



Southern Grampians
SHIRE COUNCIL

Council Meeting Minutes

Council Meeting
14 September 2022

Held in Council Chambers,
5 Market Place Hamilton
at 5:30pm.

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The Meeting opened at 5:30pm

1. Present

Councillors

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

Officers

Mr Tony Doyle, Chief Executive Officer
Ms Belinda Johnson, Acting Director Community and Corporate Services
Ms Marg Scanlon, Director Infrastructure
Mr Peter Brown, Acting Director Planning and Development

2. Welcome and Acknowledgement of Country

The Mayor, Cr Colliton read the acknowledgement of country:

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

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

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.

”Almighty god, we humbly beseech thee to vouchsafe thy blessing upon this council.

Direct and prosper its deliberations to the advancement of thy glory and the true welfare of the people of the Southern Grampians shire.”

4. Apologies

Nil

5. Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Council Meeting held on 10 August 2022 be confirmed as a correct record of business transacted.

COUNCIL RESOLUTION

MOVED: Cr Henry
SECONDED: Cr Calvano

That the Minutes of the Council Meeting held on 10 August 2022 be confirmed as a correct record of business transacted.

CARRIED

6. Declaration of Interest

Nil

The Mayor addressed the death of Her Majesty The Queen

The Mayor asked Councillors, staff, gallery and those watching the live stream to stand for a minute's silence.

Condolences Motion

Cr Robertson

I hereby give notice of my intention to move the following motion at the Council Meeting to be held on 14 September 2022

MOTION

That

1. Southern Grampians Shire Council acknowledges with great sorrow the passing of Her Majesty, Queen Elizabeth II, and expresses its sincere condolences to His Majesty King Charles III and all members of the Royal Family.
2. Send a formal letter of condolence on behalf of the Shire to be signed by the Mayor and the CEO and apply the Council Seal.

Comments

It is with great sorrow that we join with others in expressing sadness at news of the death of Her Majesty The Queen, Elizabeth II. We honour Her Majesty's remarkable life and her extraordinary dedication to service and duty and extend our sympathies to His Majesty The King Charles III and all members of the Royal Family.

After 70 years and 214 days, the longest reign of any British monarch, the death of the Queen marks the passing of an era.

Queen Elizabeth II was the first ruling monarch of Australia to visit our shores and holds a special place in the hearts of Western District residents after visiting Hamilton during her reign.

The Queen and the Duke of Edinburgh visited Hamilton on 26 February 1954 making history as this was the first time any country centre in Victoria had welcomed a reigning monarch. It was reported that 70,000 people travelled to Hamilton and gathered at Melville Oval to catch a glimpse of the Queen and Duke. The visit caused great excitement amongst local residents who decorated their homes and flew flags on their roofs.

The Queen showed great affection for all parts of Australia, visiting 16 times during her long reign.

Her Majesty has travelled much of Australia's journey with us. She was monarch and Australia's head of State for 70 of the nation's 121 years of federation.

Her Majesty formally opened sittings of Parliament three times; in 1954 the year following her coronation, in 1974 and 1977. In total, Her Majesty visited Parliament House, both provisional and new, eight times. Most recently, in 2011 for a reception in the Great Hall as part of a tour which ended with attending the Commonwealth Heads of Government meeting in Perth.

In Her Majesty's speeches during those visits, she often expressed faith and optimism in Australia, its people and its democracy. She spoke of the special bond she felt with Australians who she said, in 2006, had creative energy leavened by generous warmth and humour with a proud record of defending freedom and democracy. Her Majesty's commitment to the Commonwealth, and its commitment to democracy, was a constant throughout her reign.

COUNCIL RESOLUTION

MOVED: Cr Robertson
SECONDED: Cr Rainsford

That

- 1. Southern Grampians Shire Council acknowledges with great sorrow the passing of Her Majesty, Queen Elizabeth II, and expresses its sincere condolences to His Majesty King Charles III and all members of the Royal Family.**
- 2. Send a formal letter of condolence on behalf of the Shire to be signed by the Mayor and the CEO and apply the Council Seal.**

CARRIED

MOTION

That standing orders be suspended to enable members of the public to express their condolences on the passing of her Majesty, Queen Elizabeth II.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Henry

That standing orders be suspended to enable members of the public to express their condolences on the passing of her Majesty, Queen Elizabeth II.

CARRIED

MOTION

That standing orders be resumed.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr McAdam

That standing orders be resumed.

CARRIED

7. Questions on Notice

There are two Questions on Notice listed on tonight's agenda.

7.1 George Philip Bade

Q1 What information do Councillors receive to ensure they are properly informed of Planning policy failures within Dunkeld and more broadly the Shire, particularly regarding enforcement proceedings?

Response;

Planning Officers provide general enforcement information through Councillor weekly updates from the CEO. Additionally, Council Officers act upon enforcement advice from various sources and gather evidence which can be of a sensitive nature when investigating alleged breaches of Acts. To protect these actions and that of the public, the *Privacy and Data Protection Act 2014 under section 20* requires councils to comply with the following Information Privacy Principles:

1. An organisation must not do an act, or engage in a practice, that contravenes an Information Privacy Principle in respect of personal information collected, held, managed, used, disclosed or transferred by it.
2. A public sector agency or a Council must, in administering a public register, so far as is reasonably practicable, not do an act or engage in a practice that would contravene an Information Privacy Principle in respect of information collected, held, managed, used, disclosed or transferred by it in connection with the administration of the public register if that information were personal information.

Q2 How confident are Councillors that Councils regulatory officers are actively implementing the various state and local government planning requirements and what information is supplied to demonstrate compliance?

Response;

Council is very confident that Regulatory Officers continue to execute their responsibilities to administer their delegations under section 224 of the *Local Government Act 2020*. Council is also aware that in this particular instance that both the 'Department of Environment, Land, Water and Planning' and the 'Victorian Ombudsman' have also investigated Councils enforcement actions (to date) and concluded Officers continue to operate in a manner consistent and prudent to the Southern Grampians Planning Scheme and section 126 of the *Planning and Environment Act 1987*.

8. Public Deputations

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

9. 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:

- 3 August 2022
- 10 August 2022
- 17 August 2022
- 24 August 2022

This agenda was prepared on 7 September 2022. Any Informal Meeting of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Ordinary Meeting of Council.

Southern Grampians Shire Council Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	3 August 2022
Location:	Virtual Via Teams
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Belinda Johnson, Acting Director Community and Corporate Services Marg Scanlon, Director Infrastructure Alison Quade, Manager Recreation Services Daryl Adamson, Manager Shire Strategy & Regulation
External Presenters:	Marc Sleeman

The Informal Meeting commenced at 12:45pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Governance Rules	Nil
2	Council Policy – Child Safety and Wellbeing Policy	Nil
3	Community Satisfaction Survey Report	Nil
4	Annual Plan Quarterly Report	Nil
5	Grampians Tourism Presentation	Nil
6	Council Policy – Community Relations – Youth Revision 2022	Nil
7	CBD Parking Meters	Nil

The Informal Meeting concluded at 4:45pm.

Southern Grampians Shire Council
Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	10 August 2022
Location:	Virtual Via Teams
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Belinda Johnson, Acting Director Community and Corporate Services Marg Scanlon, Director Infrastructure Peter Brown, Director Planning and Development
External Presenters:	Fi Mercer

The Informal Meeting commenced at 3:00pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor Only Meeting	Nil
2	Matters Raised by Councillors	Nil
3	Council Governance Evaluation Results	Nil

The Informal Meeting concluded at 5:00pm.

Southern Grampians Shire Council
Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	17 August 2022
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr Mary-Ann Brown Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Belinda Johnson, Acting Director Community and Corporate Services Marg Scanlon, Director Infrastructure Peter Brown, Acting Director Planning and Development
External Presenters:	Ben Shoo

The Informal Meeting commenced at 12:00pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor Only Meeting	Nil
2	Hamilton CBD Place Making	Nil

The Informal Meeting concluded at 4:30pm.

Southern Grampians Shire Council Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	24 August 2022
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Belinda Johnson, Acting Director Community and Corporate Services Marg Scanlon, Director Infrastructure Peter Brown, Acting Director Planning and Development Susannah Milne, Manager Community Leisure Services Daryl Adamson, Manager Shire Strategy & Regulation Amy Knight, Manager Cultural Arts Hugh Koch, Manager Economic Development & Tourism
External Presenters:	Shelly McGuinness, Matt Nettleton, Darcy Walker, Jane McColloch

The Informal Meeting commenced at 1:00pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor and CEO Only Meeting	Nil
2	Matters Raised by Councillors	Nil
3	Aged Care Transition – Update on Progress	Nil
4	Statutory Meeting – Change of Date	Nil
5	Rural Land Use Strategy	Nil
6	Draft Arts and Culture Strategy	Nil
7	HRBA Update	Nil

The Informal Meeting concluded at 5:00pm.

10. Management Reports

10.1 Hamilton CBD Parking Meters

Directorate: Peter Brown, Acting Director Planning and Development
Author: Daryl Adamson, Manager Shire Strategy and Regulation
Attachments: None

Executive Summary

In 2020 Council adopted the Hamilton CBD Masterplan which in part discussed the broader future of parking meters in the CBD. This strategic document recommended Council keep paid parking, but upgrade to new parking meters with additional payment and enforcement technology.

The COVID-19 pandemic has changed the payment behaviour of our community with a noticeable drop in revenue attributed partially to people carrying less coins and embracing cashless payment options when shopping.

Operationally, our older pay-by-space machines are incurring significant maintenance and resourcing costs with our supporting service infrastructure i.e. coin counting machines reaching the end of their life. Council needs to mitigate the risk now to allow for an organised transition of this service before costly reactive maintenance is required to maintain the status quo.

Traffic engineering studies have shown that paid parking is effective and efficient in managing priority parking spaces within the Hamilton CBD to enable the economic movement of consumers which in turn increases the foot traffic to our businesses.

It is recommended that Council endorse the replacement of old parking meters within the Hamilton CBD to new 'smart city' technology which enables pay-by-plate, contactless, ticketless parking machine technology. It is further recommended that Council allocate \$160k to deliver the project and implement the changeover. It is forecast that this project has a payback of 2 years with effective implementation of new parking technology.

Discussion

Broader parking requirements in the Hamilton CBD have been under review since the Hamilton Structure Plan in 2012 with further strategic understanding developed with the adoption of Hamilton CBD masterplan which recommended upgrading our parking meters, payment and enforcement technology to meet consumer trends and to mitigate costs associated with ageing parking meter infrastructure.

The Hamilton CBD has 204 allocated metered bays. Of these 15 bays have no meters, 6 are missing poles and 40 are displaying faults. Overall, we have 143 meters that are operational delivering a 70% equipment effectiveness. Our ability to repair defective meters is severely hampered by ageing technology, availability of spares and resources to repair infrastructure.

Next generation parking meters offers a higher level of functionality to reduce operational costs:

- The meter can be configured to pay by space or pay by plate. The ticketless nature of the meter ensures that costs associated with parking tickets are eliminated as well as reducing harmful environmental waste;
- Solar sustainable cells which eliminate the need to connect the meter to mains power;
- All key components of the meter are stored in the unit head, which is easily detachable. This greatly reduces the amount of time that a machine requires servicing;
- Contactless credit card and pay by phone integration into the meter. The cashless nature of the machine greatly reduces time and effort for operators in replacing cashboxes.

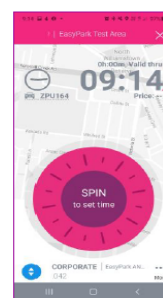
Paid Parking Approaches



Traditional Paid Parking Methods – Cash/Credit Card/NFC/Phone



Features	
Configuration options – Pay by Space, Pay by Plate, Pay & Display	✓
PEMS Integration	✓
Cash payment & reconciliation solution	✓
Contactless card (EMV & PCI DSS Level One)	✓
ApplePay and GooglePay payments (EMV & PCI DSS Level One)	✓
Permit integration	✓
Supports discount schemes	✓



Council’s regulatory services team have audited the operational cost/benefits of delivering the service and have made the following observations:

- Lack of parking meter serviceability is reducing revenue and increasing maintenance costs. i.e. we either incur a maintenance cost or forego revenue.
- Coin operated machines are not matching consumer expectations. Cashless society has driven the consumer to carry less ‘loose change’.
- The banking industry has pushed the service of counting coins back onto Council. Our ability to count coins relies on the serviceability of a 30-year-old machine.
- Collecting and counting coins is labour intensive and introduces manual handling and security risk during the task. As a matter of policy and safety two local laws officers are required during this time reducing operational flexibility.
- Parking meters have the potential to collect revenue of in excess of \$130k pa if the appropriate technology is applied.
- In the 2021-22 financial year only \$49k was collected in revenue continuing a declining trend.

Applying a ‘Smart City’ approach is consistent with Council strategy and will enable the organisation to gauge CBD activity and provide the business community with greater understanding of CBD activity. Realtime revenue data provided from each meter will provide a greater understanding for officers and big-picture information for economic development and decision makers.

Parking information will no longer sit in isolation. Council will be able to see where cars park longest, where and when compliance teams issue the most tickets, and adjust workflows accordingly.

The recommendation is to remove all 204 current parking meters from the Hamilton CBD and install approximately 25 'next generation' pay-by-plate meters in strategic locations. It is considered that the continued acceptance of coins as payment is not consistent with sustainable objectives and smart city principles detailed in various Council strategies and plans. Adoption of this initiative will allow for a reallocation of resources, reduced operational costs and the ability to return the footpath to outdoor dining and retailing.

The identified benefits of Pay-by-Plate include:

- More efficient for enforcement and can target repeated offenders
- Spaces do not need to be marked and therefore reduces ongoing maintenance costs
- Less queries on infringements
- Unlimited layout of spaces
- Can be paperless - more environmentally friendly
- Can be used on- and off-street
- Discourages free parking period over multiple visits (e.g. drivers who keep moving their vehicles for free parking)
- Provides useful data on actual usage by drivers and helps identify churn and usage rates per parking zone
- Does not require drivers to return to car to place ticket on dashboard

Financial and Resource Implications

Council has received indicative costings from project investigations. Research has indicated a budget of \$160,000 inc. GST is required to install 25 next generation parking meters to the Hamilton CBD. This is a mix of capital expenditure and operational costs. A \$10k allowance for removal of existing parking meters has been included within the scope of this budget. Opportunities to offset further costs through selling existing meters will be explored.

Financial modelling indicates that this project has a short payback period of 2 years based on historical revenue and meter serviceably at 90%.

Financial commitments towards this project and proposed to be predominantly allocated from 'emerging priorities' and Local Laws operational budget lines that relate to this service.

Legislation, Council Plan and Policy Impacts

Southern Grampians Council Plan sets out the following vision:

- Southern Grampians will be recognised as a well-connected, dynamic Regional Centre, supporting a vibrant, healthy and inclusive community

Parking meter renewal in the Hamilton CBD is consistent with the 2021-2025 Council Plan and directly relates to objective 3.1 - Plan and maintain sustainable assets and infrastructure, by applying the strategy of 3.1.1 Review and adopt asset management plans to align with future service levels, environmental and financial sustainability.

Councils responsibilities under the *Infringements Act 2006* will be enhanced beyond the foundational legislative requirements and implementation will enable Council to focus on best practice administration and law practices with the introduction of enhanced parking technology.

Councils Policies and Community Laws which reference parking will be broadly unaffected as the technology and administration of new technology serves to enhance these functions.

Risk Management

The purpose of upgrading the Hamilton CBD parking meters delivers on key findings in the Hamilton CBD Masterplan and Council Plan by directly addressing service levels and financial sustainability of a key Council revenue streams and function.

Implementation and application of new parking technology allows for greater transparency and protect the sustainable operation and community expectations of the service into the future.

Safety of our Officers from a security and manual handling perspective is mitigated through this initiative. Public discourse and debate in relation to parking will continue, however there is a greater risk to Council's reputation by maintaining the status quo when there is a clear path to delivering a sustainable outcome.

Environmental and Sustainability Considerations

By adopting intelligent parking technology, Council can drastically reduce the amount of paper we consume. While many compliance teams use state-of-the-art Bluetooth printing devices for tickets, the system proposed enables Council to issue digital tickets with motorists avoiding paper tickets altogether. Pay-by-phone applications mean that motorists can use Apple Pay, Android Pay and other digital wallets to minimise the circulation of cash and create a digital paper trail for all parking transactions.

Sustainability goes beyond the environment – it includes the way the service operates too. Smart spending, correct allocation of resources and understanding where employees efforts are concentrated (and if they are focused on labour-intensive work) is all part of improving sustainability from an operational perspective.

Community Consultation and Communication

Significant community engagement has been completed and recorded in the Hamilton CBD masterplan which was adopted by Council in 2020. In summary these deliberative consultation methods were:

- Hamilton CBD Masterplan report is available online for public viewing;
- Community engagement events in the Hamilton CBD discussing parking;
- Virtual tour - A 'virtual tour' of proposed upgrades using the latest virtual reality technology was made available at the community engagement and continues to be available through Council's website;
- Targeted stakeholder meetings with community and Hamilton business organisations;
- Social Pinpoint, Facebook & email - The Masterplan 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 Southern Grampians Shire Council's Facebook page;
- Community engagement events had 600 people attending in person during the masterplan development with 275 online interactions.

Implementation of this project will require further communication. A Communications Strategy framework will be developed with Councils Community Relations team to ensure relevant information is distributed at the appropriate timing to the broader community and direct stakeholders.

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.

RECOMMENDATION

That Council:

1. Endorse removing 204 pay-by-space parking meters currently in the Hamilton CBD and replace with 'next generation' parking meters.
2. Allocate \$160,000 from retained earnings and initiate the project in financial year 2022-23.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr McAdam

That Council:

1. **Endorse removing 204 pay-by-space parking meters currently in the Hamilton CBD and replace with 'next generation' parking meters.**
2. **Allocate \$160,000 from retained earnings and initiate the project in financial year 2022-23.**

CARRIED

10.2 Draft Rural Land Use Strategy

Directorate: Peter Brown, Acting Director Planning and Development
Author: Parvesh Siroha, Senior Strategic Planner
Attachments: Draft Rural Land Use Strategy

Executive Summary

The purpose of this report is to seek re-exhibition of the Draft Rural Land Use Strategy (RLUS) and note the additional work by RMCG that addressed feedback and issues identified in the previous version of the RLUS.

In April 2022 RMCG was provided with the opportunity to address submissions received when RLUS was formally exhibited. The Background Report and Draft Rural Land Use Strategy were both updated in July 2022 to include current ABS data, consider strategic studies recently completed by Council and the consultation findings.

The key changes made to the strategy in response to the updates and consultation include:

- Inclusion of case studies to illustrate the diversity of farming enterprises, their evolution and issues and case studies of land use conflict.
- Identification of farmland of state strategic significance.
- Abandon proposed changes to minimum lot size based on the findings of updated building permit data, consultation and case studies.
- Clarify further strategic work and identify non-policy actions to support implementation of the RLUS.

Recommendations

That Council endorse the Draft Rural Land Use Strategy for re-exhibition of the updated version RLUS for a period of no less than 30 days.

Background and timeline

Preparation of the draft Rural Land Use Strategy commenced in 2017 which enabled the Southern Grampians Planning Scheme to be reviewed and updated to respond to current and emerging rural land use issues and opportunities in the Shire. Implementation of the RLUS aims to facilitate a coordinated approach to use and development of rural land across the Shire.

During 2021, Council sought feedback from the community and stakeholders on the draft RLUS.

The formal and informal community engagement details are as follows:

- Council was briefed on 10 August 2021 on the feedback received of informal launch of RLUS. Council then directed for formal exhibition of RLUS to occur.
- RLUS was exhibited on Council's website for 60 days during Oct-Dec 2021. Five face-to-face briefings and one virtual briefing with the community were organized at Penshurst, Dunkeld, Cavendish, Coleraine and Balmoral.
- A virtual briefing occurred 3 December 2021.
- Council was briefed in February 2021 on submissions received during formal exhibition.
- March-April 2022 - RMCG provided with the opportunity to address submissions received in formal exhibition phase.
- March-June 2022 – Seven farm case studies were undertaken across Shire.

- 29 July 2022 RMCG issues updated RLUS addressing issues identified in February 2022.

The key message from the formal community engagement included:

- Further clarify Council's position with regards to renewable energy generation development and extractive industry in high amenity locations.
- Ensure there is strong justification for the recommendation to increase the minimum lot size for dwellings in the FZ to 200ha.
- Update background information and consider recently completed Council strategic studies and reflect recent changes to planning policy.
- Further guidance is required in relation to introduction of the Restructure Overlay and assessment of house lot excisions.
- Identify further strategic work.

The draft Rural Land Use Strategy seeks to introduce the overarching ethos that development in the rural areas needs to deliver high quality environmental outcomes through good design and on-site environmental improvement works.

Southern Grampians Shire Council through the RLUS aims to:

- Retain sustainable food and fibre production and value add industries as the priority rural land use.
- Encourage diversification of rural land use, including tourism, renewable energy and sustainable development of natural resources.
- Retain residential growth and rural living within established townships to create a network of integrated and prosperous settlements.
- Protect and enhance the environmental and landscape qualities of the land.

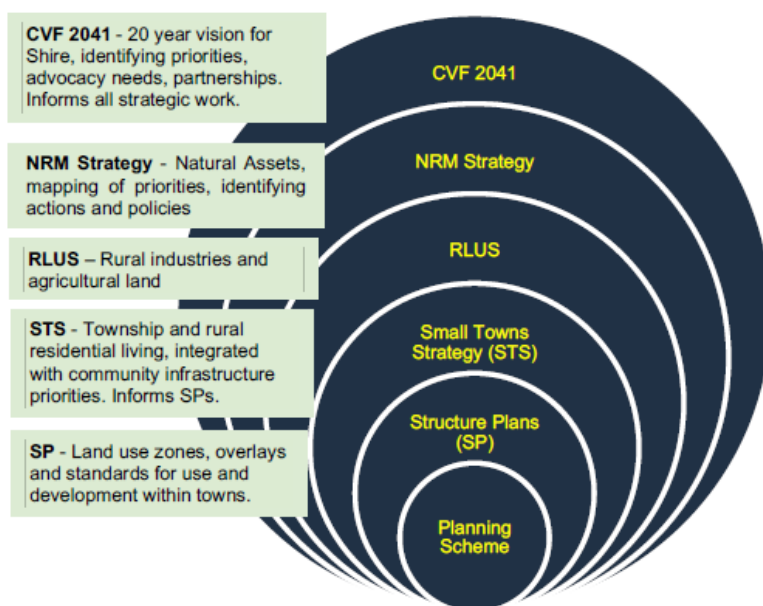
The Strategy provides a Strategic Framework which comprises a vision, principles, framework plan and strategic objectives for rural land. Another important component of the Strategy is the Implementation Plan which includes recommendations for changes to the Southern Grampians Planning Scheme. The Strategy also makes recommendations for further strategic work to support agriculture in the Shire.

Some of the key recommendations within the strategy include rezoning of land, the introduction of new planning policies and updates to planning scheme overlay controls.

RLUS is a key strategic platform for Council. But it is not the only one. Implementation of findings from RLUS will support and be supported by the following:

- Council's 20-year strategic plan, Community Vision Framework (CVF) 2041 that provides high level strategic policy guidance and includes vision statements around tourism, renewable energy, economic development and the like.
- The Southern Grampians Planning Scheme via statutory implementation of the recommendations from the RLUS, e.g. introduction of clearer policy in the Municipal Strategic Statement, use of restructure overlays, clarification of subdivision and dwelling controls in the Farming Zone.
- The Natural Resource Management Strategy and Small Towns Strategy, through the further strategic work proposed in these projects including review of environmental values and update environmental policies and overlays as required.

The context of these documents and key elements of the strategic planning framework outlined above and the role of RLUS is represented as follows:



Context

In the preparation of the draft Rural land Use Strategy, it was recognised that the existing strategic directions being pursued by Council remain relevant. That vision recognises:

- Southern Grampian’s outstanding natural resources support thriving, sustainable rural industries.
- Investors in rural industry are attracted by competitive advantages for food and fibre production, extractive industry and renewable energy.
- Tourists are drawn by a range of high-quality experiences leveraging significant environmental values and landscapes including The Grampians (Gariwerd) and volcanic landscapes.

Modifications to RLUS post exhibition in Nov 2021

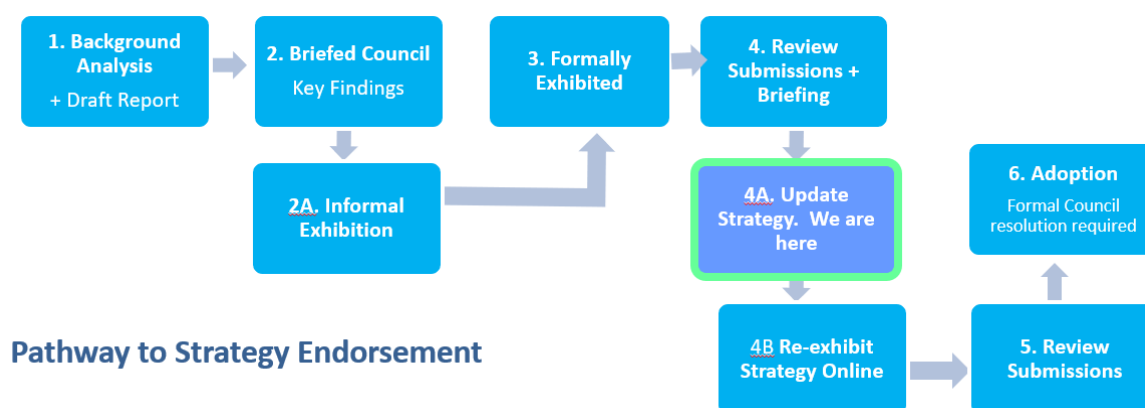
The following changes have been made to RLUS since formal exhibition in late 2021, namely:

- Seven Farm case studies were undertaken into RLUS in June 2022 included in appendix (Appendix 2) of RLUS. This gives clarity on many issues relating to farm consolidation, water management and farm planning. This further confirms the trends identified in the original work.
- The Restructure Overlay investigation areas now in Appendix C of RLUS excluded from main body of the document. This provides clarity that overlays are to rationalize existing lots to enable orderly planning and land use in the Shire. It’s worth nothing that it doesn’t prohibit dwellings in the Farming Zone under restructure overlays.
- The minimum lot size for dwellings in the Farming Zone is now retained at 40 ha.
- Recognition that additional work is required to identify rezoning anomalies where Farming Zone should be Rural Conservation Zone in the area bordering Grampians National Park (see section 3 implementation of RLUS).
- Removal of reference to BAL requirements for dwellings in the Farming Zone. This is covered under AS 3959:2019.

- Clarity that implementation of landscape protection controls will require further review and engagement with affected landowners to ensure effectiveness and workability.
- Inclusion of land capability map. An assessment of land capability and land fragmentation found that most rural land has moderate to high agricultural capability (Figure 10 of RLUS) and is held in land parcels suited to broadacre agriculture and forestry.
- Removal of detail on farm management plan guidelines as this is substantially operational.
- Inclusion of ABS data for 2021, noting that in Oct 2021 additional data will be also included in the final adopted document. This will be footnoted in the version re-exhibited.
- A clearer recognition of overlay updates especially relating to priority vegetation/biodiversity outcomes will be delivered via the Natural Assets Strategy (in preparation). This links with greater clarity on Council's hierarchy of strategies (see 'Major Drivers' heading of RLUS).
- A toning down of commentary on population decline under 'economic and population growth'. In the period 2016-21 population has stabilized and marginally increased.
- Inclusion of new data on dwellings approved in the Farming Zone – see Figure 4 of RLUS. Dwelling demand on lots <40 ha has been historically limited (<4 dwellings per annum).
- In the 'consultation' section of the RLUS there is a succinct summary of changes to RLUS which is also helpful.

Pathway Forward

The project is now at stage 4A (refer figure below). Given the changes made to RLUS are responsive to feedback received, the document will be re-exhibited. Noting however with the extensive engagement to date, future engagement would be limited to online advertising with the option of an online workshop if deemed required. Those parties that have made submissions will be written to formally, with copies of the RLUS documentation accessible to download.



A report will then be provided to Councilors with a view to Council adopting a final draft of RLUS, which will enable the development of a series of amendments – each of which will have its own consultation process.

Community Consultation and Communication

Consultation on the updated version of the Rural Land Use Strategy is proposed to occur for a minimum of 30 days. The strategy would be promoted with a notice on Council's web page, advertising with letters written to any parties that have informally or formally comments on previous versions of RLUS.

Financial and Resource Implications

The draft Rural Land Use Strategy has been a priority of Council and funded through the Council budget process. This report seeks Council's endorsement for a consultation process to be undertaken and as such there is no implications associated with resources, information technology or asset management.

Legislation, Council Plan and Policy Impacts

Council Plan 2021-2025.

Southern Grampians Council Plan sets out the following vision:

- Southern Grampians will be recognised as a well-connected, dynamic Regional Centre, supporting a vibrant, healthy and inclusive community

Actions that Council will undertake to implement this vision relevant to this study include:

- Promote the Region's natural advantages of soil, water, topography and climate
- Support opportunities for intensification, diversification and value adding within the agricultural and primary industries sector.
- Attract, support and encourage social and economic development in all our settlements.
- Leverage the Shire's strategic advantages in health, education, leisure and cultural activities as a means to stimulate economic and population growth.
- Continue to develop and implement land use planning strategies to support new investments.
- Promote and support natural resource management and community-based initiatives.
- Ensure land use planning balances growth with appropriate levels of environmental stewardship.

Southern Grampians Economic Development Strategy.

The Strategy sets out objectives, principles and actions to grow the local economy focusing on initiatives to stem the out-flow of residents, attract new people and strengthen labour markets.

The Economic Development Strategy clearly establishes the importance of ensuring planning policy supports and promotes established rural industries such as agriculture and timber production but also seeks to support and promote emerging or less advanced sectors such as rural tourism and renewable energy.

The Economic Development Strategy includes spatial representation of key rural industries and infrastructure, which along with the Place Based Economic Development Drivers framework provides a useful starting point for consideration of precincts to facilitate preparation of rural policy to achieve specific outcomes in local areas.

Risk Management

Southern Grampians Climate Change Adaptation Plan 2017- 2027

Development of the Adaptation Plan was informed by a risk assessment which identified bushfire and water availability and quality as the highest priority risks facing the Shire from the future climate. The Plan identified actions that Council has already undertaken to assist adaptation including the Southern Grampians Agribusinesses Land Capability Mapping.

Environmental and Sustainability Considerations

Southern Grampians Sustainability Strategy

The Sustainability Strategy is the key strategic document for delivering an environmentally sustainable Southern Grampians Shire. Actions relevant to the RLUS include:

- Council to review the Southern Grampians Planning Scheme to ensure it guides the appropriate location of urban development (including land use and land capability analysis)
- Review the Southern Grampians Planning Scheme to incorporate relevant environmental layers (e.g., salinity, vegetation, etc.)
- Council to advocate and support the value of agricultural activities in the Shire, increased production capacity and to help transition to low carbon economies.

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:

Endorse the Draft Rural Land Use Strategy for the purpose of re-exhibiting it for a minimum of 30 days limited to online advertising and formally write to those parties that have made submissions previously.

COUNCIL RESOLUTION

MOVED: Cr Rainsford
SECONDED: Cr Robertson

That Council:

Endorse the Draft Rural Land Use Strategy for the purpose of re-exhibiting it for a minimum of 30 days limited to online advertising and formally write to those parties that have made submissions previously.

CARRIED

10.3 Draft Arts and Culture Strategy

Directorate: Peter Brown, Acting Director Planning and Development
Author: Amy Knight, Manager Cultural Arts
Attachments: Arts and Culture Strategy 2022-26

Executive Summary

The purpose of this report is to seek Council approval to release for public exhibition, the draft Arts and Culture Strategy 2022-26.

The Southern Grampians Shire Council (SGSC) has developed a 4-year Arts and Culture Strategy to guide the community and Council in the planning, development and promotion of arts and cultural facilities, initiatives, programs and services. The draft Strategy directly aligns with the current Council Plan 2021-25.

The commitments outlined in the draft Strategy are based on extensive consultation with the Southern Grampians community and key stakeholders.

Upon completion of the public exhibition period, the draft Strategy will be reviewed for any necessary amendments and a report prepared for Council detailing any feedback received. It is proposed that the final document be presented to Council for adoption at the November 2022 Council meeting.

Discussion

The draft Arts and Culture Strategy 2022-26 is the key document that drives the strategic direction of the Council's creative and cultural services.

The draft Strategy aligns with the objectives of the Council Plan 2021-2025 and responds to the key values of the Southern Grampians community. It details specific actions that will deliver on Council priorities and initiatives, as well as ensure that cultural outcomes are embraced, delivered and measured across the whole of the organisation.

The draft Strategy aligns with Council's five fundamental priority areas for the next four years:

1. Support our Community
2. Grow our Regional Economy
3. Maintain and Renew our Infrastructure
4. Protect our Natural Environment
5. Provide Strong Governance and Leadership

The draft Strategy ensures culture contributes to the realisation of these key priority areas as well as the strategic directions outlined in the Community Vision Framework 2041. It aligns the cultural aspirations articulated through the consultation process with the directions outlined in both of these key Council plans. It further demonstrates the integrated impact that well-delivered, and targeted cultural activities and investments have on these priority areas.

The methodology utilised in the development of the draft Strategy follows the Cultural Development Network's planning framework, adopted by the National Local Government Cultural Forum, the Australia Council for the Arts, Creative Victoria, the Australian Local Government Association. This framework uses planning principles focused on goals and outcomes and based on evidence, all underpinned by a theory of change to inform the selection of future activities.

Following an extensive community consultation process, the common key values which emerged were summarised into the following key categories:

- First Peoples First
- Activity and Engagement
- Access and Inclusion
- Creative Spaces
- Place Making
- Information and Awareness.

Council will measure the performance of activities against the measurable outcomes set out in the Strategy, combined with qualitative data already captured by the cultural services, and report back to Council on the progress.

The Strategy will be further supported by the development of an annual Implementation Plan. The Implementation Plan is developed each year to assist in the delivery of the Strategy's commitments and to demonstrate what key projects will be delivered each year.

The draft Arts and Culture Strategy is now complete and ready to be placed on public exhibition to the community to review the content and ensure that process has captured all points of their feedback.

Upon completion of the public exhibition period the draft Strategy will be reviewed for any necessary amendments and a report prepared for Council detailing any feedback received. The final document will be presented to Council for adoption during the November Council meeting.

Financial and Resource Implications

The draft Arts and Culture Strategy has been a priority of Council and funded through the Council budget process. This report seeks Council's endorsement for a public exhibition process to be undertaken with no further financial or resource implications will be required outside of those listed below.

The costs incurred in relation to the development of the draft document include:

- External consultant.
- Graphic Design of the document.
- Community Engagement Costs.

The total costs following the adoption of the draft Strategy are expected to be approximately \$12,500. This figure does not include staff costs.

Legislation, Council Plan and Policy Impacts

Council Plan 2021-25.

Council's vision is that '*Southern Grampians Shire will be recognised as a well-connected dynamic Regional Centre, supporting a vibrant, healthy and inclusive community*'.

The Arts and Cultural Strategy has been developed to deliver on the five key priority areas of the Council Plan.

Southern Grampians Shire Council Health and Wellbeing Plan 2017-2021.

Risk Management

There are no risk management issues in relation to Council giving public notice of the preparation of the draft Arts and Cultural Strategy and inviting submissions.

Placing the draft Strategy on public exhibition allows for further engagement with the community and stakeholders on the content of the strategic document and its recommendations to ensure that the process has captured all points of their feedback.

Environmental and Sustainability Considerations

The draft Arts and Culture Strategy outlines commitments and strategies in relation to a wide range of categories. Achievement of these commitments will have an impact on many aspects of community life, including cultural, social, economic and environmental aspects.

Any projects and initiatives that arise from the strategy will be required to consider environmental and sustainability principles in their design, construction or implementation and will be done so on a case-by-case basis.

Community Consultation and Communication

An extensive engagement process has been conducted as a part of the preparation of the draft Arts and Culture Strategy.

The staged consultation process consisted of:

- First Peoples Engagement sessions
- Targeted stakeholder consultations
- Online Ideas Wall
- Surveys and Submissions
- Face-to-face meetings

The findings and evaluation of this consultation have been summarised in the draft Strategy Appendix - *Appendix 1: How the Strategy was Prepared*.

As part of the public exhibition process, the document will be available for display for a period of 28 days. The online Ideas Wall detailed in Stage 2 of the consultation process will be advertised and available for public view concurrently with the Strategy exhibition phase.

Participants who have been involved with earlier consultation; including identified user groups, artists and other key stakeholders will be emailed and advised directly that Strategy is available for feedback. The document will also be placed on Council's website and advertised through public notices and social media.

It should be noted the strategy has been prepared on consultation and evidence-based approach and as such the document is provided for information purposes and to ensure factual content.

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.

RECOMMENDATION

That Council:

1. Approve the public exhibition of the draft Arts & Culture Strategy 2022-26 for a period of 28 days; and
2. That following the expiration of the public notice period a further report will be presented to Council.

COUNCIL RESOLUTION

MOVED: Cr Henry
SECONDED: Cr Rainsford

That Council:

1. Approve the public exhibition of the draft Arts & Culture Strategy 2022-26 for a period of 28 days; and
2. That following the expiration of the public notice period a further report will be presented to Council.

CARRIED

10.4 Draft 2021 - 2022 Financial & Performance Statements

Directorate:	Belinda Johnson, Acting Director Community and Corporate Services
Author:	Belinda Johnson, Acting Director Community and Corporate Services
Attachments:	1. Annual Financial Report 2021/2022 2. Performance Statement 2021/2022

Executive Summary

The *Local Government Act 2020* (LGA) requires that Council must pass resolutions giving approval in principle to the annual financial and performance statements, and authorise two Councillors to certify the statements in their final form after any changes recommended or agreed to by the Auditor General have been made.

It is recommended that Cr Robertson and Cr Henry, as the councillor members of the Audit & Risk Committee, be authorised to certify the statements.

Discussion

The financial statements form part of Council's Annual Report. The Financial Statements and Performance Statement are each prepared in accordance with the requirements of the LGA and the applicable accounting standards.

They are audited by Crowe Audit Australia on behalf of the Victorian Auditor General's Office and presented to Council's Audit and Risk Committee. When finalised they are formerly certified by the Auditor General. The statements are also signed by the Chief Executive Officer and the Principal Accounting Officer (Manager Finance).

Draft statements have been audited by Crowe Audit Australia and presented to the Audit & Risk Committee on 13 September 2022. However, at the time of completing this report the Victorian Auditor General's Office (VAGO) had not finalised their review.

The Management Letter and Closing report are also only in Draft format.

Financial and Resource Implications

There are no financial implications in this process. The statements outline financial performance for the year but costs in their production are part of normal operating expenditure.

Legislation, Council Plan and Policy Impacts

Council Plan – Provide Governance & Leadership – 5.1.2 Ensure responsible, effective and efficient use of Council resources.

Sections 131 and 132 of the LGA and the Local Government (Planning and Reporting) Regulations 2014 outline the process required to be followed in the certification of the annual statements.

Risk Management

The draft statements have been presented to Council's Audit and Risk Committee on Tuesday 13 September 2022.

Environmental and Sustainability Considerations

This report has no environmental or sustainability considerations.

Community Consultation and Communication

There is no requirement for community engagement however the documents form part of Council's Annual Report which is a publicly available document. When prepared, the availability of the Annual Report is advertised.

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. Approve in principle the draft 2021/2022 Financial Statements and Performance Statement.
2. Appoint Cr Robertson and Cr Henry, as the councillor members of the Audit & Risk Committee, to certify the statements in their final form after any changes recommended or agreed to by the Victorian Auditor General's Office have been made.

COUNCIL RESOLUTION

MOVED: Cr Calvano
SECONDED: Cr McAdam

That Council:

1. **Approve in principle the draft 2021/2022 Financial Statements and Performance Statement.**
2. **Appoint Cr Robertson and Cr Henry, as the councillor members of the Audit & Risk Committee, to certify the statements in their final form after any changes recommended or agreed to by the Victorian Auditor General's Office have been made.**

CARRIED

10.5 Council Renewing Support for the Hamilton Regional Business Association

Directorate: Peter Brown, Acting Director Planning and Development
Author: Hugh Koch, Manager Economic Development and Tourism
Attachments: None

Executive Summary

This report discusses the Hamilton Regional Business Association's (HRBA's) 2021-2024 strategic direction with consideration of continued financial support from Southern Grampians Shire Council.

It is recommended that a new three-year Memorandum of Understanding (MoU) be established between the two organisations with clearly defined roles, functions and key performance indicators to support HRBA's activities. It is further recommended that an annual allocation of \$20,000 be made to support the identified activities of HRBA for three years, to be reviewed in 2025.

Discussion

In November 2021, Hamilton Regional Business Association (HRBA) presented a new 4-year strategic plan for the organisation. It highlighted the direction for the organisation that focused on financial sustainability, improving their lobbying and advocacy and support for new and existing businesses in the Hamilton region. In December, Council elected to endorse the establishment of a 12-month MoU from 1 November 2021 – 31 October 2022 with funding of \$20,000 to support the identified activities. HRBA briefed Council on the 24 August 2022 with an update on their past six-month's activities.

HRBA noted several highlights including:

- Increase in membership outside of Hamilton from 1% to 10% of its membership
- Multiple submissions to the Shire on Shire strategies, capital projects and policies
- Strong program and attendance of networking events and workshops
- Planning underway on new initiatives to benefit both members and non-members of HRBA
- Advocating on a variety of issues to the Shire and in support of Shire advocacy priorities

The Economic Development and Tourism Unit (EDTU) has been working in partnership with HRBA since the first MoU was established in 2018. Quarterly meetings have been established with the EDTU to develop cooperative marketing campaigns, share information and support each organisation's agreed objectives.

The partnership became critical during the COVID restrictions as HRBA became an important sounding board for the development of the Business Relief and Recovery Strategy. In a difficult few years, HRBA has maintained its membership numbers and worked to keep their members connected.

To continue to grow and realise its vision, HRBA seek to continue a financial contribution from Southern Grampians Shire with a formal MoU over three years. As with the previous agreement, it would define the roles and responsibilities of each organisation and provide funding to support a higher level of administration and coordination for HRBA that would assist in achieving its objectives.

HRBA was established in 2004. HRBA is a not for profit organisation managed by a committee of volunteers from the Southern Grampians Shire Business Community. HRBA aspires to be the voice for local businesses representing the majority of businesses and organisations in the region. It currently has approx. 75 members.

HRBA has undertaken the development of a strategic plan with engagement from their membership for 2021-2024. The plan has enumerated the strategic themes, which they see as fulfilling their mission and have developed some objectives and actions to achieve that.

The strategic themes they have identified are:

- Increase the presence of HRBA in the Southern Grampians Shire making it the first point of contact, being the voice of local business.
- Lobby on the key issues affecting business in the Southern Grampians Shire
- Provide Training and Mentoring to HRBA Members and Member Organizations
- Provide regular networking opportunities to HRBA members within and outside of the Southern Grampians Shire
- Create financial sustainability for the HRBA organization
- Develop and implement initiatives to expand, retain and add value to HRBA's members
- Have a strong group of subcommittees that focus on the key elements, issues and areas concerning business in the Southern Grampians Shire
- Support New and Existing Business in the Southern Grampians Shire

To achieve these objectives there is a need for continued administrative support to service the organisation. All executive members act in a voluntary capacity and history within both HRBA and other business associations previously contacted, indicate that the management of fatigue is a defining factor in the success or failure of the association.

Their strategic plan is centred on the executive providing the strategic input as well as a personal commitment of time, but the day to day administrative tasks need to be handled through a paid position. Building the local association's administrative capacity helps them grow their member base and make them more effective throughout the shire in which they operate.

Under their strategic plan HRBA plan to deliver the above functions to the local community. There is enthusiasm from the committee for the task and with appropriate support they will continue to make a very valuable contribution to the economy of the Southern Grampians Shire.

Financial and Resource Implications

There has been an allocation made in the 2022/2023 budget of \$20,000 to support this initiative if the recommendation is supported.

A secondary resource implication is the modification of the 12-month term of the MoU to 3 years. This better reflects the Council Plan timelines and is appropriate to fund. The timeframe also allows a new Council to reconsider any further support in a new council term.

Within the MoU there will be a clause outlining procedures for either party to withdraw so there is no legal obligation beyond the current 12-month period. However, it is proposed to continue the funding over a three-year period which will have an implication for the following two financial year's budgets.

Legislation, Council Plan and Policy Impacts

Southern Grampians Shire Council Plan 2021-2025

Key Priority No.2: Grow Our Regional Economy

2.4 Support local business and industry

Economic Development Strategy

Core principle 4

Facilitate the business community

Council's role should be one of facilitation and capacity building in the business community. Council should be an important resource to support all local businesses and prospective investors. This requires ongoing and regular interaction with enterprises and, where relevant, governance structures that leverage from the business sector's skills. It also means redirecting Council's current efforts to include facilitation as a core principle.

- 7.3 Working with HRBA to collaborate in a broader range of existing and new programs; and
- 7.4 Support HRBA to expand its capacity to meet different objectives, including: an ideas generation group or local think tank and industry sector sub-groups.

Rationale

- 7.3 Additionally, some tactical promotional efforts should be handed over to a more fully resourced HRBA to allow Council to take on a more strategic facilitation role.
- 7.4 HRBA has a role to play in the formation and running of this forum as well as in efforts to tailor support to different industry sectors.

Retail Strategy 2011-2021

9.1 Objective

Council will support existing traders and their organisations to improve retail industry performance and the viability of activity centres.

- 7.1 Consider the provision of funds towards the development of traders' organisations in Hamilton and the neighbourhood activity Centres
- 7.3 Consider the provision of funds to traders' organisations to help provide trader training (including hospitality, customer service, window displays and internet trading)

Improved provision and take-up of trader training opportunities

- 7.4 Provide funds towards promotional activities in individual centres, targeting those key markets identified in business planning

Risk Management

The risk to HRBA is that without sufficient funding to resource their organisation, volunteer fatigue will set in and they will cease to be an active association. Council's Economic Strategy identified a strong Business Association as a strength and accordingly should be encouraged and assisted.

In assisting HRBA with funding Council's reputation will be protected through a MoU which will clearly define the roles and responsibilities and have key performance indicators to ensure public benefit is met. As with the previous MoU these will need to be negotiated between Council and HRBA, but an indicative set of terms would be similar to the following;

Roles and Responsibilities

Hamilton Regional Business Association's (HRBA) Responsibility and Autonomy:

- HRBA will commit to supporting Council in their advocacy efforts. The exact nature of the support will be determined between the partners in accordance with circumstances of each case. It is anticipated this will involve participating in presentations, forums and other public meetings to advance the objectives.
- HRBA will commit to providing Council with a single point for seeking input from the business community.
- Establishment and successful management of sub committees to support the objectives of the association.
- Report to Council annually.

Council and HRBA joint responsibilities:

- To jointly undertake various business promotions. Whilst the promotions will be determined from time to time it will include at least two retail promotions per year. HRBA will be responsible for the delivery of these promotions with Council supporting with project funding.
- To undertake joint training/development workshops.
- To jointly develop a program to assist in the attraction and retention of young professionals.

Southern Grampians Shire Council responsibilities:

- Southern Grampians will provide funding to HRBA to support the growth of the organisation. The amount of support to be negotiated on a three-year basis.
- Southern Grampians Shire will liaise with HRBA in the development of ongoing actions to promote the growth and development of the business community. This will include quarterly meetings between the Manager Economic Development and Tourism and the Business Development Officer with the nominated representatives from HRBA

Success Measures

- The indicative measures of success could include:
 - Increase in total memberships
 - Increase in memberships outside of Hamilton
 - Attendees at workshops
 - Number of retail promotions delivered
 - Number of training/development opportunities delivered
 - Number of meetings and workshops attended to support the region's advocacy or strategic development
 - Number of submissions or representations made to support the objectives of the association
 - Number of networking opportunities

With the safeguards to be built into the MoU both parties can terminate the agreement if it proves unsatisfactory. This will limit Council's liability to a single year payment at any time.

Environmental and Sustainability Considerations

The adoption of the recommendations in this report does not have any environmental or sustainability impact.

Community Consultation and Communication

HRBA presented to a Council briefing session on 24 August 2022. This provided an update on the actions identified in their strategic plan, future direction; presented what their main targets of action over the next three years and what outcomes they are hoping to achieve. The timeline for the implementation of their strategy is to deliver the outcomes over the next three years.

The next steps for Council and HRBA are to re-establish a MoU incorporating the features previously mentioned. The signing of the memorandum could be a public event with appropriate media involved and would be the final step in the process.

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.

RECOMMENDATION

That:

1. Council establish a three year Memorandum of Understanding with the Hamilton Regional Business Association (HRBA) with clearly defined roles, functions and key performance indicators to support HRBA's activities, to be reviewed in 2025.
2. An annual allocation of \$20,000 be made to support the identified activities of HRBA for a period of three years.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Henry

That:

1. Council establish a three year Memorandum of Understanding with the Hamilton Regional Business Association (HRBA) with clearly defined roles, functions and key performance indicators to support HRBA's activities, to be reviewed annually.
2. An annual allocation of \$20,000 be made to support the identified activities of HRBA for a period of three years.

CARRIED

10.6 Review of s11A Instrument of Appointment and Authorisation

Directorate: Belinda Johnson, Acting Director Community and Corporate Services
Author: Tania Quinn, Acting Governance Coordinator
Attachments: s11A Instrument of Appointment and Authorisation

Executive Summary

Council appoints many powers to its staff through instruments of delegation and authorisation.

The s11A Instrument of Appointment and Authorisation appoints Council staff to be authorised under the *Planning and Environment Act 1987* and allows them to fully discharge their duties and responsibilities under that Act.

The s11A Instrument of Appointment and Authorisation has been updated to reflect recent staffing changes and is attached for Council consideration.

Discussion

The Act, and a variety of other legislation, makes express provision for the appointment of delegates to act on behalf of Councils and delegation of powers is essential to enable day to day decisions to be made and for the effective operation of the organisation.

The Instruments of Delegation and Appointment and Authorisation are prepared for Council by Maddocks Lawyers.

S11A Instrument of Appointment and Authorisation

The s11A Instrument of Appointment and Authorisation:

- Appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- Authorises the officers generally to institute proceedings for offences against the *Planning and Environment Act 1987* and the regulations made under that Act.

The previous Authorisation needs to be revoked due to some of the staff listed in the Instrument no longer working for Council.

As with the delegations under the *Planning and Environment Act 1987* these appointments and authorisations must be made by Council and are not delegated by the CEO.

It is recommended that Council adopts the s11A Instrument of Appointment and Authorisation.

Financial and Resource Implications

Council subscribes to the Delegations and Authorisations service provided by Maddocks Lawyers, the cost of which is provided for in Council's budget.

There are no other financial implications in reviewing the Instruments of Delegation.

Legislation, Council Plan and Policy Impacts

Objective 5.1 – Provide transparent and responsible governance.

Risk Management

The use of the Maddocks service alleviates the potential risk of staff not being appropriately authorised in the exercise of various powers and functions. The updates are done regularly and capture any legislative changes. The service is available to all Victorian Councils which enables consistency

Environmental and Sustainability Considerations

Many of the activities undertaken by staff on behalf of Council have social, economic or environmental effects, including many of the powers included in the instruments of delegation. The Instruments of Delegation ensure that the decisions are made by the most appropriate person or persons with the organisation.

Community Consultation and Communication

There is no requirement for community consultation in relation to the review of the Instrument.

Affected staff will be provided with confirmation of the amendments to the Instrument.

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.

RECOMMENDATION

In the exercise of the powers conferred by the legislation referred to in the attached instrument, Council resolves that:

1. Council adopt the attached s11A Instrument of Appointment and Authorisation for the members of Council staff set out in the instrument.
2. The s11A Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it, and on coming into force all previous s11A instruments are revoked.

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Brown

In the exercise of the powers conferred by the legislation referred to in the attached instrument, Council resolves that:

- 1. Council adopt the attached s11A Instrument of Appointment and Authorisation for the members of Council staff set out in the instrument.**
- 2. The s11A Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it, and on coming into force all previous s11A instruments are revoked.**

CARRIED

10.7 Change of Date – Statutory Meeting 2022

Directorate: Belinda Johnson, Acting Director Community and Corporate Services
Author: Tania Quinn, Acting Governance Coordinator
Attachments: None

Executive Summary

Council's Statutory Meeting to elect the Mayor and Deputy Mayor is currently scheduled to be held on 2 November 2022, however, due to scheduling conflicts it is recommended that the date of the Statutory Meeting be changed to 26 October 2022.

Discussion

The Statutory Meeting to elect the Mayor and Deputy Mayor has traditionally been held on the first Wednesday of November. At the Statutory Meeting held on 3 November 2021 Council resolved to hold this years Statutory Meeting on 2 November.

Recently Council has become aware of scheduling conflicts which would result in reduced attendance. As the figureheads of Council, the election of the mayor and the deputy mayor is a significant event in which all councillors and executive officers should be given the opportunity to participate where possible.

Council's Governance Rules provide that Council by resolution, may change the date, time and place of any meeting which has been fixed and must provide notice of the change to the public. In line with the Governance Rules it is proposed that the Statutory Meeting to elect the Mayor and Deputy Mayor be rescheduled and be held in Council Chambers on Wednesday 26 October 2022 at 5:30pm.

Financial and Resource Implications

There are no financial or resource implications which will result from the adoption of this recommendation.

Legislation, Council Plan and Policy Impacts

Sections 25, 26 and 27 of the *Local Government Act 2020* which sets out the requirements for the election of the Mayor and Deputy Mayor.

Sub-rule 3.3.1 (b) of the Governance Rules allows for a meeting date, time and place to be changed by resolution of Council.

Risk Management

There are no risks associated with changing the date of the Statutory Meeting date.

Environmental and Sustainability Considerations

There are no environmental or sustainability considerations associated with this report.

Community Consultation and Communication

Once adopted, the rescheduled meeting details will be advertised on Council's website, social media pages and in the Hamilton Spectator.

Community members will be encouraged to attend the meeting in person or view the meeting which will be livestreamed to Council's Facebook page.

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.

RECOMMENDATION

That:

1. The Statutory Meeting to Elect the Mayor and Deputy Mayor currently scheduled for 2 November 2022 be rescheduled and held on Wednesday 26 October 2022 in Council Chambers at 5:30pm.
2. Notice of the change of date be provided to the public.

COUNCIL RESOLUTION

MOVED: Cr Calvano
SECONDED: Cr Henry

That:

1. **The Statutory Meeting to Elect the Mayor and Deputy Mayor currently scheduled for 2 November 2022 be rescheduled and held on Wednesday 26 October 2022 in Council Chambers at 5:30pm.**
2. **Notice of the change of date be provided to the public.**

CARRIED

10.8 Christmas Holiday Closure

Directorate: Tony Doyle, Chief Executive Officer
Author: Belinda Johnson, Acting Director Community & Corporate Services
Attachments: None

Executive Summary

Council can elect to close workplaces during the period between Christmas and New Year. It is recommended that Council workplaces close for the Christmas/New Year break from the close of business at 5:00pm on Friday 23 December 2022 and reopen 8:15am on Tuesday 3 January 2023.

Discussion

Council's current Enterprise Bargaining Agreement states that if Council decides to close workplaces over the period between Christmas and New Year at least one month's notice must be provided to staff. Staff can then elect to take leave over this time, or work on the non-public holiday days with permission from their manager. Having the Christmas/New Year break from 5:00pm on Friday 23 December until Tuesday 3 January means that staff who elect to take this time off are required to take three days of time-in-lieu, rostered days off or annual leave. The other three days of closure are public holidays.

Some services will continue to operate during the Christmas/New Year period including:

- Council's after hours service;
- HILAC;
- Lifeguards;
- Transfer Stations;
- Art Gallery;
- Hamilton and Grampians Visitor Information Centre;
- Library;
- Livestock Exchange; and
- Maternity Services

The operation of the above services will be subject to the COVID-19 restrictions at that time if applicable.

Legislation, Council Plan and Policy Impacts

The recommendations in this Report are in accordance with Council's Enterprise Bargaining Agreement.

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.

RECOMMENDATION

That Council notes the Christmas Holiday Closure of Council's Offices from 5:00pm on Friday 23 December 2022 and reopening on Tuesday 3 January 2023 at 8:15am.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Henry

That Council notes the Christmas Holiday Closure of Council's Offices from 5:00pm on Friday 23 December 2022 and reopening on Tuesday 3 January 2023 at 8:15am.

CARRIED

11. Notices of Motion

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

12. Delegated Reports

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

12.1 MUNICIPAL ASSOCIATION VICTORIA (MAV)

Cr Calvano and Cr Colliton reported on their attendance at the MAV Rural South West Group meeting held on 26 August 2022.

12.2 AUDIT AND RISK COMMITTEE

Cr Henry and Cr Robertson reported on their attendance at the Audit and Risk Committee Meeting held on 13 September 2022.

12.3 MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE (MEMPC)

Cr McAdam reported on his attendance at the Municipal Emergency Management Planning Committee Meeting held on 25 August 2022.

12.4 HAMILTON REGIONAL LIVESTOCK COMMITTEE

Cr Brown and Cr McAdam reported on their attendance at the Hamilton Regional Livestock Committee Meeting.

12.5 RAIL FREIGHT ALLIANCE (RFA)

Cr Rainsford reported on her attendance at the Rail Freight Alliance Meeting.

12.6 GREAT SOUTH COAST GROUP

Cr Colliton reported on his attendance at the South West Alliance meeting held on 26 August 2022.

13. Mayors and Councillors Reports

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

14. Confidential Matters

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

15. Close of Meeting

This concludes the business of the meeting.

Meeting closed at 7:12pm

Confirmed by resolution 12 October 2022

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Chairman