



4 April 2018

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL HELD 4 APRIL 2018 AT THE COUNCIL CHAMBER, NHILL COMMENCING AT 3.00PM.

MINUTES

1. Acknowledgement of the Indigenous Community and Opening Prayer

2. Apologies

3. Confirmation of Minutes

4. Declaration of Interests

5. Public Question Time

6. Deputations

7. Correspondence

8. Assembly of Councillors

8.1 Record of Assembly

9. Planning Permit Reports

9.1 VicSmart Planning Quarterly Report

10. Reports Requiring a Decision

10.1 Councils in Emergencies

11. Special Committees

11.1 Yurunga Homestead Committee

11.2 Rainbow Town Committee

12. Late Reports

No report

13. Other Business

14. Confidential Matters

14.1 Riverside Holiday Park March 2018

15. Meeting Close

Present:

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

In Attendance:

Mr Greg Wood, (Chief Executive Officer), Ms Monica Revell (Director Corporate and Community Services), Mr Shane Power (Director of Infrastructure Services) (Items 9-15), Ms Shelley Gersch (Executive Assistant), Ms Helen Thomson (Governance, Human Resources and Compliance Coordinator), Sarah Dickinson (Administration Officer Infrastructure)

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

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

2. APOLOGIES

No apologies

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 21 March 2018 at the Health and Fitness Centre, Dimboola, as circulated to Councillors be taken as read and confirmed.

MOVED: CRS R. Gersch/D. Colbert

That the Minutes of the Ordinary Council Meeting held on Wednesday 21 March 2018 at the Health and Fitness Centre, Dimboola, 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

No questions

6. DEPUTATIONS

No deputations

7. CORRESPONDENCE

7.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Attachment: 2

Introduction:

The following correspondence is tabled for noting by Council:

- Mr Ritchie Dodds
 - *Congratulating him on his appointment to CEO of West Wimmera Health Service*
- Geoff and Cheryl Crittenden, former owners of Westmix Concrete
 - *Thanking them for their 30 years of service as owners of Westmix Concrete*

RECOMMENDATION:

That Council notes the attached correspondence.

MOVED: CRS D. Nelson/D. Colbert

That Council notes the attached correspondence.

CARRIED

Attachment: 2

8. ASSEMBLY OF COUNCILLORS

Responsible Officer: Chief Executive Officer

Attachment: 3 & 4

Introduction:

The attached Assembly of Councillors Records are 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 accepts the Assembly of Councillors Records as presented.

MOVED: CRS T. Schneider/R. Lowe

That Council accepts the Assembly of Councillors Records as presented.

CARRIED

Attachment: 3 & 4

9. PLANNING PERMITS

9.1 VICSMART PLANNING PERMITS – QUARTERLY REPORT

Responsible Officer: Director Infrastructure Services

Introduction:

This report is presented to Council to provide an update on VicSmart permits processed by Council for the period 01 January 2018 to 31 March 2018, as requested by Council at its briefing 20 September 2017.

Discussion:

The VicSmart planning permit process is a State imposed statutory process that was introduced to streamline ‘simple’ planning permit applications.

Key features of VicSmart include:-

- A 10 business day timeframe for the permit process;
- Applications are not required to be advertised;
- Applicants are required to submit supporting information to assist Council officers in approving or rejecting applications based on existing guidelines;
- Officers can delay permit process timelines if/when further information is requested;
- State Government checklists have been developed and are available for a range of land use types to assist applicants as part of completing the permit process; and
- The CEO or his/her delegate decides the application.

The table below indicates the status of VicSmart permit applications within the reporting period 01 January 2018 to 31 March 2018.

Permit No.	Address	Proposal	Date Received	Date Approved	Statutory Days	Comments
1569-2017	90 Lloyd Street, Dimboola	Buildings & Works for carport, steel fences & alterations to building	20/09/2017	04/10/2017	1 (due to ‘Request for Information’ (RFI))	Under construction
1574-2017	9 King Street, Rainbow	To build a Mens’ Shed	23/11/2017 02/01/2018 (fee received)	7/02/18	25	Fee requested (delayed timeframe) Permit Issued

Options

N/A

Link to Council Plan:

- Strategic Objective 1.1 - An actively engaged community.
- Strategic Objective 2.1 - Well-maintained physical assets and infrastructure to meet community and organisational needs.
- Strategic Objective 3.1 - A strong rural economy and thriving towns.
- Strategic Objective 4.2 - Quality customer services.

Financial Implications:

Fees associated with planning permit applications and amendments are set by the State in accordance with the Planning and Environment (Fees) Regulations 2016. These fees are currently being applied to all applications received by Council. It is therefore considered that the VicSmart process does not have any financial implications for Council.

Risk Management Implications:

Risk is managed appropriately by adhering to the VicSmart process.

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.

Author – Andre Dalton, Coordinator Planning & Development

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

Officer Responsible – Shane Power – Director Infrastructure

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

Communications Strategy:

Nil

Next Steps:

Continue to update Council of planning permits processed under the VicSmart process through future quarterly reports.

RECOMMENDATION:

That Council receives and notes this report.

MOVED: CRS R. Lowe/D. Nelson

That Council receives and notes this report.

CARRIED

10. REPORTS REQUIRING A DECISION

10.1 REVIEW OF COUNCIL'S ROLE IN EMERGENCY MANAGEMENT

Responsible Officer: Director Infrastructure Services

Attachment: 5 & 6

Introduction:

Recommendations from the 2009 Victorian Bushfires Royal Commission continue to be implemented, including the review of Council's role in emergency management and amendments to emergency management legislation.

This report informs Council of Phase 1 of the Local Government Victoria project *Councils and Emergencies*, and details the potential impact on Council from the Emergency Management Legislation Amendment Bill 2018 currently before parliament.

Discussion:

The Emergency Management Strategic Action Plan is a rolling three-year plan developed by the State Crisis and Resilience Council as required under the *Emergency Management Act 2013*. The plan steers the vision, strategic priorities, investment and principles for Government and the emergency management agencies to deliver reform across the sector.

The Councils and Emergencies Project being led by Local Government Victoria, aims to meet Priority B of the Emergency Management Strategic Action Plan being to:

'Enhance the capability and capacity of Local Governments to meet their obligations in the management of emergencies'.

The Councils and Emergencies Position Paper (the Paper) released in December 2017, details the emergency management responsibilities and practices undertaken by council, and denotes the conclusion of Phase One of the Councils and Emergencies Project.

The Paper illustrates a number of practices undertaken by councils throughout the planning, response, relief and recovery stages of emergencies, that while is in the interest of the community, is not a legislative responsibility of councils. Examples include but not limited to:

- Maintaining a Vulnerable Persons Register – *policy of Department of Health and Human Services (DHHS)*;
- Financial contribution to local flood warning infrastructure – *Victorian Floodplain Management Strategy*;
- Coordinate community requests for local relief and recovery assistance including assistance with equipment, food, clothing, accommodation and health needs – *identified practice of one or more councils*;

- Support DHHS with the dissemination of information about emergency financial assistance - *identified practice of one or more councils*; and
- Collect information from community meetings, call centres, emergency relief centres, debriefs and community recovery committees after an emergency - *identified practice of one or more councils*.

The Paper recognizes that councils vary in their capacity and capability in delivering both legislative and identified practices. Phase Two of the Councils and Emergencies Project will examine the capacity and capability of councils in emergencies.

Following the release of exposure draft Bill in 2016, the Emergency Management Legislation Amendment Bill 2018 (the Bill) was introduced into Parliament on 20 February 2018.

The bill presents a number of reforms to enhance emergency management planning, response, relief and recovery in Victoria, at a State, regional and local level.

Some of the key changes include (but not limited to):

Regional Emergency Management Planning Committee (MFMP)

Membership of the REMPC will now include a person, or the person holding a position or role for the time being, nominated by the Chief Executive Officer of a municipal council of a municipal district within the relevant region.

Municipal Emergency Management Planning Committee (MEMPC)

- The Chair of the MEMPC will be the Council CEO or his or her delegate;
- The composition of the MEMPC is prescribed with nominated representatives required from:
 - VicPol
 - DHHS
 - Ambulance Victoria
 - CFA
 - VicSES
 - Red Cross
- The MEMPC will also be required to appoint a:
 - Nominated community representative;
 - Other nominated agency representatives with a role in recovery and emergency management;
 - Other nominated representatives from appropriate organisations such as utilities or other critical infrastructure;
- The MEMPC may appoint other representatives as appropriate;
- The key obligation of the MEMPC is to facilitate the preparation of a Municipal Emergency Management Plan (MEMP) for its municipality; and

- The MEMPC is required to consult broadly with the community, including in the preparation of its MEMP.

Resourcing Municipal Emergency Management

- The Municipal Emergency Resource Officer (MERO) position will cease to exist;
- The Municipal Emergency Management Officer (MEMO) is a new position that councils will be required to have at least one staff member appointed;
- The MEMO will be the main point of contact in Council for liaising with agencies in relation to emergency management activities in general;
- The MEMO will be responsible for coordinating emergency management activities at an organizational level relating to mitigation, response and recovery;
- The Municipal Recovery Manager (MRM) will be recognised in legislation and is required to be appointed by Council;

Municipal Fire Management Planning Committee (MFMP)

- The Regional Strategic Fire Management Planning Committee will cease to exist. Its functions will be absorbed into the new Regional Emergency Management Planning Committee; and
- The Municipal Fire Management Planning Committee will also cease to exist with its functions absorbed into the new Municipal Emergency Management Planning Committee (MEMPC) structure.

Municipal Emergency Management Planning

- The Bill states it is no longer the role of a council to prepare an emergency management plan for its municipality, however Council has a lead role in facilitating a MEMPC to undertake the development of a Municipal Emergency Management Plan (MEMP);
- The preparation of a MEMP will be a shared responsibility between agencies through the MEMPC;
- The emphasis is on 'Mitigation, Response and Recovery', with Prevention being replaced by Mitigation;
- There is a strong emphasis on community engagement and community emergency management planning;
- The MEMPC will be required to engage with the community and acknowledge community emergency management planning in their planning process;
- The MEMP is required to be integrated, coordinated and comprehensive so that it aligns to State and Regional Planning as well as being inclusive of community emergency management planning;
- The MEMP when endorsed, will be posted on the Emergency Management Victoria website and on Councils website; and the
- The Inspector general SES will no longer be responsible for auditing the MEMP to ensure compliance;
- The MEMPC will prepare and submit a 'Statement of Assurance' that the MEMP complies with the Act and is aligned to Regional and State plans; and

- The MEMP will be required to be submitted to the Regional Emergency Management Planning Committee for endorsement rather than Council.

Municipal Emergency Coordination Centres

The Bill and related policy such as the Emergency Management Manual of Victoria (EMMV) are silent on Municipal Emergency Coordination Centres (MECC). Traditionally, MECC's have been established to support Incident Control Centres through the coordination of local resources and relief arrangements. While there is no legislative requirement for MECC's into the future, the current Hindmarsh Shire Municipal Emergency Management Plan (MEMP) permits the establishment of a MECC at the discretion of municipal emergency management officers. The future of MECC facilities will be need to be considered as part of future MEMP reviews.

Once passed, the Bill will implemented in a staged approach over approximately 18 months, beginning at the State level, followed by regional land local levels.

Ministerial Guidelines are currently being developed to assist practitioners in a range of agencies, councils and departments to implement the new arrangements for emergency management.

Options:

Council continue to participate in the review legislative and policy in emergency management.

Link to Council Plan:

4.5.2 - Review Council's role in emergency management.

Financial Implications:

The Bill has a renewed focus on mitigation. The potential financial implications for the provision and management of mitigation infrastructure such as levy banks for Hindmarsh Shire Council is unknown at this stage.

Risk Management Implications:

Council will continue to work with key agencies in the identification and mitigation of risks to its communities, actively support agencies in response to emergencies and take a lead role in recovery efforts following emergency events.

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 and Author – Shane Power, Director Infrastructure Services

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

Communications Strategy:

Council will collaborate with emergency agencies in ensuring consistent and accurate dissemination of information to the community with regard to emergency management planning, warnings and advice.

Next Steps:

Phase 2 of the Councils and Emergencies project commence shortly and will assess the capability and capacity of Victorian councils in meeting their emergency management obligations and expectations.

Should the Emergency Management Legislation Amendment Bill 2018 pass through parliament as presented, Council will need to dissolve its Municipal Fire Prevention Planning Committee, appoint a Municipal Emergency Management Officer and facilitate the establishment of a new Municipal Management Planning Committee in accordance with the amended legislation.

RECOMMENDATION:

That Council notes the report.

MOVED: CRS R. Gersch/ T. Schneider

That Council notes the report.

CARRIED

Attachment: 5 & 6

11. SPECIAL COMMITTEES

11.1 YURUNGA HOMESTEAD COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment: 7

Introduction:

The Yurunga Homestead Committee held its general meeting on 15 February 2018. 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 Yurunga Homestead Committee general meeting held on 15 February 2018.

MOVED: CRS R. Gersch/ D. Colbert

That Council notes the minutes of the Yurunga Homestead Committee general meeting held on 15 February 2018.

CARRIED

Attachment: 7

11.2 RAINBOW TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment: 8

Introduction:

The Rainbow Town Committee held its general meeting on 26 February 2018. 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 Rainbow Town Committee general meeting held on 26 February 2018.

MOVED: CRS R. Lowe/D. Nelson

That Council notes the minutes of the Rainbow Town Committee general meeting

held on 26 February 2018.

CARRIED

Attachment: 8

12. LATE REPORTS

No report

13. OTHER BUSINESS

14. 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.

RECOMMENDATION:

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, to consider.

14.1 Riverside Holiday Park

MOVED: CRS D. Nelson/R. Lowe

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, to consider.

14.1 Riverside Holiday Park

14.2 Late Report – Laneway Rear Lloyd Street Dimboola

CARRIED

Council resumed in open session at 3:50pm.

Cr D. Colbert left the room at 3:50pm.

Cr D. Colbert returned to the room at 3:52pm.

15. MEETING CLOSE

There being no further business, Cr Ismay declared the meeting closed at 3:54pm.
