



**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBER, NHILL ON WEDNESDAY 2 AUGUST 2017,  
COMMENCING AT 3:00PM**

**AGENDA**

**1. Acknowledgement of the Indigenous Community and Opening Prayer**

**2. Apologies**

**3. Confirmation of Minutes**

**4. Declaration of Interests**

**5. Public Question Time**

**6. Correspondence**

**7. Assembly of Councillors**

7.1 Record of Assembly

**8. Planning Permit Reports**

- 8.1 Application for Planning Permit 1563-17
- 8.2 Application for Planning Permit 1562-17

**9. Reports Requiring a Decision**

- 9.1 Finance Report for period ending 30 June 2017
- 9.2 Council Plan update

**10. Special Committees**

- 10.1 Dimboola Town Committee
- 10.2 Wimmera Mallee Pioneer Museum Committee
- 10.3 Nhill Integrated Early Years Centre Fundraising Committee

**11. Late Reports**

No report

**12. Other Business**

No report

**13. Confidential Matters**

No report

**14. Meeting Close**

**Present:** Crs. D. Nelson (Mayor), R. Lowe (Deputy Mayor), D. Colbert, T. Schneider, R. Gersch, R. Ismay

**In Attendance:**

Anne Champness (Director Infrastructure Services), Monica Revell (Acting Director Corporate Services), Philip King (Acting Director Community Services), Taegan Salt (Executive Assistant).

---

**1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER**

Cr Nelson opened the meeting at 3:00pm by acknowledging the Indigenous Community and offering the opening prayer.

---

Cr. D. Colbert entered the room at 3:00pm

**2. APOLOGIES**

Mr. Greg Wood, Chief Executive Officer

---

**3. CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

***That the Minutes of the Ordinary Council Meeting held on Wednesday 19 July 2017 in the Council Chamber, Nhill as circulated to Councillors be taken as read and confirmed.***

**MOVED: CRS R. Lowe/T. Schneider**

***That the Minutes of the Ordinary Council Meeting held on Wednesday 19 July 2017 in the Council Chamber, Nhill as circulated to Councillors be taken as read and confirmed.***

**CARRIED**

*Attachment: 1*

---

**4. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA.**

- Direct; or
- Indirect interest
  - a ) by close association;
  - b ) that is an indirect financial interest;
  - c ) because of conflicting duties;
  - d ) because of receipt of an applicable gift;
  - e ) as a consequence of becoming an interested party; or
  - f ) because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised by Councillors at the commencement of discussion of the specific item.

---

**5. PUBLIC QUESTION TIME**

Wendy Robins was present for the meeting, expressing her appreciation for the efforts of Council and community in making the new Nhill Early Years Centre a success.

---

**6. CORRESPONDENCE**

**6.1 GENERAL CORRESPONDENCE**

**Responsible Officer:** Chief Executive Officer

**Attachment:** 2

**Introduction:**

The following correspondence is tabled for noting by Councillors:

- 21/07/2017 Wimmera and Southern Mallee Careers Association  
*Successful Careers Expo*
- 21/07/2017 Nhill Urban Fire brigade  
*Service awardees*
- 21/07/2017 Peter Jewel  
*Service to Council*
- 21/07/2017 The Hon. Peter Dutton MP  
*Citizenship test*

**Options:**

1. That Council note the attached correspondence.

**RECOMMENDATION:**

***That Council notes the attached correspondence.***

**MOVED: CRS R. Gersch/R. Lowe**

***That Council notes the attached correspondence.***

**CARRIED**

*Attachment: 2*

---

## **7. ASSEMBLY OF COUNCILLORS**

**Responsible Officer:** Director Corporate and Community Services

**Attachment:** 3

**Introduction:**

The attached Assembly of Councillors Record is presented as an attachment to the Council agenda for the information of Councillors and recorded at the Council meeting as required under s80A Local Government Act 1989.

**Options:**

1. That Council accepts the Assembly of Councillors Records as presented.

**RECOMMENDATION:**

***That Council accept the Assembly of Councillors Records as presented.***

**MOVED: CRS T. Schneider/R. Lowe**

***That Council accept the Assembly of Councillors Records as presented.***

**CARRIED**

*Attachment: 3*

---

## 8. PLANNING PERMITS

### 8.1 APPLICATION FOR PLANNING PERMIT 1563-17

<b>Responsible Officer:</b>	Director Infrastructure Services
<b>File:</b>	Planning – Applications – 1563-2017
<b>Assessment:</b>	076940
<b>Attachment:</b>	9
<b>Applicant:</b>	Don Perry – Ferguson Perry Surveying Pty Ltd
<b>Owner:</b>	Gary Driscoll
<b>Subject Land:</b>	390 Hounsell Rd Jeparit
<b>Proposal:</b>	Two Lot Subdivision
<b>Zoning &amp; Overlays:</b>	FZ, ESO6
<b>Covenants / Section 173 Agreements:</b>	N/A

#### Summary:

The subject site is located on the northern side of Hounsell Road approximately three kilometres west of the Rainbow – Nhill Road. The site is regular in shape with an area of 79.1 hectares. It is largely cleared. A dwelling, sheds and vegetation are located on the southern side of the property. Adjoining land is used for broad acre farming.

The proposal seeks planning permission to create a two lot subdivision by the excision of an area containing the existing dwelling and immediate surrounds.

The proposed Lot 1 will have an area of 7.4 hectares and will contain the residence, farm sheds and established vegetation. Lot 2 will contain the balance of the property with an area of 71.7 hectares.

Clause 35.07-3 provides for subdivision of land in the Farming Zone. The standard minimum lot size for subdivision within the Farming Zone is 40 hectares, however, there is discretion to allow a smaller lot if this lot is created for an existing dwelling.

The subdivision will allow both lots to continue to be associated with agricultural production. The subdivision will not adversely impact upon agricultural activities nor environmental values on the subject land or nearby properties.

The proposal is considered to be consistent with the Farming Zone and Overlay provisions and planning policies within the Hindmarsh Planning Scheme, which supports agricultural activity.

#### Notification & Referral of Application:

**Pursuant to Sections 52** of the Planning and Environment Act 1987 (the Act), Council is required to give notice of this application to any person it considers the grant of the permit may cause material detriment. Notice of this application was given to adjoining owners and no objection was received.

The application was referred to Council's Engineering Department, with no objection received subject to conditions.

**Pursuant to Section 55** of the Planning and Environment Act 1987 (the Act), the application must be referred to stipulated authorities. The application was not required to be referred to any authorities.

**Authorities:** Not Applicable

**Strategic, Statutory and Procedural Requirements:**

The proposal is consistent with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

**Report to Council:**

The Town Planner advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

**Processing Times:**

The application was received on the 20 June 2017. The report is being presented to the Council meeting of 02 August 2017 (43 days). The statutory processing time requirements of the Planning and Environment Act 1987 have been satisfied.

**Conflict of Interest:**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Anne Champness, Director Infrastructure Services

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

Author – Andre Dalton, Coordinator Planning and Development

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

**RECOMMENDATION:**

***That Council approves Planning Application 1562-2017 allowing a Planning Permit for a two (2) lot subdivision at Lot 1 PS308874, 390 Hounsell Rd Jeparit. The Planning Permit shall be issued with the following conditions:***

***1. Formal Plans of Subdivision***

***The formal plan of subdivision lodged with Council for certification must be in accordance with the Endorsed Plan and must not be modified except to comply with statutory requirements or with the written consent of the Responsible Authority.***

***2. Engineering***

***a) New access point must be created off Hounsell Road for proposed Lots 1 and 2.***

***b) The new access points must be to the satisfaction of Council and constructed at the applicant's cost.***

***3. Permit Expiry***

***This Permit will expire if:***

***a) The Plan of Subdivision is not certified within two years of the date of this Permit, or***

***b) The registration of the subdivision is not completed within five years of the date of the certification of the plan of subdivision.***

***The Responsible Authority may extend the permit if a request is made within six (6) months of the date of this permit.***

**MOVED: CRS R. Gersch/T. Schneider**

***That Council approves Planning Application 1562-2017 allowing a Planning Permit for a two (2) lot subdivision at Lot 1 PS308874, 390 Hounsell Rd Jeparit. The Planning Permit shall be issued with the following conditions:***

***1. Formal Plans of Subdivision***

***The formal plan of subdivision lodged with Council for certification must be in accordance with the Endorsed Plan and must not be modified except to comply with statutory requirements or with the written consent of the Responsible Authority.***

***2. Engineering***

- a) New access point must be created off Hounsell Road for proposed Lots 1 and 2.***
- b) The new access points must be to the satisfaction of Council and constructed at the applicant's cost.***

***3. Permit Expiry***

***This Permit will expire if:***

- a) The Plan of Subdivision is not certified within two years of the date of this Permit, or***
- b) The registration of the subdivision is not completed within five years of the date of the certification of the plan of subdivision.***

***The Responsible Authority may extend the permit if a request is made within six (6) months of the date of this permit.***

**CARRIED**

**Attachment: 9**

---



## 8.2 APPLICATION FOR PLANNING PERMIT 1562-17

<b>Responsible Officer:</b>	Director Infrastructure Services
<b>File:</b>	Planning – Applications – 1562-2017
<b>Assessment:</b>	071320
<b>Attachment:</b>	10
<b>Applicant:</b>	Matt Suwart – Ferguson Perry Surveying Pty Ltd
<b>Owner:</b>	Beryl and Howard Greig
<b>Subject Land:</b>	CA 17, Psh Banu Bonyit
<b>Proposal:</b>	Two Lot Subdivision and removal of water supply and drainage easements shown coloured blue on TP840428 as created in Crown Grant Vol. 6207 Fol. 243
<b>Zoning &amp; Overlays:</b>	FZ, ESO6
<b>Covenants / Section 173 Agreements:</b>	N/A

### Summary:

The subject site is located on the south side of McKenzie Road approximately six kilometres west of Dimboola – Rainbow Road. The site is regular in shape with an area of 507.2 hectares. It is largely cleared. A dwelling, sheds and vegetation are located on the southern side of the property. Adjoining land is used for broad acre farming.

The proposal seeks planning permission to create a two lot subdivision by dividing the subject land into 2 x 253.6 hectare parcels.

The proposed Lot 1 is vacant, with several lakes / dams. Lot 2 will contain the balance of the property including the residence, farm sheds, lakes and dams, and established vegetation.

Clause 35.07-3 provides for subdivision of land in the Farming Zone. The standard minimum lot size for subdivision within the Farming Zone is 40 hectares, however, there is discretion to allow a smaller lot if this lot is created for an existing dwelling. This proposal however, exceeds the requirements for minimum lot sizes within the farming zone.

The subdivision will allow both lots to continue to be associated with agricultural production. The subdivision will not adversely impact upon agricultural activities on nearby properties. The subdivision will not adversely impact upon environmental values of the subject site or surrounding properties.

The proposal is considered to be consistent with the Farming Zone and Overlay provisions and planning policies within the Hindmarsh Planning Scheme, which supports agricultural activity.

### Notification & Referral of Application:

**Pursuant to Sections 52** of the Planning and Environment Act 1987 (the Act), Council is required to give notice of this application to any person it considers the grant of the permit may cause material detriment. Notice of this application was given to adjoining owners and no objection was received.

The application was referred to Council's Engineering Department, with no objection received subject to conditions.

**Pursuant to Section 55** of the Planning and Environment Act 1987 (the Act), the application must be referred to stipulated authorities. The application was referred to the following authorities, with no objection to the proposal subject to conditions.

### Authorities:

1. GWM Water (S55 Act); and

2. Wimmera Catchment Management Authority (S55 Act).

**Strategic, Statutory and Procedural Requirements:**

The proposal is consistent with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

**Report to Council:**

The Town Planner advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

**Processing Times:**

The application was received on the 14 June 2017. The report is being presented to the Council meeting of 02 August 2017 (49 days). The statutory processing time requirements of the Planning and Environment Act 1987 have been satisfied.

**Conflict of Interest:**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Anne Champness, Director Infrastructure Services

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

Author – Andre Dalton, Coordinator Planning and Development

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

**RECOMMENDATION:**

***That Council approves Planning Application 1562-2017 allowing a Planning Permit for a two (2) lot subdivision at CA 17 Psh Banu Bonyit, 748 McKenzie Road Antwerp. The Planning Permit shall be issued with the following conditions:***

***1. Formal Plans of Subdivision***

***The formal plan of subdivision lodged with Council for certification must be in accordance with the Endorsed Plan and must not be modified except to comply with statutory requirements or with the written consent of the Responsible Authority.***

***2. Engineering***

***a) A new access point must be created off McKenzie Road for proposed Lot 1.***

***b) The new access point must be to the satisfaction of Council and constructed at the applicant's cost; and***

***c) The existing access point to Lot 2 must be upgraded to the satisfaction of Council and at the applicant's cost.***

***3. GWM Water***

***a) The owner / applicant must provide ten metre wide easements in favour of GWM Water over all existing and proposed sewers located within private land.***

***b) The plan of subdivision submitted for certification must be referred to GWM Water in accordance with Section 8 of the Subdivision Act.***

***4. Permit Expiry***

***This Permit will expire if:***

***a) The Plan of Subdivision is not certified within three years of the date of this Permit, or***

***b) The registration of the subdivision is not completed within five years of the date of the certification of the plan of subdivision.***

***The Responsible Authority may extend the permit if a request is made within six (6) months of the date of this permit.***

***MOVED: CRS T. Schneider/R. Ismay***

***That Council approves Planning Application 1562-2017 allowing a Planning Permit for a two (2) lot subdivision at CA 17 Psh Banu Bonyit, 748 McKenzie Road Antwerp. The Planning Permit shall be issued with the following conditions:***

***1. Formal Plans of Subdivision***

***The formal plan of subdivision lodged with Council for certification must be in accordance with the Endorsed Plan and must not be modified except to comply with statutory requirements or with the written consent of the Responsible Authority.***

***2. Engineering***

***a) A new access point must be created off McKenzie Road for proposed Lot 1.***

***b) The new access point must be to the satisfaction of Council and constructed at the applicant's cost; and***

***c) The existing access point to Lot 2 must be upgraded to the satisfaction of Council and at the applicant's cost.***

***4. GWM Water***

***c) The owner / applicant must provide ten metre wide easements in favour of GWM Water over all existing and proposed sewers located within private land.***

***d) The plan of subdivision submitted for certification must be referred to GWM Water in accordance with Section 8 of the Subdivision Act.***

***4. Permit Expiry***

***This Permit will expire if:***

***a) The Plan of Subdivision is not certified within three years of the date of this Permit, or***

***b) The registration of the subdivision is not completed within five years of the date of the certification of the plan of subdivision.***

***The Responsible Authority may extend the permit if a request is made within six (6) months of the date of this permit.***

***CARRIED***

***Attachment: 10***

---

---

**9. REPORTS REQUIRING A DECISION**

---

**9.1 FINANCE REPORT FOR PERIOD ENDING 30 JUNE 2017**

**Responsible Officer:** Acting Director Corporate Services  
**Attachment:** 4

**Introduction:** The draft Financial Report for the last quarter of the 2016/17 financial year has been prepared, including explanations of variances where applicable, and is presented for the information of Council. A full reconciliation will be completed with the end of year process

**RECOMMENDATION:**

*That Council accepts the Financial Report as presented.*

**MOVED: CRS D. Colbert/T. Schneider**

*That Council accepts the Financial Report as presented.*

**CARRIED**

*Attachment: 4*

---

**9.2 COUNCIL PLAN UPDATE 2013-2017 (REVISED AND ADOPTED 15 JUNE 2016)  
PROGRESS REPORT**

**Responsible Officer:** Acting Director Corporate Services  
**Attachment:** 5

Discussion to be held during the meeting regarding the status of the 2016/17 strategic actions in the revised Council Plan 2013-2017.

**RECOMMENDATION:**

*That Council notes the report.*

**MOVED: CRS R. Gersch/D. Colbert**

*That Council notes the report.*

**CARRIED**

*Attachment: 5*

---

---

**10. SPECIAL COMMITTEES**

---

**10.1 DIMBOOLA TOWN COMMITTEE**

**Responsible Officer:** Acting Director Corporate Services  
**Attachment:** 6

**Introduction:**

The Dimboola Town Committee held its Meeting on 3 July 2017. The purpose of this report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

**RECOMMENDATION:**

*That Council notes the minutes of the Dimboola Town Committee Meeting on 17 July 2017.*

**MOVED: CRS R. Gersch/T. Schneider**

*That Council notes the minutes of the Dimboola Town Committee Meeting on 3 July 2017.*

**CARRIED**

*Attachment: 6*

---

**10.2 WIMMERA MALLEE PIONEER MUSEUM**

**Responsible Officer:** Acting Director Corporate Services  
**Attachment:** 7

**Introduction:**

The Wimmera Mallee Pioneer Museum Committee held its Meeting on 20 June 2017. The purpose of this report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

**RECOMMENDATION:**

*That Council notes the minutes of the Wimmera Mallee Pioneer Museum Committee Meeting on 20 July 2017.*

**MOVED: CRS T. Schneider/R. Ismay**

*That Council notes the minutes of the Wimmera Mallee Pioneer Museum Committee Meeting on 20 June 2017.*

**CARRIED**

*Attachment: 7*

---

### 10.3 NHILL EARLY YEARS CENTRE FUNDRAISING COMMITTEE

**Responsible Officer:** Acting Director Corporate Services  
**Attachment:** 8

**Introduction:**

The Nhill Integrated Early Years Centre Fundraising Committee held its Meeting on 3 and 17 March, 24 April, 2 June and 14 July 2017. The purpose of this report is to note the notes and minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

**RECOMMENDATION:**

***That Council notes the notes and minutes of the Nhill Integrated Early Years Centre Fundraising Committee Meeting on 3 and 17 March, 24 April, 2 June and 14 July 2017.***

**MOVED: CRS T. Schneider/R. Lowe**

***That Council notes the notes and minutes of the Nhill Integrated Early Years Centre Fundraising Committee Meeting on 3 and 17 March, 24 April, 2 June and 14 July 2017.***

**CARRIED**

*Attachment: 8*

---

### 11. LATE REPORTS

No report

---

### 12. OTHER BUSINESS

**MOVED: CRS R. Gersch/R. Lowe**

***That Council write to the MAV president Cr Mary Lalios, for attending Hindmarsh Shire Council for an informal meet and greet.***

**CARRIED**

---

### 13. CONFIDENTIAL REPORTS

In accordance with Section 89 (2) of the *Local Government Act 1989*, Council may close the meeting to the public if items to be discussed are deemed confidential, that is, if the items to be discussed relate to:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;

- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

No report

---

<b>14. MEETING CLOSE</b>
--------------------------

There being no further business, Cr Nelson declared the meeting closed at 3:38pm

---