
Mr David Moloney, Director Shire Infrastructure

2. Welcome and Acknowledgement of Country

The Mayor, Cr Sharples, read the acknowledgement of country –

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

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

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

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

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

3. Prayer

Cr McAdam led the meeting in a prayer

4. Apologies

Nil

5. Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 8 April 2020 be confirmed as a correct record of business transacted.

COUNCIL RESOLUTION

MOVED: Cr Calvano

SECONDED: Cr Brown

That the Minutes of the Ordinary Meeting of Council held on 8 April 2020 be confirmed as a correct record of business transacted.

CARRIED

6. Declaration of Interest

Cr Armstrong declared a conflict of interest in item 10.11 – TP/8/2020 Shop 4, 81-91 French Street, Hamilton - Buildings & Works & Use to Sell Liquor (Packaged Liquor Licence)

7. Questions on Notice

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

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

Questions must:

1. Not pre-empt debate on any matter listed on the agenda of the Ordinary Meeting at which the question is asked
2. Not refer to matters designated as confidential under the Local Government Act 1989.
3. Be clear and unambiguous and not contain argument on the subject.
4. Not be derogatory, defamatory or embarrassing to any Councillor, member of staff, ratepayer or member of the public, nor relate to a matter beyond the power of Council.

If the member of the public is in attendance at the Council Meeting the Mayor will read the question aloud and provide a response. If a question cannot be answered at the meeting, a written response will be prepared and forwarded to the person raising the question.

Residents do not need to attend the meeting for a question to be answered. If they do not attend the meeting a written response will be provided.

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

8. Public Deputations

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

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

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

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

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

8.1 Heather Heard, Anthony Rees, Gary Cooper, Alistair Maclean, Liz Ridge, Diana Vandegeer, Bernard Vandegeer, Jenni Mitchell and Mervyn Hannan

A Request to Speak to an Item has been received regarding Item 10.7 Hamilton Gallery Board.

This will be heard immediately prior to Item 10.11 and will be read on behalf of the submitters by the CEO.

8.2 Mr Sukoon Bedi – TP/8/2020 Shop 4, 81-91 French Street

A Request to Make a Deputation has been received regarding Item 10.11 Planning Application TP/8/2020 – Shop 4, 81-91 French Street, Hamilton – Buildings & Works & Use to Sell Liquor (Packaged Liquor Licence)

This Deputation will be heard immediately prior to Item 10.11.

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:

- Briefing Session – 8 April 2020
- Briefing Session – 22 April 2020
- Special Briefing Session – 29 April 2020

This agenda was prepared on 6 May 2020. 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 Brown
SECONDED: Cr Rainsford

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

CARRIED

ASSEMBLY OF COUNCILLORS



ASSEMBLY DETAILS	
Title:	Council Briefing Session
Date:	8 April 2020
Location:	MJ Hynes Auditorium/Virtual - Lifesize
Councillors in Attendance:	Cr Chris Sharples, Mayor Cr Colin Dunkley, Deputy Mayor Cr Cathy Armstrong Cr Mary-Ann Brown Cr Albert Calvano Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services David Moloney, Director Shire Infrastructure Andrew Goodsell, Director Planning and Development Darren Barber, Manager Organisational Development Hugh Koch, Manager Economic Development and Tourism Bruce Farquharson, Emergency Management Coordinator Daryl Adamson, Strategic Major Projects Coordinator

The Assembly commenced at 1:45pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Matters Raised by Council	Nil
2	Council Meeting Items	Nil
3	Question Time on Rating Strategy and Budget Calculations	Nil
4	Small Towns Adaptive Wastewater Project	Nil

5	Bushfire Recovery Grant Options	Nil
6	Hamilton CBD Masterplan including Laneways/Pocket Park and Community Consultation	Nil

The Assembly concluded at 5:00pm.

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Council Briefing Session
Date:	22 April 2020
Location:	Virtual – Microsoft Teams
Councillors in Attendance:	Cr Chris Sharples, Mayor Cr Colin Dunkley, Deputy Mayor Cr Cathy Armstrong Cr Mary-Ann Brown Cr Albert Calvano Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services David Moloney, Director Shire Infrastructure Andrew Goodsell, Director Planning and Development Darren Barber, Manager Organisational Development Roslyn Snaauw, Planning Coordinator Susannah Milne, Manager Community and Leisure Services StJohn Lees, Manager Works

The Assembly commenced at 2:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Matters Raised by Council including COVID-19 update from CEO	Nil
2	HRLX Stage 3 Final Report	Nil
3	CVF 2041	Nil
4	Hamilton Gallery Skills Based Board	Nil

5	TP8/2020 81-91 French Street	Nil
6	Annual Plan Quarterly Report	Nil
7	Capital Works Update – End of March	Nil
8	Meals on Wheels Tender	Nil
9	Heavy Fleet Tender	Nil

The Assembly concluded at 5:00pm.

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Special Briefing Session
Date:	29 April 2020
Location:	Virtual – Microsoft Teams Meeting
Councillors in Attendance:	Cr Chris Sharples, Mayor Cr Colin Dunkley, Deputy Mayor Cr Cathy Armstrong Cr Mary-Ann Brown Cr Albert Calvano Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services David Moloney, Director Shire Infrastructure Andrew Goodsell, Director Planning and Development Darren Barber, Manager Organisational Development Rohit Srivasatava, Manager Assets Belinda Johnson, Manager Finance

The Assembly commenced at 3:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Land Valuations	Nil
2	Capital Works List 2020/21	Nil
3	Cox Street Options	Nil

The Assembly concluded at 5:00pm.

10. Management Reports

10.1 Review of Rating Policy

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Belinda Johnson, Manager Finance
Attachments: 1. Rating Policy

Executive Summary

The Council's Rating Strategy Policy was last updated in April 2019.

It is recommended that the Rating Strategy Policy be reviewed at the commencement of each new Council term in conjunction with other direction setting documents such as the Council Plan and Strategic Resource Plan. i.e. the next review be prior to the 2022/23 financial year. At times it may also be necessary because of a change in direction of Council.

The Rating Strategy Policy set out the basis of Council's differential rating system and the framework for Annual Services Charges for the collection and disposal of refuse, recycling and FOGO.

Discussion

In April 2019 Council adopted the Rating Strategy Policy to provide a basis for the levying of rates and charges from 1 July 2019 to June 2021, however the proposed changes to waste collection services requires the Policy to be amended.

The policy provides that differential general rates will be levied on the capital improved value of all rateable land to reflect the different standard, range and access to municipal services available to residents and ratepayers of the Shire. The policy also provides for a municipal charge, annual service charge for the collection and disposal of refuse, recycling and FOGO and a special drainage rate.

The Policy provides that a differential general rate levied on all rateable land in the parishes of North Hamilton and South Hamilton (excluding farm land with an area of 40 hectares or more) was fixed at a higher rate to reflect the different standard, range and accessibility to services.

The amendments to Policy provide for the following:

1. An annual service charge is mandatory for all improved residential properties within the defined "refuse collection areas" for a 3 bin service for collection and disposal of refuse, recycling and FOGO.
2. An annual service charge is elective for improved residential properties within the defined "elective zone" or "on route" between the defined "refuse collection areas" for a 3 bin service for collection and disposal of refuse, recycling and FOGO – conditions apply.
3. Flexible options now available for improved non-residential (Commercial, Industrial & Not-for-Profit) in the defined "refuse collection areas" as well as the "elective zone" and "on route" between the defined refuse collection areas via a fee-for-service arrangement provided in Council's Pricing Register.

A copy of the proposed Rating Strategy Policy is attached.

Financial and Resource Implications

Rates and charges comprise approximately 50% of annual Council revenue (excluding capital grants & contributions) and therefore amounts raised impact of the level on services and capital works available for implementation.

Legislation, Council Plan and Policy Impacts

The *Local Government Act 1989* provides the legislative basis for the levying of rates and charges (sections 154 to 158c).

The Council adopted Rating Strategy Policy to provide an equitable and consistent basis for the levying of rates and charges.

Risk Management

Nil

Environmental and Sustainability Considerations

Rates and charges provide a significant component of Council revenue to fund services and capital works annually and ensure that a wide range of quality services are available to our community.

The quality of services in Southern Grampians Shire is important to the liveability of the Shire.

The Policy provides for consideration of the basis of waste management charges.

Community Consultation and Communication

Rates and charges provide a significant component of Council revenue to fund services and capital works annually and ensure that a wide range of quality services are available to our community.

The quality of services in Southern Grampians Shire is important to the liveability of the Shire.

Council's Draft Budget for 2020/21 has been prepared based on the policy. This Budget will be available for comment by the public until Monday 15 June 2020.

The communication of this decision will be incorporated in the adopted Budget for 2020/21 and results in the issuing of rate notices in August/September 2020.

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 Rating Strategy Policy be adopted as attached.

MOTION

MOVED: Cr Rainsford

That the Rating Strategy Policy be adopted as attached and Southern Grampians Shire Council call for submissions for any alterations to the differential rate.

MOTION lapsed for want of a **SECONDER**

COUNCIL RESOLUTION

MOVED: Cr Dunkley

SECONDED: Cr Brown

That the Rating Strategy Policy be adopted as attached.

CARRIED

10.2 Preparation of 2020/21 Budget

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Belinda Johnson, Manager Finance
Attachments: 2. Draft Strategic Resource Plan
3. Draft Annual Budget
4. Draft Council Services Pricing Register

Executive Summary

The Draft Budget for 2020/21 and Strategic Resource Plan 2020/21 to 2023/24 have been prepared in the form of the model budget template recommended as the best practice for reporting local government budgets in Victoria. The reports contain the statutory information required under the Local Government Act 1989 and the associated Regulations.

The draft Annual Budget has been developed within the overall planning framework, which guides the Council in identifying community needs and aspirations over the medium to long term (Council Plan) and short term (Annual Budget) objectives, strategies, initiatives, activities and resource requirements.

Discussion

The Draft Budget for 2020/21 has been prepared under the provisions of the *Local Government Act 1989* and in accordance with the associated Regulations and the relevant International and Australian Accounting Standards. The budget document contains:

- Overview and Budget Highlights
- Analysis of operating and capital budgets, cash position, budget financial position and rating structure
- Standard Income Statement, Balance Sheet, Cash Flow Statement, Capital Works Statement and a Summary of Rates and Charges

The Draft 2020/21 Budget presented in the report has been developed through a process of consultation and review with Council and Council officers.

The Draft 2020/21 Operating Budget forecasts an operating deficit of \$3.187 million and Council anticipates to hold \$9.742 million cash at 30 June 2021.

The Draft Budget provides for capital expenditure in 2020/21 of \$13.291 million.

The Draft Budget proposes that the revenue generated from general rates and municipal charges be increased by 1.75% for the year. The rate cap has been set at 2.0% by the Minister for Local Government.

The municipal charge will increase from \$200 to \$203 (this is a 1.5% increase bringing the total collected to 10% of rate revenue)

General rates and municipal charges are levied in accordance with Council's Rating Strategy Policy.

The service charge will increase from \$295 to \$360 (\$415 for those not previously receiving FOGO collection to include bin provision) for all improved residential properties in the Hamilton, Balmoral, Branhholme, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld,

Glenthompson, Penshurst and Tarrington urban areas and as defined in the “refuse collection areas” for the collection and disposal of refuse, recycling and organic waste.

Residential properties within the area declared as being within the “elective zone” or “on route” between designated refuse collection areas will continue to receive the service upon request for \$360 or \$415 for those not previously receiving the FOGO collection.

The refuse, recycling & FOGO collection and disposal service will be provided to non-residential (commercial, industrial and not-for-profit organisation) properties within the Shire on request and will be a fee for service as provided in Council’s Pricing Register and within the collections contractors most efficient routes. In order to provide more flexibility to businesses, these properties can request either individual services, multiples of individual services or the standard 3 bin service.

Residential properties already in receipt of the 3 bin collection service can also request additional individual service components which will be a fee for service as provided in Council’s Pricing Register.

It is proposed to borrow \$2 million in 2020/21 year.

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

Financial and Resource Implications

Council is required to implement the principles of sound financial management detailed in Section 136 of the *Local Government Act 1989*.

Legislation, Council Plan and Policy Impacts

The 2020/21 Annual Budget includes the key activities and initiatives to be funded that will contribute to achieving the strategic objectives specified in the Council Plan 2017-2021. The Strategic Resource Plan looks at financial assumptions over the medium to longer term required to implement the Council Plan.

The Council Plan identifies that we will:

- Support our Community
- Develop our Regional Economy and Businesses
- Plan for our Built Environment
- Promote our Natural Environment
- Provide Governance and Leadership

Risk Management

In developing the Draft Budget and Draft Strategic Resource Plan, Council considers relevant financial risks to ensure it can achieve its Council Plan objectives within a longer term prudent financial framework.

Environmental and Sustainability Considerations

The Annual Budget provides the funding for the Council to undertake its social, economic and environmental initiatives outlined in the Council Plan 2017-2021.

Community Consultation and Communication

The Draft Budget 2020/21 will be advertised for public inspection and comment on 16 May 2020 in the Hamilton Spectator Newspaper. The Draft Budget will be available for public inspection on the Council's website www.sthgrampians.vic.gov.au. Copies will also be distributed to the local Development Associations. Any person wishing to obtain a copy may do so by contacting Council's customer services on (03) 5573 0444.

Submissions close on 15 June 2020 and will be considered at a Committee of the whole of Council at a Meeting on 24 June 2020.

It is proposed that adoption of the Budget for 2019/20, Strategic Resource Plan 2018-2022 and Pricing Register for 2019/20 will be considered at an Ordinary Meeting of Council to be held on 8 July 2020.

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 budget annexed to this resolution and initialed by the Mayor for identification, be the budget prepared by Council for the purposes of Section 127 of the *Local Government Act 1989*.

2. That the amounts proposed to be raised by rates and charges be as follows:

General Rates	\$17,199,013
Municipal Charge	\$ 1,912,869
Service Charges	\$ 2,462,195
Special Rate (YDA)	<u>\$ 4,224</u>
	\$21,578,301

3. That as provided in Council's Rating Policy, it is considered that application of differential rates will contribute to the equitable and efficient carrying out of Council's functions and recognise the following factors:
 - The different standard of municipal services provided to the residents and ratepayers in different areas of the Shire
 - The different range of municipal services available to the residents and ratepayers in different areas of the Shire
 - Differences in the accessibility to municipal services for the residents and ratepayers in different areas of the Shire.

4. That the general rates be raised by application of the following differential rates:
 - a differential general rate of 0.4180 per cent or 0.4180 cents of each dollar of the Capital Improved Value on all rateable land in the parishes of North Hamilton and South Hamilton, excluding farm land (as defined by Section 2 (1) of the *Valuation of Land Act 1960*) comprising all or part of a single farm enterprise (as defined in Section 159 (4) of the *Local Government Act 1989*) with an area of 40 hectares or more
 - a differential general rate of 0.3344 per cent or 0.3344 cents of each dollar of the Capital Improved Value on all rateable farm land (as defined by Section 2 (1) of the *Valuation of Land Act 1960*) in the parishes of North Hamilton and South Hamilton comprising all or part of a single farm enterprise (as defined in Section 159 (4) of the *Local Government Act 1989*) with an area of 40 hectares or more
 - a differential general rate of 0.3344 per cent or 0.3344 cents of each dollar of the Capital Improved Value on all other rateable land in the Shire.

5. That a municipal charge of \$203 be made on all rateable land for the purpose of covering some of the administrative costs of Council.

6. That a service charge of \$360 be made on all improved residential properties within the Hamilton, Balmoral, Branhholme, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld, Glenthompson, Penshurst and Tarrington urban areas and

“refuse collection areas” for the collection and disposal of refuse, recycling and FOGO.

7. That a service charge of \$415 be made on all improved residential properties within the Hamilton, Balmoral, Branxholme, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld, Glenthompson, Penshurst and Tarrington urban areas and “refuse collection areas” for the collection and disposal of refuse, recycling and FOGO where a FOGO service has not previously been provided.
8. That a service charge of \$360 (\$415 where an FOGO service has not previously been provided), be available on improved residential properties within the areas declared as being within the “elective zone” or “on route” between designated refuse collection areas (subject to collection contractor agreement).
9. That a special rate of 0.0239 per cent or 0.0239 cents of each dollar of the Capital Improved Value be made on all rateable land within the Yatchaw Drainage Area.
10. That the Chief Executive Officer be authorised to:
 - a) give public notice of the preparation of the budget in accordance with Section 129 (1) of the *Local Government Act 1989*
 - b) invite submissions in accordance with Section 129 (2) and Section 223 of the *Local Government Act 1989* on any proposal contained in the budget
 - c) make available for public inspection copies of the budget and other information on Council’s website and to individuals upon request.
11. That Council consider any submissions on any proposal contained in the budget which have been made in accordance with Section 223 of the *Local Government Act 1989* at a Committee of the whole of Council at a meeting commencing at 5:30pm on Wednesday 24 June 2020.
12. That Council consider:
 - a) adoption of the 2020/21 budget;
 - b) declaration of rates and charges for 2020/21;
 - c) adoption of the Strategic Resource Plan 2020/21-2023/24; and
 - d) adoption of the Council Services Pricing Register for 2020/21at a Meeting of Council to be held on Wednesday 8 July 2020 commencing at 5.30pm.
13. That the Minister for Local Government be advised of Council’s proposed rates and charges for 2020/21.

MOTION

MOVED: Cr Brown
SECONDED: Cr Dunkley

1. That the budget annexed to this resolution and initialed by the Mayor for identification, be the budget prepared by Council for the purposes of Section 127 of the *Local Government Act 1989*.

2. That the amounts proposed to be raised by rates and charges be as follows:

General Rates	\$17,199,013
Municipal Charge	\$ 1,912,869
Service Charges	\$ 2,462,195
Special Rate (YDA)	<u>\$ 4,224</u>
	\$21,578,301

3. That as provided in Council's Rating Policy, it is considered that application of differential rates will contribute to the equitable and efficient carrying out of Council's functions and recognise the following factors:

- The different standard of municipal services provided to the residents and ratepayers in different areas of the Shire
- The different range of municipal services available to the residents and ratepayers in different areas of the Shire
- Differences in the accessibility to municipal services for the residents and ratepayers in different areas of the Shire.

4. That the general rates be raised by application of the following differential rates:

- a differential general rate of 0.4180 per cent or 0.4180 cents of each dollar of the Capital Improved Value on all rateable land in the parishes of North Hamilton and South Hamilton, excluding farm land (as defined by Section 2 (1) of the *Valuation of Land Act 1960*) comprising all or part of a single farm enterprise (as defined in Section 159 (4) of the *Local Government Act 1989*) with an area of 40 hectares or more
- a differential general rate of 0.3344 per cent or 0.3344 cents of each dollar of the Capital Improved Value on all rateable farm land (as defined by Section 2 (1) of the *Valuation of Land Act 1960*) in the parishes of North Hamilton and South Hamilton comprising all or part of a single farm enterprise (as defined in Section 159 (4) of the *Local Government Act 1989*) with an area of 40 hectares or more
- a differential general rate of 0.3344 per cent or 0.3344 cents of each dollar of the Capital Improved Value on all other rateable land in the Shire.

5. That a municipal charge of \$203 be made on all rateable land for the purpose of covering some of the administrative costs of Council.
6. That a service charge of \$360 be made on all improved residential properties within the Hamilton, Balmoral, Bransholme, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld, Glenthompson, Penshurst and Tarrington urban areas and “refuse collection areas” for the collection and disposal of refuse, recycling and FOGO.
7. That a service charge of \$415 be made on all improved residential properties within the Hamilton, Balmoral, Bransholme, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld, Glenthompson, Penshurst and Tarrington urban areas and “refuse collection areas” for the collection and disposal of refuse, recycling and FOGO where a FOGO service has not previously been provided.
8. That a service charge of \$360 (\$415 where an FOGO service has not previously been provided), be available on improved residential properties within the areas declared as being within the “elective zone” or “on route” between designated refuse collection areas (subject to collection contractor agreement).
9. That a special rate of 0.0239 per cent or 0.0239 cents of each dollar of the Capital Improved Value be made on all rateable land within the Yatchaw Drainage Area.
10. That the Chief Executive Officer be authorised to:
 - d) give public notice of the preparation of the budget in accordance with Section 129 (1) of the *Local Government Act 1989*
 - e) invite submissions in accordance with Section 129 (2) and Section 223 of the *Local Government Act 1989* on any proposal contained in the budget
 - f) make available for public inspection copies of the budget and other information on Council’s website and to individuals upon request.
11. That Council consider any submissions on any proposal contained in the budget which have been made in accordance with Section 223 of the *Local Government Act 1989* at a Committee of the whole of Council at a meeting commencing at 5:30pm on Wednesday 24 June 2020.
12. That Council consider:
 - e) adoption of the 2020/21 budget;
 - f) declaration of rates and charges for 2020/21;
 - g) adoption of the Strategic Resource Plan 2020/21-2023/24; and
 - h) adoption of the Council Services Pricing Register for 2020/21at a Meeting of Council to be held on Wednesday 8 July 2020 commencing at 5.30pm.

13. That the Minister for Local Government be advised of Council's proposed rates and charges for 2020/21.

AMENDMENT

MOVED: Cr Rainsford
SECONDED: Cr Calvano

1. That the budget annexed to this resolution and initialed by the Mayor for identification, be the budget prepared by Council for the purposes of Section 127 of the *Local Government Act 1989*.

2. That the amounts proposed to be raised by rates and charges be as follows:

General Rates	\$17,199,013
Municipal Charge	\$ 1,912,869
Service Charges	\$ 2,462,195
Special Rate (YDA)	<u>\$ 4,224</u>
	\$21,578,301

3. That as provided in Council's Rating Policy, it is considered that application of differential rates will contribute to the equitable and efficient carrying out of Council's functions and recognise the following factors:

- The different standard of municipal services provided to the residents and ratepayers in different areas of the Shire
- The different range of municipal services available to the residents and ratepayers in different areas of the Shire
- Differences in the accessibility to municipal services for the residents and ratepayers in different areas of the Shire.

4. That the general rates be raised by application of the following differential rates:

- a differential general rate of 0.4180 per cent or 0.4180 cents of each dollar of the Capital Improved Value on all rateable land in the parishes of North Hamilton and South Hamilton, excluding farm land (as defined by Section 2 (1) of the *Valuation of Land Act 1960*) comprising all or part of a single farm enterprise (as defined in Section 159 (4) of the *Local Government Act 1989*) with an area of 40 hectares or more
- a differential general rate of 0.3344 per cent or 0.3344 cents of each dollar of the Capital Improved Value on all rateable farm land (as defined by Section 2 (1) of the *Valuation of Land Act 1960*) in the parishes of North Hamilton and South Hamilton comprising all or part of a single farm enterprise (as defined in Section 159 (4) of the *Local Government Act 1989*) with an area of 40 hectares or more

- a differential general rate of 0.3344 per cent or 0.3344 cents of each dollar of the Capital Improved Value on all other rateable land in the Shire.
5. That a municipal charge of \$203 be made on all rateable land for the purpose of covering some of the administrative costs of Council.
 6. That a service charge of \$360 be made on all improved residential properties within the Hamilton, Balmoral, Branxholme, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld, Glenthompson, Penshurst and Tarrington urban areas and “refuse collection areas” for the collection and disposal of refuse, recycling and FOGO.
 7. That a service charge of \$415 be made on all improved residential properties within the Hamilton, Balmoral, Branxholme, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld, Glenthompson, Penshurst and Tarrington urban areas and “refuse collection areas” for the collection and disposal of refuse, recycling and FOGO where a FOGO service has not previously been provided.
 8. That a service charge of \$360 (\$415 where an FOGO service has not previously been provided), be available on improved residential properties within the areas declared as being within the “elective zone” or “on route” between designated refuse collection areas (subject to collection contractor agreement).
 9. That a special rate of 0.0239 per cent or 0.0239 cents of each dollar of the Capital Improved Value be made on all rateable land within the Yatchaw Drainage Area.
 10. That the Chief Executive Officer be authorised to:
 - g) give public notice of the preparation of the budget in accordance with Section 129 (1) of the *Local Government Act 1989*
 - h) invite submissions in accordance with Section 129 (2) and Section 223 of the *Local Government Act 1989* on any proposal contained in the budget
 - i) make available for public inspection copies of the budget and other information on Council’s website and to individuals upon request.
 11. That Council consider any submissions on any proposal contained in the budget which have been made in accordance with Section 223 of the *Local Government Act 1989* at a Committee of the whole of Council at a meeting commencing at 5:30pm on Wednesday 24 June 2020.
 12. That Council consider:
 - i) adoption of the 2020/21 budget;
 - j) declaration of rates and charges for 2020/21;
 - k) adoption of the Strategic Resource Plan 2020/21-2023/24; and
 - l) adoption of the Council Services Pricing Register for 2020/21

at a Meeting of Council to be held on Wednesday 8 July 2020 commencing at 5.30pm.

- 13. That the Minister for Local Government be advised of Council's proposed rates and charges for 2020/21.**
- 14. That Southern Grampians Shire Council directors provide a public report on the impact of a zero percent rate rise.**

The AMENDMENT was PUT and LOST

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Dunkley

1. That the budget annexed to this resolution and initialed by the Mayor for identification, be the budget prepared by Council for the purposes of Section 127 of the *Local Government Act 1989*.
2. That the amounts proposed to be raised by rates and charges be as follows:

General Rates	\$17,199,013
Municipal Charge	\$ 1,912,869
Service Charges	\$ 2,462,195
Special Rate (YDA)	<u>\$ 4,224</u>
	\$21,578,301
3. That as provided in Council's Rating Policy, it is considered that application of differential rates will contribute to the equitable and efficient carrying out of Council's functions and recognise the following factors:
 - The different standard of municipal services provided to the residents and ratepayers in different areas of the Shire
 - The different range of municipal services available to the residents and ratepayers in different areas of the Shire
 - Differences in the accessibility to municipal services for the residents and ratepayers in different areas of the Shire.
4. That the general rates be raised by application of the following differential rates:
 - a differential general rate of 0.4180 per cent or 0.4180 cents of each dollar of the Capital Improved Value on all rateable land in the parishes of North Hamilton and South Hamilton, excluding farm land (as defined by Section 2 (1) of the *Valuation of Land Act 1960*) comprising all or part of a single farm enterprise (as defined in Section 159 (4) of the *Local Government Act 1989*) with an area of 40 hectares or more
 - a differential general rate of 0.3344 per cent or 0.3344 cents of each dollar of the Capital Improved Value on all rateable farm land (as defined by Section 2 (1) of the *Valuation of Land Act 1960*) in the parishes of North Hamilton and South Hamilton comprising all or part of a single farm enterprise (as defined in Section 159 (4) of the *Local Government Act 1989*) with an area of 40 hectares or more
 - a differential general rate of 0.3344 per cent or 0.3344 cents of each dollar of the Capital Improved Value on all other rateable land in the Shire.

5. That a municipal charge of \$203 be made on all rateable land for the purpose of covering some of the administrative costs of Council.
6. That a service charge of \$360 be made on all improved residential properties within the Hamilton, Balmoral, Bransholme, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld, Glenthompson, Penshurst and Tarrington urban areas and “refuse collection areas” for the collection and disposal of refuse, recycling and FOGO.
7. That a service charge of \$415 be made on all improved residential properties within the Hamilton, Balmoral, Bransholme, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld, Glenthompson, Penshurst and Tarrington urban areas and “refuse collection areas” for the collection and disposal of refuse, recycling and FOGO where a FOGO service has not previously been provided.
8. That a service charge of \$360 (\$415 where an FOGO service has not previously been provided), be available on improved residential properties within the areas declared as being within the “elective zone” or “on route” between designated refuse collection areas (subject to collection contractor agreement).
9. That a special rate of 0.0239 per cent or 0.0239 cents of each dollar of the Capital Improved Value be made on all rateable land within the Yatchaw Drainage Area.
10. That the Chief Executive Officer be authorised to:
 - a) give public notice of the preparation of the budget in accordance with Section 129 (1) of the *Local Government Act 1989*
 - b) invite submissions in accordance with Section 129 (2) and Section 223 of the *Local Government Act 1989* on any proposal contained in the budget
 - c) make available for public inspection copies of the budget and other information on Council’s website and to individuals upon request.
11. That Council consider any submissions on any proposal contained in the budget which have been made in accordance with Section 223 of the *Local Government Act 1989* at a Committee of the whole of Council at a meeting commencing at 5:30pm on Wednesday 24 June 2020.
12. That Council consider:
 - m) adoption of the 2020/21 budget;
 - n) declaration of rates and charges for 2020/21;
 - o) adoption of the Strategic Resource Plan 2020/21-2023/24; and
 - p) adoption of the Council Services Pricing Register for 2020/21at a Meeting of Council to be held on Wednesday 8 July 2020 commencing at 5.30pm.
13. That the Minister for Local Government be advised of Council’s proposed rates and charges for 2020/21.

CARRIED

10.3 Finance Report

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Belinda Johnson, Manager Finance
Attachments: 5. Finance Report to 31 March 2020

Executive Summary

The Finance Report for the Year to 31 March 2020 is presented for information.

Discussion

The Finance Report contains the Standard Statements namely:

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

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

Detailed narratives accompany each of the statements.

Legislation, Council Plan and Policy Impacts

Council Plan

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

Legislation

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

Council is also required to implement the principles 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 Finance Report for the year to 31 March 2020, be received.

COUNCIL RESOLUTION

MOVED: Cr Brown

SECONDED: Cr McAdam

That the Finance Report for the year to 31 March 2020, be received.

CARRIED

10.4 Annual Plan Quarterly Report

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Karly Saunders, Governance Coordinator
Attachments: 6. Action and Task Progress Report

Executive Summary

The Action and Task Progress Report for the period 1 January 2020 to 31 March 2020 has been prepared to provide information regarding the performance of the organisation against the Annual Plan.

Discussion

The Annual Plan is developed each year to assist in the delivery of the Council Plan objectives and to demonstrate to the community the key projects to be delivered that year. The Annual Plan sets out the specific actions and includes a detailed list of Council's activities and initiatives for the upcoming financial year. These initiatives are projects that are undertaken over and above normal service delivery and are intended to attain important outcomes for Council and the community.

Reports on the progress of the Annual Plan are reported to Council quarterly. This allows Council to receive timely, relevant and measurable information about how the organisation is performing. This in turn allows Council an opportunity to raise concerns about performance in a timely manner. The Annual Plan reporting will also help formulate the Annual Report and support the reporting against the Council Plan each year.

There are currently 70 actions from the Annual Plan and Council Plan. Of these 70 actions:

- 50 actions (71%) are on track - at least 90% of the target achieved;
- 10 actions (14%) require monitoring –between 70% and 90% of the target achieved;
- 10 actions (14%) are off track – less than 70% of target achieved; and
- 0 actions (0%) have no target set

Details about the specific performance of the Annual Plan actions is detailed in the attached Action and Task Progress Report.

In light of the current environment relating to the impacts of COVID-19, when the annual plan report was prepared for this quarter, staff took into consideration any known or potential impacts of COVID-19 on existing annual plan actions. It is recommended that the annual plan actions for the remaining 12 months are still consistent with Council's vision and the impact of COVID-19 does not result in a requirement to change the Council Plan.

Legislation, Council Plan and Policy Impacts

Council is required to adopt a Council Plan in accordance with section 125 of the Local Government Act 1989 and subsequently determine whether any adjustments are required. This Plan is supported by the development of an Annual Plan which details the actions that will be undertaken to achieve the strategic objectives in the Council Plan.

Reporting on the Annual Plan is to be presented to Council quarterly so that Council can regularly monitor the performance of the organisation.

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 Council:

1. Receive the Action and Task Progress Report for 1 January 2020 to 31 March 2020; and
2. Does not require any adjustment in respect to the remaining period of the current Council Plan 2017-2021.

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Dunkley

That Council:

1. Receive the Action and Task Progress Report for 1 January 2020 to 31 March 2020; and
2. Does not require any adjustment in respect to the remaining period of the current Council Plan 2017-2021.

CARRIED

10.5 38 – 19 Provision of Meal Services

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Susannah Milne, Manager Community & Leisure Services
Attachments: None

Executive Summary

The Southern Grampians Shire Council is seeking to appoint a contractor to supply meals for the Shire's Meal Service that is provided to residents through Community Services. Meals are provided to residents under the in home community care model, which allows for elderly and vulnerable clients to be supported to live independently within the Community.

Tenders were publicly advertised on 29 November 2019 for the 38-19 Provision of Meal Services. The Meals Services contract term is for a period of 2 years with options to extend a further two years.

Two (2) tender submissions were received and evaluated based on:

- Tender Price 30%
- Meal Quality 20%
- Compliance with relevant legislation 10%
- Demonstrated performance in the delivery of a similar service 10%
- Service continuity 10%
- Occupational Health and Safety 10%
- Environmental 10%

The recommendation is to award Tender No. 38- 19 to Western District Health Services based on the schedule or rates estimation of \$247,032 per annum (subject to annual CPI) for a 2 year term with the option to extend a further two (2). Note the total moderated price of the contract over the term and possible extension is \$1,024,893 GST inclusive with the requested expenditure up to \$1,050,000 GST inclusive over the term of the contract.

Discussion

The delivery of meals to residents arises out of the Commonwealth and State home and community care services offered to residents who qualify through an assessment process to receive services.

The Southern Grampians Shire Council receives funding from both the State and Federal Governments that subsidises the cost of providing the service. Residents are also required to pay a contribution which is dependent on their ability to pay (income estimated). These fees are reviewed annually with guidance from State and Federal policy through the annual budget process.

The service is also accessed by persons who receive alternative funding packages through 'Agency' arrangements this service is accessed at full cost.

The successful Tenderer must provide meals that meet the requirements of safe, nutritious, diet specific, varied and meets quality standards. The successful Tenderer must meet the legislative requirements around the Food Act 1984 and the Food Safety Standards. Given that this service is to some of our most vulnerable and at risk clients it is important that the successful Tenderer can meet all of the specified requirements assessed through the tender process.

The delivery of meals has changed over recent years to meet the changing food safety and procurement legislative requirements. Meals are delivered under cold temperature conditions and residents must be home to receive meals to minimise the risk of potential bacterial and spoilage contamination.

The following tender submissions were received:

1. Western District Health Services
2. Lite n Easy

Of the two tender submissions were received and evaluated based on:

Tender Price 30%
Meal Quality 20%
Compliance with relevant legislation 10%
Demonstrated performance in the delivery of a similar service 10%
Service continuity 10%
Occupational Health and Safety 10%
Environmental 10%

Company Name	Qualitative Score (%)	Moderated Total Price	Quantitative Score (%)	Total Score
Western District Health Service	58.95%	\$1,024,893.00	30.00%	88.95%
Lite n Easy	0%	\$0.00	0%	0%

Lite n Easy submitted a non-confirming tender and therefore did not score in the evaluation tender.

Western District Health Services (WDHS) submitted a conforming tender.

The recommendation is to award Tender No. 38- 19 to Western District Health Services based on the schedule or rates estimation of \$247,032 per annum (subject to annual CPI) for a 2 year term with the option to extend a further two (2) subject to funding.

Note the total moderated price of the contract over the term and possible extension is \$1,024,893 GST inclusive with the requested expenditure up to \$1,050,000 GST inclusive over the term of the contract to allow some flexibility in negotiation with the successful Tenderer on an annual basis.

Financial and Resource Implications

This tender price falls within the allocated draft 20/21 budget currently sent for the provision of meals service of \$280,000, budget allocation is subject to annual budget process and funding agreements between State and Federal Governments.

Legislation, Council Plan and Policy Impacts

Section 186 of the *Local Government Act 1989* gives Council the power to enter into contracts which are linked to Council's adopted Procurement Policy and Guidelines.

Council Plan 2017 -2021

1.2 A healthy and vibrant community

- 1.2.1 Provide appropriate, accessible and equitable Council Services, facilities and activities.
1.2.3 Partner with services and agencies to increase the health and wellbeing of our community.

Risk Management

There is minimal risk associated with this contract given that preferred tenderer is the current supplier of service. Through the period of the existing contract there have been no breaches of contract conditions.

The preferred Tender has supplied the relevant OHS documentation that confirm their work practices manage risk to self and public. The Contractor holds the relevant Food Act Registration and has provided documentation regarding food safety and independent third party auditing.

Business continuity planning has been undertaken by the contractor.

Environmental and Sustainability Considerations

The contractor has an adopted environmental sustainability policy that reduces waste and their environmental footprint. Further- more contractor can provide more meal choices that are considered green and sugar free should there be client demand.

Community Consultation and Communication

No public community consultation has been conducted in relation to this tender process. However under the current contract customer satisfaction and feedback is undertaken periodically. Feedback is positive and service meets the requirements of the clients using the service.

Public notice was given of the tender in accordance with section 186 of the Local Government Act 1989 and the tender process complied with Council's Procurement Policy.

Tenderers will be notified by the Procurements Officer of the decision made by Council at its meeting on 8 April 2020.

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:

- Evelyn Arnold, Director Community and Corporate Services.
- Susannah Milne, Manager Community and Leisure.
- Carolyn Byrne, Coordinator Community Services.

RECOMMENDATION

That the:

1. Tender received from Western District Health Services be accepted based on the schedule or rates estimation of \$247,032 per annum (subject to annual CPI) for a 2 year term with the option to extend a further two (2). Note the total moderated price of the contract over the term and possible extension is \$1,024,893 GST inclusive with the requested expenditure up to \$1,050,000 GST inclusive over the term of the contract.
2. Contract documents be signed and sealed when prepared.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr McAdam

That the:

1. **Tender received from Western District Health Services be accepted based on the schedule or rates estimation of \$247,032 per annum (subject to annual CPI) for a 2 year term with the option to extend a further two (2). Note the total moderated price of the contract over the term and possible extension is \$1,024,893 GST inclusive with the requested expenditure up to \$1,050,000 GST inclusive over the term of the contract.**
2. **Contract documents be signed and sealed when prepared.**

CARRIED

10.6 Emerging Priorities Budget Allocation

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Evelyn Arnold, Director Community and Corporate Services
Attachments: None

Executive Summary

In accordance with the Local Government Act 1989, Council adopted its Budget for 2019/20 on 20 June 2019. At this time, the budget included an allocation for Emerging Priorities. This report contains the recommendation for allocation from this fund of \$50,000 to the Balmoral & District Recreation Reserve Committee towards the Balmoral Community Hub project and \$8,000 to the D-Force project.

Discussion

The Emerging Priorities budget allocation was established to provide an avenue for Council, to respond to and support requests from the community to progress projects identified as having a significant impact. Representatives from both these community groups have approached Council to request support, highlighting the substantial positive outcomes for community health and wellbeing of these projects continuing.

Of the \$150,000 allocated to Emerging Priorities 2019/20 Adopted Budget, \$64,547 remains unallocated.

Financial and Resource Implications

The allocation of \$58,000 to these project would mean that the Emerging Priorities budget would have a remaining balance of \$6,547.

Legislation, Council Plan and Policy Impacts

The recommendations are consistent with Councils strategic plans and have no legislative impact.

Risk Management

These projects are expected to be of benefit to the community and there are no additional risks identified.

Environmental and Sustainability Considerations

Nil

Community Consultation and Communication

No further consultation was required for this report.

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 Council resolve to allocate funds from the Emerging Priorities 2019/20 budget to the following projects;

1. \$50,000 to the Balmoral & District Recreation Reserve Committee for the Balmoral Community Hub, and
2. \$8,000 to the D-Force Project

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Rainsford

That Council resolve to allocate funds from the Emerging Priorities 2019/20 budget to the following projects;

- 1. \$50,000 to the Balmoral & District Recreation Reserve Committee for the Balmoral Community Hub, and**
- 2. \$8,000 to the D-Force Project**
- 3. That based upon a townscape project application called the Street Art Safari Tour by the Coleraine and District Development Association (CDDA) that the balance amount of \$6547 be allocated to the Coleraine Townscape project.**

CARRIED

10.7 Hamilton Gallery Board

10.7.1 Speakers

1. CEO to read on behalf of: Heather Heard, Anthony Rees, Gary Cooper, Alistair Maclean, Liz Ridge, Diana Vandegeer, Bernard Vandegeer, Jenni Mitchell and Mervyn Hannan

10.7.2 Management Report

Directorate: Andrew Goodsell, Director Planning and Development
Author: Amy Knight, Manager Cultural Arts
Attachments: 7. Hamilton Gallery Board - Constitution;
8. Hamilton Gallery Board - Directors Charter;
9. Hamilton Gallery Board - Memorandum of Understanding;
10. Hamilton Gallery Board - Director Profiles.

Executive Summary

In order to progress the establishment of a Register of Cultural Organisations (ROCO) entity for the New Hamilton Gallery (NHG) situated at Lake Hamilton (as per the Council resolution in December 2018), it is recommended that Council seek to establish a skills-based Board governance model.

Philanthropic funders have confirmed they prefer to support an entity which is separate from the Council to be sure funds given will only be applied for the purposes of the entity and for which it is raised - being the promotion of the arts in the region, initially by the construction of a new Gallery building.

A Foundation, previously presented to Council as the preferred model, only partially meets these recommendations as it solely focuses on funding, not the undertaking of operations of a gallery. Progressing a skills-based Board model satisfies both the expectation of funders as key stakeholders and puts in place a longer term governance model for the new Gallery.

Council will need to nominate three directors for the Board to be established as the first step in establishing the ROCO entity. Council officers recommend Mr Allan Myers AC QC, Ms Merran Kelsall and Mr Gordon Dickenson as the Council elected directors, put forward because of their fundraising and philanthropic experience and knowledge, as well as their significant contribution to the visual arts sector in Australia. Represented skills such as these will be vital during the initial phase of the project.

This report recommends that Council resolve to establish a skills-based Board as a ROCO entity, with a clear purpose of raising funds as well as operate the New Hamilton Gallery once built. It further recommends the approval of the associated documentation involved with the establishment of such an entity, and appoint the initial 3 directors of the Board.

Background

Council is seeking to build a new Hamilton Gallery (NHG), situated at Lake Hamilton, and resolved to endorse the business case in September 2019, which followed an earlier resolution for the gallery to be located at Lake Hamilton (December 2018). In order to adequately fund this project private donations and philanthropic funding will be critical.

To this end, Council resolved in 2017 to establish a dedicated building fund after subsequent investigation into the most appropriate model. Legal advice obtained from Herbert Smith Freehills (HSF) provided a range of options for an appropriate organisational structure to

secure future funding. Following this advice, Council resolved in 2019 to establish a separate entity promoting the arts, registered as a cultural organisation (ROCO) entity, based on its flexible capacity to deliver funding to cultural arts.

In October 2019, Council resolved to progress a Foundation, as a ROCO entity. This resolution was subject to Council receiving a constitution, charter and agreement on the role of the ROCO entity and Council (MoU) confirming the roles of both parties.

HSF drafted the above mentioned documents for the Foundation model to be established and interest was sort for potential Directors (minimum 3) to progress the Foundation for endorsement.

Subsequently Council, via the CEO and Mayor, approached likely philanthropists with respect to interest in Foundation membership. Despite being favourable towards the establishment of a ROCO entity, likely nominees expressed concern over the longer term governance model in which the current, and future, Gallery operates.

Discussion

In order to progress the establishment of a ROCO entity for the NHG, it is recommended that Council seek to establish a skills-based Board governance model for the new Gallery.

Philanthropic funders have confirmed they prefer to support an entity which is separate from the Council to be sure funds given will only be applied for the purposes of the entity and for which it is raised - being the promotion of the arts in the region, initially by the construction of a new art gallery building.

Furthermore, once the new building is complete, to see a separation in the operation of the Gallery from Council to a Board structure with specific and relevant skills for the operation of the new Gallery.

Process of Board Establishment

The Board will be a company limited by guarantee which can be established with at least 3 directors. Additional directors (and members if desired) can be added once the company is established. This typically is determined by the existing directors, noting in any event that the charter and constitution set out the skills required of all directors appointed.

The constitution will set out the purposes (promotion of the arts) and specify that the Board be appointed based on relevant skills and experience as set out in a composition policy. It is essential that at least a majority of the board must be independent of the Council. As previously briefed, operational control of the gallery does not however mean the removal of accountability to Council. This accountability is determined in many ways including the memorandum of understanding between Council and the NHG Board, the financial accounting required of such a ROCO entity as well as any other terms that Council may finalise (such as head leases as owner of the land, building and gallery collection).

Once the company is established, it can immediately start canvassing prospective donors – and receive either pledges or donations can be made to the existing Art Gallery DGR status of the Council, where the funders are happy to do this.

It can apply to be a registered charity with the ACNC which should take around one month from the time of application. The application will then be provided to the Commonwealth Department of the Arts for registration as a ROCO entity.

Documentation

Herbert Smith Freehills (HSF) have drafted the relevant documentation to be endorsed consisting of the following:

- **Constitution** – see Attachment
The constitution sets out the rules upon which the Board functions. It establishes the purpose of the Board, the payment terms for directors (no fees payable), the accountability of members as well as powers and duties of directors.

A minimum of 3 directors are to be appointed by Council with a maximum of 11 directors possibly appointed. 7 directors is typically a sufficient number. Subsequent directors are appointed by Council elected directors.
- **Board Charter** – see Attachment
The Board Charter outlines the manner in which the Board exercises its powers. This includes the Boards purpose, activities and responsibilities as well as Board composition. Where differences exist with the constitution eg number of directors, the charter is more of a guideline.
- **Memorandum of Understanding (MoU)** – see Attachment
A MoU sets out the nature of relationship between Council and the Board including the respective roles and responsibilities in relation to the various stages of bringing the NHG into realisation. It should be considered an evolving document, updated every 3 years and modified only with mutual consent of both parties.

Proposal for Council elected Directors – see Attachment

Council will need to nominate three directors for the Board to be established, as the first step in establishing the ROCO entity as mentioned prior.

Council officers recommend the following for Council elected directors, put forward because of their fundraising and philanthropic experience and knowledge, as well as their significant contribution to the visual arts sector in Australia.

- Mr Allan Myers AC QC
- Ms Merran Kelsall
- Mr Gordon Dickinson

Represented skills such as these will be vital during the initial phase of the project.

NHG Project Reference Group

Once the Board is established, the NHG Project Reference Group will be able to progress, including the implementation of the formal communications strategy. It is intended that the Group meet in May 2020 pending final confirmation on agreed dates.

Summary

To have any likelihood of being delivered, the NHG will require significant and ongoing philanthropic support.

A Foundation, previously presented to Council as the preferred model, only partially meets the recommendations made by potential philanthropic funders. Progressing a skills-based Board model satisfies both the expectation of funders and puts in place a longer term governance model for the Gallery. Longer term governance will be critical, noting that major projects such as this, when delivered across regional Victoria, typically take a period of time

to gain momentum and all stakeholder input (whether it be funding of the building, design or in other respects).

Based on the above, it is recommended that Council seek to establish a skills-based Board as a ROCO entity, with a clear purpose of raising funds as well as operate the New Hamilton Gallery once built.

Financial and Resource Implications

Financial commitments towards the establishment of this Board, largely for instructing counsel, have been allocated in the 2019/20 budget (approx. \$12,000). Any funding shortfall will be addressed via efficiencies within existing gallery operations.

Without instructing counsel to establish this ROCO entity, Council will be severely limited in its capacity to attract funding for a new gallery via philanthropic donation or grant, which in turn will impact capacity to access matching funding from other stakeholders.

Legislation, Council Plan and Policy Impacts

This report is in keeping with Council's obligations under the *Local Government Act (1989)*. It is also in accordance with the Council Plan and in particular, Strategy 3.2.2: Provide high quality and inclusive cultural facilities, services and experiences. A Gallery Board being established is critical to the securing of appropriate funding for a new Gallery in Hamilton.

Risk Management

The key benefits of establishing a ROCO entity are that it provides an appropriate legal mechanism for collection of funds from philanthropic interests towards a new gallery. With Council support the risks attached to establishing a Board for the new Gallery are limited. It allows for community involvement and engagement and accountability as to how funds are collected and expended in delivering a key community asset.

Environmental and Sustainability Considerations

Not applicable.

Community Consultation and Communication

Not applicable. The task of establishing a Gallery Board is a legal process only. Future discussions on membership of this Board will be the subject of further advice.

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 Council:

1. Resolve to establish a Skills Based Board as a ROCO entity, with a clear purpose of raising funds as well as operate the New Hamilton Gallery once built.
2. Approve the Gallery Board Constitution as per attached document.
3. Approve the Gallery Board Charter as per attached document.
4. Approve the MoU between Council and the Gallery Board as per attached document.
5. Approve three directors Mr Allan Myers AC QC, Ms Merran Kelsall and Mr Gordon Dickinson so they can sign the consents to act and inform them accordingly.

MOTION

MOVED: Cr Rainsford
SECONDED: Cr McAdam

1. That Item 10.7 Hamilton Gallery Board be deferred to a future meeting.
2. That the item be delayed until after the new Hamilton Gallery Project Reference Group has met and started the process of community consultation.

The MOTION was PUT and LOST

A division was called

DIVISION	
FOR	AGAINST
Cr Rainsford	Cr Armstrong Cr Brown Cr Calvano Cr Dunkley Cr McAdam Cr Sharples

MOTION

MOVED: Cr Brown
SECONDED: Cr Dunkley

That Council:

1. **Resolve to establish a Skills Based Board as a ROCO entity, with a clear purpose of raising funds as well as operate the New Hamilton Gallery once built.**
2. **Approve the Gallery Board Constitution as per attached document.**
3. **Approve the Gallery Board Charter as per attached document.**
4. **Approve the MoU between Council and the Gallery Board as per attached document.**
5. **Approve three directors Mr Allan Myers AC QC, Ms Merran Kelsall and Mr Gordon Dickinson so they can sign the consents to act and inform them accordingly.**

AMENDMENT

MOVED: Cr Calvano
SECONDED: Cr Rainsford

That item 10.7 Hamilton Gallery Board be deferred until after the corona virus and the State are back to normal.

The AMENDMENT was PUT and LOST

A division was called

DIVISION	
FOR	AGAINST
Cr Calvano	Cr Armstrong
Cr McAdam	Cr Brown
Cr Rainsford	Cr Dunkley
	Cr Sharples

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Dunkley

That Council:

- 1. Resolve to establish a Skills Based Board as a ROCO entity, with a clear purpose of raising funds as well as operate the New Hamilton Gallery once built.**
- 2. Approve the Gallery Board Constitution as per attached document.**
- 3. Approve the Gallery Board Charter as per attached document.**
- 4. Approve the MoU between Council and the Gallery Board as per attached document.**
- 5. Approve three directors Mr Allan Myers AC QC, Ms Merran Kelsall and Mr Gordon Dickinson so they can sign the consents to act and inform them accordingly.**

CARRIED

10.8 Adaptive Wastewater Solutions for Small Towns - Penshurst

Directorate: Andrew Goodsell, Director Planning and Development
Author: Pauline Porter
Attachments: 11. Adaptive Wastewater Solutions for Small Towns – Penshurst and Cudgee: Options Analysis Report, 2020

Executive Summary

The draft Adaptive Wastewater Solutions for Small Towns – Penshurst and Cudgee: Options Analysis Report (2020) has been prepared, to meet the Resilient and Liveable Cities and Town Strategic Project grant milestone. The report investigates 5 options to improve wastewater management for the township of Penshurst, presently serviced by individual onsite wastewater management systems. The report recommends solution 2, gravity sewer to local cluster management system as the preferred wastewater management option.

This report is for Council to endorse the Options Analysis Report (2020) and the solution 2 option contained within it. The endorsement would enable the project to commence wastewater solution 'functional design' construction drawings and governance modelling refinement stage. At completion of that work a more detailed costing of the option will be available and solutions for equitable funding determined.

Discussion

Southern Grampians Shire Council has responsibilities under the *Public Health and Wellbeing Act 2008* to seek to protect, improve and promote public health within the local government area. Council has obligations to protect the environment and in the management of onsite wastewater management systems (septic systems) for properties that generate 5000L of wastewater or less per day. Through the implementation of the *Environmental Protection Act 1970* and Council's Domestic Wastewater Management Plan (adopted 11 December 2019).

The Domestic Wastewater Management Plan's risk based wastewater management prioritisation assessment, identified Penshurst township, presently serviced by individual onsite wastewater management systems, as very high risk due to:

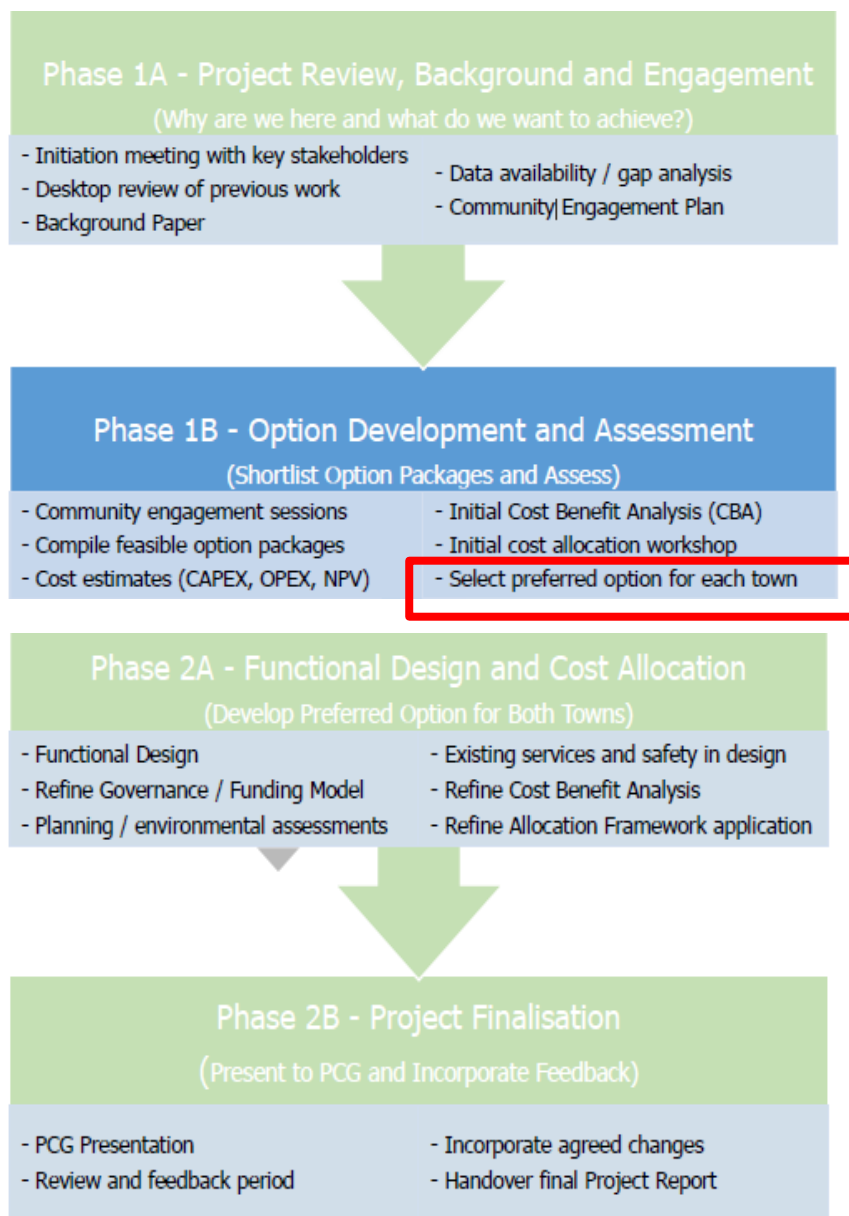
- The township being located on environmentally sensitive groundwater environment that is likely to be susceptible to pollution from on-site waste management systems;
- Properties unable to adequately contain wastewater within its boundaries;
- Township size
- Inadequate wastewater management practices that impedes growth and liveability.

Southern Grampians Planning Scheme, section 21.09 Infrastructure provisions, requires Council to work with Wannon Water to determine appropriate wastewater water management solutions for Penshurst to support its continued growth and development. Council's Domestic Wastewater Management Plan Action Plan specifies, a pilot alternative wastewater management strategies in partnership with relevant agencies be implement for Penshurst and of Glenthompson in the 1st to 2nd year of the plan.

The draft Adaptive Wastewater Solutions for Small Towns – Penshurst and Cudgee Project (hereafter referred to as the 'Penshurst/Cudgee Project') has been undertaken in partnership with Wannon Water, Moyne Shire Council, Greater South Coast Integrated Water Management Forum, Department Environment, Land Water and Planning (DELWP),

Decentralised Water Consulting, Penshurst and Cudgee communities. Funding from DELWP Resilient and Liveable Cities and Town Strategic Project grant, Southern Grampians Shire Council, Moyne Shire Council and Wannon Water have enabled the project to proceed.

The Penshurst/Cudgee Project involves two stages as follows:



The draft Penshurst/Cudgee Project has been prepared to meet the Resilient and Liveable Cities and Town Strategic Project Phase 1B grant milestone. It evaluates a number of aspects for pursuing wastewater management options beyond the traditional approaches to sewerage, this includes:

- Current wastewater management situation in Penshurst township;
- Penshurst Community advocating for township renewal;
- Penshurst community, Council, Wannon Water and project partners engagement and consultation feedback;

- Cost Benefit Analysis conducted by Frontier Economics, incorporating potential water savings, liveability / local amenity improvements, improvements to environmental impacts and potential health risks;
- Wastewater Management technologies;
- Regulation requirements;
- Governances and funding model options;

To enable further progress and enable ongoing stakeholder engagement, Council needs to determine their preferred solution of the five available. These are each summarised below, with the preferred option highlighted (red outline).

Solution Package	Solution Summary / Ethos	Details / Description
Business as Usual	Upgrade of systems by owners over time as necessary. Limited / no capacity for town renewal / growth.	Business as Usual with continuation of owner managed on-site wastewater management systems - discussed further below. Not considered a viable long-term solution based on community feedback.
SP1 STEDS to Cluster Reuse (Excess to stormwater)	Strikes a balance between cost and high priority benefits (health and environment protection). Utilise simple, lower maintenance wastewater management approach close to source – in line with Integrated Water Management (IWM) approach. Places some limits on town renewal / growth due to limits on capacity to manage wastewater locally (within reserves / public open space). Excess treated effluent would continue to discharge to stormwater at lower volume and reduced impact	Continued wastewater management on-property via secondary treatment system with subsurface irrigation / ETA trenches where full onsite containment is achievable (84 properties). Where full onsite containment is not achievable (217 properties), existing septic tanks are to be utilised (where possible) as part of STEDS (Septic Tank Effluent Drainage / Disposal System) scheme. All discharge of primary effluent collected from properties via gravity effluent sewer where possible. Drainage to cluster / precinct scale treatment (e.g. reed-bed, packed bed reactor or sand filter systems) and subsurface irrigation reuse areas, with any excess overflow discharge to upgraded stormwater (lined swales) drainage (to be directed away and bypass central Penshurst Wetland Gardens).
SP2 Cluster Based Reuse Systems	Cluster (precinct / block scale) approach with simple, low maintenance treatment and local water reuse and no on-property infrastructure. Treatment and plant water uptake within recirculating, planted Evapo-transpiration beds and winter storage. Subsurface irrigation of public open space for beneficial reuse during warmer months.	Continued wastewater management on-property via secondary treatment system with subsurface irrigation / ETA trenches where full onsite containment is achievable (84 properties). Construction of local gravity sewers to direct sewage from the 217 smaller, constrained properties to local, cluster systems within road reserves. Incorporates recirculating, lined, planted Evapo-transpiration beds (Rhizopod™) with winter storage to treat and reuse water for landscape watering. Excess recycled water will then be stored and used for public open space irrigation in warmer months. All effluent able to be managed at local cluster / precinct treatment systems and therefore does not require discharge to stormwater or construction of a larger sewer and central sewage management facility.
SP3	More conventional 'end of line' solution - STEDS collection system for central township area to a central wetland	Continued wastewater management on-property via secondary treatment system with subsurface

STEDS to Constructed Wetland	treatment and reuse facility (ecological restoration and amenity).	irrigation / ETA trenches where full onsite containment is achievable (84 properties). STEDS (Septic Tank Effluent Drainage / Disposal System) scheme for constrained / township properties (217) utilising existing on-lot septic tanks (where possible) with gravity collection and drainage via smaller diameter effluent sewer to 2 Septic Tank Effluent Pump (STEP) pump stations. Central treatment and effluent management / reuse via constructed wetland. Wetland would provide treatment, ecological restoration (habitat), amenity and liveability functions and would only require discharge to waters in wetter years under controlled conditions (e.g. >90 th % rainfall years) which mimics natural flow profile of the waterways. Allowance made for reuse by irrigation of Penshurst Oval.
SP4 Pressure Sewer to Sewage Treatment Plant (Discharge to Water)	Traditional Small Town Reticulated Sewerage solution for the township properties. Lagoon Treatment, winter storage and agricultural reuse (fodder crop).	Continued wastewater management on-property via secondary treatment system with subsurface irrigation / ETA trenches where full onsite containment is achievable (84 properties). The 217 constrained (township) properties to have on-lot grinder pressure units for collection and transfer via new pressure sewerage to Water Recycling Plant (WRP) for lagoon treatment / reuse via surface irrigation across fodder crops. Requires large winter storage dam.

Solution 2, gravity sewer to local cluster management system demonstrated in the below diagram

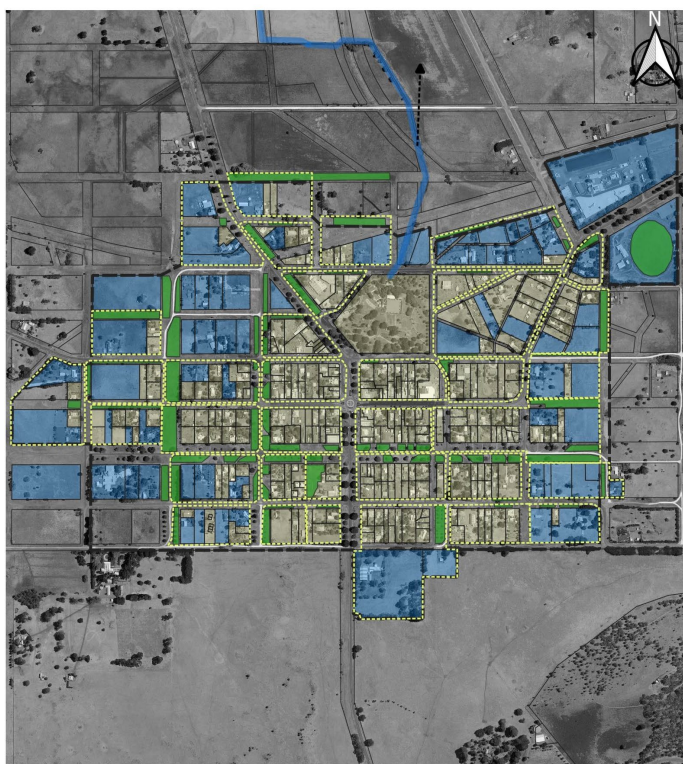


Figure 5: Penshurst Servicing Layout - Cluster / Precinct Reuse Sites Summary (SP1 & 2)

- | | |
|---|---|
| Service Area | Potential Cluster / Precinct Reuse Site |
| Property Boundary | Servicing Details |
| Watercourse | Offsite Connection (STEDS / Gravity / Pressure Sewer) |
| Cluster / Precinct Reuse Site Subcatchments | Upgraded On-site Wastewater System |

Based on the outcomes modelled, the report recommends wastewater servicing solution 2, which comprises a gravity sewer to local cluster management system as the preferred option. This option is a likely cost-effective way to address current constraint to managing wastewater on-site for the majority of properties within Penshurst Township Zone. At the same time achieving water cycle, liveability, economic, environmental and public health benefits by reusing 100% of the wastewater to nearby public open space.

Solution 2 is low energy and low maintenance. However, due to the proposed wastewater infrastructure sited on land outside of private properties, governance and operation of the wastewater infrastructure need to be refined in stage 2 of the project.

The Penshurst/Cudgee Project provides options that may be suitable to be implemented to resolve wastewater management issues at unsewered townships located throughout the Shire.

Financial and Resource Implications

The Penshurst/Cudgee Project recommendations supporting option 2 do not require Council to provide additional funding or resources.

Endorsing this report will enable construction drawings stage and governance modelling refinement to occur and the project finalised, subject to more detailed stakeholder engagement. 'functional design' sewer construction drawings for Penshurst will be produced once the Adaptive Wastewater Solutions for Small Towns – Penshurst and Cudgee project is finalised within the next couple of months.

Council and Wannon Water are not committed to building Penshurst's gravity sewer to local cluster management system if Council decides to endorse this report and preferred wastewater solution 2. However, the preferred Penshurst sewer cluster model places the town and its residents in a position to likely gain grant support from State Government. Once the project is finalised it will be 'functional design', meets integrated water management frameworks, public health protection, environmental protection and climate change mitigation policies. Funding availability is revolving. When funding opportunities arise, the timeframes are short and 'functional design' and multiagency projects are often favourable over other grant applications. The project will enable many existing lots with little or no development potential to be capable of future development, a benefit to the landowner, Council, the water authority and the environment more generally.

Legislation, Council Plan and Policy Impacts

The Penshurst/Cudgee Project is deemed consistent with the following legislation:

Environmental Protection Act 1970

Public Health and Wellbeing Act 2008

Local Government Act 1989

Planning and Environment Act 1987

Water Act 1989

Council's Domestic Wastewater Management Plan (2019)

Council's Climate Change Adaptation Plan 2017-2027

Council's Health and Wellbeing Plan 2017-2021

Council's Sustainability Strategy 2010 - 2020

State Environment Protection Policy (Waters)

Water for Victoria Water Plan (2016)

Risk Management

The Penshurst/Cudgee Project will provide Council and Wannon Water a framework to work coherently and analysis suitable wastewater management options for Penshurst.

The decision on a wastewater management solution option 2 means the development of Penshurst township wastewater solution construction drawings and governance modelling can proceed. Providing an opportunity for the wastewater management system to be constructed in the future at Penshurst and provides an option for wastewater management issues in other unsewered townships within in the Shire to be resolved. Sewering the town removes existing risks to human life and the environment.

Environmental and Sustainability Considerations

The Penshurst/Cudgee Project will provide an opportunity for Penshurst's community health and natural environment to be protected, improved and promoted through the management of wastewater management issues facing the township of Penshurst.

The report and recommendation addresses integrated water management and unsewered township wastewater management feasibility actions documented in Council's Climate Change Adaptation Plan 2017-2027 and Sustainability Strategy 2010 – 2020. The report and recommendation aligns with Public Health and Wellbeing Plan 2017 – 2021 outcomes. In particular, protection and maintenance of natural environment and interconnection between healthy environment and healthy people.

Community Consultation and Communication

This report is to seek Council resolution to endorse the Penshurst/Cudgee Project and further progress option 2.

Consultation was undertaken with, Wannon Water, DWELP Council staff and Penshurst Community to obtain feedback and information to feed into the report and finalisation of the preferred wastewater solution.

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 Council:

1. Endorses the draft Adaptive Wastewater Solutions for Small Towns – Penshurst and Cudgee: Options Analysis Report (2020) at Attachment 1 to this report.
2. Endorses solution 2, gravity sewer to local cluster management system as the preferred option documented in the draft Adaptive Wastewater Solutions for Small Towns – Penshurst and Cudgee: Options Analysis Report (2020).

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Armstrong

That Council:

1. **Endorses the draft Adaptive Wastewater Solutions for Small Towns – Penshurst and Cudgee: Options Analysis Report (2020) at Attachment 1 to this report.**
2. **Endorses solution 2, gravity sewer to local cluster management system as the preferred option documented in the draft Adaptive Wastewater Solutions for Small Towns – Penshurst and Cudgee: Options Analysis Report (2020).**

CARRIED

10.9 Community Vision Framework 2041

Directorate: Andrew Goodsell, Director Planning and Development
Author: Andrew Goodsell, Director Planning and Development
Attachments: 12. CVF 2041 Discussion Paper
13. CVF 2041 Newsletter

Executive Summary

CVF 2041 represents a 20 year vision for the Shire, the priorities and opportunities based on extensive community engagement, a holistic perspective on the role of Council in delivering facilities and services to its community and a set of updated advocacy priorities.

There are many challenges to be faced in Southern Grampians Shire, from limited population growth through to competing budget priorities. Notwithstanding, there are also many opportunities including:

- the ongoing importance of the agricultural sector even having regard to climate change;
- the scope to better connect intensive agricultural production to water resource management;
- a trend of increased tourism linked to Grampians National Park, Budj Bim and Great Ocean Road;
- the renewable energy sector investment; and
- the existing quality of life that can be offered linked to health care, education, retail and cultural arts.

The discussion paper represents only the start of the CVF 2041 project. It represents phase 1 of 3. There has been agency engagement as well as work with surrounding councils. Some key questions to ask of communities have been formulated. More will follow.

Fundamentally, a vision to 2041 needs to fully map the concerns and issues of its residents. That will be what occurs in phase 2 (community vision) and phase 3 (the strategy). These will be undertaken and referred back to Council over the next 12-18 months to ensure that the project fully delivers on its brief.

For now, the discussion paper is in essence the literature review which explains the process to be followed to ultimately deliver CVF 2041. It is commended to Council accordingly for its endorsement as what it purports to be, a discussion paper.

Discussion

As a recap, CVF 2041 is a key project for the Shire, representing a longer term vision as to how Council can act best for its community both in delivering services but also working collaboratively with others. Whilst having a four year strategy for the life of the Council has been typical until now, this situation is rapidly changing.

Progressively local government in Victoria is moving towards 10+ year strategies including projects such as Warrnambool 2040 and Glenelg Shire 2040. Councils behind these initiatives, like ourselves, are seeking to provide clear direction on their vision and priorities into the medium and longer term. Interstate, NSW and SA have been doing these for many years.

The *Local Government Act 2020* explicitly states that Council need to provide and maintain a community vision statement that extends beyond 10 years. CVF 2041 provides Council the opportunity to drive that conversation and provide community leadership. See sections 88 and 89 of the Act. Whilst these imperatives were not to be found in the *Local Government Act 1989* it is clear that State Government is expecting a solid strategic foundation for how local government will function into the future.

The objectives for CVF 2041, as described in the discussion paper including the following goals:

- Help shape strategic planning through to 2041;
- Enable Council to prioritise services and projects and leave a lasting legacy for future generations;
- Improve the long term sustainability of the towns, businesses, community groups and services;
- Identify opportunities to sustain the population base of the Shire and develop new and innovative local industries;
- Consider the community and Council's existing priorities and commitments.

The five principles behind CVF 2041 are set out below – the 5A's.

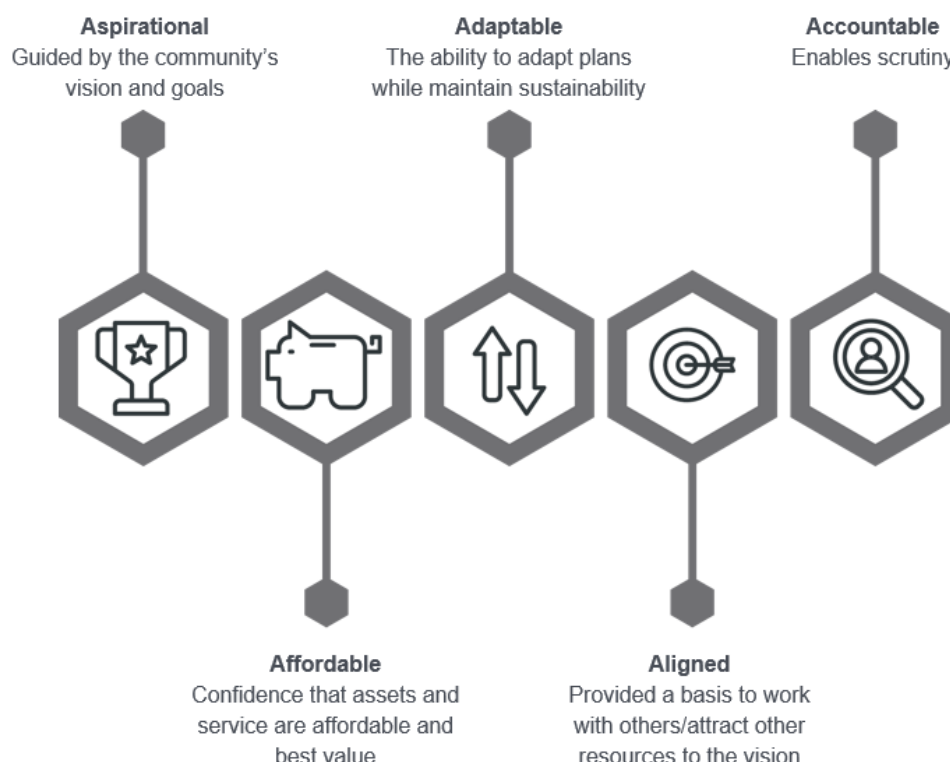


Figure 1

Essentially a literature review, further informed by agency workshops and face to face interviews with internal staff and regional perspectives from neighbouring councils, the key themes of the discussion paper are set out on the following page.

What the Discussion Paper Says

Key areas for discussion:

Overarching	• Agriculture • Natural resources • New and emerging economic sectors • Workforce development and regional employment	• Digital economy • Transport • Renewable energy • Tourism
Southern Grampians	• Population growth • Housing affordability • Liveability	• Education • Water and utility services
Community	• Sense of community • Engaging young people • Ageing population	• Aboriginal and Torres Strait Islander people • Community assets and services
Southern Grampians Shire Council	• Rates and other income • Health and wellbeing planning	• Shared services • Emergency Management

Figure 2

From an analysis of key themes, a series of questions emerge, each focused on key themes including but not limited to:

- What are the best population attraction initiatives and programmes suited to the Shire?
- What benefits if any can Council leverage from sustainable energy opportunities?
- How does climate change and water resource management impact the agricultural sector? What opportunities exist?
- What role does tourism provide in the economy and in what regions should we be focused?
- How is strategic planning best delivered to provide a more coherent perspective on settlement facilities and services as well as land use?
- What are the financial challenges faced and what approach or framework allows longer term strategic decisions to occur?

It should be noted that the discussion paper does not provide the solutions to these questions. There is significant work already undertaken in many key areas from the effect of climate change on agricultural crops to pilot projects on population attraction. More will follow. Instead, the discussion paper asks many of the key questions and gives scenarios for further investigation.

By this means, the discussion paper is a logical first step in returning to communities to re-check the priorities previously mapped in structure plans, community plans and a host of other plans and reports to ask the fundamental question – are we clear on what you want and are your priorities likely to be the same now or in the next 10+ yrs as they were before?

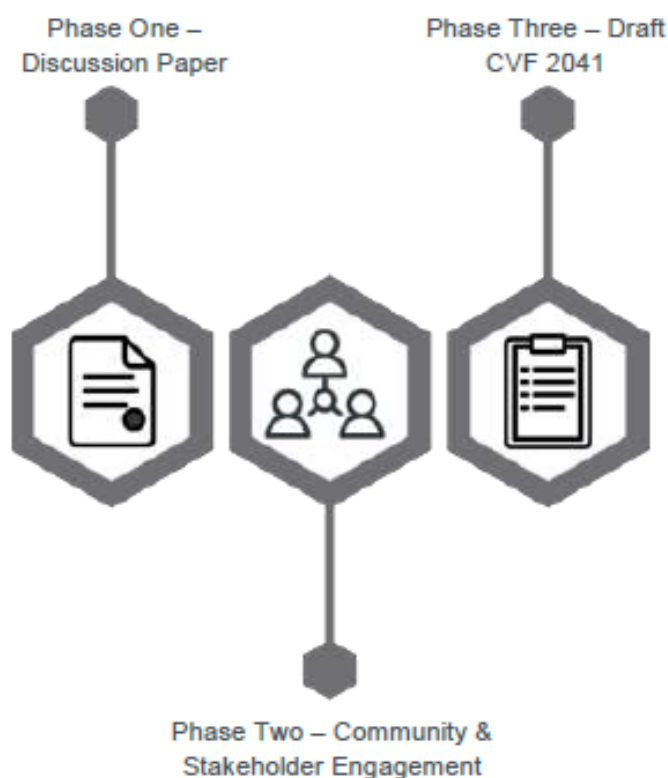


Figure 3 CVF 2041

Financial and Resource Implications

CVF 2041 is funded within the operational budget of Council and has been tendered and awarded accordingly. There are no costs associated with endorsing CVF 2041 discussion paper as it will solely be placed on Council's website for information and any online feedback.

In endorsing the discussion paper the consultant can then begin phase two of the project, which is funded for 20/21.

Legislation, Council Plan and Policy Impacts

The *Local Government Act 2020* explicitly states that Council need to provide and maintain a community vision statement that extends beyond 10 years. CVF 2041 provides Council the opportunity to drive that conversation and provide community leadership. See sections 88 and 89 of the Act.

Risk Management

There are no risk management issues identified. In endorsing the discussion paper Council is able to provide a clear indication that it is progressing with a strategy which provides overarching direction to each successive 4 year plan required currently under the *Local Government Act 1989*.

Providing a long term vision aligns Southern Grampians with neighbouring local government (Warrnambool, Glenelg etc) who are doing similar work and also aligns Council's efforts with what will be expected under the *Local Government Act 2020* (as earlier discussed).

The only relevant question currently is the manner in which engagement is to be effectively carried out – a matter addressed in more detail below.

Environmental and Sustainability Considerations

CVF 2041 will likely facilitate more holistic responses by Council on a range of issues. The need for priority to be given to natural resource management is significant and currently not present in advocacy including *Towards 2030*.

The existing advocacy on public transport as well as freight networks should include further details on the benefits of rail and public transport generally to limit carbon emissions as well as road impacts.

More comprehensive policy positions on water management (groundwater and surface water) is closely connected to environmental flows, integrated water management and value-added agriculture. Likewise, policy positions on sustainable energy and climate change have economic as well as environmental foundations to address.

CVF 2041 provides an opportunity to reflect further on what the priorities for the next 20 years will look like, with environment and sustainability core concerns.

Community Consultation and Communication

To date consultation has been focused on agencies, including

- Stakeholder workshop in Hamilton. 16 October 2019. 17 attendees
- Stakeholder workshop in Melbourne. 18 October 2019. 11 attendees

In addition, interviews with neighbouring Shires has been a priority.

A community vision will lie at the heart of the project and this is the purpose of phase 2 of the project. The work undertaken and that still required, with respect to community engagement and broader consultation (including further discussions with agencies) is set out in Figure 4.

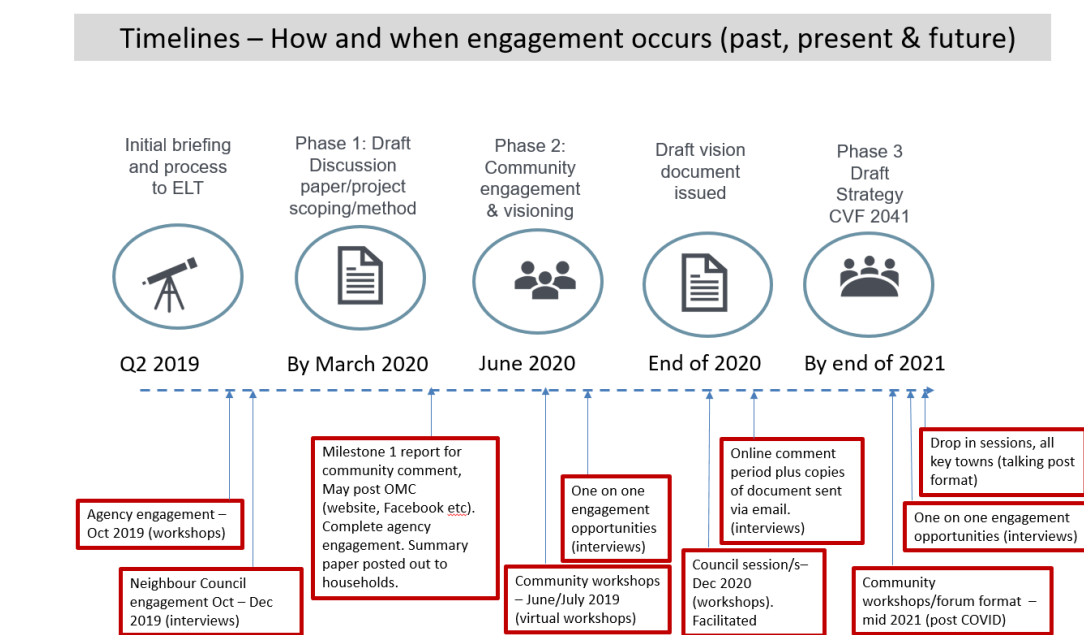


Figure 4

Online workshops, face to face meetings with staff and the consultant, a citizen's jury and a revisit to all communities before the phase 2 report is completed will be a priority. By this method a richer story of the interests and aspirations of the community will be mapped out.

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:

1. Council receive and endorse the CVF 2041 discussion paper for purposes of placing on Council's website seeking comment for a period of 30 days;
2. A progress report be provided to Council by 30 June 2020 on the engagement already underway or to still be delivered, noting the impacts and limitations generated by COVID-19 and the restrictions which may be in place at that time; and
3. Progress phase 2 of CVF 2041 as outlined in this report.

COUNCIL RESOLUTION

MOVED: Cr Calvano
SECONDED: Cr Dunkley

That:

1. Council receive and endorse the CVF 2041 discussion paper for purposes of placing on Council's website seeking comment for a period of 30 days;
2. A progress report be provided to Council by 30 June 2020 on the engagement already underway or to still be delivered, noting the impacts and limitations generated by COVID-19 and the restrictions which may be in place at that time; and
3. Progress phase 2 of CVF 2041 as outlined in this report.

CARRIED

10.10 Hamilton CBD Masterplan – Endorsement

Directorate: Andrew Goodsell, Director of Planning and Development
Author: Daryl Adamson, Strategic Major Project Coordinator
Attachments: 14. Report - Hamilton CBD Masterplan – Final

Executive Summary

In 2011 Council adopted the Hamilton Structure Plan (HSP). This document identified key directions for reactivation of Hamilton's Central Business District. Based on a key recommendation of the Hamilton Structure Plan, Council awarded a tender in October 2018 to Jenson Plus, to develop the Hamilton CBD Activation Masterplan. The report attached is considered for Council endorsement and is the culmination of significant urban design analysis and sustained community consultation in which 600 people attended engagement sessions and another 275 online interactions were received.

Council has previously endorsed the projects vision to:

“Revitalise the Hamilton CBD to be a place for community and allow commercial activity to sustain investment by attracting consumers, business and visitors through considered urban design and principles.”

With the key principles being:

1. Activation and revitalisation of commercial activity
2. Universal design and access for all abilities and demographics
3. Intergenerational outcomes
4. Prioritising people and commercial activity over vehicles
5. Safe and inviting spaces
6. Use of public art and place making to tell our story

The Hamilton CBD Masterplan involved developing concept designs and technical documentation to guide the roll-out of infrastructure works required to implement capital spending and grant funding applications, with clear strategic and organisation direction for Council. Areas of study included:

1. Lonsdale Street
2. Gray Street
3. Melville Oval
4. Connecting Laneways and Linkages

Discussion

This project is part of the Hamilton CBD Revitalisation design and construction schedule for the period July 2016-July 2022. This project has to date delivered the Stage 2 strategic concept design work for the construction of the Gray Street / Lonsdale Street connections to the CBD and Melville Oval.

Lonsdale Street has enormous potential to become Hamilton's most generous, stately and memorable streetscape with a strong tourism role whilst remaining the focal point of the

main vehicle through-road in Hamilton. Lonsdale Street was originally Hamilton's main street, before Gray Street due to issues of flooding and drainage.

Lonsdale Street services Hamilton's strategic community facilities including Melville Oval, the Catholic and Uniting Churches, Hughan Park, the Visitor Information Centre, along with various other commercial, community and residential uses. It continues to act as part of the heavy vehicle route through Hamilton, although this is expected to change with the implementation of the Alternative Heavy Vehicle Route Project.

The masterplan designs for civil and landscaping works will upgrade the appearance and functionality of Gray St to Lonsdale St between Brown and Thompson Streets, and re-connect the CBD with Melville Oval. An attractive, safe and welcoming precinct will create a higher level of amenity for visitors and the local community, and new opportunities for business to establish and grow.

The 2011 Hamilton Structure Plan highlighted this heritage precinct as a priority to improve streetscape amenity, unlock space for integrated connectivity linking sporting, civic, arts, cultural and pedestrian spaces.

The program of urban renewal for this precinct also has an important economic function. A comprehensive streetscape upgrade of Hamilton's Central Business Area will deliver the following major benefits:

- Increase safety, accessibility and comfort for pedestrians, cyclists and especially for those with mobility constraints.
- Increase visitation and therefore expenditure from tourists and other visitors to Hamilton.
- Increase civic pride, and therefore investment confidence from business and landowners.
- Act as a catalyst project to build community confidence and commitment in pursuing the outcomes envisaged by the Hamilton Structure Plan.
- Demonstrate ecologically sustainable development principles, with associated operation and maintenance cost savings.
- Attract and retain knowledge workers through appealing and "clean and green" living and working environments, public spaces and cultural vitality.

The Hamilton Central Business Area Activation Master Plan will provide the foundation for ongoing investment and economic development in Hamilton as the regional centre for the Greater Hamilton region. It will enhance the Stage 1 development of the 'Cox Street' precinct once commenced and execute the following objectives outlined in the 2011 Hamilton Structure Plan:

- Improving the presentation of Lonsdale Street.
- Improving accessibility of the city to visitors, particularly improving the visibility of the Visitor Information Centre at the western end of Lonsdale Street and provide long bay parking here and at the Fitzpatrick Gardens.
- Improving the built form presentation along the southern edge of Lonsdale Street to create a strong urban form.

- Create a civic space along Lonsdale Street that will form a meeting place, and a node that will connect Melville Oval through to the CBD via a raised crossing on Lonsdale Street.
- Define the north-south pedestrian connection between Lonsdale Street and Gray Street as the major pedestrian thoroughfare and encourage active frontages to this path.
- Improve laneway connections for pedestrian permeability throughout Lonsdale / Brown / Gray / Thompson Street block.
- Consolidate inner block car parking, activating the central block area and creating development opportunities.
- Create inner block pocket parks, surrounded by active edges that will be created from car park consolidation and development opportunities.
- Remove obstacles to key vistas from the inner block to Melville Oval, particularly along the north-south pedestrian connection.

Melville Oval Precinct:

- Create an extension to the heritage grandstand and upgrade existing understand areas to accommodate new clubrooms, change rooms and toilet facilities.
- Create a new function building as a community space and to accommodate netball change rooms, function space and toilets. The building will be sustainable to minimise operational costs with distinctive architectural elements.
- Relocate the netball courts, CFA training ground and associated infrastructure from the Lonsdale Street end of Melville Oval. The netball courts can be accommodated to the north of the precinct, while CFA training facilities can be accommodated off precinct (i.e. the showgrounds etc).
- Improve the presentation of Melville Oval to Lonsdale Street. This will include the following key initiatives:
 1. Establish pedestrian connection along the northern side of Lonsdale Street.
 2. In place of the netball courts and CFA training ground, create an open civic precinct with feature landscaping to encourage the community to gather and spend time in this space.
 3. Construct new universally accessed public toilets with 'Changing Places' facilities. Demolish existing public toilets on Lonsdale Street.
 4. Setback the fencing to the back of the oval rather than the street edge, improving the connection between the oval and Lonsdale Street. While it is understood that this fencing should provide adequate security and be able to stop balls as necessary, the set back from the road will widen the vista along Lonsdale Street and improve the interface.
 5. Improve public access to existing memorials within the precinct and create public art or new monument opportunities. While fencing should be removed the large gate which mark each corner should be retained.
 6. Close Market Place to create additional space for the oval facilities and create a strong pedestrian space surrounding the existing council buildings. This will also improve the connection between the council offices and the oval area.

Throughout the project these principles were retested by Jensen Plus, with stakeholders and the community. The principal engagement activity for the Hamilton CBD Activation Master Plan was a three- day Co-Design workshop held at an open studio in the Hub shopping centre, together with a pavement mural installation occurring within McGuigan Lane, highlighting the opportunity for relatively low cost streetscape enhancement combined with citizen action in the delivery of art work. This initiative also promoted the Co-Design workshop and co-design process, which is essentially a planning tool that brings together key stakeholders to collaborate and create visions and designs. Co-design infers designing with, not for, the community. Once the draft plan was developed engagement sessions and an “open house” drop-in day was conducted to seek further feedback.

Concept designs for Melville Oval, Gray Street, Lonsdale Street and connecting laneways have been prepared. Designs are presented as 3D illustrations to help readers visualise the proposed changes. Design Guidelines on all necessary elements to implement a successful public realm master plan are included, including materials, planting, lighting, and many other aspects. Implementation, quick wins, staging and funding opportunities are also identified in the report.

Community feedback

Importantly community feedback from the engagement sessions provided to the draft have been noted in the final report on page 71. Some elements have been updated in the master plan in response to feedback including:

- removal of zebra-style crossings on Gray Street roundabouts
- kerb build-out crossing point between Melville Oval and Alexandra House

Other feedback and valid comments are recommended to be addressed at detailed design stage, when relevant stages of the master plan are ready to be further developed. This includes parking related questions on Gray Street, which will rely on up-to-date business and traffic inputs at the detailed design stage.

Financial and Resource Implications

- Council were successful in receiving a funding grant from the Victorian Planning Authority (VPA) for \$90,000 which contributed to the development of the plan.
- Council have also successfully attracted federal funding of \$2.843 million under the Governments Community Development Grants Program for the construction of Netball Courts and clubrooms / function space. This project will develop the northern aspect of the Melville Oval precinct.
- The project has been delivered within budget and within two financial years.
- The implementation of the plan has been staged to allow the opportunity and flexibility to act in discrete sections of the study area, so as to manage costs in project delivery should ongoing or further funding become available.

Legislation, Council Plan and Policy Impacts

This project links directly to the Southern Grampians Shire Council Plan 2017-2021:

- 3.3.1 Invigorate and activate public places and spaces
- 3.2.3 Provide infrastructure that supports an active community

3.3.2 Develop the CBD of Hamilton and commercial precincts in all towns.

3.4.1 Ensure appropriate social infrastructure is provided to support all families and communities across the Shire.

Risk Management

The implementation of this project is crucial to stimulate population and economic growth in Hamilton and the wider Southern Grampians Shire Region. It has been many years since significant investment has been made by Council in the CBD, dating back to the work completed on Gray Street in 1987.

By endorsing the Hamilton CBD Masterplan Council will be able to respond to the Great South Coast Regional Growth Plan and Hamilton Structure Plan with the ability to leverage funding from both the State and Federal Governments to achieve the greatest impact on Hamilton's CBD businesses and the wider Southern Grampians Shire community. By detailing Council's plans for the CBD, those who have invested or looking to invest in the precinct have greater certainty of how they can leverage off the public investment. This reduces the risk to Council when trying to attract new investment into the CBD.

Environmental and Sustainability Considerations

Sustainability is integrated throughout the masterplan design and approach, including the following:

- The masterplan includes the construction of a new sports and function facility at Melville Oval. This presents an opportunity to showcase the Council's sustainability aspirations and connection with the environment through a green star building design
- The landscape design includes natural materials (timber, stone, bamboo) and natural forms to provide connection with nature (biophilic design principles).
- Water sensitive urban design is continued throughout the masterplan, with water features and stormwater management. Plantings are native and drought tolerant.
- Signage takes visitors on a sustainability journey throughout the CBD, with information on sustainability, health and wellbeing.
- Consider solar PV panels integrated into shade structures or public lighting.
- Provide bins for general waste, recycling and compostable organic waste.
- Use below ground drip irrigation for landscaping and oval irrigation.

Community Consultation and Communication

Significant community consultation completed over 12 months has identified significant and sustained community support for the Hamilton CBD and Melville Oval precinct. The following communications and consultations methods were used:

- Draft Master Plan online - The Draft Master Plan report was made available online for public viewing.

- Community engagement event - Community members were invited to attend an open forum held at an open studio in the HUB Shopping Centre, 136 Gray Street, Hamilton on Thursday 20th February 2020. Community members were able to provide feedback directly to members from Jensen Plus, MRCagney and Southern Grampians Shire Council.
- Virtual tour - A 'virtual tour' of proposed upgrades using the latest virtual reality technology was made available at the community engagement event and through the Council's website.
- Street posters - Draft Master Plans for Melville Oval, Gray Street, Lonsdale Street and laneways in the form of posters were displayed throughout the CBD during February 2020 for community viewing.
- Targeted stakeholder meetings - Meetings were held with sporting clubs and the Hamilton Regional Business Association to present the latest master plan drafts and receive feedback.
- Social Pinpoint, Facebook & email - The draft Master Plan report was made available online for public viewing. Community members were encouraged to participate and provide their feedback through Social Pinpoint, email and/or the South Grampians Shire Council's Facebook page.
- Community engagement events attributed to 600 people attending over two sessions with 275 online interactions. Stakeholder engagement sessions were well attended and supported.

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 Council:

1. Adopt the Hamilton Central Business Area Activation Masterplan.
2. Place the Hamilton Central Business Area Activation Masterplan on Council's website as a key strategic document to guide future planning within Hamilton CBD.

COUNCIL RESOLUTION

MOVED: Cr Dunkley
SECONDED: Cr Brown

That Council:

1. **Adopt the Hamilton Central Business Area Activation Masterplan.**
2. **Place the Hamilton Central Business Area Activation Masterplan on Council's website as a key strategic document to guide future planning within Hamilton CBD.**

CARRIED

Cr Armstrong left the Chambers at 7:16pm due to a conflict of interests in item 10.11.

10.11 Planning Application TP/8/2020 – Shop 4, 81-91 French Street, Hamilton – Buildings & Works & Use to Sell Liquor (Packaged Liquor Licence)

10.11.1 Deputations

1. Mr Sukoon Bedi

10.11.2 Management Report

Directorate: Andrew Goodsell, Director Planning and Development
Author: Matt Britten, Statutory Planner
Attachments: 15. Application documents,
16. *Planning and Environment Act 1987 – Section 57(2A)*,
17. Copies of objections
18. Response from applicant regarding objections,
19. Planning Practice Note 61 Licensed premises - Assessing cumulative impact June 2015.

Executive Summary

That Council having caused notice of Planning Application No. TP/8/2020 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, decides to issue a Notice of Decision to Grant a Permit under the provisions of the Southern Grampians Planning Scheme in respect of the land known and described as Shop 4 81-91 French Street, Hamilton (Shop 4 81-91 French Street HAMILTON; PTL: 1 LP: 202740 Par: HAMILTON NORTH), for the buildings and works and use of land to sell liquor (packaged liquor licence) in accordance with the endorsed plans, subject to conditions:

Background

Council has received a planning permit application for Buildings & Works & use to sell liquor (packaged liquor licence) out of Shop 4, 81-91 French Street in Hamilton. The proposal concerns Shop 4 (previously 'Dicksmith') at 81-91 French Street.

Liquor Licence

The proposal seeks approval for planning approval for a *Packaged Liquor Licence* planning permit. The Victorian Commission for Gambling and Liquor Regulation (VCGLR) describes a Packaged Liquor Licence as a licence which authorises the licensee to supply liquor on the licensed premises in sealed containers, bottles or cans for consumption off the licensed premises.

As part of this application, the applicant provided details of the defined area where they intend to supply the packaged liquor (red line area). The red line area is inclusive of the internal area of this retail premises.

The proposed hours of operation are:

Sunday to Wednesday: 10.00am to 8.00pm

Thursday to Saturday: 10.00am to 9.00pm

Buildings and works

As part of this application, information was provided which details the following buildings and works:

- Installation of a cool room.
- Installation of a sales counter, new shelves, racks and pallet area for display and sale of stock.
- Mezzanine floor for an office.
- The proposed buildings and works will also include the construction of a wall between the existing tenancy to provide it with its own, separate tenancy (76m²).

All entrances will remain unchanged into the retail premises and will provide access to and from The Hub car parking area located to the east. This car parking area is also used by other shop patronage such as Woolworths, Bakers Delight, Harvey Norman, EB Games, Dimmeys Hamilton, and Caltex petrol station.

As a result of the public notification process, nine (9) objections have been received however only six (6) of these are valid which will be discussed further in this report. Concerns raised relate to:

- Maintaining a direct or indirect commercial advantage from existing liquor outlets
- Oversupply of liquor outlets in Hamilton
- Alcohol causing violence including domestic violence
- Safety to the public regarding Covid-19 and mass gathering and social distancing.

The application was not required to be referred to any internal or external authorities for comment.

It is recommended that a planning permit be issued subject to conditions.

Subject site and locality

The subject site is known as Shop 4, and is located where the former Dicksmith retail premises located within The Hub Complex. Access to this Shop is best from the rear of The Hub from French Street in Hamilton

The total site area within The Hub Complex, is 1.94 hectare with Shop 4 having a total area of 530m². This site is located in central Hamilton and is currently used for commercial retail purposes.

The site is located within the Commercial 1 Zone and is affected by the following overlays: the Heritage Overlay (Schedule 346 and 267) and the Parking Overlay.

Southern Grampians Planning Scheme Planning Controls

Planning Policy Framework (PPF)

The Planning Policy Framework (PPF) and the Local Planning Policy Framework give direction supporting the objectives of planning in Victoria (as set out in Section 4 of the *Planning and Environment Act 1987*) and are fostered through appropriate land use and development policies and practices.

The Planning Policy Framework includes a number of policies that relate to this proposal.

Clause 11 Settlement

Planning is to recognise the need for, and as far as practicable contribute towards health, wellbeing and safety, economic viability, prevention of pollution to land, water and air, protection of environmentally sensitive areas and natural resources.

At the state level, Clause 11.01-1S Settlement, has the objective to promote the sustainable development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements with a strategy to achieve this objective to develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

This is further supported at the regional level at Clause 11.01-1R with the objective to attract more people to the region with a strategy to support development and investment in small towns that are facing economic and population challenges.

Clause 17 - Economic Development

Planning is to provide for a strong and innovative economy where all sectors are critical to economic prosperity and to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.

At the state level, Clause 17.01-1S Diversified economy, has the strategies to:

- Protect and strengthen existing and planned employment areas and plan for new employment areas.
- Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.
- Improve access to jobs closer to where people live.

At the state level, Clause 17.02-1S Business, has the objective to encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Clause 17.02-S Business has the strategies to:

- Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.
- Locate commercial facilities in existing or planned activity centres.
- Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.
- Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.

At the regional level, Clause 17.02-1R Business – Great South Coast, the strategy is to support growth and redevelopment of the Hamilton, Portland and Warrnambool Central Business Districts.

The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement

The LPPF sets out the guiding principles of local and regional strategic policy context for a municipality and how broader state planning policies will be achieved or implemented in a local context. The following components of the Southern Grampians Local Planning Policy Framework are relevant to this proposal.

Clause 21 Municipal Strategic Statement

Clause 21.01-1 Municipal Profile. The Municipal Profile provides an overview of the Shire including an overview of the drivers for growth and change.

Relevant key planning issues (Clause 21.01-3) affecting the Shire include:

- Supporting the regional role of Hamilton.
- Facilitating new and expanding economic development opportunities.

21.01-5 Vision statement, integrated objectives and municipal framework plan. The Vision Statement for land use planning and development builds on the Shire's Corporate Vision and establishes a desired future. The relevant vision for the Shire is to:

- Diversify the economic base of Hamilton, the smaller townships and the rural areas by actively attracting further investment, generating new employment opportunities and strengthening the role and identity of Hamilton as a regional service centre;

Relevant strategies and actions by the Shire to support this vision include the following objectives:

- A strengthening of Hamilton's capacity to compete as a regional centre so as to better capture the local and regional economic opportunities.
- Ensuring that the needs of existing residents, particularly services and facilities for the growing aged population and young person's looking for work, education and training, are met at a local level or through being part of a regional network.

Clause 21.10-1 Hamilton. Hamilton has a role as a major agricultural, health, secondary and tertiary education, community, government office, retail and commercial services centre for the sub-region which must be maintained and supported.

Zoning

The subject site is located within the *Commercial 1 Zone (C1Z)* pursuant to Clause 34.01 of the South Grampians Planning Scheme.

Pursuant to Clause 34.01-4 a permit is required to construct a building or construct or carry out works with the gross floor area of the building being increased by providing a mezzanine level.

Overlays

The subject site is also located within the Heritage Overlay (Schedules HO267 and HO292) pursuant to Clause 43.01 of the Southern Grampians Planning Scheme.

No planning approval is required for the use for a packaged liquor licence or for internal alterations.

The subject site is also located within the Parking Overlay pursuant to Clause 45.09 of the Southern Grampians Planning Scheme.

No assessment is required as car parking requirements have not changed or this retail shop and has been provided for within the assessment of the creation of The Hub.

Clause 50 Particular Provisions**Clause 52.27 Licenced Premises**

Pursuant to Clause 52.27, a permit is required to use land to sell or consume liquor where a licence is required under the *Liquor Control Reform Act 1998*.

This application is for a *Packaged Liquor Licence* under the *Liquor Control Reform Act 1998* and as such requires planning approval.

Clause 65 Decision guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Relevant incorporated or referenced documents

None

Summary of Key Issues

The key issues for consideration are:

- How does the use respond to the relevant provisions of the Southern Grampians Planning Scheme including the Planning Policy Framework and Local Planning Policy Framework, the Commercial 1 Zone and the provisions particularly relating to Licenced Premises?
- Can the use and development of the land be carried out in such a manner that will minimise any amenity impacts to the surrounding properties?
- Have objections been received?

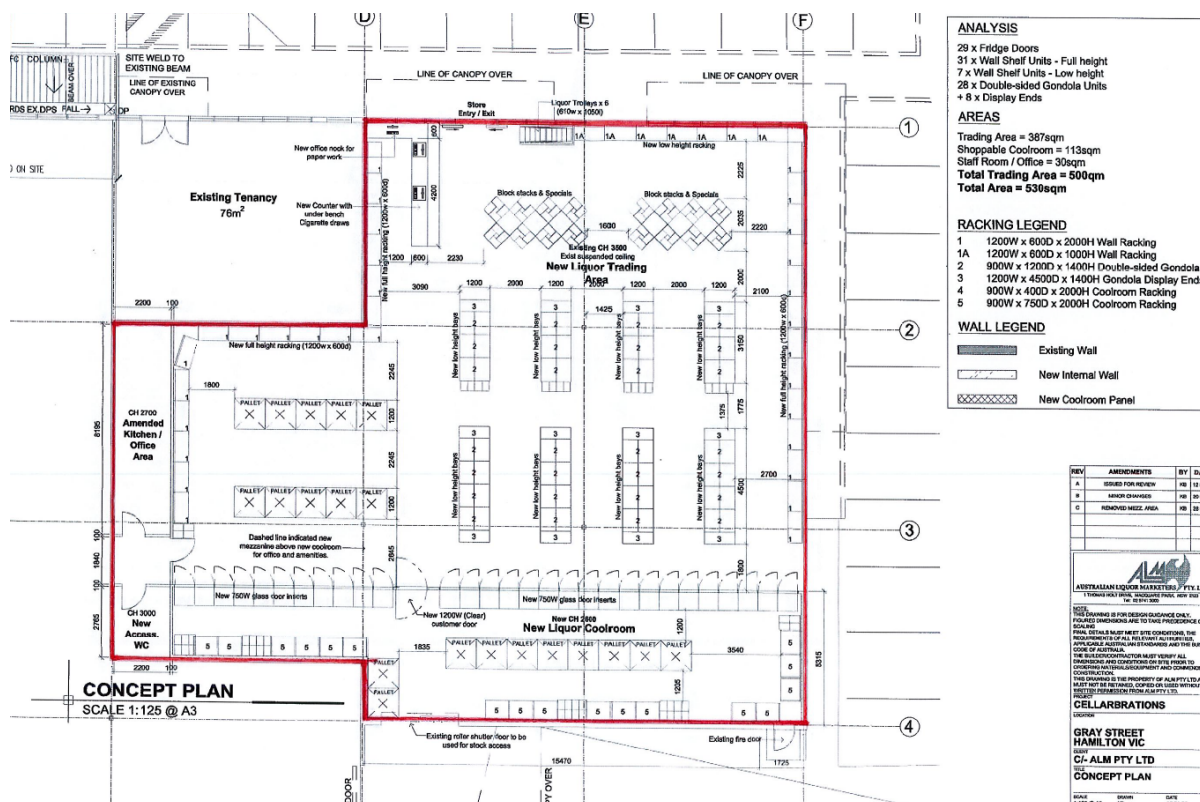
Discussion

A planning application has been submitted for the use of Shop 4 for the sale of packaged liquor with internal buildings and works of a partition and mezzanine floor proposed. This site is the former '*Dicksmith*' electronics store which is currently vacant within The Hub shopping complex.

The Planning Scheme and Council encourage the facilitation, within an existing retail hub, for a new commercial use into a vacant shop and providing access to jobs and employment.

Entry and exit to the building are existing and loading and unloading of trucks will be retained to the rear.

The proposed red line area and floor plan is provided in the below.



Commercial 1 Zone

The purpose of the Commercial 1 Zone is create a vibrant mixed use commercial centre for retail, office, business, entertainment and community with the ability to provide for on-site car parking in an existing commercial retail outlet.

Licensed Premises

Before deciding on an application, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework, which encourages economic growth and encourages the facilitation within an existing retail hub to provide new jobs and employment.
- The impact of the hours of operation on the amenity of the surrounding area.
The proposed hours of operation to sell the packaged liquor is considered reasonable, with the shop proposed to open at 10.00 am each day and closing on Sunday to Wednesday at 8.00pm and closing at 9.00pm on a Thursday to Saturday. It should be noted that the hours proposed are less than what currently exists for the Woolworths Packaged Liquor License. A condition will be placed in a permit, if issued, that will outline the hours of operation.
- There is no patronage to the premises other than what would be provided within a retail premises. This is not a nightclub or hotel premises. This application is for the sale of packaged liquor to be consumed off site as other packaged liquor licenced premises provide within Hamilton.
- The cumulative impact of any existing licensed premises and the proposed licenced premised on the amenity of the surround area.

Planning Practice Note 61 (PPN 61) dated June 2015 details how to assess cumulative impact on licensed premises which refers to both positive and negative impacts that can result from clustering a particular land use or type of land use.

Hamilton contains six (6) other packaged liquor licences within the commercial area of Hamilton. The map below details their location in proximity to this proposal.

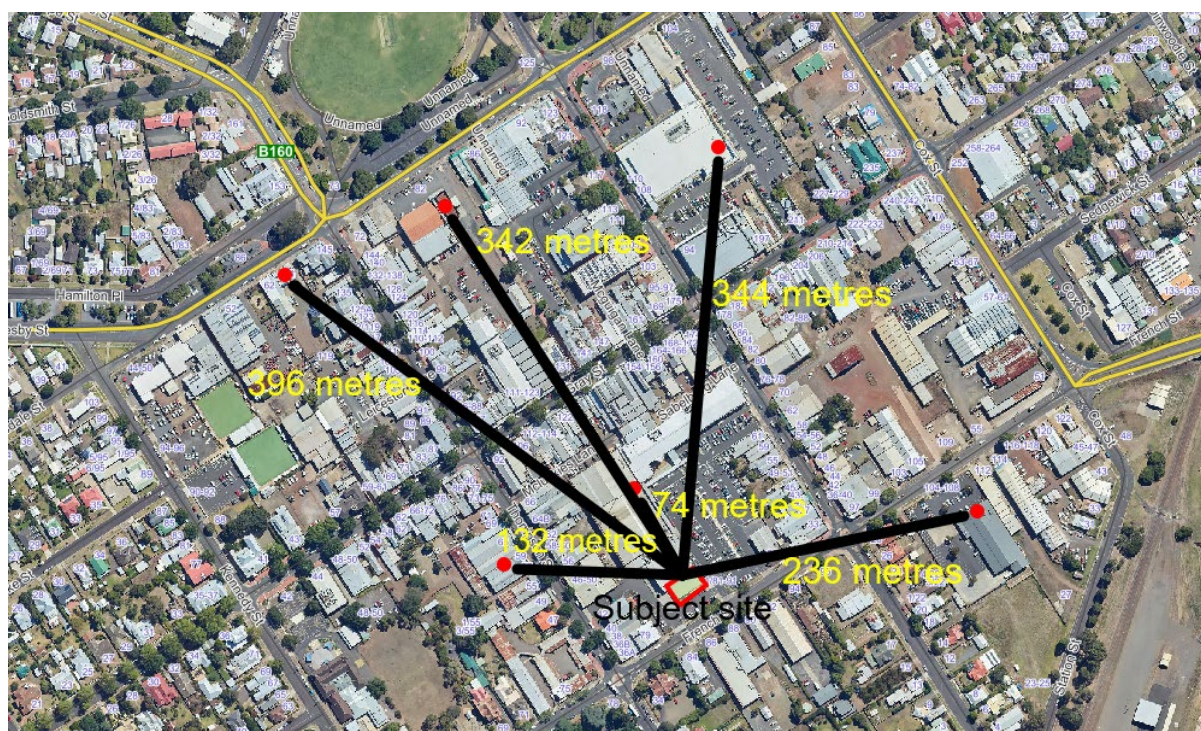
This licence is for a packaged liquor licence, where consumption is not undertaken on site and as such, any nuisance including noise and/or anti-social behaviour that could be related to intoxicated persons will not be present.

The proposal will not create a cluster of Packaged Liquor Licenses as there is only one (1) within 100 metres of the proposal which is located within the Woolworths complex.

It is considered that the amenity of the surrounding area will not change from how it is existing which is as a retail centre within The Hub and commercial area of Hamilton.

No additional car parking is required to be provided within this retail Hub.

Map below highlights the other retail premises (as the crows fly) that have a Packaged Liquor Licence within the commercial area.



Public Notification

The application was advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing signs on site.
- Notice on Council website

As a result of the public notification process, nine (9) objections were received, however, three of these submissions were made by the owner, wife and employee of an existing packaged liquor outlet and are deemed invalid by Council pursuant to section 57(2A) of the *Planning and Environment Act 1987* which states:

The responsible authority may reject an objection which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector.

Concerns raised are summarized on the table below:

Submission no.	Key issues raised	Valid/Invalid
1 M. Jose	There are already too many liquor stores in town, this will affect existing businesses.	Invalid
2 J. Cameron	There are already too many liquor stores in town, it is a threat to other businesses.	Invalid
3 K. Walker	There are already a number of liquor stores in town. A new store will affect existing liquor stores in town. <i>Knows owner of Bottlemart.</i>	Valid
4 C. Schlaghecke	There are already six (6) outlets in town and granting another license will put further strain on existing businesses in town. <i>Knows owners of Bottlemart.</i>	Valid
5 A. Jose	There are already six (6) liquor outlets in town, another outlet will deeply affect existing businesses in town.	Invalid
6 P. Mugavin	Alcohol is one of the worst causes of violence. We must not 'normalize' the consumption of alcohol. Availability of alcohol creates a 'social cost' for society.	Valid
7 B. Roberts	Alcohol contributes to domestic violence. This particular objector sees (personally) the damage done by excessive alcohol consumption as a community volunteer.	Valid
8 C. Jansen	Alcohol is a known cause of aggressive behavior and domestic violence. There are already too many liquor outlets in town.	Valid
9 T. Weir	Another shop in The Hub may cause gatherings of more than 100 people and, in the current climate, this may be a COVID 19 'risk'. There are already enough liquor outlets in Hamilton.	Valid

Referral of application

The application was not required to be referred pursuant to Clause 66 of the Southern Grampians Planning Scheme as the proposal is not for a bar, hotel or nightclub that is to operate after 0100 hours.

Conclusion

The Council Officer has taken into consideration all information submitted with the application and concerns raised by submissions received along with any cumulative or amenity impacts that this proposal may create.

The location of the for the proposed packaged liquor outlet is considered suitable as it is within an existing retail centre and will not create any increase in car parking requirements due to the existing car parking provided on the general allotment.

Council have rejected three (3) submissions made by objectors as it considers that they were made primarily by the objector to secure or maintain a direct or indirect commercial gain.

The Planning Scheme and Council encourages new commercial enterprises in appropriate locations to create jobs within Hamilton. Of some relevance, Council actively facilitate retail uses, including franchises which, in some cases (such as this), sell packaged alcohol for off-site consumption. Where guidance exists to determine public amenity resulting from the sale of packaged liquor, PPN 61 has been met.

The amenity of the area will remain unchanged as it is an existing retail centre with the supermarket within The Hub open till 10.00pm which is greater than what is being proposed with this application. Conditions will be provided within a permit that will state the operational hours for the sale of the package liquor on site, within the constraints of a defined area (red line area) and a general amenity condition will also be provided.

If a license is issued through VCGLR, amenity constraints and requirements will also be required to be met through there Packaged Liquor Licence.

For the reasons provided within this report, Council Officers are recommending support of the proposal which adequately addresses the planning policy framework and it is recommended that a Notice of Decision to Grant a Permit be issued subject to conditions.

Financial and Resource Implications

If an application for review is lodged at VCAT, Council will be required to enlist the services of a Lawyer to represent Council.

Council Planning Officers will also have to provide further time away from their normal duties to assist the Lawyer with Council information.

Legislation, Council Plan and Policy Impacts

The *Planning and Environment Act 1987* provides that certain local government, responsibility and functions can be delegated to Committees of Council or Council officers.

This recommendation is consistent with those provisions.

Risk Management

It is recommended that a Notice of Decision to Grant a Permit be issued subject to conditions. If Council determine to issue a Refusal to Grant a Permit the following process also applies.

If a Notice of Decision or Refusal to Grant a Permit is issued, an application to the Victorian Civil and Administrative Tribunal for review of the decision of the responsible authority.

Community Consultation and Communication

Council undertook public notification (as stated above) and received six (6) valid objections to the proposal which have been detailed earlier in this report.

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**Planning Permit**

That Council having caused notice of Planning Application No. TP/8/2020 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, decides to issue a Notice of Decision to Grant a Permit under the provisions of the Southern Grampians Planning Scheme in respect of the land known and described as PTL: 1 LP: 202740 Par: HAMILTON NORTH 81-91 French Street HAMILTON; for the buildings and works and use of land to sell liquor (packaged liquor licence) in accordance with the endorsed plans, subject to the following conditions:

Conditions:**Liquor Licence – endorsed plans**

1. The Packaged Liquor Licenced area as shown on the endorsed plans as approved by this permit shall not be altered except with the written consent of the Responsible Authority.

Liquor Licence

2. The provision for the sale of packaged liquor hereby permitted must be subject to the issue of a Liquor Licence, pursuant to the provision of the *Liquor Control Reform Act 1998*, as amended.

Liquor Licence – Amenity area

3. The license approved by this permit is to be managed so that the amenity of the area is not detrimentally affected during its hours of operation, to the satisfaction of the responsible authority.

Liquor licence hours

4. The licence as approved by this permit shall only operate during the following hours-

Sunday to Wednesday: 10.00am to 8.00pm

Thursday to Saturday: 10.00am to 9.00pm

No sign without permit

5. Unless no permit is required under the provisions of the Southern Grampians Planning Scheme, other signs must not be constructed or displayed without further written consent of the Responsible Authority

Use expiry

6. The use will expire if one of the following circumstances applies:
 - a. The use has not commenced within two years of the date of this permit.

- b. The use is discontinued for a period of two years.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be made to the Responsible Authority to extend the periods referred to in this condition. The Responsible Authority may extend the time if a request is made before the permit expires, or within six months of the permit expiry date.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Dunkley

That Council having caused notice of Planning Application No. TP/8/2020 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, decides to issue a Notice of Decision to Refuse to Grant a Permit under the provisions of the Southern Grampians Planning Scheme in respect of the land known and described as PTL: 1 LP: 202740 Par: HAMILTON NORTH 81-91 French Street HAMILTON; for the buildings and works and use of land to sell liquor (packaged liquor licence), subject to the following conditions:

Conditions:

1. The proposal is not in accordance with Clause 52.27 Licensed Premises as the cumulative impact of existing licensed premises and the proposed licensed premises will create an amenity impact on the surrounding area.

CARRIED

Cr Armstrong returned to the Chambers at 7:30pm.

10.12 Contract 16/20 - Supply and Delivery of One (1) Haulage Truck with Bottom Dumper Trailer

Directorate: David Moloney, Director Shire Infrastructure
Author: StJohn Lees, Manager Works
Attachments: None

Executive Summary

The Southern Grampians Shire Council's 2019/20 Plant replacement program ensures an effective and efficient service to renew ageing assets parallel to Councils Long Term Financial Plan.

Councils Works Department currently operate Truck and Tipper trailers within the fleet that are integral to our road construction & maintenance works programs throughout the Shire.

Specialist Fleet is required to deliver this service and the Truck and Trailer due for replacement was purchased in December 2005 and has exceeded its expected lifecycle. It has been forecast to renew this item during the 2019/20 financial year.

Council staff have elected to update the type of truck and trailer to a bottom dump operation which will allow for safer spreading of road making materials on our road network.

Two tenders were received and assessed in accordance with Council policy and it is recommended that Council accept the submission from Mount Gambier Isuzu Pty Ltd for the sum of \$358,490 (incl GST) plus on road costs.

Discussion

Council's Haulage fleet is required for the primary function of road construction, both capital and maintenance programs throughout the shire.

This fleet item due for replacement, operates year round and whilst it is generally based in the central sector, it can be called upon to operate across all parts of the shire to align with the works program.

The current truck and trailer are in fair to good condition for their age but now they are in the high risk category for a major componentry failure if they are to be used for any prolonged period.

Technological advances in the spreading of road making material via bottom dumping operations provides greater and safer efficiencies in road construction and maintenance.

Council engaged with the Municipal Association of Victoria (MAV) with contract access to Vendor Panel to assist with the purchase of the Truck with Bottom Dumper Trailer. Council seek to be advantaged by the use of MAV Vendor Panel Contract - MAV NPN1.15 Specialist Trucks and Bodies.

In consultation with the Works Department, Plant Management & Operations together with the guidance of Councils Procurement Officer, an RFQ was posted (from the Panel Suppliers of the contract) through MAV Vendor Panel, for the Supply and Delivery of One (1) Haulage Truck with Bottom Dump trailer.

To assist with the evaluation and recommendation, all submissions were weighted in accordance to the RFQ.

Tendered Price 40%

Fit for Purpose 30%

Product Backup and Support 20%

Environmental 10%

Tenderer	Make and Model	Tendered Price	Total Score
Mount Gambier Isuzu	Isuzu Giga CXY 240-460 & Spreadmaster Belly Dumper	\$358,490	8.90
Adtrans Truck Centre	Iveco Stralis X-Way & Spreadmaster Belly Dumper	\$394,416	8.10

Financial and Resource Implications

Council resolved and adopted the 2019/20 Plant Replacement Program an annual budget resource of \$2.86M Incl. GST. The purchase of this new Truck and Bottom Dump trailer is within Councils adopted budget.

Legislation, Council Plan and Policy Impacts

This report is consistent with:

Local Government Act (1989)

Councils Procurement Policy and Guidelines

Risk Management

Council as the employer have a legal responsibility under the Occupational Health and Safety Act 2004, sub appendix P.35 Plant, to have access to safe Plant and Machinery. Section 21.1 of the Act states, an employer must, as so far as reasonably practical, provide and maintain for employees of the employer a working environment that is safe and without risk to health.

Operating costs increase due to aging equipment, worn componentry and higher maintenance programs. Aging equipment returns increased (downtime) resulting in loss of productivity.

Environmental and Sustainability Considerations

Plant Management & Operations looks favourably upon manufacturers with designs that meet and exceed Australian Green House Emissions ratings.

Consultation and Communication

RFT submissions will be notified by the Procurement Officer of the decision made by Council at its meeting held on 13 May 2020.

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 Council award Contract 16/20 to Blue Lake Vehicles Pty Ltd trading as Mount Gambier Isuzu Pty Ltd for \$358,490 (incl GST) plus on road costs.

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Armstrong

That Council award Contract 16/20 to Blue Lake Vehicles Pty Ltd trading as Mount Gambier Isuzu Pty Ltd for \$358,490 (incl GST) plus on road costs.

CARRIED

10.13 Contract 17/20 - Supply and Delivery of One (1) Road Maintenance Vehicle

Directorate: David Moloney, Director Shire Infrastructure
Author: StJohn Lees, Manager Works
Attachments: None

Executive Summary

The Southern Grampians Shire Council's 2019/20 Plant replacement program ensures an effective and efficient service to renew ageing assets parallel to Councils Long Term Financial Plan.

Councils Works Department currently operate Road Maintenance units within the fleet and are integral to our road construction & maintenance works programs throughout the Shire.

Specialist fleet is required to deliver this service and the Road Maintenance unit due for replacement was purchased in May 2005 and has exceeded its expected lifecycle. It has been forecast to renew this item during the 2019/20 financial year.

One tender was received and assessed in accordance with Council policy and it is recommended that Council Award Contract 17/20 to Blue Lake Vehicles Pty Ltd trading as Mount Gambier Isuzu for the sum of \$405,655 (incl GST) plus on road costs.

Discussion

This fleet item, due for replacement, operates year round and whilst it is generally based in the central sector, it is called upon to operate across all parts of the shire to align with the works program.

The current Road Maintenance unit is in fair to good condition for its age, but now is in the high risk category for a major componentry failure if it is continued to be used for any prolonged period.

As an addition to the current Road Maintenance fleet, this vehicle will allow a single operator to conduct road maintenance works across the shire in an efficient manner.

Council engaged with the Municipal Association of Victoria (MAV) with contract access to Vendor Panel to assist with the purchase of the Road Maintenance Vehicle. Council seek to be advantaged by the use of MAV Vendor Panel Contract - MAV NPN1.15 Specialist Trucks and Bodies.

In consultation with the Works Department, Plant Management & Operations together with the guidance of Councils Procurement Officer, an RFQ was posted (from the Panel Suppliers of the contract) through MAV Vendor Panel, for the Supply and Delivery of One (1) Road Maintenance Vehicle.

To assist with the evaluation and recommendation, all submissions were weighted in accordance to the RFQ.

Tendered Price 40%
Fit for Purpose 30%
Product Backup and Support 20%
Environmental 10%

Tenderer	Make and Model	Tendered Price	Total Score
Blue Lake Vehicles Pty Ltd trading as Mount Gambier Isuzu	Isuzu FVD165-300 MLWB + AusRoads Systems JetMaster	\$405,655	9.10

Financial and Resource Implications

Council resolved and adopted the 2019/20 Plant Replacement Program an annual budget resource of \$2.86M Incl. GST. The purchase of the new Road Maintenance Vehicle is within Councils adopted budget.

Legislation, Council Plan and Policy Impacts

This report is consistent with:

Local Government Act (1989)

Councils Procurement Policy and Guidelines

Risk Management

Council as the employer have a legal responsibility under the Occupational Health and Safety Act 2004, sub appendix P.35 Plant, to have access to safe Plant and Machinery. Section 21.1 of the Act states, an employer must, as so far as reasonably practical, provide and maintain for employees of the employer a working environment that is safe and without risk to health.

Operating costs increase due to aging equipment, worn componentry and higher maintenance programs. Aging equipment returns increased (downtime) resulting in loss of productivity.

Environmental and Sustainability Considerations

Plant Management & Operations looks favourably upon manufacturers with designs that meet and exceed Australian Green House Emissions ratings.

Consultation and Communication

RFT submissions will be notified by the Procurements Officer of the decision made by Council at its meeting held on 13 May 2020.

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 Council award Contract 17/20 to Blue Lake Vehicles Pty Ltd trading as Mount Gambier Isuzu Pty Ltd for the sum of \$405,655 (incl GST) plus on road costs.

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Rainsford

That Council award Contract 17/20 to Blue Lake Vehicles Pty Ltd trading as Mount Gambier Isuzu Pty Ltd for the sum of \$405,655 (incl GST) plus on road costs.

CARRIED

10.14 Update on the Progress of the 2019-2020 Capital Works Program

Directorate: David Moloney, Director Shire Infrastructure
Author: David Moloney, Director Shire Infrastructure
Attachments: None

Executive Summary

The capital program forms a significant proportion of Council's budget. In 2019-2020, over \$23M was allocated to capital works projects across the Shire with this being forecast to just over \$24M with deferred and carry forward projects. This report indicates the progress to date on the capital works program. Assessments of the capital program delivery is to the 30 March 2020 (first 3 quarters of the Financial Year) and compares actual and forecast targets.

An additional 27 projects have been added to the list which include some carry forward projects and other projects committed to during the course of the financial year eg RV Dump points. Southern Grampians Shire Council has started 170 projects with 145 of those now complete. This equates to 96% of the capital works program started with 82% complete for the 2019-2020 FY.

Capital works projects have continued to progress even with the restrictions put in place over the last few months in relation to Covid-19.

This report is for noting by the Council.

Discussion

The capital program forms a significant proportion of Council's budget. In 2019-2020, over \$23M has been allocated to capital works projects across the Shire. Previous advice to Council has seen several projects deferred including Cox Street which was forecast to send \$3M in the FY. The works included:

- Road and Bridge Upgrades
- Footpaths
- Playgrounds
- Building Maintenance
- Culverts
- Kerb and Channel
- Recreation Centres and Facilities
- Cox Street Upgrade
- Industrial Land Project
- Landfill Projects
- Livestock Exchange Roof

Council has secured several funding sources to assist with the capital required to maintain its assets. These include:

1. Roads to Recovery (Federal Government) \$2.3M
2. Fixing Country Roads (State Government) \$1.35M
3. Black Spot Funding (Federal Government) \$260,000

These funding sources have enabled Council to undertake additional projects in order to minimise the increase in the asset backlog.

The aim of the capital program is to provide targeted funding on projects to maintain or improve Council's infrastructure, assets and services. The review of the progress is important to ensure that the projects are delivered. This report looks at the actual delivery of the 2019-2020 capital program to the end of February 2020.

After Council adopted the 2019-2020 budget, Council Officers forecast the capital program for the following criteria:

1. Forecast project start date
2. Forecast project finish date
3. Forecast expenditure

Each month staff update the progress of their projects and charts are developed to monitor the progress of the program.

Time

The 2019-2020 Budget listed 156 projects to be delivered across the range of areas listed above. These projects range from \$10,000 to \$4.5M. With carry forward and additional projects this has increased to 186.

Figure 1, Project Start Dates, shows a comparison between the forecast start date for projects and the actual start dates for projects.

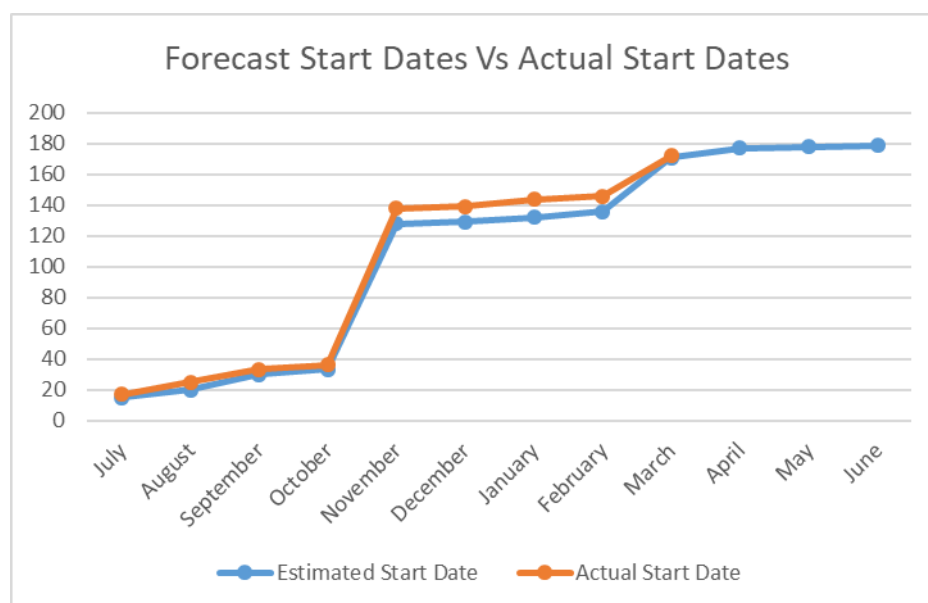


Figure 1 Project Start Dates

Figure 1 shows that Council is tracking to forecast on projects started. This figure is excluding those projects which were deferred. This equates to 96% of the program has been started.

Figure 2, Project finish dates, shows the forecast finish dates for projects against the actual finish dates. Figure 2 shows Council is tracking to forecast for the completion of projects. Council forecast to complete 140 projects by March 2020 and actually completed 145. This

equates to 82% of the program now being complete by the end of the third quarter of the financial year.

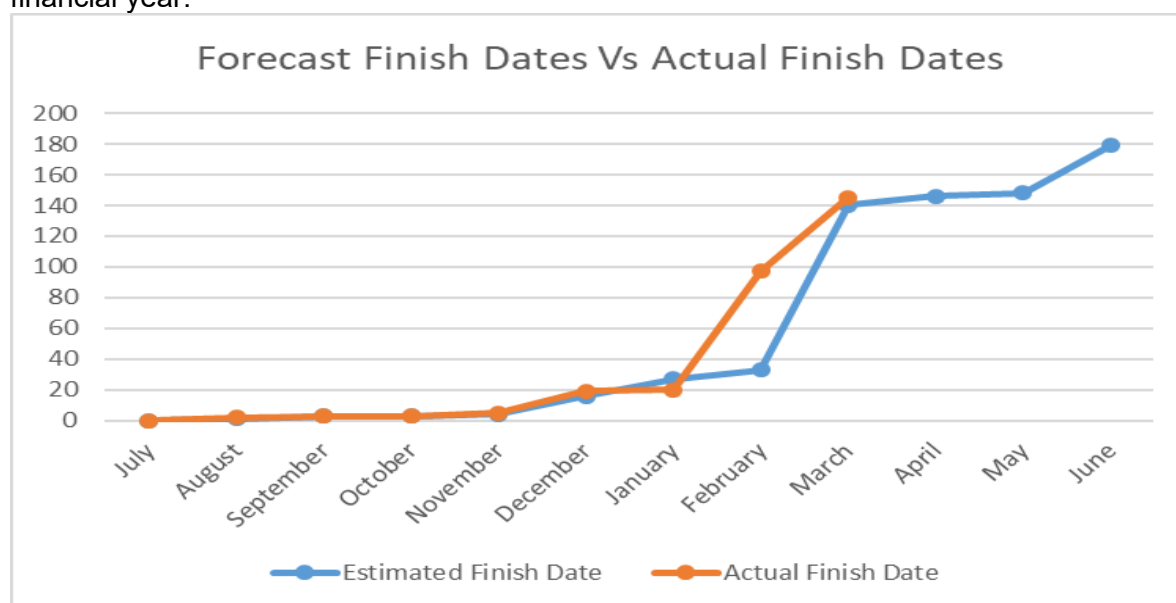


Figure 2 Project finish dates

Figure 3, Forecast Expenditure vs Actual Expenditure, shows the forecast expenditure vs the actual expenditure on projects. Figure 3 shows that expenditure is still relatively low when compared to the budget forecast.

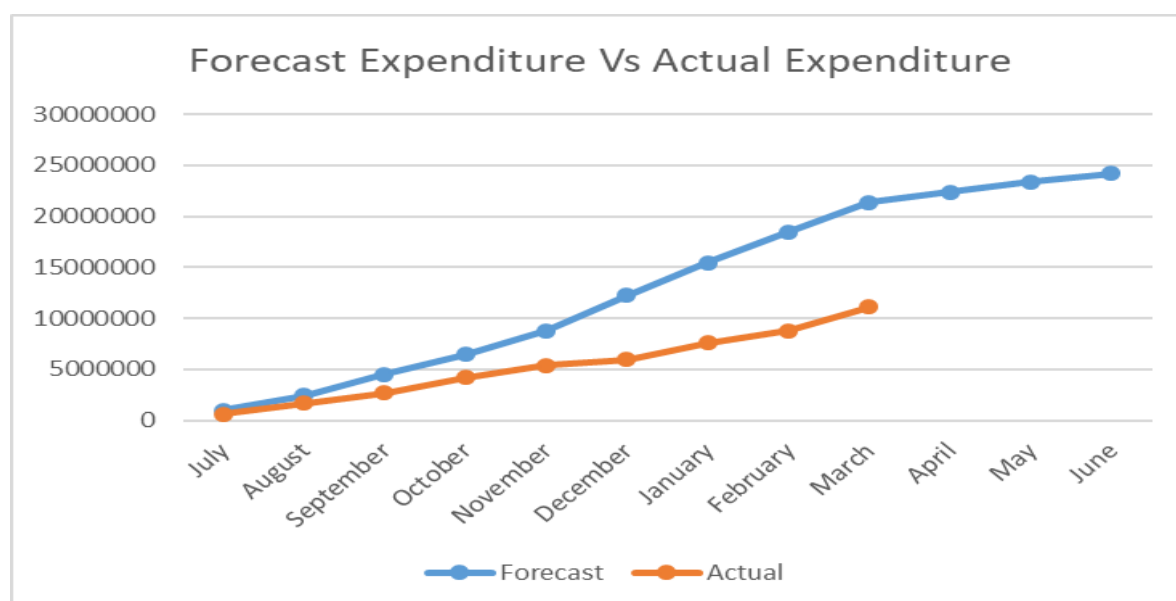


Figure 3 Forecast Expenditure vs Actual Expenditure

Project Status	Actual	Planned
Not Started	7	8
Started	170	169
Completed	145	140
Deferred	9	9

Figure 4 Project Status Summary

Figure 4, Project Status Summary, shows the program against the planned program delivery.

Overall, there has been significant progress made in completing projects in the last few months which has placed Council in an ideal situation should construction works be closed down due to Covid-19 restrictions. While this looks unlikely at this stage, works continue to progress towards delivering the capital works program.

The major area of improvement has been in the early letting of contracts for works within the program. This has led to a significant uplift in projects being started earlier than previously done.

	Annual Budget	Proposed Budget	Actuals	Forecast to 31/3/2020
Budget Amount	\$ 23,445,707	\$ 24,202,972	\$ 11,127,771	\$ 21,378,657.1
		Actuals	\$ 11,127,771	
		Under Contract	\$ 5,439,424	
		Works Department	\$ 2,547,434	
		Ventures	\$ 2,021,687	
		Assets	\$ 1,748,563	
		Other Projects	\$ 1,318,093	
		Total	\$ 24,202,972	

Figure 5 Project Value breakdown

Figure 5 shows that expenditure is from \$8.76M in February to \$11.1M in March. This is still well below forecast. There is another \$5.4M in contracts already let for works to be delivered along with a further \$2.5M from the Works department.

There has been significant projects started or about to start in March 2020 including the Dunkeld Arboretum Dam Wall (\$1.2M), King St Roundabout (\$300K) and the HILAC Court renewal (\$410K).

Major projects such as the Industrial Estate continue to progress but expenditure on that project is still lower than forecast by around \$3M and approximately \$800K of Heavy fleet is for consideration by Council to award contracts.

Below is a list of all the deferred projects to date of which there are 9.

Deferred Project	Budget
Cox Street` Front Door` Precinct Streetscape Design Project	\$ 3,180,000
Melville Oval Building Improvements	\$ 150,000
Pedrina Park - Hockey Clubrooms	\$ 100,000
Lake Hamilton - Dam Wall Reinstatement	\$ 1,100,000
Business Systems - Civica ACTUS Smartphone App	\$ 25,000
Public Convenience - Strategy Implementation	\$ 200,000
Rural Road Reseals - Ardachy Estate Rd, Branhholme - Condah Coleraine Rd G70 to	\$ 64,747
Coleraine Landfill Remediation	\$ 700,000
Recreation & Lesiure Strategy Implementation	\$ 500,000
Total	\$ 6,019,747

Legislation, Council Plan and Policy Impacts

This report assists Council in meeting its obligations under the *Local Government Act 1989*.

This report also relates to the:

- Southern Grampians Shire Council – 2017-2021 Council Plan and;
- 2019-2020 Southern Grampians Shire Council Budget.

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

The progress report into the delivery 2019-2020 Capital Program is received by Southern Grampians Shire Council.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Armstrong

The progress report into the delivery 2019-2020 Capital Program is received by Southern Grampians Shire Council.

CARRIED

10.15 11-19 HRLX Cattle Yard Roof Construction – Variation to Contract Value

Directorate: David Moloney, Director Shire Infrastructure
Author: Rohit Srivastava, Manager Assets
Attachments: None

Executive Summary

Council awarded the contract to construct a new roof over the cattle yard at HRLX to UltraBuild Pty Ltd on 14 May 2019 for a Contract Value of \$1,659,305.88. The works are proceeding in accordance with the HRLX Master Plan.

At November 2019 Council meeting, a new Contract value of \$1,758,663 (excl. GST) was approved. The project site was made available to the on-going summer cattle sales by installing temporary posts.

The material for roof works was fenced-off (on-site) while officers were awaiting Building Appeals Board's exemption to install fire-fighting infrastructure.

Variations 5-7 (\$28,363.10) were approved under CEO's delegation towards fence costs due the project being suspended and minor works to work around Rotunda.

Variation – 8 (\$65,918.60) is towards minor works to design & construct roof under Area – B & C of the project site.

The variations 5-8 total \$94,281.70, which exceeds the CEO's delegation under the procurement guidelines and requires Council approval for the variation.

It is recommended that Council approve Variation 8 (\$65,918.60 excl. GST) towards design adjustments and construction costs and approve expenditure under the contract up to \$1,852,945 (excl. GST) for Contract 11-19 HRLX Cattle Yard Roof.

Background

Council awarded the contract to construct a new roof over the cattle yard at HRLX to UltraBuild Pty Ltd on 14 May 2019 for a Contract Value of \$1,659,305.

Variations 1-3 were approved under CEO's delegation and Variation 4 by the Council approval. Council at its November 2019 meeting, approved the Variation 4 and also approved the new Contract value as \$1,758,663 (excl. GST).

Variations 5 & 7 were approved under CEO's delegation and are towards site maintenance and fence from the suspension and delay of work from November'19 - June'20.

Variation 6 was also approved under CEO's delegation and was towards construction conflicts between roof works and the rotunda.

Council had submitted an application to Building Appeals Board (BAB) in December 2019 to get an exemption on installing firefighting infrastructure. The application was heard on 23 January 2020 and the decision was made on 23 March 2020 and Stage-II Building Permit was issued on 08 April 2020.

The project was suspended during the months of Jan-Mar 2020 due to Stage-II Building Permit which was dependent on BAB exemption and to enable use of the years for the sale period.

Discussion

HRLX provides considerable economic benefits to the community and new roof coming from consultation with stakeholders of the service and operations of the facility.

The budget for the works is shown in the table below:

Description	Amount
Adopted budget of 2019/20: HRLX roof & Manager's office	\$1,883,177
Current Contract Value including Variations 1-4	\$1,758,663
Contract amount paid under the Financial Year 2018/19	\$165,685
Remaining Contract Balance to be paid under 2019/20 Financial Year	\$1,592,978
Variations Orders 5-7	\$28,363
Proposed Variation 8	\$65,918.60
New Contract Value	\$1,852,945
Remaining Budget if proposed Variation 8 is awarded, under the Contract	\$195,917
Other budget Costs incurred	\$146,082
Remaining budget	\$49,835

Table above shows that the award of the variations is within the current budget allocation, with the overall project budget is \$1,883,177 against the remaining commitment of \$1,833,341.60. There is still \$49,835 in the budget to go towards installation of hand-held fire extinguishers and minor stormwater management systems.

Variations 5-7 were processed at CEO's delegation but with Variation 8, the overall variation to the Contract would be over \$75,000.

Under the procurement guidelines, where the contract is over \$150,000 and variations are greater than \$75,000, the variation must be approved by Council resolution:

Procurement Guidelines - Variation Delegations

New Contract Value Including all Variations	Variation % (whether one or more variations)	Process type	Approval by
\$150,000.00 and above	Variation less than 20% and less than \$75,000	Variation Certificate	Approved by Chief Executive Officer
\$150,000 and above	Variation greater than \$75,000	Council Report	Approved by Council at monthly meeting

Financial and Resource Implications

- The project is budgeted within the Council's capital works programme for the financial year 2019/2020;
- Overall, the project is still within the budgeted amounts;
- Considering above, there are no financial implications on the Council.

At this stage there are expected to be no more variations as the contract is nearing completion and Officers have not received any further claims from the contractor.

Legislation, Council Plan and Policy Impacts

This report assists Council in meeting its obligations under the Local Government Act 1989.

This report also relates to the:

- 2019-2020 Southern Grampians Shire Council Budget.
- 2017-2021 Council Plan – 5.1.2 Ensure responsible, effective and efficient use of Council resources
- SGSC Procurement Policy and Guidelines

Risk Management

What are the benefits/risks?

- Variation 8 is requested in order to design and construct Area B & C of the HRLX roof project.
- The approval will ensure the project is complete to the agreed and approved standards.
- Construction is forecast to be complete by the end of June 2020.

Environmental and Sustainability Considerations

Council officers and the Contractor has considered the environmental impacts – usage/disposal of materials on the project.

Community Consultation and Communication

Council officers have kept the stakeholders informed on the progress of the project.

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:

RECOMMENDATION

That Council approve Variation 8 (\$65,918.60 excl. GST) towards design adjustments and construction costs and approve expenditure under the contract up to \$1,852,945 (excl. GST) for Contract 11-19 HRLX Cattle Yard Roof.

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Rainsford

That Council approve Variation 8 (\$65,918.60 excl. GST) towards design adjustments and construction costs and approve expenditure under the contract up to \$1,852,945 (excl. GST) for Contract 11-19 HRLX Cattle Yard Roof.

CARRIED

11. Notices of Motion

11.1 Notice of Motion #4/20

Cr McAdam

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 13 May 2020

MOTION

That Council:

1. Include the Rural Property Identification System (RPIS) into the 2020/21 and 2021/22 budgets at \$37,500 per year totalling \$75,000;
2. Reallocate the Branhholme Conservation Reserve Boardwalk project funds of \$63,000 from Emerging Priorities into this project;
3. Seek a contribution of 50% of the sign and installation cost up to a maximum of \$25 per sign from the property owners;
4. Commence with properties in the western half of the Shire initially.

Background

A notice of motion was previously supported by Council in September 2017 to investigate the RPIS, and a report was presented to Council in February 2018 detailing a business case for referral to the budget process.

Ultimately this was not included in budget outcomes the past two years and I now seek to include it in the 2020/21 and 2021/22 budgets for implementation over two years.

Based on approximately 3,000 rural properties, the February 2018 report estimated each sign would cost \$30 to supply and \$15 to install, totalling \$45 per sign. I have estimated this to increase slightly to a maximum of \$50 per sign, installed. Due to current COVID-19 restrictions and also funding and resources it is possible that the installation costs may be covered by other programs from Federal or State Governments if available.

I also propose that each property owner contribute 50% of the total cost to a maximum of \$25 each, and that ongoing maintenance and ultimate replacement becomes the responsibility of the individual property owner.

Finally, I propose that Shire's grant to the Branhholme Conservation Reserve boardwalk project, previously committed through the Emerging Priorities program, be reallocated to this proposal, as that project has some challenges with delivery due to DELWP requirements, and the Committee have recommended abandoning the project and not drawing upon the grant funds of \$63,000 to Council.

Officers Comments

A report was presented at the Ordinary Meeting of Council in February 2018, which discussed the program and the options for rolling out the program. These options were:

1. Optional participation by property owner on user pays system
2. Council funded program

The first option was ruled out as it was unlikely to see a large take up of the signs from residents alone. The second option was for Council to fund and roll out the program. After the initial rollout the residents would be required to maintain and replace the signs.

The options for a the residents to pay could be done via a Section 163 Special Rate and Special Charge Scheme but it takes a significant amount of time and resources to undertake the steps involved especially if there are 1000+ owners that need to be contacted to ascertain their interest in a special charge scheme and by the time this work is complete this section of Local Government Act (1989) may not be legally available to Council.

Another report was presented to Council at the Ordinary Meeting of Council in August 2018 and the estimate to undertake the work was \$135,000 for the purchase and installation of the signs. Without any detailed estimate being undertaken it is assumed that this is the minimum amount required to deliver the program and more likely additional funds would be required as the estimate is nearly 2 years old.

As to the Branhholme Conservation Reserve Boardwalk, Officers have been in regular dialogue with the Branhholme Progress Association who have now decided to abandon the Boardwalk project. This decision was made following an assessment into the area undertaken by DELWP and resulting in the following findings:

- The Branhholme Conservation Reserve site supports endangered Swamp Scrub EVC and the nationally threatened Curly sedge. There is currently no management plan for the site to guide minimal impact of these important values. Construction of a board walk through the site would create easy access for predators such as cats and foxes to prey upon other fauna that may be at the site such as swamp skinks and antechinus. More work is required to identify any values on the site that may be impacted by the proposal. With the vegetation being so dense at the site as well, there is also uncertainty as to whether snakes could utilise the canopy of the scrubs as habitat creating an addition risk for pedestrians using the boardwalks of snakes being at head height rather than only at ground level.
- From a native vegetation point of view, the 'avoid and minimise' approach outlined in the Victorian Native Vegetation Management Framework would direct the progress association to not put the board walk through the native vegetation on the reserve as shown in the submitted concept plans.
- The wetland on site interacts with the groundwater table, raising concerns around the use of treated pine posts to construct the board walk and the risk of this leaching into the ground water.
- A Cultural Heritage Management Plan may also be required for the proposed works and DELWP is still seeking clarification on this.

MOTION

MOVED: Cr McAdam
SECONDED: Cr Brown

That Council:

1. Include the Rural Property Identification System (RPIS) into the 2020/21 and 2021/22 budgets at \$37,500 per year totalling \$75,000;
2. Reallocate the Branxholme Conservation Reserve Boardwalk project funds of \$63,000 from Emerging Priorities into this project;
3. Seek a contribution of 50% of the sign and installation cost up to a maximum of \$25 per sign from the property owners;
4. Commence with properties in the western half of the Shire initially.

AMENDMENT

MOVED: Cr Rainsford
SECONDED: Cr Calvano

That Council:

1. Include the Rural Property Identification System (RPIS) into the 2020/21 and 2021/22 budgets at \$37,500 per year totalling \$75,000;
2. Reallocate the Branxholme Conservation Reserve Boardwalk project funds of \$63,000 from Emerging Priorities into this project;
3. Seek a contribution of 50% of the sign and installation cost up to a maximum of \$25 per sign from the property owners;
4. Commence with properties in the western half of the Shire initially.
5. That if the installation of this project can be resourced through the Working with Victoria Program then the 50% property owner contribution will be waived and the project rolled out within the Working with Victoria program timeframes.

The AMENDMENT was PUT and LOST

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Brown

That Council:

- 1. Include the Rural Property Identification System (RPIS) into the 2020/21 and 2021/22 budgets at \$37,500 per year totalling \$75,000;**
- 2. Reallocate the Branxholme Conservation Reserve Boardwalk project funds of \$63,000 from Emerging Priorities into this project;**
- 3. Seek a contribution of 50% of the sign and installation cost up to a maximum of \$25 per sign from the property owners;**
- 4. Commence with properties in the western half of the Shire initially.**

CARRIED

11.2 Notice of Motion #5/20

Cr Rainsford

I hereby give notice of my intention to re-submit the following motion at the Ordinary Council Meeting to be held on 13 May 2020

MOTION

That Southern Grampians Shire Council

1. Investigate purchasing the lots located on Lonsdale St referred to as the Walkers building identified in the attachment to this motion.
2. Commence community consultation on the proposed Southern Grampians Shire Council purchase of the Lonsdale Street Walkers Building
3. Develop integrated plans of the impact of the purchase of the Walkers Building on the current CBD Melville Oval Revitalisation Plans.

Background

Southern Grampians Shire Council has had the opportunity to purchase a block adjacent to existing public buildings since the relocation of the Walkers business to Coleraine Road. The site has been listed for sale for many years.

The purpose of this motion is to formally engage councillors and the community in taking the opportunity to invest in a site central and adjacent to existing Council community assets for the benefit of future generations.

The 2012 Hamilton Masterplan included activating a laneway linking Melville Oval to Gray Street. Whilst there is an agreement with the Council for public access to Corriedale Lane off Gray Street, the Lonsdale Street access is on private land through a private carpark entrance.

The current Melville Oval CBD Revitalisation Plan include the development of Corriedale Lane as a core link between Melville Oval and Gray Street.

However this access is not secured and the extensive work on designs and plans including this laneway have been prepared based on continued access.

Uses for the buildings could range from community space, undercover car parking in the short term and a major redevelopment new building in the long term.

The current COVID-19 Pandemic is affecting all our lives and is a major health concern. The disease control is having financial impact to business and communities everywhere. There will be a recovery. Council, working with our community, can manage the current situation whilst looking forward and strategically planning to provide the best affordable community amenities.

Attachment 20: Map of Walkers Building, Lonsdale Street, Hamilton

Officers Comments

In all the strategic work previously adopted by Council there does not appear to be any strategic intent to purchase the Walkers building site. In previous Council studies regarding land and supply demand for industrial land, Council accepted that one of their key functions was to ensure an adequate land supply is provided for industrial, commercial and business use and development. Council can potentially have an important role to play in meeting a land development role in the situation of market failure. Market failure can occur where there is an obstacle or disincentive to the private sector in meeting a desired planning outcome.

There is no evidence of there being a market failure in relation to provision of commercial lots in Hamilton.

Should research find that there is strategic merit in having Council purchase commercial property, develop the site for businesses seeking to establish in the area and the private sector participants have little incentive to perform the role of holding large land assets for an economic development objective, there may be an opportunity for Council to perform this role as we have done for industrial land.

Further:

- Our current strategic focus is to improve the public infrastructure that historically has attracted private investment to those areas. Our work around the CBD renewal focuses around the Lonsdale St precinct in the short term and will be great encouragement for the private sector to invest.
- It may be more prudent to spend Council's capital on developing public infrastructure that can facilitate broader private investment rather than being tied up in land.
- Access to laneways can be achieved without purchasing whole the site including purchase of laneways only, creating benefitting easements (rights of way), licencing and leasing arrangements etc
- Additional car parking as mentioned in the motion is not currently needed according to our data of use but may be a defensive measure for the future.
- The site will need a major overhaul and probably demolition depending on the use of the site – an additional cost that needs consideration.

MOTION

That Southern Grampians Shire Council

- 1. Investigate purchasing the lots located on Lonsdale St referred to as the Walkers building identified in the attachment to this motion.**
- 2. Commence community consultation on the proposed Southern Grampians Shire Council purchase of the Lonsdale Street Walkers Building**
- 3. Develop integrated plans of the impact of the purchase of the Walkers Building on the current CBD Melville Oval Revitalisation Plans.**

The 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 GREAT SOUTH COAST GROUP

The Mayor, Cr Chris Sharples reported on his attendance virtually at four Great South Coast Group meetings, one with the Board and three with the Mayors with the majority of discussions focussing on COVID19.

12.2 MUNICIPAL ASSOCIATION OF VICTORIA (MAV)

The Mayor, Cr Chris Sharples reported on his attendance virtually at MAV Rural and Mayor meetings.

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

RECOMMENDATION

That the following items be considered in Closed Council as specified in section 66 (2) (a) and referenced in section 3(1), Confidential Information (a) Council business information of the *Local Government Act 2020*.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr McAdam

That the following items be considered in Closed Council as specified in section 66 (2) (a) and referenced in section 3(1), Confidential Information (a) Council business information of the *Local Government Act 2020*.

CARRIED

14.1 Hamilton Regional Livestock Exchange Strategic Operations Report No.3

15. Close of Meeting

This concludes the business of the meeting.

Meeting closed at 8:16pm.

Confirmed by resolution 10 June 2020.

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Chairman