

SOUTHERN GRAMPIANS SHIRE COUNCIL

**Council Meeting Minutes
Wednesday 14 February 2024**

Held in MJ Hynes Auditorium
5 Market Place, Hamilton at 5:30pm



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The Meeting opened at 5.30pm

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
Ms Karly Saunders, Governance Coordinator

2 Welcome and Acknowledgement of Country

The Mayor, Cr Robertson read the acknowledgement of country:

“Our meeting is being held on the traditional lands of the Gunditjmara, Tjap Wurrung and Buandig 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 Malone 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

Nil

5 Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Council Meeting held on 13 December 2023 be confirmed as a correct record of business transacted.

COUNCIL RESOLUTION

MOVED: Cr Henry
SECONDED: Cr Rainsford

That the Minutes of the Council Meeting held on 13 December 2023 be confirmed as a correct record of business transacted.

CARRIED

6 Declaration of Interest

Cr Calvano declared a conflict of interest in Items 9.2: Public deputation Peter Hocking and Item 12.5 Proposed Sale of Land of Old Nigretta Road, Henlsey Park.

7 Leave of Absence

There were no requests for a leave of absence on the agenda.

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 were 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 were two Public Deputations listed on the agenda.

9.1 Trevor Burns, Vice President - Glenthompson and District Community Association

A request to speak has been received regarding the Southern Grampians Small Towns Strategy.

RECOMMENDATION

That Council receive the Deputation.

COUNCIL RESOLUTION

MOVED: Cr Colliton
SECONDED: Cr Brown

That Council receive the Deputation.

CARRIED

Cr Calvano declared a conflict of interest in 9.2 and left the Meeting at 5.37pm.

9.2 Peter Hocking

A request to speak has been received regarding Item 12.5: Proposed Sale of Land – Old Nigretta Road, Hensley Park

RECOMMENDATION

That Council receive the Deputation.

COUNCIL RESOLUTION

MOVED: Cr Rainsford
SECONDED: Cr Malone

That Council receive the Deputation.

CARRIED

Cr Calvano returned to the Meeting at 5.44pm.

10 Petitions

There were no Petitions listed on the 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:

- Briefing Session – 24 January 2024
- Briefing Session – 31 January 2024

This agenda was prepared on 6 February 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:	Briefing Session - 24 January 2024
Date:	24 January 2024
Location:	MJ Auditorium
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 Mary McArthur, Visitor Services Coordinator Julie Markby, Property Officer Daryl Adamson, Manager Shire Services and Regulation Andrew Nield, Planning Coordinator Karly Saunders, Governance Coordinator

The Informal Meeting commenced at 11:30am.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor Only Meeting	Nil
2	Councillor and CEO Meeting	Nil
3	Matters Raised by Councillors	Nil
4	Southern Grampians Local Area Action Plan and Grampians Management Plan	Nil

5	Proposed Sale of Land – Old Nigretta Road	Cr Calvano
6	Key Worker Housing Grant Application	Nil
7	RV Camping Hamilton Showgrounds	Nil
8	Southern Grampians Small Town Strategy Consultation Outcomes	Nil
9	Election Period Policy	Nil

The Informal Meeting concluded at 5:00pm

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session - 31 January 2024
Date:	31 January 2024
Location:	MJ Hynes Auditorium
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 Jason Cay, Financial Services Coordinator Karly Saunders, Governance Coordinator Bill Scott, Manager Project Management Office Kunal Ponanna, Strategic Infrastructure Engineer

The Informal Meeting commenced at 3:00pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	1 st and 2 nd Quarter Finance Reports	Nil
2	Prayer Discussion	Nil
3	Governance Rules Discussion	Nil
4	Hamilton Industrial Estate Variation	Nil

The Informal Meeting concluded at 5:13pm.

12 Management Reports

12.1 Community Public Health and Wellbeing Plan Annual Review

Directorate:	Wellbeing, Planning and Regulation
Report Approver:	Rory Neeson, Director Wellbeing, Planning and Regulation
Report Author:	Susannah Milne, Manager Community Wellbeing
Attachment(s):	<ol style="list-style-type: none">1. Southern Grampians Community Health and Wellbeing Action Plan 2022 2023 update 1 [12.1.1 - 18 pages]2. Annual Review Southern Grampians Shire Council Health and Wellbeing Plan 2021 2025 S [12.1.2 - 4 pages]

Executive Summary

The Annual Review – Southern Grampians Community Public Health and Wellbeing Plan (CPHW) and the Southern Grampians CPHW Action Plan 2022-23 have been prepared to provide information regarding the performance of the community against the Southern Grampians Shire Council Community Public Health and Wellbeing Plan 2021-2025.

Discussion

The Southern Grampians CPHW Plan 2021-2025 was developed, in consultation with the community, to focus on the strategic health and wellbeing priorities for our community, while realising Council's vision of a growing, inclusive and connected community that fosters sustainability, diversity and innovation.

The action plan sets out the specific actions and includes a detailed list of community activities and projects that are being undertaken within various organisations within the Shire. These activities and projects have been identified during consultation with various partnership organisations and are intended to attain important outcomes for the strategic health and wellbeing priorities for our community.

A review on the progress of the action plan and key community public health and wellbeing indicators are reported to Council annually. This allows Council to receive timely, relevant and measurable information about how the community is performing. The Annual Review also provides an opportunity to realign the CPHW Plan if required.

The CPHW Plan includes two focus areas with 13 outcomes and 53 priorities. Of these 53 priorities:

- 37 priorities have actions that have been completed.
- 6 priorities have actions that are in development.
- 10 priorities are yet to have actions identified.

Details about the specific performance of the Annual Plan actions is detailed in the attached CHWB Action Plan, along with current trends being provided in the Annual Review document.

Some recent data sets that indicate the current trending of outcomes show improvements in employment rates for both over 65 and youth, along with food affordability, crime and family violence.

Some risk factors such as obesity, smoking and gambling have trended negatively, along with some environmental factors such as household waste and collected recyclables.

Financial and Resource Implications

This report and the attachment presented as a part of this report have been completed within existing staff resources allocated under Community Wellbeing.

It should be noted that many actions completed under the CPHW Plan have been funded across operational and capital budgets which deliver on outcomes that improve community wellbeing by allowing community to be more active, engaged and be provided with choices on services that can positively benefit wellbeing.

External stakeholders and services resources funded by third parties also contribute to the wellbeing of the community and are reported within this plan.

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.

Support Our Community

1.2 Support and promote a healthy community

1.2.1 Provide and advocate for accessible, inclusive and equitable Council services, facilities, activities and participation practices.

1.2.2 Support and encourage participation in arts and culture, education, leisure, recreation and sporting opportunities.

1.2.3 Partner with community services and agencies to plan for the outcomes outlined in the Public Health and Wellbeing Plan.

1.2.4 Advocate for and work with external services that support our community and deliver outcomes.

Legislation

Council is required to prepare a Municipal Public Health and Wellbeing Plan in accordance with section 26 of the *Public Health and Wellbeing Act 2008* and subsequently undertake an annual review and if appropriate amend it.

This Plan is supported by the development of an action plan which details the actions that are being undertaken throughout the community by various organisations and Council departments to achieve the strategic objectives in the CHWB Plan.

Gender Equality Act 2020

There are no implications regarding the *Gender Equality Act 2020*, however the next version of the Health and Wellbeing Plan will require Council to undertake a gender impact assessment.

Risk Management

The Southern Grampians CPHW Plan 2021-2025 does not provide risk element for Council.

Climate Change, Environmental and Sustainability Considerations

The Southern Grampians CPHW Plan 2021-2025 provides for sustainable considerations through Outcome 2.6 - Southern Grampians encourages sustainable practices that promote a healthy environment.

Community Engagement, Communication and Consultation

The Southern Grampians CPHW Plan 2021-2025 was developed in consultation with the community. Ongoing communication and consultation is undertaken with partner organisations including Western District Health Services, Brophy, YacVic, Windamara and the Victoria Police

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, Recreation Services Coordinator
Susannah Milne, Manager Community Wellbeing
Rory Neeson, Director Wellbeing, Planning and Regulation

RECOMMENDATION

That Council receive for information the Annual Review – Southern Grampians Shire Council Community Health and Wellbeing Plan Review and Action Plan for 01 July 2022– 30 June 2023.

COUNCIL RESOLUTION

MOVED: Cr Calvano
SECONDED: Cr Brown

That Council receive for information the Annual Review – Southern Grampians Shire Council Community Health and Wellbeing Plan Review and Action Plan for 01 July 2022– 30 June 2023.

CARRIED

12.2 Southern Grampians Small Towns Strategy - Consultation Outcomes

Directorate:	Wellbeing, Planning and Regulation
Report Approver:	Rory Neeson, Director Wellbeing, Planning and Regulation
Report Author:	Parvesh Siroha, Senior Strategic Planner
Attachment(s):	1. Small Towns Strategy - Final Report - February 2024 [12.2.1 - 131 pages]

Executive Summary

This report aims to provide Council with a summary of the community feedback received during the public exhibition of the draft Small Towns Strategy (STS).

It then recommends that Council adopt the Southern Grampians Small Towns Strategy, respond to all submitters and commence a planning scheme amendment to implement the document in the Southern Grampians Planning Scheme.

Discussion

The Southern Grampians Shire has experienced changes with population and the challenges brought on by both climate change and the COVID19 pandemic. These forces are generating new imperatives to critically reflect on how to best ensure the resilience and livability of the Shire's small towns and settlements.

The development of the STS was recognised as a key priority in the Council Plan 2021-2025, with the process initiated in September 2021. The STS is designed to guide future rural-residential development within the Shire, evaluating the adequacy of existing rural-residential zoned land, investigating reasons for underdevelopment, and proposing ways to facilitate the utilization of vacant land.

Smaller rural communities often face a range of unique challenges that can impact their sustainability, growth, and overall well-being. The STS aims to address these issues by providing a comprehensive plan for development.

In 2021, Council officers prepared a project brief to enable the appointment of a lead consultant and interdisciplinary team to prepare the STS.

The main objectives of the strategy are to:

- Create a clear settlement hierarchy, classifying each of the small towns and settlements according to current and future role.
- Create a high-level vision statement for each settlement on asset/service delivery.
- Provide inclusive and engaging opportunities for stakeholders, agencies, landowners, and residents' participation.
- Provide recommendations on future strategic projects in each of the towns.

Through a competitive procurement process, Council appointed Niche Planning Studios to prepare the STS. Niche assembled an interdisciplinary team of skilled professionals to undertake the project.

Over the past two and half years, significant works has been completed to bring the STS to Council for adoption which include:

1. Project Inception and Scope – Completed
2. Technical Investigations – Completed
3. Stakeholder Engagement – Completed
4. Draft Small Towns Strategy – Completed
5. Public Consultation and Stakeholder Engagement – Completed
6. Final Small Towns Strategy (Adoption) – February 2024

When adopted by Council, the STS will be followed by planning scheme amendments in the 2024-2025 financial year to implement recommended changes within the Southern Grampians Planning Scheme, as well as future budget bids to complete projects identified as part of the strategy. Some of these projects have already received support from Council through the 2023-2024 budget process including structure plans for both Cavendish and Coleraine. Draft project briefs have been prepared and approved by the State Government with work to commence following the adoption of this strategy.

Over the last two decades, the Council has conducted various strategic planning work to guide the future growth and development of the Shire's small towns and settlements. However, there is a confusing mix of small towns and settlements with structure plans and those without. Some have Urban Design Frameworks whilst others do not.

There is no clear settlement hierarchy of small towns and settlements within the Southern Grampians Planning Scheme to enable the roll out of new structure plans. Further, most towns do not have a road map of key moves, zone changes, and infrastructure needs. Thus, there is presently limited to no policy detail in the Southern Grampians Planning Scheme to guide future land use and development of the Shire's small towns and settlements.

The project has reviewed the Shire's small towns and settlements and provides a definitive hierarchy of towns for which the Council can direct its focus for investment and further strategic work.

The STS provides directions for preferred locations for residential growth in alignment with current population forecasts.

Following the Council resolution at the October Council Meeting to release the draft STS for public consultation, a significant engagement program has occurred which saw officers and Councillors attend all nine small towns included in the strategy for a town hall meeting to review the document and receive feedback from the community. These sessions are listed below.

Location	Date
Balmoral RSL Hall	14 Nov 2023
Penshurst Hall	16 Nov 2023
Byaduk Hall	21 Nov 2023
Cavendish Hall	27 Nov 2023
Branxholme Hall	28 Nov 2023
Glenthompson Hall	30 Nov 2023
Stirling Place, Dunkeld	4 Dec 2023
Coleraine CFA	5 Dec 2023
Tarrington Church Hall	11 Dec 2023

The strategy was also made available for viewing via Council's website as well as hard copies being made available by request and the consultation was advertised through both traditional media and via social media.

As part of the engagement a summary document of the considerations and opportunities as well as the next steps in terms of strategic planning projects was prepared for each town. These were made available via the website and in hard copy at all of the engagement sessions.

All of the meetings were well attended with strong feedback provided by local residents in attendance.

24 written submissions were also provided to Council.

A summary of the key themes identified from the consultation included:

- Inaccuracies in the document around the summaries for each town
- Lack of understanding around community infrastructure from the consultants completing the work
- Inconsistencies regarding community wants and needs in the document
- Support for changes to zoning or town boundaries to allow for future growth
- Questions around the validity of previous consultation sessions
- Increased footpaths or trails and transport options in the towns
- Improving the general appearance of old buildings and/or streetscapes in the towns
- Increased plantings in townships
- Some disagreement around future priorities for townships
- Support for structure plans or review of existing plans
- The want to keep current community infrastructure
- The importance of tourism to some towns including being RV friendly and the inclusion of projects recently completed to drive tourism (e.g. Grampians Peaks Trail and the Dunkeld Visitor Hub)
- Signage improvements
- Advocacy for better wastewater options in non-sewered towns
- Missing some community infrastructure in the town summaries
- Disagreement amongst some of the recommendations provided in the report

- Due to the length of the project, some projects or priorities have either been finished or changed and need to be updated

There was also a recurring theme around the lack of explanation of what this strategy actually aims to complete with many people thinking the aim of the strategy was to create a community plan and a list of community projects for each town which is not the intent of the document.

Officers have worked through all of the feedback received and made significant changes to the document to ensure firstly that all information provided is accurate, that the community's future needs are correctly documented, and that the document provides outcomes that look to create more potential housing options where suitable for our small towns.

The project addresses the challenges and constraints affecting the small towns and settlements. Distinct and separate issues exist with respect to risk by settlement – flooding risks impact in Coleraine and Dunkeld; fire risk greatly impacts sections of Cavendish, Dunkeld and Balmoral; wastewater limitations impact on most small towns except for Coleraine and Dunkeld. The impacts of climate change on these risk factors have also been carefully considered.

The STS provides for the prioritisation of new structure plans for Cavendish, Coleraine, and Peshurst to be delivered by Council. It identifies the need to review various strategic planning work completed in Dunkeld while also understanding future priorities (both for strategic planning and advocacy) for Council to complete in future years to allow towns to grow in line with community expectations.

It should also be noted that the Small Towns Strategy is a document that can be reviewed by future Councils, especially if changes occur in various townships or priorities change for the small towns.

Financial and Resource Implications

The project management, drafting and initial community engagement for the STS is catered for within the financial year 2022-2023 budget. The cost of engaging the consultants to prepare the draft STS is \$190,000 and 35 weeks of officer time spent preparing the draft STS.

The adoption by Council of the STS will conclude the works funded under this project, however future budget cases will be prepared to implement strategic planning items identified within the strategy.

Council Plan, Community Vision, Strategies and Policies

Support Our Community

1.3 Grow a diverse and inclusive community

1.3.1 Partner to facilitate sustainable and affordable housing to meet the changing needs of the community.

Grow Our Regional Economy

2.1 Drive economic growth

2.1.2 Advocate for long-term population growth, a skilled labour force and support emerging growth sectors.

Legislation

Consideration of the draft STS is consistent with the Southern Shire Council Plan 2021-2025 which commits to:

- Improving the livability of Southern Grampians Shire through the management of our facilities, town planning and environmental sustainability.
- Improve the appearance of our towns and public spaces.
- Ensure the Southern Grampians Planning Scheme provides for the fair, orderly, economic and sustainable use and development of land. Preserve the natural environment of Southern Grampians Shire.

Gender Equality Act 2020

There are no direct implications to the Gender Equality Act 2020 in preparing the STS.

Risk Management

The STS is being prepared against all relevant requirements of the Southern Grampians Planning Scheme and the *Planning and Environment Act 1987*, including all relevant Minister Directions and Practice Notes.

Climate Change, Environmental and Sustainability Considerations

Sustainable management of the Shire's agricultural sector is one of the highest priorities as set out in the Shire's Economic Development Strategy and Council Plan.

Developing the STS is an important strategic project. The project will enable the Shire's small towns and settlements to develop in a sustainable manner and ensure that appropriate infrastructure is provided.

Community Engagement, Communication and Consultation

Following a resolution at the October Council Meeting, the draft STS was publicly exhibited from 9 November to 15 December 2023.

The project team presented the draft strategy to the local communities of each of the nine towns involved. Each of these sessions was very well attended with 24 written submissions also provided through the consultation period.

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.

Rory Neeson, Director Wellbeing, Planning and Regulation
Daryl Adamson, Manager Shire Strategy and Regulation
Andrew Neild, Planning Coordinator
Parvesh Siroha, Senior Strategic Planner

RECOMMENDATION

That Council:

1. Adopt the Southern Grampians Small Towns Strategy.
2. Respond to all submitters thanking them for their feedback and advising them of the significant changes that have been made to the document.
3. Commence a planning scheme amendment to implement recommended changes within the Southern Grampians Planning Scheme.

MOTION

MOVED: Cr Rainsford

That Southern Grampians Shire Council defer adopting the Small Town Strategy until the March Council Meeting after further consultation with the small town communities.

Motion LAPSED for want of a SECONDER

MOTION

MOVED: Cr Brown
SECONDED: Cr Calvano

That Council:

1. **Adopt the Southern Grampians Small Towns Strategy.**
2. **Respond to all submitters thanking them for their feedback and advising them of the significant changes that have been made to the document.**

3. Commence a planning scheme amendment to implement recommended changes within the Southern Grampians Planning Scheme.

AMENDMENT

MOVED: Cr Rainsford

That Council:

1. Adopt the Southern Grampians Small Towns Strategy.
2. Respond to all submitters thanking them for their feedback and advising them of the significant changes that have been made to the document.
3. Commence a planning scheme amendment to implement recommended changes within the Southern Grampians Planning Scheme.
4. Decisions on provision of community infrastructure assets will be supported by consultation with the relevant communities.

The Amendment LAPSED for want of a SECONDER

AMENDMENT

MOVED: Cr Colliton

That Council:

1. Adopt the Southern Grampians Small Towns Strategy.
2. Respond to all submitters thanking them for their feedback and advising them of the significant changes that have been made to the document.
3. Commence a planning scheme amendment to implement recommended changes within the Southern Grampians Planning Scheme.
4. Decisions on provision of community infrastructure assets will be supported by consultation with the relevant communities.
5. Planning Scheme amendments are not implemented until the completion of Cavendish Structure Plan.

The Amendment LAPSED for want of a SECONDER

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Calvano

That Council:

- 1. Adopt the Southern Grampians Small Towns Strategy.**
- 2. Respond to all submitters thanking them for their feedback and advising them of the significant changes that have been made to the document.**
- 3. Commence a planning scheme amendment to implement recommended changes within the Southern Grampians Planning Scheme.**

CARRIED

12.3 Election Period Policy

Directorate:	Chief Executive Office
Report Approver:	Tony Doyle, Chief Executive Officer
Report Author:	Karly Saunders, Governance Coordinator
Attachment(s):	1. Election Period Policy 2024 [12.3.1 - 9 pages]

Executive Summary

It is a requirement under Section 69 of the *Local Government Act 2020* for Councils to maintain an Election Period Policy. This Policy forms part of the Governance Rules and is reviewed prior to each Election Period.

An election period policy must prohibit any Council decision during the election period for a general election that –

- (a) Relates to the appointment or remuneration of the Chief Executive Officer but not the appointment or remuneration of an Acting Chief Executive Officer; or
- (b) Commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
- (c) The Council considers could be reasonably deferred until the next Council is in place; or
- (d) The Council considers should not be made during an election period.

An election period policy must prohibit any Council decision during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

Any Council decision made in contravention of the Act is invalid and any person who suffers loss or damage as a result of acting in good faith on a Council decision deemed invalid is entitled to compensation from the Council for that loss or damage.

Council's Election Period Policy has been reviewed and is attached for consideration.

Discussion

In the lead up to Local Government elections, Councils enter an election period, known commonly as caretaker.

The Election period is defined by the Act as starting at the time nominations close on nomination day and ending at 6pm on the election day, based off preliminary dates provided by the Victorian Electoral Commission, this will result in the election period being from 12 noon on 24 September to 6pm on 26 October 2024.

During the election period, Councillors and Council officers are subject to a variety of restrictions in relation to:

- Major Policy Decisions

- Significant Decisions
- Exercising Delegations
- Council Meetings
- Council Briefings
- Advisory Committees, Delegated Committees, Community Asset Committees
- Community Engagement and Events
- Council Publications
- Council Resources
- Media
- Access to Information
- Displaying Electoral Material
- Use of Title

Council's policy has been reviewed and updated.

The following changes were made:

- Review date to be prior to commencement of the election period, but no longer 12 months prior to the commencement period
- Terminology relating to Council Meetings updated in-line with the new Local Government Act
- References additional documents and legislation
- The Policy is applicable to Community Asset Committees
- Consideration of a Council Meeting item deems as 'significant' requires an exemption from the Minister for Local Government as per Section 177 of the Act.
- Exercising Delegations during the election period require same consideration as items proceeding to a Council Briefing or Meeting
- States there will be no Public Question Time or Deputations during the election period
- Historical briefings papers will have access limitations applied
- All Committees of Council will be suspended during the election period

Financial and Resource Implications

The Election is accounted for in Council's Budget.

Council Plan, Community Vision, Strategies and Policies

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

The Local Government Act 2020

Local Government (Electoral) regulations 2020

Privacy and Data Protection Act 2014

Gender Equality Act 2020

Not applicable.

Risk Management

Regular review of the Election Period Policy ensures the Policy is fit for purpose and meets legislative requirements.

Climate Change, Environmental and Sustainability Considerations

Not applicable.

Community Engagement, Communication and Consultation

The Policy will be made publicly available and circulated within Council to ensure compliance with the Policy is maintained during the Election Period.

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.

Tony Doyle, Chief Executive Officer
Karly Saunders, Governance Coordinator

RECOMMENDATION

That Council adopt the Election Period Policy.

COUNCIL RESOLUTION

MOVED: Cr Calvano
SECONDED: Cr Brown

That Council adopt the Election Period Policy.

CARRIED

12.4 Quarterly Finance Reports

Directorate:	People and Performance
Report Approver:	Darren Barber, Director People and Performance
Report Author:	Jason Cay, Financial Services Coordinator
Attachment(s):	1. 2023-09-30_-_ Finance Quarterly Report to Council [12.4.1 - 8 pages] 2. 2023-12-31_-_ Finance Quarterly Report to Council [12.4.2 - 9 pages]

Executive Summary

The Finance Report for the quarters ended 30 September 2023 and 31 December 2023 is presented for the information of Council.

Discussion

The Finance Reports set out actual results compared to Budget for the first six months of the 2023/24 financial year and contains the Standard Statements namely:

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

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

Narratives accompany each of the statements. Key narratives to 31 December 2023 include;

Income Statement & Statement of Cash Flows

Council is holding \$17m more cash than anticipated at the end of December. This is due (in part) to the following:

- Prepayment of Financial Assistance Grants (\$9m paid in June 2023, anticipated receipt by December was \$4.5m),
- Lower than anticipated expenditure on Capital works (\$4.2m spent instead of the projected \$19m) and
- Carry forward or incomplete capital works from the prior year (\$3.9m).

This is offset by capital grants not yet received as forecast:

- Melville Oval \$1.9m,
- Silvester Oval \$125k,
- Dunkeld Loop Walk \$150k,
- Cox Street \$251k,
- Local Roads & Community Infrastructure Program \$3.1m and

- Roads to Recovery \$1.9m.

Loan funds of \$4m have also not yet been procured and will only be drawn down if necessary to fund the required capital works.

Operating expenses are generally on budget, with some annual expenses paid for the full year in July/August. These expenses include vehicle registrations, insurances and workcover premiums.

Statement of Capital Works

Detailed reports on the financial progress of the capital works and major projects are also provided for information. Capital works YTD December were \$4.229m completed with \$14.994m committed against a YTD budget of \$19.002m. It should be noted however that the procurement plans for many of these large multi-year projects is underway and the estimates are generally only the anticipated value of spend for part of the project. The timing of these payments is dependent on the physical progress and delivery of the project.

Special Note

At 30 June 2023, Council changed its suite of financial recording systems. Some systems are still being implemented and therefore these reports are a collation of multiple systems. The implementation process is continuing, and every endeavour has been made to ensure accuracy, however it is acknowledged that there are some areas of revenue recognition still to be processed coupled with data checking and verification.

Financial and Resource Implications

The report communicates our financial sustainability and compliance with our annual budget.

Council Plan, Community Vision, Strategies and Policies

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.

Legislation

Section 97 of the Local Government Act 2020 requires that after the end of each quarter, the Chief Executive Officer (CEO) must ensure that a quarterly budget report is presented to the Council. The report must include a comparison of the actual and budgeted results to date and an explanation of material variations, and any other matters prescribed by the regulations.

In addition, the second quarterly report of a financial year must include a statement by the CEO as to whether a revised budget is, or may be, required. The June report is indicative

only with the final report being Council's official financial report which is audited and then included as part of Council's Annual Report.

Council is also required to implement the financial management principles detailed in Section 101 of the Local Government Act 2020 which states:

- (1) The following are the financial management principles:
 - (a) Revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans;
 - (b) Financial risks must be monitored and managed prudently having regard to economic circumstances;
 - (c) Financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community;
 - (d) Accounts and records that explain the financial operations and financial position of the Council must be kept.
- (2) For the purposes of the financial management principles, financial risk includes any risk relating to the following:
 - (a) The financial viability of the Council;
 - (b) The management of current and future liabilities of the Council;
 - (c) The beneficial enterprises of the Council

Gender Equality Act 2020

Not Applicable

Risk Management

The report measures financial risk and compliance with our annual budget.

Climate Change, Environmental and Sustainability Considerations

The report measures financial sustainability and compliance with our annual budget.

Community Engagement, Communication and Consultation

The report communicates our financial sustainability and compliance with our annual budget.

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.

Jason Cay, Financial Services Coordinator

RECOMMENDATION

That Council receive the Finance Report for the quarters ended 30 September 2023 and 31 December 2023.

COUNCIL RESOLUTION

MOVED: Cr Malone
SECONDED: Cr Henry

That Council receive the Finance Report for the quarters ended 30 September 2023 and 31 December 2023.

CARRIED

Cr Calvano declared a conflict of interest in Item 12.5 and left the meeting at 6.31pm.

12.5

Proposed Sale of Land - Old Nigretta Road Hensley Park

Directorate: Infrastructure and Sustainability
Report Approver: Marg Scanlon, Director Infrastructure and Sustainability
Report Author: Marg Scanlon, Director Infrastructure and Sustainability
Attachment(s): Nil

Executive Summary

Council owns the land parcel Lot 1, LP128115, Vol 9425, Folio 690, otherwise known as Old Nigretta Road, Hensley Park which has been identified as surplus land for Council purposes.

The purpose of this report is to seek Council's approval to proceed with the sale of the vacant land through the appointment of the sales agent to conduct the Expressions of Interest process to reach sale of this property.

Discussion

The vacant parcel of land, Lot 1 Old Nigretta Road, Hensley Park (refer to map below) is approximately 710 square metres (about twice the area of a tennis court) in size and according to the Southern Grampians Shire Planning Scheme and the attached Property Planning Report, is zoned Farming (FZ) with a Bushfire Management Overlay and therefore does not permit the construction of any building or dwelling on the land.

This property is currently not used or maintained by Council and does not present any strategic purpose to Council for current or future needs.



Noting the size and location of this site together with the zoning which limits future development, only two options were identified for Council to consider. One option is to retain the site as a nature reserve; however, this would require maintenance undertaken by Council, resulting in additional costs and risks.

The second recommended option is that the Council dispose of this property through an Expression of Interest (EOI) due to the location, size and interest in the site. The alternative option of an open public sale process is considered unnecessary due to the limited interest in the site. The local adjoining property owners have indicated interest in purchasing this parcel. It is proposed that LMB Livestock and Land are engaged to manage the sale process on the Council's behalf.

Financial and Resource Implications

Property valuation and sale value estimates have been received for this site.

The income received through this proposed sale, will cover the legal, advertising and selling agents' costs.

While Council has not undertaken any maintenance to this site and incurred any significant costs, the site does contribute to general fire risk.

Council Plan, Community Vision, Strategies and Policies

This parcel has been identified within Council's Property portfolio as one of the surplus parcels to Council's needs. Specifically, the recommendation to dispose of this land 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 this parcel of land by Council without maintenance does present risks and is considered a missed opportunity to dispose of identified surplus property.

Climate Change, Environmental and Sustainability Considerations

This proposal to dispose of Lot 1 Old Nigretta Road, Hensley Park demonstrates Council's leadership to consider the surplus property which is otherwise under utilised and not maintained. This parcel, located within a farming zone, does present fire risk and subsequently this proposal presents the opportunity for the site to be suitably maintained by a private property owner.

Community Engagement, Communication and Consultation

It is proposed that the Council give Public Notice of its intention to sell Old Nigretta Road Hensley Park for a minimum of 28 days through an Expression of Interest 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.

Marg Scanlon, Director Infrastructure and Sustainability
Julie Markby, Property Officer

RECOMMENDATION

1. As required under Section 114(2) of the *Local Government Act 2020*:
 - a. Council gives public notice by advertising for a minimum of 28 days its intention to sell the vacant parcel of land being Lot 1 Old Nigretta Road, Hensley Park.
 - b. Council undertakes a community engagement process in accordance with its Community Engagement Policy
 - c. Council obtains a valuation of this land for sale from a registered valuer.
2. A further report to be presented to Council at the end of the notice period.

COUNCIL RESOLUTION

MOVED: Cr Malone
SECONDED: Cr Colliton

1. As required under Section 114(2) of the *Local Government Act 2020*:
 - a. Council gives public notice by advertising for a minimum of 28 days its intention to sell the vacant parcel of land being Lot 1 Old Nigretta Road, Hensley Park.
 - b. Council undertakes a community engagement process in accordance with its Community Engagement Policy
 - c. Council obtains a valuation of this land for sale from a registered valuer.
2. A further report to be presented to Council at the end of the notice period.

CARRIED

13 Notices of Motion

13.1 Notice of Motion #1/24 - Cr Rainsford

Councillor: Cr Rainsford

Attachment(s): Nil

I hereby give notice of my intention to move the following motion at the Council Meeting to be held on 14 February 2024.

MOTION

That Southern Grampians Shire Council review the new Hamilton Parking Meters Policy to include the following changes and clarification:

1. CBD charged parking times to
 - a. Monday to Thursday 9:30am to 5:00pm
 - b. Friday 9:30am to 5:00pm (NOT TO 8:00pm)
 - c. Saturday 9:00am to 12:00pm
 - d. Sunday free all day
2. Explore providing a Southern Grampians Shire Council managed prepaid ticketing system for those preferring paying cash to Brown St Service Counter instead of debit or credit cards.
3. Ensure that disabled parking is not included in the CBD Parking Meter charging sites.
4. Ensure that Loading Zone use is patrolled for compliance to assist service delivery to our businesses.
5. Ensure that parking meter users understand they can move from parking sites within their paid period without further entering details into the Parking Meters.

Background Comments Provided by Councillor:

The new “pay by plate” touchscreen Hamilton CBD Parking Meters have been installed over January and became “Live” Thursday Feb 1st 2024.

Hamilton CBD is a narrow at times congested space along Gray Brown and Thompson Streets in the CBD. Businesses need good turnover of parking spaces which helps more people access our businesses.

Then new Pay by Plate parking meters are solar powered, will be regularly maintained by the supplier, and if broken can be fixed on the spot.

Change brings some concerns and misunderstanding. The main change is the meters are cashless, but the times for charging to park have also changed.

I support the late charging start of 9.30 am weekdays which gives those wanting to pick up a paper or get a script from a chemist filled early in the day without incurring parking charges.

But the charging of parking later to 8.00 PM on Friday nights is a major change I was not aware of until the FAQs came out and will not help to keep our CBD vibrant on a popular recreational evening when diners need to pay for a couple of hours parking which they are not used to doing.

And is it necessary?

How to pay for parking?

You can pay for your parking via a debit card, a credit card, pre-paid card from Australia Post, or use an Easy Park App for smartphones.

Council has not planned to sell or provide cards for the parking meters, rather use a readily accessible 3rd party ie Australia Post.

Investigating this system I found the process whilst simple for a relatively cashless purchaser already, the Pre-Paid Card is like a debit card anyway, cost \$7.95 to purchase and has a minimum load up of \$20. To get a card you are required to have an ID with you, provide your name, email and mobile phone number. The counter support by Australia Post is excellent.

However, some feedback from businesses and ratepayers is that Council should provide a simpler service for the elderly and less debit / credit card based users that don't want to provide all this detail.

MOTION

MOVED: Cr Rainsford

That Southern Grampians Shire Council review the new Hamilton Parking Meters Policy to include the following changes and clarification:

- 1. CBD charged parking times to**
 - a. Monday to Thursday 9:30am to 5:00pm**
 - b. Friday 9:30am to 5:00pm (NOT TO 8:00pm)**
 - c. Saturday 9:00am to 12:00pm**
 - d. Sunday free all day**
- 2. Explore providing a Southern Grampians Shire Council managed prepaid ticketing system for those preferring paying cash to Brown St Service Counter instead of debit or credit cards.**
- 3. Ensure that disabled parking is not included in the CBD Parking Meter charging sites.**
- 4. Ensure that Loading Zone use is patrolled for compliance to assist service delivery to our businesses.**
- 5. Ensure that parking meter users understand they can move from parking sites within their paid period without further entering details into the Parking Meters.**

Motion LAPSED for want of a SECONDER

14 Urgent Business

There was no Urgent Business listed on the 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.

15.1 Cr Colliton

Cr Colliton reported on his attendance at the following:

- 13 February 2024 - ARC meeting.

15.2 Cr Calvano

Cr Calvano reported his attendance at the following:

- 26 January 2024 – Australia Day at Hamilton Botanic Gardens
- 27 January 2024 – Hooked on Portland
- 2 February 2024 – attended funeral of the late Athony Watt, a “true community leader”

15.3 Cr Brown

Cr Brown reported on the following:

- 26 January 2024 – Australia Day at Dunkeld. All are well run with help and communities celebrate.

15.4 Cr Malone

Cr Malone reported her attendance at the following:

- December 2023 – Coleraine Community Christmas celebration at the lagoon.
- 26 January 2024 – Australia Day at Coleraine and Branxholme

15.5 Cr Henry

Cr Henry reported on the following:

- December 2023 – her family visit over Christmas to Canada and the States, and indicated being grateful when home, of the Australian Gun laws, clean soil & water, and the sound of wildlife in the mornings.
- 13 February 2024 – attendance at the ARC meeting, also thanks to Belinda Johnson.
- 26 January 2024 – at Balmoral, passing of Anthony Watt.
- Attended the Hamilton PAC preview – access to the Arts by the youth.
- ‘Shout out’ to the Film club - held once a month.

15.6 Cr Rainsford

Cr Rainsford reported attending the following:

- Acknowledge the sad passing of Anthony Watt, including acknowledgment of his contribution to our community and our thoughts are with his family and friends

- Extending thanks to Belinda Johnson for her contribution to Local Government which is continuing further north.
- Opening of Dunkeld Visitor Information Centre with State Upper House member for Western Region Jacinta Ermacoura
- 24 January 2024 - SGSC Briefing
- 26 January 2024 - Representing SGSC at Cavendish a Lions Egg & Bacon Roll breakfast, We had an excellent address by the new Townscape President Chris Faille who provided a global to very local perspective of living life in Australia , congratulated our local achiever Roger then also attending Hamilton congratulating local Citizen of the Year Roger Edward's celebrating with wife Kay and congratulations to all the recipients or wards recognised at Australia Day,. then representing SGSC at Glenthompson community BBQ and speeches by long time residents.
- 31 January 2024 - SGSC Briefing

Delegations - Hamilton Regional Livestock Exchange no meetings since last report Rail Freight Alliance Meeting AGM this week Feb 16 2024 Hamilton Showgrounds Advisory Committee Feb 29th Green Triangle meeting nothing to report since last meeting

15.7 Cr Robertson

Cr Robertson reported on his attendance at the following:

- 14 December 2023 - Australia Day awards judging.
- 15 December 2023 - St Mary's Christmas parade.
- 20 December 2023 - Opening of Dunkeld visitor information centre.
- 9 January 2024 - Reconciliation action plan meeting.
- 31 January 2024 - Farewell for Rohan Fitzgerald CEO of WDHS.
- 2 February 2024 - Meeting with opposition spokesperson roads - Bridget McKenzie.
- 6 February 2024 - Meeting with Metricon re Lake edge development.
- 8 February 2024 - South coast Barwon regional MAV meeting – Camperdown.
- 12 February 2024 - Rotary club meeting discussing involvement in domestic violence.

16 Confidential Reports

RECOMMENDATION

That the following items be considered in Closed Council as specified in section 66(2)(a) and referenced in section 3(1), Confidential Information (a) council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Colliton

That the council meeting goes to in camera to consider confidential items.

CARRIED

16.1 Hamilton Industrial Estate Variation

Explanation of why that ground or grounds has been applied: Due to the commercial Terms of the Existing Lease.

16.2 Key Worker Housing Grant Application

Explanation of why that ground or grounds has been applied: Commercial in Confidence due to the Expression of Interest process currently being undertaken at Lakes Edge for the sale of land.

17 Close of Meeting

This concludes the business of the meeting.

Meeting closed at 7.43 pm.

Confirmed by resolution 13 March 2024.