

SOUTHERN GRAMPIANS SHIRE COUNCIL

**Council Meeting Agenda
8 May 2024**

To be held in Council Chambers
5 Market Place, Hamilton at 5:30pm

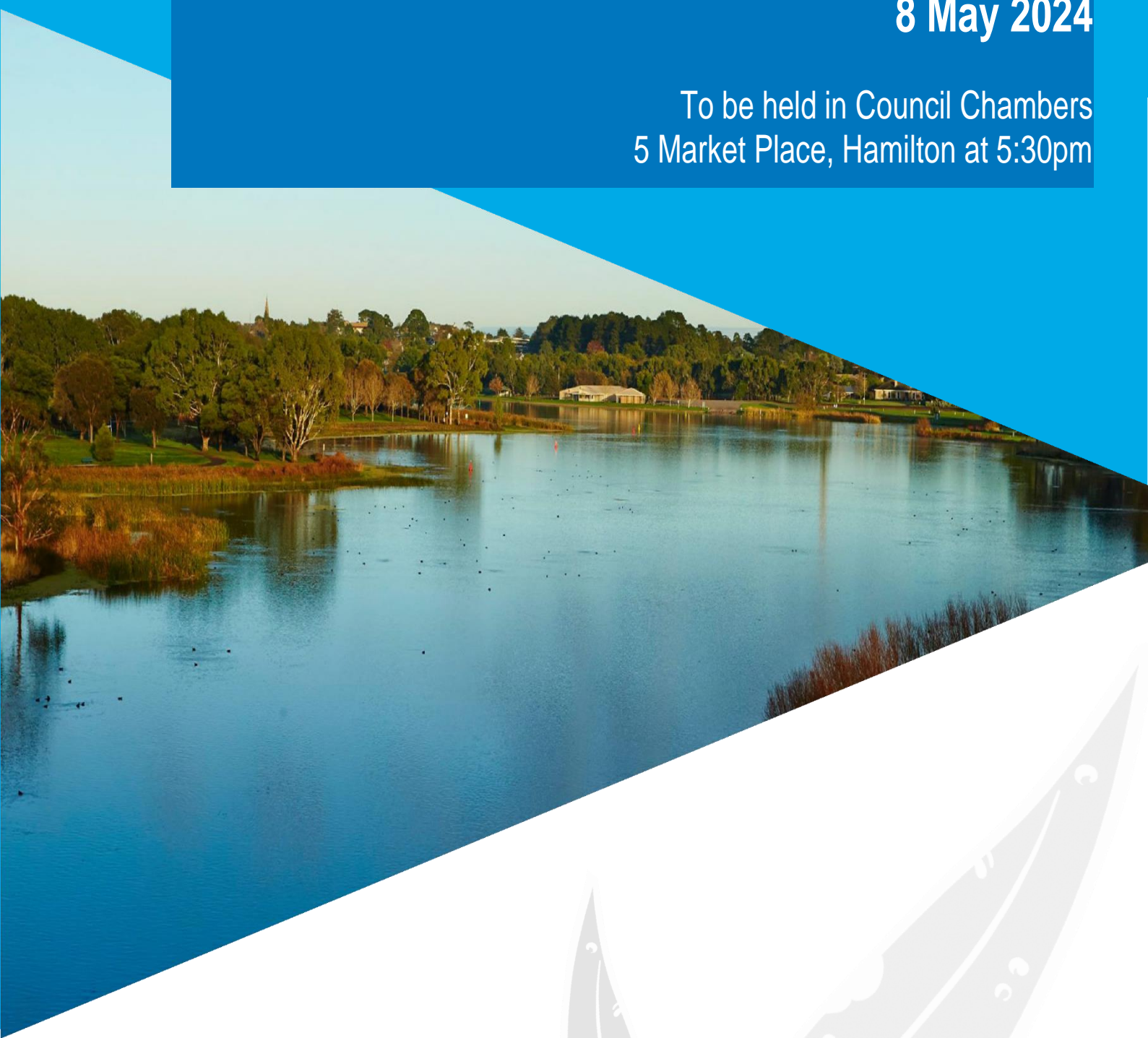


TABLE OF CONTENTS

1	Membership	4
2	Welcome and Acknowledgement of Country	4
3	Prayer	5
4	Apologies	5
5	Confirmation of Minutes	5
5.1	Confirmation of Minutes	5
6	Declaration of Interest	5
7	Leave of Absence	5
8	Questions on Notice	6
9	Public Deputations	7
10	Petitions	8
11	Informal Meetings of Councillors	9
11.1	Council Briefing - 24th April 2024	10
11.2	Council Briefing -10th April 2024	11
11.3	CEO Review Panel Meeting - 3rd April 2024	12
12	Management Reports.....	13
12.1	Planning Scheme Review Report - Endorsement	13
12.2	Running Track Feasibility Study	16
12.3	Contract 2023091 Road, Footpath, Kerb and Channel Condition Audit ..	20
12.4	Property Register: Properties identified for disposal.....	23
12.5	Request for Loan Hamilton Pastoral and Agricultural Society	32
12.6	Social Media Policy	35
12.7	Community Asset Committee - Coleraine Sporting Grounds Committee - March 2024 Minutes.....	39
13	Notices of Motion	41

14	Urgent Business.....	42
15	Mayor, Councillors and Delegate Reports.....	42
16	Confidential Reports	43
17	Close of Meeting.....	43

1 Membership

Councillors

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

Officers

Mr Tony Doyle, Chief Executive Officer
Mr Darren Barber, Director People and Performance
Mr Rory Neeson, Director Wellbeing, Planning and Regulation
Ms Marg Scanlon, Director Infrastructure and Sustainability
Governance Coordinator

2 Welcome and Acknowledgement of Country

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

“Our meeting is being held on the traditional lands of the Gunditjmara, Djab Wurrung, Jardwadjali and Buandig people.

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

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

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

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

3 Prayer

Cr Colliton will lead the meeting in a prayer.

“Almighty God grant to this Council, wisdom, understanding and sincerity of purpose for the good governance of this Shire.”

4 Apologies

5 Confirmation of Minutes

RECOMMENDATION

That the Minutes of the April Council Meeting held on 10th April 2024 be confirmed as a correct record of business transacted.

6 Declaration of Interest

7 Leave of Absence

There is one request for a leave of absence on tonight’s agenda.

- Cr Calvano

8 Questions on Notice

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

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

Questions must:

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

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

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

There are no Questions on Notice listed on the agenda.

9 Public Deputations

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

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

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

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

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

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

10 Petitions

There are no Petitions listed on tonight's agenda.

11 Informal Meetings of Councillors

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

If there is a meeting of Councillors that:

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

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

An Informal Meeting of Councillors record was kept for:

- 24th April 2024 – Council Briefing
- 17th April 2024 – Council Briefing
- 10th April 2024 – Council Briefing
- 3rd April 2024- CEO Review Panel

This agenda was prepared on 24 April 2024. Any Informal Meeting of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Council Meeting.

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Council Briefing - 24th April 2024
Date:	24 April 2024
Location:	MJ Hynes
Councillors in Attendance:	Cr Brown Cr Colliton Cr Henry Cr Malone Cr Rainsford Cr Robertson
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Darren Barber, Director People and Performance Marg Scanlon, Director Infrastructure and Sustainability Rory Neeson, Director Wellbeing, Planning and Regulation

The Informal Meeting commenced at 11:15 am

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	End of Season Update - Swimming Pools	
2	Operating Budget - Councillor Workshop -	
3	Planning Scheme Review and Amendments	
4	Running Track Study	
5		
6		
7		

The Informal Meeting concluded at 5:00 pm

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Council Briefing -10th April 2024
Date:	10 April 2024
Location:	MJ Hynes
Councillors in Attendance:	Cr Brown Cr Calvano Cr Colliton Cr Henry Cr Malone Cr Rainsford Cr Robertson
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Darren Barber, Director People and Performance Marg Scanlon, Director Infrastructure and Sustainability Rory Neeson, Director Wellbeing, Planning and Regulation

The Informal Meeting commenced at 2.30 pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Local Law Review - Camping on private land	
2		
3		
4		
5		
6		
7		

The Informal Meeting concluded at 5.00pm

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	CEO Review Panel Meeting - 3rd April 2024
Date:	3 rd April 2024
Location:	Brown Street Conference Room
Councillors in Attendance:	Cr Henry Cr Robertson
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer

The Informal Meeting commenced at 11:00am

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	CEO KPI & Performance	
2		
3		
4		
5		
6		
7		

The Informal Meeting concluded at 12:00pm

12 Management Reports

12.1 Planning Scheme Review Report - Endorsement

Directorate:	Wellbeing, Planning and Regulation
Report Approver:	Daryl Adamson (Manager Strategy and Regulation), Andrew Nield (Planning Coordinator), Rory Neeson (Director Wellbeing, Planning and Regulation)
Report Author:	(Planning Coordinator), Rory Neeson (Director Wellbeing, Planning and Regulation)
Presenter(s):	Daryl Adamson, Manager Strategy and Regulation
Attachment(s):	<ol style="list-style-type: none">1. R1 Planning Scheme Review Report Final 2023 [12.1.1 - 60 pages]2. Appendix 1 Analysis Findings [12.1.2 - 119 pages]3. Appendix 2 PS All Ordinance Draft Tracked Changes [12.1.3 - 235 pages]

Executive Summary

The purpose of this report is to seek the Council's endorsement of the Southern Grampians Planning Scheme Review Report 2023 (the Review, refer **Attachment 1**).

Background

The Southern Grampians Planning Scheme sets out the direction for land use and development within the Municipality. It includes both State and Government content.

Section 12B of the *Planning and Environment Act (1987)* requires the Council to review the provisions of the Southern Grampians Planning Scheme within twelve months of adoption of the Council Plan. The Council Plan was adopted on 13 October 2021, and an extension of time was provided to Council to undertake and implement this review.

The review's objective is to ensure that the Southern Grampians Planning Scheme remains relevant, meets community needs, and aligns with State and Local Government policy.

On completion of the review, Council must report its findings to the Minister for Planning.

The Review was prepared in line with matters as set out in the Department of Environment, Land, Water and Planning's (DELWP) Review of Planning Schemes Practice Note (June 2015) and Continuous Improvement Review Kit (February 2006).

Between 4 December 2023 and 15 January 2024, the Southern Grampians community and stakeholders were invited to share their feedback on the Review. No submissions were received.

Discussion

The Review has found that the Southern Grampians Planning Scheme is operating effectively. However, the Review has identified several opportunities to update and improve the local content of the scheme to ensure Council's vision for land use and development, as expressed in the Council Plan and other relevant adopted strategic documents, is reflected by the policy and planning controls of the scheme.

The Review has recommended that the highest priorities for Council are:

- Implementation of the Rural Land Use Strategy to enhance agricultural and rural land use strategic directions in the Municipal Policy Statement and local policy in the Planning Policy Framework.
- Prepare structure plans for Cavendish, Coleraine and Penshurst based on the issues and opportunities identified in the Small Towns Strategy.
- Improving the drafting of overlay and zone schedules to clarify objectives and strategies, increase permit exemptions, reduce unnecessary permit triggers, correct mapping errors, and align permit and applications requirements with the Department of Transport and Planning, planning directives.
- Finalise the draft Grampians Landscape Assessment and Southwest Landscape Assessment studies and implement into the scheme as updated SLOs and VPOs (as relevant) to identify and protect significant landscape features and habitat values across the Shire.
- Identify and protect environmental assets, finalise previous strategic work to map wetlands and expand existing controls to include significant linear waterways.
- Develop internal policies and procedures for managing Development Plans and developer and open space contributions.

Officers are preparing a planning scheme amendment package to implement the Rural Land Use Strategy, and structure plans for Cavendish and Coleraine are included in the 2023-2024 budget with project briefs prepared to send out for quotations. The remaining priorities will be actioned when resources are available in the coming year/s.

The planning scheme review has identified many policy-neutral changes that should be made to the planning scheme to bring it into alignment with Ministerial Direction: The Form and Content of Planning Schemes. These are purely administrative matters and do not change the policy intent of the scheme.

These changes are identified in the Analysis Findings at **Attachment 2** and marked up in the supporting Ordinance at **Attachment 3**.

Financial and Resource Implications

There are no immediate financial implications associated with this report. Resource implications for further work will be managed through the annual budget process.

Council Plan, Community Vision, Strategies and Policies

Support Our Community

- 1.1 An empowered and connected community
- 1.1.3 Provide opportunities for increased community engagement and participation in Council decision making and activities.

Legislation

The review has been undertaken to meet requirements established in Section 12B of the *Planning and Environment Act 1987*.

Gender Equality Act 2020

There are no direct implications to the *Gender Equality Act 2020*.

Risk Management

Risks are mitigated by ensuring compliance with the relevant Ministerial Directions, Planning Practice Notes, and the *Planning and Environment Act 1987*.

Climate Change, Environmental and Sustainability Considerations

In undertaking the review, policy relating to climate change, environment and sustainability has been considered, and any gaps in the Southern Grampians Planning Scheme identified.

Community Engagement, Communication and Consultation

The Review was prepared in consultation with stakeholders, referral agencies, and government departments.

The Review was released for public and stakeholder consultation from 4 December 2023 to 15 January 2024. No submissions were received.

Disclosure of Interests

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

Andrew Neild – Planning Coordinator

Rory Neeson – Director Wellbeing, Planning and Regulation

RECOMMENDATION

That Council

1. Endorse the Southern Grampians Shire Planning Scheme Review Report 2023.
2. Authorise Council Officers to submit the Southern Grampians Planning Scheme Review Report 2023 to the Minister for Planning in accordance with Section 12B of the *Planning and Environment Act 1987*.
3. Authorise the Director Wellbeing, Planning and Regulation to make minor changes to the Southern Grampians Planning Scheme Review Report 2023 where they do not impact the intent of the Review.
4. In accordance with Section 8A of the *Planning and Environment Act 1987*, seek authorisation from the Minister for Planning to prepare an Amendment to make changes to the Southern Grampians Planning Scheme in accordance with the marked-up ordinance at **Attachment 3** of this report.
5. Subject to the Minister's authorisation, in accordance with Section 19 of the *Planning and Environment Act 1987*, prepare and exhibit the Amendment to the Southern Grampians Planning Scheme.
6. Authorise the Director Wellbeing, Planning and Regulation to apply to the Minister for Planning to exempt the Council from any of the requirements of Section 19 of the *Planning and Environment Act 1987* or the regulations in respect of the amendment.

12.2 Running Track Feasibility Study

Directorate:	Wellbeing, Planning and Regulation
Report Approver:	Susannah Milne (Manager Community Wellbeing), Roger Rook
Report Author:	(Coordinator Recreation Services), Rory Neeson (Director Wellbeing, Planning and Regulation)
Presenter(s):	Rory Neeson, Director Wellbeing, Planning and Regulation
Attachment(s):	1. Feasibility Proposal All Weather Athletic [12.2.1 - 26 pages]

Executive Summary

Through the 2023-2024 budget process, representatives from Hamilton Running Club and Hamilton Kangaroos Football and Netball Club made a deputation to Council regarding the potential to invest in additional lighting infrastructure at Pedrina Park to assist the Hamilton Kangaroos with training during the redevelopment works at Melville Oval while also providing ongoing benefits to other users of the facility.

Council resolved to allocate \$100,000 in the 2023-2024 budget to Pedrina Park for the design and construction of lighting project on Oval 1 as per the Pedrina Park Master Plan and directed staff to work with Michell Park User groups to determine the best allocation of the \$150,000 renewal budget allocated to Michell Park, with the suggestion that the Hamilton Running Club relocate to Pedrina Park and all future investment by Council at Mitchell Park cease.

Whilst the lighting project proceeded, the Hamilton Running Club indicated that they felt that the current facilities, number of users and use at Pedrina Park would not cater for their members' needs. They requested as part of a deputation that Council undertake a running track feasibility study to determine what the most suitable track type, size and location is within Hamilton for a running track that supports participation at the current growth rate and into the future. The funding to support the feasibility study was requested to be drawn from any funds left over from the Pedrina Park Lighting Project.

This report advises Council that there are funds available which could be used to conduct a feasibility study but recommends that the study be expanded to be inclusive of all elements of athletics including field and track with a Council Report to be presented to the May Council Meeting with a recommendation of a reallocation of funding.

It should be noted that officers would usually not be supportive of reallocating funding from a capital renewal budget to an operational project however due to the nature of this project and the deputation received from the Hamilton Running Club, officers are supportive of this approach on this occasion.

Discussion

During the 2023-2024 budget process a building renewal allocation of \$150,000 for the facilities at Mitchell Park was proposed. As the Melville Oval redevelopment project continued to take shape, it was identified that the Hamilton Kangaroos would require a suitable training facility for the 2024 season, and a late budget amendment was put forth to allocate \$100,000 to lighting the first oval at Pedrina Park. Furthermore, it was suggested that building renewal proposed for Mitchell Park could be redirected to Pedrina Park to meet the project shortfall provided that all user groups agreed. An additional \$50,000 grant towards the lighting project was provided by the Australian Football League.

As part of the discussions regarding the reallocation of the Mitchell Park renewal funding for the lighting project, a request was made by the Hamilton Running Club that remaining funds

be reallocated to a feasibility study for a permanent running track to be allocated within Hamilton. The intent of the feasibility study is to determine the most appropriate surface type for the track, the best location for the track, and the optimum distance of the track.

With the completion of the installation of lights at Pedrina Park in March, a financial review has been undertaken to determine the remaining funds from the Mitchell Park budget. While there are still some minor incidentals and remediation works still to be costed to the project, these expenses are expected to be within \$5,000.

The table below shows the forecast expenditure for the lighting project and identifies that around \$60,000 is required to be reallocated from the Mitchell Park renewal budget to support the installation of the lights at Pedrina Park. The leaves just under \$90,000 of the Mitchell Park renewal budget available for this study.

Indications from a quote for a feasibility study sourced in November 2023 by the Hamilton Running Club indicated an expected project cost of \$40,000, which is achievable within the remaining budget.

As the original budget was set for Mitchell Park renewal, and funds were redirected into the Pedrina Park lighting request through a Council direction, any savings from the project must be decided and approved by Council.

Officers will request that of the expected savings of \$90,000, that Council approve funds to be redirected into a feasibility study that investigates the long-term requirements to support athletics including track and field events, multiple users including current, future user groups and school groups.

If this is supported, staff will commence the formal procurement process as adopted by the Council once the Council formally resolves to reallocate funds.

It should be noted that the usual process to see a project such as this funded would be for any savings from the Pedrina Park lighting project be considered as savings and directed into general revenue and this new project to be considered as part of future budget considerations however due to the nature of the project and the deputation received by the community group officers are supportive of the approach recommended in this report.

Budget		\$
Mitchell Park Budget		150,000
Pedrina Park Budget		100,000
AFL Victoria Grant		50,000
Total Budget		300,000
Expenditure		
Laser Electrical		191,000
Project Management		14,325
Incidentals and Remediation		5,000
Forecast Expenditure		210,325

Table: Pedrina Park Lighting Financials

Financial and Resource Implications

The reallocation of funds from the Mitchell Park building renewal project to a feasibility study will continue to leave an asset renewal gap for facilities which will need to be addressed at a future stage. Completing a running track feasibility study is an additional unfunded piece of work that could create funding expectations in the future which is not incorporated within the Council Long-Term Financial Plan.

In regard to the revised Pedrina Park Lighting project, there is forecast to be approximately \$90,000 of savings. It is estimated that a feasibility study costs approximately \$40,000.

Council Plan, Community Vision, Strategies and Policies

Maintain and Renew Our Infrastructure

- 3.2 Safe and well-maintained transport routes and infrastructure for all modes of travel
- 3.2.3 Provide infrastructure that supports a connected and active community.

Maintain and Renew Our Infrastructure

- 3.3 Attractive Council-owned and managed community and open spaces
- 3.3.1 Continue to invest in and activate open spaces within Southern Grampians.

Legislation

There are no legislative implications for this report.

Gender Equality Act 2020

There is not considered to be any negative gender impacts from a running track feasibility study.

Risk Management

Council should consider that redirecting funds from a capital budget to an operational budget for a feasibility study is generally not supported by financial and asset management principles however due to the nature of these projects, officers are supportive on this occasion.

Climate Change, Environmental and Sustainability Considerations

While the preparation of a feasibility study is not likely to have any environmental impacts, these should be considered as part of the report to assist the future environmental direction of Council.

Community Engagement, Communication and Consultation

This request to complete this project has come to the Council from the Hamilton Running Club. The Hamilton Running Club conducted an open community meeting on the 30 November which identified a synthetic running track as the running community's highest priority. This feasibility study will further engage with the broader community on the future of running at what style and size of facility is feasible at public and private locations across Hamilton.

Disclosure of Interests

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

Roger Rook – Coordinator Recreation Facilities
Susannah Milne – Manager Community Wellbeing
Rory Neeson – Director Wellbeing, Planning & Regulation

RECOMMENDATION

That Council allocate \$40,000 in savings from the Pedrina Park Lighting Project capital budget to the Hamilton Running Track Feasibility Study operational budget.

12.3 Contract 2023091 Road, Footpath, Kerb and Channel Condition Audit

Directorate:	Infrastructure and Sustainability
Report	Marg Scanlon (Director Infrastructure and Sustainability)
Approver:	Marg Scanlon, Director Infrastructure and Sustainability
Report Author:	Trevor Haley, Manager Works (Acting)
Presenter(s):	Trevor Haley, Manager Works (Acting)
Attachment(s):	Nil

Executive Summary

In accordance with Council's Asset Management Plan, periodic condition assessments are required to capture asset condition, useful life and replacement costs for capital and renewal planning purposes.

The condition data collected is used to support core asset management activities such as risk management, predictive modelling, planned maintenance and rehabilitation, asset valuation, work prioritisation and budget forecasting. The process of collecting consistent condition data forms a core part of the application of Council's asset management.

Council released Contract 2023091 Road, Footpath, Kerb and Channel Asset Condition Assessment on 13 February 2024. This condition audit's scope includes applying an electronic assessment tool that collects high-definition images, GPS location and roughness data. This data capture will then be modelled to develop an overall condition assessment to inform the future works program for each of the respective assets under Council's ownership and/or responsibility. This tender award does include data modelling to develop a priority three-year program for the road renewal programs. Digitally compatible with Council's existing corporate systems, specifically Council's asset management and GIS systems, Council seeks to reach best practice and best value through this project to provide asset management legacy for future long-term planning, advocacy and delivery.

This report seeks Council endorsement to award the Road, Footpath, Kerb and Channel Condition Audit to Shepard Services to the value of \$243,428 (excl. GST).

Discussion

SGSC seeks to engage a suitably qualified contractor/s to undertake a condition assessment audit of the Council owned and managed;

- sealed and unsealed road network,
- kerb and channel
- footpaths and
- sealed carparks

The data collected will be provided in a format that enables integration into SGSC's asset management system (Conquest). The asset data collected will form the foundation of prioritising maintenance and guide future capital works program planning through the provision of a ten-year forward renewal and capital program.

Council's total road network is approximately 2,744 kms comprising:

Rural sealed roads	1,486 kms
Urban sealed roads	165 kms
Rural unsealed roads	1,058 kms

Urban unsealed roads 35 kms

Council has 140km of footpaths comprising sealed, brick paving, gravel and concrete footpaths across the Shire, 217km of kerb and channel and 269 car parks comprising sealed and unsealed.

The most recent condition assessment of the road network was completed in 2019 with most of the recommendations completed. Council now requires a third party to conduct a condition assessment of its road network, kerb and channel, footpaths, and sealed car parks.

Council undertook a procurement process early 2024 resulting in one tender submission received.

Received tender submission:

Tenderer	Price	Conforming
Shepherd Services Pty. Ltd.	\$ 243,428.00 (ex GST)	Yes

This conforming tender was evaluated against the following evaluation criteria:

- Price - 35 %
- Demonstrated performance in provision of similar services - 20%
- Methodology - 20%
- Capacity to complete in a timely manner 15%
- Sustainable Procurement - 10%
- Occupational Health & Safety - Pass/Fail

Tenderer	Qualitative score (%)	Price	Quantitative score (%)	TOTAL SCORE
Shepherd Services	51.50%	\$ 243,428.00	35.00%	86.50%

A detailed confidential procurement report is attached to support this recommendation.

Financial and Resource Implications

The contractor will be responsible for carrying out the works under specified conditions in technical and general specification of the contract document and has priced the project accordingly.

The total committed budget for the Road, Footpath and Channel Condition Audit is \$250,000 (ex GST).

	Budget (Excl GST)	Tender and other (Excl GST)	Variance (Excl GST)
Budget	\$250,000	\$243,428	\$6,572

Council Plan, Community Vision, Strategies and Policies

Maintain and Renew Our Infrastructure

- 3.1 Plan and maintain sustainable assets and infrastructure.
- 3.1.1 Review and adopt asset management plans to align with future service levels, environmental and financial sustainability.

Legislation

This report assists the Council in meeting its obligations under the *Road Management Act 2020*.

Gender Equality Act 2020

There are no implications for the *Gender Equality Act 2020* identified in this report.

Risk Management

The completion of these works will ensure Council meets its obligations under the road management act. No risks have been identified in the appointment of the nominated contractor to complete this audit.

Climate Change, Environmental and Sustainability Considerations

The project is considered to have a low impact on environmental parameters and presents an opportunity for sustainable methods and material selection for future civil maintenance and works programs.

Community Engagement, Communication and Consultation

Council's standard media streams will be applied to promote the timing, methodology and locations for this asset condition assessment. Following the preliminary asset condition findings, a detailed communications plan will be developed to ensure stakeholder and community input. It is anticipated that priority works will be identified that require community and stakeholder engagement.

Disclosure of Interests

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

Marg Scanlon, Director Infrastructure and Sustainability.
Trevor Haley, Manager of Works (Acting)
John Pierce, Senior Coordinator Works

RECOMMENDATION

That Council:

1. Award Contract 2023091 for the Road, Footpath, Kerb and Channel Condition Audit to Shepard Services Pty. Ltd. to the value of \$243,428.00 (excl. GST).

2. Authorise the Chief Executive Officer to execute Contract No 2023091 for the Road, Footpath, Kerb and Channel Condition Audit and any other documents required by or to give effect to the terms of the contract on behalf of Council.

12.4 Property Register: Properties identified for disposal

Directorate:	Infrastructure and Sustainability
Report Approver:	Marg Scanlon (Director Infrastructure and Sustainability)
Report Author:	Julie Markby, Property Officer
Presenter(s):	Julie Markby, Property Officer
Attachment(s):	Nil

Executive Summary

Six properties within Council's Property Register have been identified as surplus to Council needs with Council seeing no foreseeable future use of the properties. Four of the six properties are considered suitable for residential purposes that will contribute to meeting housing shortage objectives within Southern Grampians Shire.

The direct benefit to Council for the potential disposal of these parcels of land being the reduction of ongoing maintenance costs and Fire Service Levies (FSPL) along with the income raised from the disposals and the additional revenue from the payment of rates. Furthermore, the sites identified for residential development contribute to the overall economic development within Hamilton.

This report seeks the Council's approval to proceed with the intention of sale public notification process for the six parcels of land.

Discussion

The following six parcels of land have been identified within the Council's Property register as surplus to the Council's needs;

- 54-56 Kenna Avenue, Hamilton
- 5 Dunbar Court, Hamilton
- 76-80 Recreation Road, Dunkeld
- 63 Gordon Street, Hamilton
- 118 McLeod Street, Coleraine
- Cox Street, Peshurst

When assessing each property the Council's current open space provision has been considered. The State Planning Policy Clause 56.05-2: Public Open Space Provision Objectives were also considered as part of this property disposal review. This Clause is pertinent when considering these properties for disposal and it defines recommended open space provisions as:

A minimum one-hectare open space should be provided within 400 metres of 95% of all residents, and linear and active open space (eight hectare minimum) within one kilometre of 95% of all residents.

These following details the officer recommendations for each of the six properties;

54-56 Kenna Avenue Hamilton

Title: No restrictions

Zoning: General residential

Size of parcel: 1171 sqm

This parcel remains free of any infrastructure and vegetation and would not require any zoning amendments for residential development.



5 Dunbar Court Hamilton

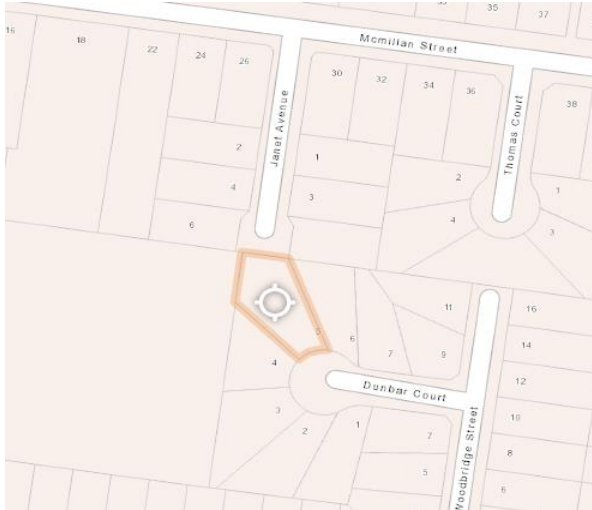
Title: No restrictions

Zoning: General residential

Size of parcel: 936 sqm

Observations noted minimal numbers of students attending The George Street Primary School use the parcel of land to access the school, the George Street entrance and Janet Avenue are the main school entrances.

The Department of Energy, Environment and Climate Action (DEECA) was consulted and confirms the land was Freehold prior to Council purchasing it and therefore does not require Council to return it to the Crown.



76-80 Recreation Road Dunkeld

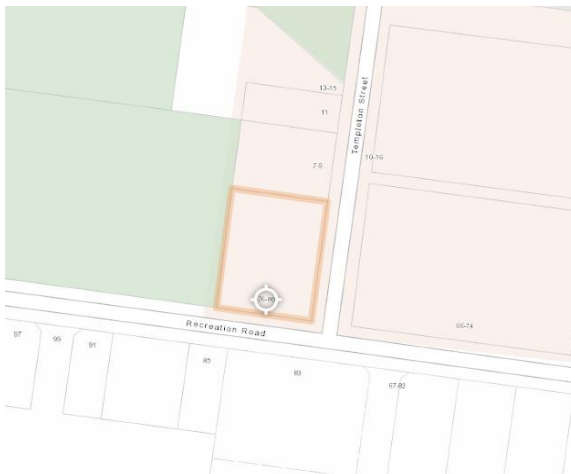
Title: No restrictions

Zoning: General residential

Size of parcel: 1597 sqm

Historically, in 1993, the subject land was granted by the Crown to the Shire of Mount Rouse for mineral mining, then the land was transferred to Southern Grampians Shire Council (Estate Fee Simple) in 2012.

DEECA has been directly consulted and has confirmed that the parcel of land does not need to be returned to the Crown. Councils MSSR advises Local Laws no longer require the land.



63 Gordon Street Hamilton

Title: No Restrictions

Zoning: General Residential Zone

Size: 1346 sqm

Powercor were consulted regarding the relocation of the two power poles on site and lines that run the length of the property. The cost of relocation underground is estimated at \$15,000 - \$25,000 per pole.



118 McLeod Street Coleraine

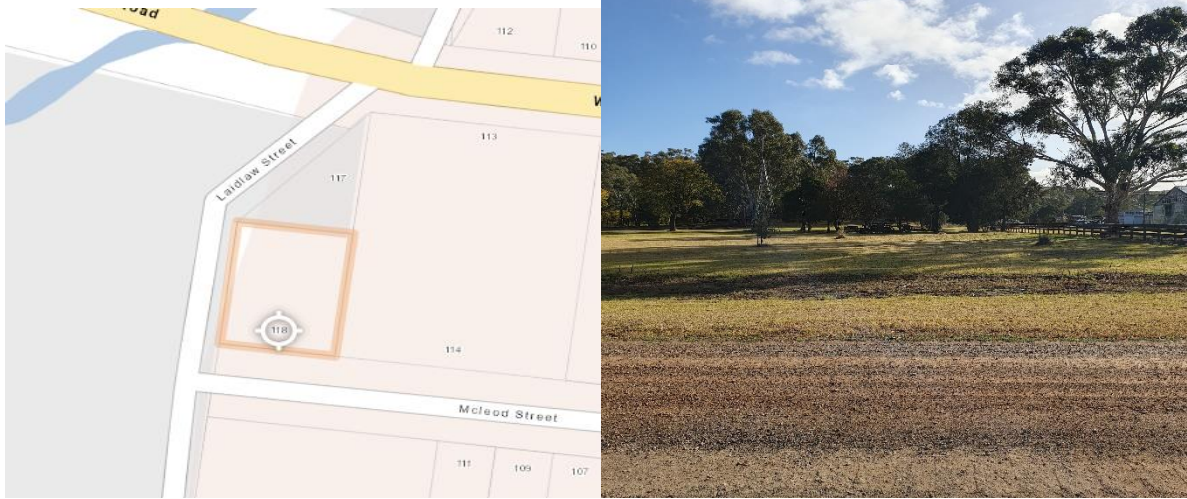
Title: Crown Allotment

Zoning: General Residential Zone

Size: 2025 sqm

A flood and inundation overlay applies to this property which may affect the type of development and/or the opportunity for development. Any future development would be subject to Planning Permission and the potential owner would need to undertake due diligence, which would then include engagement with GHCMA to ascertain specifications.

The estimated income from disposal is \$240,000 based on an independent market valuation completed in January 2024 by Preston Rowe Paterson (PRP).



Cox Street Penshurst

Title: Unrestricted

Zoning: General Residential Zone

Size: 2024 sqm

This property is a deceased estate and the process to transfer the property title into Council's name is presently ongoing.

No flooding or inundation overlay applies to the property; however, it is prone to drainage and inundation issues. Any future development would be subject to Planning Permission and the potential owner would need to undertake due diligence, which would then include engagement with GHCMA to ascertain specifications.



In conclusion, it is recommended that Council proceed with the respective process to advertise the notice of intention to sell the following six land parcels;

- 54-56 Kenna Avenue, Hamilton
- 5 Dunbar Court, Hamilton
- 76-80 Recreation Road, Dunkeld
- 63 Gordon Street, Hamilton
- 118 McLeod Street, Coleraine
- Cox Street, Penshurst

Financial and Resource Implications

As part of the overall review, consultation was held with the relevant Council's departments directly responsible for maintaining these sites to ascertain the cost to Council.

Councils Works Department indicates the annual cost for mowing and maintenance is approximately \$1,275.00 for each parcel.

Councils Rates Department indicates the annual Fire Service Levy (FSPL) for each of the properties is approximately \$260.00 per year.

The proposed disposal of these 6 parcels of land translates into an estimated \$9,210.00 of ongoing savings for Council each year, freeing up funds and staff to improve other services for the community.

Also, Council would gain more revenue from the payment of Rates on each property should they be disposed of. The indicative Rates assuming the land remains vacant is estimated at \$2442.00 per year. The income from Rates would be significantly higher once the parcels have been developed.

The financial implications for Council and the community are substantial. Not only is there a saving for Council by a reduction of ongoing maintenance costs and increased revenue from the payment of Rates. These funds can be better spent to improve other services for the community.

The cost of selling the land will be limited to valuation fees, advertising fees, agent selling fees and associated legal fees. These costs will be recovered from the income generated from the sale of these properties with the opportunity for the surplus funds to be utilized to improve other Council services and infrastructure for the community.

Council Plan, Community Vision, Strategies and Policies

The parcels of land have been identified within Councils Property portfolio that are surplus to Council's needs. Specifically, the recommendation to dispose of these parcels aligns with the Council Plan objectives associated with sustainable asset planning and maintenance.

Maintain and Renew Our Infrastructure

- 3.1 Plan and maintain sustainable assets and infrastructure
- 3.1.1 Review and adopt asset management plans to align with future service levels, environmental and financial sustainability.

Legislation

Under Section 114 of the *Local Government Act 2020* which relates to the restrictions on Council's power to sell land.

Before selling or exchanging the land,

- a. at least 4 weeks prior to selling or exchanging the land, publish a notice of intention to do so on Council's Internet site and in any other manner prescribed by the regulations for the purposes of this subsection; and
- b. Undertake a community engagement process in accordance with Council's Community Engagement Policy; and
- c. Obtain from a person who holds the qualification or experience specified under Section 13DA(2) of the *Valuation of Land Act 1960* a valuation of the land which is made not more than 6 months prior to the sale or exchange.

Gender Equality Act 2020

It is important to note that under the *Gender Equality Act 2020*, there is an obligation for the Council to consider and promote gender equality in all their functions and activities. This includes the disposal of property. A gender impact assessment was not required as part of the disposal.

Risk Management

The proposed recommendation does not present any risks to Council. Retention of these parcels of land by Council is considered a missed opportunity to dispose of identified surplus properties.

Climate Change, Environmental and Sustainability Considerations

The proposal to sell the six properties demonstrates Council's leadership to consider the surplus property which is otherwise under utilised and not maintained.

Community Engagement, Communication and Consultation

It is proposed that Council give Public Notice of its intention to sell each parcel of land for a minimum of 28 days.

Disclosure of Interests

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

Julie Markby (Property Officer)
Marg Scanlon (Director Infrastructure & Sustainability)

RECOMMENDATION

That Council;

- As required under Section 114 of the Local Government Act 2020; gives public notice by advertising for a minimum of 28 days, its intention to sell each of the five properties, noting Councils desire to consider Community feedback prior to making a final sale decision

12.5 Request for Loan Hamilton Pastoral and Agricultural Society

Directorate:	People and Performance
Report Approver:	Susannah Milne (Manager Community Wellbeing), Rory Neeson (Director Wellbeing, Planning and Regulation), Darren Barber (Director People and Performance)
Report Author:	People and Performance
Presenter(s):	Nadine Rhook, Executive Assistant to Director People and Performance Darren Barber, Director People and Performance
Attachment(s):	Nil

Executive Summary

The purpose of this report is to brief Council on a request from the Hamilton Pastoral and Agricultural Society (P & A Society) to fund the construction of a 45m x 55m x 6.6m metre shed at the Hamilton Showgrounds. The funding request is for \$800,000, the installation of the shed is critical to reduce increasing costs that threatens the viability for the P & A Society to continue with Sheepvention which has a significant economic impact for the wider Southern Grampians Community.

The proposed shed is consistent with the adopted Hamilton Showgrounds Masterplan adopted by Council at its Ordinary Meeting on the 13 March 2024 and is supported by the Hamilton Showgrounds Advisory Committee and user groups.

This report discusses the merits and risks associated with the request and explores an option to facilitate the P & A Society's request which will be presented to Council for formal consideration at the Ordinary Meeting in May.

Discussion

Background

The Hamilton Showgrounds is zoned as a 'Public Park and Recreation Zone' and is located on Crown Land of which Southern Grampians has been appointed as the Committee of Management and is therefore in the eyes of the State, responsible for the day-to-day management, and long-term management of the site. Therefore, activities and buildings on the site are the responsibility of Council.

The site is occupied by several Community and Volunteer Groups that use it through a License Agreement with Council. The Hamilton Pastoral and Agricultural Society is a current long-term user of the site and operate the Hamilton Exhibition & Conference Centre on a daily basis, with subletting rights to some Council facilities at the site.

The P & A Society organise the annual Sheepvention Expo at the site, an event that has significant economic impact for the wider Southern Grampians Community. Over recent years costs associated with the event have been increasing significantly to the point where the event is not financially viable if costs cannot be reduced. Marquee expenses have risen significantly since 2018 from \$180,000 to \$410,000 in 2023.

Considering this the P & A Society has re-evaluated operations and layout and have concluded that a more permanent structure was required to replace the current marquee layout in the form of a large agricultural type shed 45 x 55 meters in dimension with a concrete floor. This has been considered within the development of the recently adopted Hamilton Showgrounds Master Plan and is supported by the current Hamilton Showgrounds Users and Advisory Committee.

The proposal is consistent with the adopted Masterplan and it's noted that the P & A Society would be open to the facility being used by other Users when not needed for their events.

Proposal

The P & A Society have conducted, and thorough research and planning to determine the budgetary requirements for the installation of a 45m x 55m x 6.6m shed on the Shakespeare Street side between the Hamilton Lions and Western District Umpires Association buildings on the now defuncted Kennel Club area. A planning permit has been lodged and assessed by Planning staff and considered under delegation. The application was approved on Tuesday April 23 with final administrative work being completed before the decision is forwarded to Squareback Planning (P & A Society planning consultants).

The cost associated with the proposal including construction cost, materials, labor and other related expensed is \$1,049,000. The P & A Society have formally requested that Council fund \$800,000. The Hamilton P & A Society have contributed the balance of \$249,000 to the project.

The request to fund the project is not within Council's current Long-Term Financial Plan, however officers have met with the P & A Society and discussed the request.

The P & A Society initially approached Council to act as a guarantor for the loan of \$800,000 on request of their bank. This guarantee was sought as the P & A Society are not managers of the land or site and could not provide suitable security over the loan. Under a bank guarantee, Council assumes all risks associated with the loan.

Provide a Short- Term Loan to P & A Society.

Officers recommend that Council supports a loan over a short period to facilitate the construction of the shed on the Showgrounds site.

The loan will provide council with greater flexibility than a guarantee and limits the risks to council in the unlikely event that the P & A Society cannot service the loan over the loan term.

The National Australia Bank have provided the following quote based on a variable rate. At the time of writing this report we had not received a quote for fixed rates and will distribute this information to Council upon receipt.

Loan Sum: \$800,000

Term: 8 years

Repayments: Monthly Principal and Interest repayments

Current Floating Rate: 6.47% (based on a customer margin of 0%)

All fees and charges: Nil

Security: General Rates of the Council and a letter from the CEO (Bank Standard Securities)

Financial and Resource Implications

RSD Audit have completed a review of the P & A Society audited financial statements providing the following advice.

The P & A Society has had an audit completed which was signed as a going concern. Going concern is an accounting term for a company that is financially stable enough to meet its obligations and continue its business for the foreseeable future. When the use of the going concern assumption is appropriate, assets and liabilities are recorded on the basis that the entity will be able to realize its assets and discharge its liabilities in the normal course of business.

Without a full audit being completed, RSD Audit cannot conclude the financial risk and capacity to meet the loan's obligations.

Considering the loan period and loan amount, we do not believe this loan would influence Council's capacity to borrow for the projects currently forecasted in the Long Term Financial Plan (LTFP).

Council Plan, Community Vision, Strategies and Policies

Grow Our Regional Economy

2.4 Support local business and industry

2.4.2 Support and facilitate business development and growth initiatives.

Maintain and Renew Our Infrastructure

3.1 Plan and maintain sustainable assets and infrastructure

3.1.4 Strategically plan a sustainable long-term capital program with identification of funding and partnership opportunities.

Maintain and Renew Our Infrastructure

3.3 Attractive Council-owned and managed community and open spaces

3.3.3 Improve and provide opportunities for shared community spaces.

Legislation

In preparing this briefing report, consideration has been given to *Local Government Act 2020 Part 2 Councils, Division 1 – Role and powers of Council Section 9 Overarching governance principles and supporting principles*.

Gender Equality Act 2020

There are no Gender Equality Act implications as part of this briefing.

Risk Management

The request to fund the project from Council's current budget is not feasible given current financial commitments and that due to the recent adoption of the Hamilton Showgrounds Masterplan has not seen the elements proposed in the masterplan translate to the current Long-term Financial Plan.

Reviewing the two options proposed by officers the option of least risk is for Council to lend the P & A Society the amount of \$800,000 over 6 years, with the P & A Society to make payments that are inclusive of the loan principal, interests, and administrative costs of Council.

Whilst the request for funding is significant, we do not believe that it creates a significant risk to Council as the proposed shed will be located on a Council managed site, which should the P & A Society walk away from the site, the shed will revert to Council and ultimately Council ownership.

As a part of due diligence Officers have requested an independent assessment of financial risk and the capacity of the P & A Society to meet the obligations of the loan.

Community Engagement, Communication and Consultation

Disclosure of Interests

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

Susannah Milne, Manager Community Wellbeing
Darren Barber, Director People and Performance

RECOMMENDATION

A Council report will be presented at the May 8, 2024 Council meeting with the following recommendation.

That Council:

1. Notes the 'Loans to Community Groups' Policy (Policy) adopted by Council and the limitations imposed on the value of loans to community groups.
2. Determines that, on this occasion, it is appropriate to depart from the Policy on the basis that this loan will facilitate the construction of a community asset.
3. Supports an established community group responsible for one of the regions largest agricultural shows;
4. Notes the construction of high quality facilities at the Hamilton Show Grounds site for the benefit of other community users throughout the year;
5. Acknowledges the Long-term community benefit through development of a facility in line with the Show Grounds Master Plan; and
6. Acknowledges this financial support will benefit the Hamilton Pastoral and Agricultural Society and community economically to support the ongoing viability of Sheepvention.
7. Resolves a loan to the Hamilton Pastoral and Agricultural Society for the amount of \$800,000.
8. Authorises Council's Chief Executive Officer to negotiate and agree the specific terms of the loan with the Hamilton Pastoral & Agricultural Society and to execute such documents as are necessary to give effect to it.

12.6 Social Media Policy

Directorate:	Chief Executive Office
Report Approver:	Tony Doyle, (Chief Executive Officer)
Report Author:	Alison Quade, Manager Community Engagement
Presenter(s):	Alison Quade, Manager Communications and Engagement
Attachment(s):	1. Council Policy Community Relations Social Media Policy [12.6.1 - 7 pages]

Executive Summary

Southern Grampians Shire Council's Social Media policy was first developed in 2011 and was last reviewed in 2014. In the last ten years, the social media landscape has changed considerably, and the policy requires updating to ensure that it appropriately reflects Council's usage of social media as part of its communications strategy.

Southern Grampians Shire Council recognises that social media provides opportunities for dynamic, interactive two-way communications that complements existing communication and improves access and delivery of information and services.

The intent of this policy is to provide guidance on professional and personal use of social media platforms and tools for Councillors, Council Staff and Volunteers.

The policy is attached for Council's consideration.

Discussion

The purpose of this policy is to provide guidance on professional and personal use of social media platforms and tools for Councillors, Council Staff and Volunteers.

The policy outlines requirements for compliance with confidentiality, governance, legal, privacy and regulatory parameters when using social media to conduct Council business. It aims to:

- Inform appropriate use of social media tools for Southern Grampians Shire Council;
- Promote effective and productive community engagement through social media;
- Minimise miscommunication or inappropriate communications; and
- Assist Southern Grampians Shire Council manage the inherent challenges arising from the immediacy, access and spread of social media communication.

The policy applies to all online digital spaces collectively referred to as social media where people may comment, contribute, create, forward, post, upload and share content.

Review of the policy allowed for the following proposed changes:

- Expanded to cover Councillor use of social media and align with the Staff Code of Conduct and the Councillor Code of Conduct
- Outlines inappropriate content which will not be permitted on Council pages
- Explains when and how Council will moderate information posted online
- Explains when and how Staff will respond to comments
- Grants permission for Council staff to remove access for people who do not comply with policy and guidelines

- Enforcement of policy and complaints handling.

Financial and Resource Implications

There are no financial or resource implications from this policy review. Currently Council's communications team consists of one full-time and one part-time staff member who share responsibility for content creation and moderation of Council social media pages among other tasks.

Council Plan, Community Vision, Strategies and Policies

Support Our Community

- 1.1 An empowered and connected community
 - 1.1.1 Facilitate opportunities for people to participate in community life, through volunteering, civic leadership, social programs, to enable inclusion, social connection and wellbeing.
 - 1.1.3 Provide opportunities for increased community engagement and participation in Council decision making and activities.
 - 1.1.4 Ensure communication and engagement methods use inclusive practices and processes.

Provide Strong Governance and Leadership

- 5.1 Transparent and accountable governance
 - 5.1.2 Ensure flexible and transparent decision making through open and accountable governance.

Provide Strong Governance and Leadership

- 5.4 Customer-focused services
 - 5.4.2 Improve the customer experience by delivering accessible and responsive customer service.

Legislation

- *Local Government Act 2020*
- *Gender Equality Act 2020*
- *Southern Grampians Shire Council Community Engagement Policy*
- *Southern Grampians Shire Council Staff Code of Conduct*
- *Southern Grampians Shire Councillor Code of Conduct*
- *Southern Grampians Shire Council Social Media Guidelines*
- *Online Safety Act 2021*
- *Defamation Act 2005 & subsequent County Court rulings 2022* - A Victorian County Court ruling in 2022 found that Councils are responsible for content posted on their page, even if they have not been the author.

Gender Equality Act 2020

There are no implications for gender with the review or the application of this policy.

Risk Management

The policy reduces reputational risk to Council by outlining commitment to creating a safe space for people to engage with Council online.

Community Engagement, Communication and Consultation

The social media policy will be made available online and changes will be communicated on Council's social media platforms.

Disclosure of Interests

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

Alison Quade – Manager Communications and Engagement

RECOMMENDATION

That Council adopt the revised social media policy.

12.7 Community Asset Committee - Coleraine Sporting Grounds Committee - March 2024 Minutes

Directorate:	Chief Executive Office
Report Approver:	Tony Doyle (Chief Executive Officer)
Report Author:	Lisa Grayland (Acting Governance Coordinator)
Attachment(s):	1. Minutes 2024 03 19 Coleraine Sporting Grounds Committee v2 [12.7.1 - 5 pages]

Executive Summary

In accordance with Council's Governance Rules and section 47(4)(b) of the *Local Government Act 2020*, approved minutes of Community Asset Committees are to be reported to Council Meetings to ensure governance requirements and appropriate standards of probity are being met.

Discussion

The following minutes of the Coleraine Sporting Grounds Community Asset Committee are attached to this report:

- 19 March 2024

The minutes have been confirmed by the Committee and forwarded through to Council's Governance Coordinator for reporting to the next available Council Meeting.

Financial and Resource Implications

There are no financial or resource implications which will result from the adoption of this recommendation. Section 65 Committees are bound to provide financials to Council for Auditing purposes in accordance with section 65 of the *Local Government Act 2020 (the Act)*.

Council Plan, Community Vision, Strategies and Policies

Support Our Community

- 1.1 An empowered and connected community
 - 1.1.1 Facilitate opportunities for people to participate in community life, through volunteering, civic leadership, social programs, to enable inclusion, social connection and wellbeing.

Provide Strong Governance and Leadership

- 5.1 Transparent and accountable governance
 - 5.1.1 Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting the role.
 - 5.1.2 Ensure flexible and transparent decision making through open and accountable governance.

Legislation

Community Asset Committees are established under Section 65 of the Act and operate under a s47 Delegation issued by the Chief Executive Officer and are bound by Council's Governance Rules and the Committee Terms of Reference.

Gender Equality Act 2020

There are no gender equality implications.

Risk Management

Regular reporting of the Committee Meeting Minutes ensure governance requirements and appropriate standards of probity are being met.

Climate Change, Environmental and Sustainability Considerations

Not applicable.

Community Engagement, Communication and Consultation

Not applicable.

Disclosure of Interests

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

Lisa Grayland – Acting Governance Coordinator

RECOMMENDATION

That Council note the following minutes from the Community Asset Committee;

1. Coleraine Sporting Grounds Committee - 19 March 2024;

13 Notices of Motion

There are no Notices of Motion listed on tonight's agenda.

14 Urgent Business

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

15 Mayor, Councillors and Delegate Reports

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

16 Confidential Reports

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

17 Close of Meeting

This concludes the business of the meeting.