



# Minutes

---

Unscheduled Council Meeting held at 12.30 PM on Monday 13 November 2023 in the Council Chamber, Pleasant Creek Historic Precinct, Stawell.

## **Present**

Cr Rob Haswell (Mayor)  
Cr Murray Emerson  
Cr Kevin Erwin  
Cr Trevor Gready  
Cr Karen Hyslop  
Cr Eddy Ostarcevic PhD

Mr Brent McAllister, Chief Executive Officer  
Mr Vaughan Williams, Director Corporate and Community Services  
Mr Trenton Fithall, Director Infrastructure and Amenity  
Ms Justine Kingan, Director Strategy, Prosperity and Engagement

## **Affirmation**

We recognise the traditional owners of the land.  
We are inspired by the early pioneers and by those who gave their lives for our country.  
We now ask God's blessing on our deliberations  
and on our commitment to build a better lifestyle and environment.

To be confirmed at the meeting of Council on Monday, 4 December 2023.

**Table of Contents**

1. Apologies .....3

2. Disclosure of a Conflict of Interest at a Council Meeting.....3

3. Consideration of Reports of Officers .....4

    3.1. St Arnaud Pre-Prep Modular Building Location.....4

4. Close .....8

## 1. Apologies

An apology was received from Cr Lauren Dempsey.

## RESOLUTION

That the apology be received and leave of absence granted.

Moved: Cr Eddy Ostarcevic

Seconded: Cr Murray Emerson

Carried

## 2. Disclosure of a Conflict of Interest at a Council Meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which he or she-

- (i) is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or
- (ii) intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice-
  - advising of the conflict of interest;
  - explaining the nature of the conflict of interest; and
  - detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the-
    - name of the other person
    - nature of the relationship with that other person or the date on receipt, value and type of gift received from the other person; and
    - nature of that other person's interest in the matter;

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer.

The Councillor must, in either event, exclude themselves from the decision-making process, including any discussion or vote on the matter and any action in relation to the matter and leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

### Members of Staff

A member of Council staff must disclose any conflict of interest in a matter in respect of which they are preparing or contributing to the preparation of a report for a Council meeting. They must immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer disclosing the conflict of interest and explaining its nature.

Nil

### **3. Consideration of Reports of Officers**

#### **3.1. St Arnaud Pre-Prep Modular Building Location**

**Author/Position:** Vaughan Williams, Director Corporate and Community Services

#### **Purpose**

To seek a decision by Council on the location of the Pre-Prep modular building for St Arnaud.

#### **Summary**

Detailed site and building design work for the previously sanctioned location in the Market Square carpark for the Kindergarten and Pre-Prep facility is no longer a viable option due to the likelihood that flooding would negatively impact on surrounding properties. This has come about largely due to the St Arnaud Flooding Report being finalised and adopted after the original decision was made as well as a much more detailed assessment and referral being undertaken. This report proposes not to locate the Pre-Prep building in the Market Square car park but to a greenfield location to be determined.

#### **Recommendation**

##### **That Council**

- 1. does not approve the construction of a building to accommodate Kindergarten and Pre-Prep in St Arnaud within the car park at Market Square and**
- 2. locates the Pre-Prep modular building within a site that is suitable to accommodate a future fit for purpose integrated early years facility.**

#### **RESOLUTION**

##### **That Council**

- 1. does not approve the construction of a building to accommodate Kindergarten and Pre-Prep in St Arnaud within the car park at Market Square and**
- 2. locates the Pre-Prep modular building within a site that is suitable.**

**Moved:** Cr Eddy Ostarcevic

**Seconded:** Cr Murray Emerson

**Carried.**

## **Background/Rationale**

At the Council Meeting on Monday 22 May 2023, Council resolved to approve the construction of a modular building to accommodate Kindergarten and Pre-Prep in St Arnaud within the car park at Market Square. Subsequently at a Council Meeting on 2 October 2023, Council resolved to investigate a suitable greenfield site for an integrated early years facility. Having undertaken a detailed review of the site and building design work, it has been determined that the cost of managing the impact of flooding made the site at Market Square unviable.

Council undertook an assessment of the Market Square site and surrounds as part of the detailed planning and design phase of the Pre-Prep modular building. The assessment considered functional operational matters, along with existing conditions and constraints on the site and surrounding area. Potential impacts of a new building within the Market Square site included considerations such as heritage, traffic, car parking, public open space and changes to flood water. The assessment found that whilst most impacts could be managed, mitigating the impact of flooding on nearby properties made the site unviable.

Council engaged a Hydrologist to assess the impact the proposed design will cause on any of the surrounding properties.

Council finalised and adopted the St Arnaud Flood Study in August 2022, which was used to undertake further detailed modelling. When the original decision was made in May it was also appropriate to complete a high-level assessment of flooding. Two scenarios were modelled with what was expected to be the best and worst case flooding impact because of the proposed development. Scenario 1 included the proposed Kindergarten building only and Scenario 2 included the Kindergarten building and earthworks associated with the outdoor play area. The expected change in flood levels and depths (afflux) for the 1% Average Exceedance Probability (AEP) event for two scenarios was developed.

The Hydrology report made the following observations of the 1% AEP flood event:

### **Scenario 1 – Building Only**

- Minor increases in flood level, between 3 – 5 cm, are observed to the existing buildings in Market Square to the south-west of the kindergarten and
- Minor increases in flood level, between 3 – 5 cm, are observed along Napier Street to the south of the kindergarten.

### **Scenario 2 – Building and Play Area**

- Significant increases in flood level, above 15 cm, are observed to the existing buildings in Market Square to the south-west of the kindergarten
- Significant increases in flood level, between 5 – 12 cm, are observed along Napier Street to the south of the kindergarten and
- Significant increases in flood level, between 5 – 12 cm, are observed downstream of the kindergarten on the northern side of Walker Street.

Scenario 1 identified minimal impact. The Victorian Government requires all kindergartens to have adequate and interactive indoor and outdoor facilities. Therefore, because Scenario 1 does not include consideration of any bulky outdoor play infrastructure, this option alone would not be suitable.

Scenario 2 includes the kindergarten building and an outdoor play area; however, the topographic changes cause significant adverse impacts to surrounding properties with afflux over 15 cm observed in some areas. Further investigation could be undertaken to reduce the amount of fill in the outdoor play area therefore reducing the impact to surrounding properties. However, the level of reduced fill is unlikely to suit the development objectives.

The Hydrology report recommended that an alternative site be investigated.

As noted, on 2 October 2023, Council moved a motion acknowledging the need to fast track delivery of the Pre-Prep modular building whilst planning for an integrated early years facility that will meet the community's needs well into the future. The motion also notes that Council will identify a greenfield site for the development of a fit for purpose integrated early years facility in St Arnaud. A future integrated early years facility would aim to provide children and families access to key early years services, along with a place to connect with other families.

Considering Council's decision to plan for a future integrated early years facility and with consideration to the cost of relocating the proposed Pre-Prep building, site selection for the Pre-Prep modular building should include provision for future development. The public school should not be considered as a potential site given it does not offer sufficient space for a future integrated early years facility.

### **Legislation, Council Plan, Strategy and Policy Implications**

*Local Government Act 2020*

Council Plan 2021-25 – Enhance Lifestyles and Community

### **Options**

#### **Option 1**

That Council does not approve the construction of a building to accommodate Kindergarten and Pre-Prep in St Arnaud within the car park at Market Square and locates the Pre-Prep modular building within a site that is suitable to accommodate a future fit for purpose integrated early years facility. **[recommended]**

#### **Option 2**

That Council does not proceed with the development of the proposed Pre-Prep modular building and identifies a site that is suitable to accommodate a future fit for purpose integrated early years facility. **[not recommended]**

### **Implications**

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

### **Procurement**

No procurement requirements apply to this report.

### **Community Engagement**

As part of the detailed planning and design phase of the Pre-Prep modular building within the Market Square car park, Council responded to the community who expressed concerns relating to car parking, public open space and heritage.

### **Innovation and Continuous Improvement**

The research over many years has demonstrated early life experiences provide the foundations for lifelong health and wellbeing, including success in school, the workplace and the community, with the first 1,000 days (the period from conception to two years of age) having the greatest impact - Commission on Social Determinants of Health 2008.

A healthy start in life requires the promotion of optimal conditions for parenting and early development such as access to early learning and education, loving caregivers, safe communities, secure housing, access to parklands, environments free from toxins, and access to affordable, nutritious foods - Centre for Community Child Health 2018.

The introduction of Pre-Prep provides an important innovative opportunity for Northern Grampians Shire Council. All children, regardless of their family circumstances can access free, high-quality education. This supports children to develop the skills required to assist their learning when they enter school and to develop the social and physical skills to support them to participate. Importantly, the provision of these sessional programs within the context of the ELC, where parents can also access LDC is critical. This enables parents and carers to gain and maintain their employment. The additional time that will be available through the proposed new programs will enable educators to continue to work proactively with schools in transition programs and to develop and implement a range of innovative approaches to learning for children.

### **Collaboration**

Council's commitment to be an active partner with the Victorian Government in the delivery of Pre-Prep is central to the introduction of the services. The VSBA will manage the construction of the modular and work in partnership with Council officers to ensure that the building is able to meet the needs of the community.

Council's ongoing collaboration with the regional office of the Department of Education is also central to the success of this innovative approach and Council officers will continue to work in partnership with the Victorian Government to develop the best model for the future.

**Officer's Declaration of Interest**

Vaughan Williams, Director Corporate and Community Services

In providing this advice as the author, I have no disclosable interests in this report.

**Attachments**

Nil

**4. Close**

**There being no further business the Mayor declared the meeting closed at 12.40pm.**

Confirmed

A handwritten signature in blue ink, appearing to read 'R. Haswell', is written over a horizontal line.

CR ROB HASWELL  
MAYOR

Date: 4 December 2023