



11 July 2018

To Councillor,
"as addressed"

NOTICE is hereby given that an **ORDINARY MEETING** of the Hindmarsh Shire Council will be held at the Council Chamber, 92 Nelson Street, Nhill on Wednesday 18 July 2018 commencing at **3.00pm**.



Greg Wood
Chief Executive Officer

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. Deputations

7. Activity Reports

8. Correspondence

9. Assembly of Councillors

9.1 Record of Assembly

10. Planning Permit Reports

10.1 Application for Planning Permit 1586-2018 – CA11 Sec B, TSH Rainbow (11 Rainbow Rises Road, Rainbow)

11. Reports Requiring a Decision

11.1 Domestic Animal Management Plan Annual Review
11.2 Understanding Social Enterprise Workshop
11.3 Dimboola Town Committee Allocation of Funds

12. Special Committees

12.1 Nhill Town Committee
12.2 Yurunga Homestead Committee

13. Late Reports

13.1 Dimboola Community Civic Hub

14. Other Business

No report

15. Confidential Matters

15.1 Late Report - Contract 2017-2018–12 – Provision of Professional Consultancy – Flood Recovery Program

16. Meeting Close

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

Acknowledgement of the Indigenous Community

*We acknowledge the Shire's Indigenous community as the first owners of this country.
We recognise the important ongoing role that indigenous people have in our community
and pay our respects to their elders and people both living and past.*

Opening Prayer

Dear Lord,

*We humbly request your blessing upon this Council and welcome your guiding presence
among us.*

*May our decisions be taken wisely and in good faith, to your glory and the true welfare of
the citizens of the Hindmarsh Shire.*

2. APOLOGIES

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

***That the Minutes of the Ordinary Council Meeting held on Wednesday 4 July 2018
in the Council Chamber, 92 Nelson Street Nhill, as circulated to Councillors be
taken as read and confirmed.***

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

6. DEPUTATIONS

No deputations

7. ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: MAY AND JUNE 2018

Cr ISMAY, Mayor

Attended:

02/05/2018 Council meeting
03/05/2018 CMA/Jacobs meeting Ross Lakes
04/05/2018 CMA/Jacobs meeting Ross Lakes
15/05/2018 River Valley tourism meeting Rupanup
16/05/2018 Rural Summit Lakes Entrance
17/05/2018 Rural Summit Lakes Entrance
18/05/2018 Rural Summit Lakes Entrance
23/05/2018 Council meeting Nhill
30/05/2018 Regional Partnerships meeting Stawell
04/06/2016 Jeparit Community plan meeting
06/06/2018 Mayor CEO meeting Nhill
06/06/2018 Council meeting Nhill
06/06/2018 OASIS meeting Rainbow
06/06/2018 VORRA meeting Rainbow
12/06/2018 WMSA meeting Horsham
12/06/2018 Rainbow community plan meeting
14/06/2018 Rec reserve / caravan park review
15/06/2018 WHAG meeting VicRoads Ballarat
17/06/2018 Dinner with Andrew Broad MP Canberra
18-20/06/2018 LG Assembly Canberra
21/06/2018 Meeting with Rustic Stone Ballarat
26/06/2018 WMT meeting Watchem
27/06/2018 Special Council Budget meeting Nhill

Cr LOWE, DEPUTY MAYOR

Attended:

01/05/2018 WMPM Rally Meeting, Jeparit
02/05/2018 Council Briefing, Council Meeting, Nhill
15/05/2018 WMPM Meeting, Jeparit
17/05/2018 Interview with Dave Lennon, re Museum Rally, ABC Western Victoria
22/05/2018 Tourism Meeting, Council Chambers, Nhill
23/05/2018 Council Briefing, Council Meeting, Nhill
23/05/2018 MSS Review, Nhill Community Consultations, Nhill
24/05/2018 Citizenship Ceremony, Nhill
26/05/2018 Working Bee, WMPM, Jeparit
01/06/2018 Rotary Hoed sand for trick horse, WMPM, Jeparit
05/06/2018 MSS Review, Jeparit
06/06/2018 Council Briefing, Council Meeting, Nhill

09-10/06/2018 Wimmera Mallee Pioneer Museum Rally, Jeparit
12/06/2018 MSS Review, Rainbow
15/06/2018 Meeting, Caravan Park / Recreation Reserve, Rainbow
15/06/2018 Meeting with Principal Rainbow P12 College, Rainbow
19/06/2018 Wimmera Mallee Pioneer Museum Meeting. Jeparit
20/06/2018 Neil Diamond Tribute Concert, Seniors Concert, Nhill
27/06/2018 Special Budget Meeting, Nhill
29/06/2018 Beautification, and Maintenance WMPM Committee Meeting. Jeparit

Cr GERSCH

Attended:

02/05/2018 Council meeting
08/05/2018 WDA BOARD MEETING
16/05/2018 RCV board meeting
16/05/2018 RCV summit Lakes Entrance
23/05/2018 MSS review
23/05/2018 Council meeting
24/05/2018 Meeting with sporting club
25/05/2018 Cr. Michael O'Connor funeral at Beaufort
30/05/2018 Regional partnership forum at Stawell
06/06/2018 Council meeting
07/06/2018 Meeting with National Party leader Peter Walsh
08/06/2018 RCV board meeting
10/06/2018 Jeparit museum display
12/06/2018 WDA business awards launch
12/06/2018 WDA board meeting
25/06/2018 Nhill skate board meeting
27/06/2018 Council budget meeting
28/06/2018 Send off for long term employee Trevor Cooke

Cr COLBERT

Attended:

02/05/2018 Council and Briefing meeting, Nhill
23/05/2018 MSS review Nhill
23/05/2018 Council and Briefing meeting, Nhill
06/06/2018 Council and Briefing meeting, Nhill
27/06/2018 Special Council Budget meeting, Nhill

Cr NELSON

Attended:

02/05/2018 Briefing Meeting, Nhill
02/05/2018 Council Meeting, Nhill
02/05/2018 Wimmera Southern Mallee LLEN AGM, Horsham
07/05/2018 Town Committee Meeting, Dimboola
08/05/2018 Stick Shed Tour, Murtoa

- 08/05/2018 Wimmera Development Association Meeting, Murtoa
16/05/2018 Meeting with ratepayer, Village Settlement Dimboola
22/05/2018 Meeting with Director of Infrastructure, Dimboola
23/05/2018 Briefing Meeting, Nhill
23/05/2018 Council Meeting, Nhill
24/05/2018 Citizenship Ceremony, Nhill
24/05/2018 Audit Committee Meeting, Nhill
26/05/2018 Working bee – Tidy Towns, Dimboola
28/05/2018 Community Action Network meeting, Dimboola
29/05/2018 Municipal Strategic Statement Review meeting, Dimboola
30/05/2018 Fed Uni Scholarship Awards, Horsham
30/05/2018 Wimmera Southern Mallee Regional Partnership meeting, Stawell
04/06/2018 Town Committee meeting, Dimboola
05/06/2018 WDA Audit & Review committee meeting, Horsham
06/06/2018 Men’s Shed visit, Dimboola
06/06/2018 Briefing meeting , Nhill
06/06/2018 Council meeting , Nhill
08/06/2018 Garden working bee, Dimboola
12/06/2018 Wimmera Development Association meeting, Horsham
13/06/2018 LGBTI workshop, Little Desert Lodge
15/06/2018 Dimboola & District Historical Society meeting, Dimboola
16/06/2018 Garden working bee
17/06/2018 Garden working bee
19/06/2018 Wimmera Southern Mallee LLEN finance committee meeting, Horsham
19/06/2018 Wimmera River stakeholders advisory Group meeting, Dimboola
20/06/2018 Neil Diamond tribute concert, Nhill
20/06/2018 Town Committee dinner, Dimboola
27/06/2018 Special Council Meeting, Nhill
28/06/2018 Wimmera Southern Mallee LLEN meeting, Horsham
29/06/2018 GWM Water Stakeholder workshop, Horsham

Cr SCHNEIDER

Attended:

- 02/05/2018 Council Briefing and Council meeting, Nhill
03/05/2018 Mowing at Picnic Bend, Dimboola
16/05/2018 Meeting with Jonathon Starks, Director Infrastructure and Cr Nelson,
Village Settlement, Dimboola
16/05/2018 Street and Public Space Tree Strategy meeting, Dimboola
22/05/2018 Meeting with Director Infrastructure and Cr Nelson, Dimboola
24/05/2018 Hindmarsh Shire Council Audit Committee, Nhill
27/05/2018 Horsham Road cleanup, Dimboola
29/05/2018 Municipal Strategic Statement Review meeting, Dimboola
04/06/2018 Dimboola Town Committee meeting
06/06/2018 Briefing meeting and Council meeting, Nhill
20/06/2018 Dinner with Tidy Towns judge, Dimboola

27/06/2018 Special Council Meeting, Nhill

SENIOR MANAGEMENT ACTIVITIES: MAY AND JUNE 2018

GREG WOOD, Chief Executive Officer:

Attended:

02/05/2018 Mayor/CEO meeting, Nhill
02/05/2018 Council and Briefing meetings, Nhill
03/05/2018 Tour of Luv-a-Duck facilities, various
08/05/2018 WDA Board Meeting and tour of stick shed at Murtoa
10/05/2018 Wimmera Regional CEO Meeting, Horsham
11/05/2018 Site visit (Vic Gov) to Dimboola Library, Dimboola
11/05/2018 Meeting with Geoff Lord and Dr Paul Hemming Chancellor, FedUni
14/05/2018 Rural Outreach Program regional stakeholder discussion, WWHS Nhill
16-18/05/2018 RCV 2018 Rural Summit, Lakes Entrance
22/05/2018 WSMPG Tourism Consultation, Nhill
23/05/2018 Mayor/CEO meeting, Nhill
23/05/2018 Council and Briefing meetings, Nhill
23/05/2018 Municipal Strategic Statement (MSS) Review, Nhill
24/05/2018 Citizenship Ceremony, Nhill
24/05/2018 Audit Committee Meeting, Nhill
28/05/2018 Radio interview with Dave Lennon
29/05/2018 Rural Outreach Program regional stakeholder discussion, WWHS Nhill
29/05/2018 MSS Review Consultation Dimboola
30/05/2018 Regional Assembly, Stawell
30/05/2018 Regional Assembly dinner, Halls Gap
05/06/2018 MSS Review Consultation, Jeparit
06/06/2018 Mayor/CEO Meeting, Nhill
06/06/2018 Council and Briefing meetings, Nhill
07/06/2018 Pick My Project community information session, Horsham
12/06/2018 WDA Meeting and Business Awards launch, Horsham
13/06/2018 LGBTI Workshop introduction, Little Desert Lodge
13/06/2018 LGBTI Community dinner, Little Desert Lodge
14/06/2018 Presentation on Local Government to Nhill College Humanities students
15/06/2018 Meeting with consultant re Integrated Water Management
17-20/06/2018 ALGA Assembly Canberra
18/06/2018 Dinner with Andrew Broad MP Canberra
20/06/2018 Refugee Week Launch Parliament House Canberra
25/06/2018 Shared Services Project, Horsham
26/06/2018 Visitor Information Centre Volunteers Recognition, Nhill
27/06/2018 Special Council meeting, Nhill
28/06/2018 Farewell event for Trevor Cooke, Jeparit

SHANE POWER, Director Infrastructure Services:

Attended:

02/05/2018 Meeting with NAMPC Chair and Mayor, Nhill
03/05/2018 Tour of Luv-a-Duck facilities, various

09/05/2018	Meeting with Murra Warra Wind Farm consultations, Nhill
10/05/2018	Exercise Orwell, Dimboola
11/05/2018	Shared Services, Business Transformation, Horsham
14/05/2018	Street & Reserve Tree Strategy community consultation, Nhill
15/05/2018	Meeting NDSC, Cr Gersch and Cr Ismay, Nhill
15/05/2018	Street & Reserve Tree Strategy community consultation, Jeparit
16/05/2018	Meeting with south ward councillors and resident, Dimboola
16/05/2018	Street & Reserve Tree Strategy community consultation, Dimboola
22/05/2018	Meeting with south ward councillors, Dimboola
23/05/2018	Council briefing, Nhill
23/05/2018	Council meeting, Nhill
23/05/2018	Meeting with SES Project Manager, Nhill
23/05/2018	MSS and Planning Scheme Review community consultation, Nhill
24/05/2018	Meeting NDSC, Cr Gersch and Cr Ismay, Nhill
29/05/2018	MSS and Planning Scheme Review community consultation, Dimboola
30/05/2018	Safety and Efficiency meeting, Nhill
30/05/2018	WSM Partnership Regional Assembly, Stawell
05/06/2018	Senior Management Team Meeting, Nhill
05/06/2018	Planning Scheme Review public consultation, Dimboola
06/06/2018	Council Briefing, Nhill
06/06/2018	Council Meeting, Nhill
07/06/2018	Shared Services, Horsham
12/06/2018	Planning Scheme Review public consultation, Rainbow
13/06/2018	LGBTI Community Dinner, Nhill
14/06/2018	Municipal Fire Management Planning Committee, Nhill
15/06/2018	Rainbow Caravan park and Recreation Reserve Master Planning, Rainbow
15/06/2018	Meeting with Rainbow P-12 College, Rainbow
18/06/2018	Nhill Township Committee, Nhill
19/06/2018	Wimmera River Stakeholders Advisory Group, Dimboola
22/06/2018	BAyWa Nhill Wind Farm discussion, Nhill
26/06/2018	Shared Services, Horsham
27/06/2018	Special Council Meeting, Nhill

MONICA REVELL, Director Corporate and Community Services:

Attended:

01/05/2018	Animal Management Information Seminar
02/05/2018	Primary Care Workers staff meeting
02/05/2018	Council Briefing
02/05/2018	Council Meeting
03/05/2018	Local Government Principal Councillor Conduct Registrar Workshop
04/05/2018	Pick My Project Webinar
10/05/2018	Exercise Orwell (Emergency Management Training)
11/05/2018	Federation University Update Meeting
14/05/2018	Local Government Model Accounts Workshop

22/05/2018	Senior Management Team
22/05/2018	WSMPG Tourism project consultation
23/05/2018	Council Briefing
23/05/2018	Council Meeting
24/05/2018	Hindmarsh Shire Council Audit Committee
28/05/2018	Nhill Depot Meeting with Nhill Outdoor staff
29/05/2018	MSS Review Dimboola
30/05/2018	Safety & Efficiency Meeting
30/05/2018	WSM Regional Assembly
06/06/2018	Briefing
6/06/2018	Council Meeting
07/06/2018	MAV Workcare meeting
08/06/2018	Shared Services Working Group Meeting
13/06/2018	LGBTI Workshop & Dinner
14/06/2018	Municipal Fire Management Planning Committee Meeting
14/06/2018	Nhill College Year 10 Humanities student visit
15/06/2018	Wimmera Regional Library Corporation Meeting
20/06/2018	Resilient Recovery Workshop
21/06/2018	HACC PYP Orientation Forum
22/06/2018	NWMA Meeting
27/06/2018	Special Council Meeting

8. CORRESPONDENCE

8.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer
Attachment: 2

Introduction:

The following correspondence is tabled for noting by Council:

- Hindmarsh Shire Youth Council
 - *Response to letter regarding Davis Park grandstand*
- Hon Philip Dalidakis, Minister for Small Business
 - *Public Holiday Arrangements in lieu of Melbourne Cup 2018*
- Nhill Town Committee
 - *Request for budget consideration for February Fiestas*

RECOMMENDATION:

That Council notes the attached correspondence.

Attachment: 2

9. ASSEMBLY OF COUNCILLORS

Responsible Officer: Chief Executive Officer
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.

RECOMMENDATION:

That Council accepts the Assembly of Councillors Record as presented.

Attachment: 3

10. PLANNING PERMITS

10.1 APPLICATION FOR PLANNING PERMIT 1586-2018 – CA11 SEC B, TSH RAINBOW (11 RAINBOW RISES RD RAINBOW)

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: Various
Applicant: Mr Brett Price c/- Victorian Off Road Racing Association
Owner: Numerous
Subject Land: CA11 Sec B, 11 Rises Rd Rainbow, C/A 6, C/A 6A Jacks Track, C/A 7 Jacks Track, Lot 1 PS 627101 581 Jacks Track, C/A 14 Jacks Track, C/A 15, C/A 15A, C/A 15B Bullock Bottom Road , C/A 17 Bullock Bottom Road, C/A 18, C/A 18A Fuller Road, C/A 20, Lot 2 LP 215799 Albacutya Road, Lot 1 LP 215799 150 Fuller Road, C/A 8 Burma Road, C/A 13 713 Burma Road, C/A 18 Burma Road, C/A 23A Burma Road, C/A 23 Pigick Kurnbrunin Road, C/A 36 Schilling Road, C/A 30, C/A 32C, C/A 32B, C/A 34, C/A 33 423 Heinrich Road, C/A 31, C/A 35 Heinrich Road, C/A 37, Lot 1-2 LP 96895 Pigick Pella Road, C/A 25A, C/A 7A Amy Johnson Highway, Lot 1 LP 110701 Firebreak Track, Lot 2 LP 110701 Firebreak Track, C/A 20A, C/A 21 1 Heinrich Road, C/A 24 Firebreak Track, C/A 22 297 Mitchell Road, C/A 27 Amy Johnson Highway, C/A 28 Pigick Pella Road, C/A 29 Firebreak Track, C/A 31 Firebreak Track, C/A 5, C/A 9, C/A 10 Rainbow Rises Road, C/A 6, C/A 7A, Lot 2 PS 545680 Fuller Road, C/A 8B, C/A 8A, C/A 8F4, Lot 2 LP 62939, Lot 2 LP 87249, Lot 1-2 TP 944256 Rainbow Rises Road, C/A 15 Etherton Road, C/A 15A, C/A 17 Kruger Road, C/A 18 Etherton Road, C/A 19 271 Solly Road, C/A 20, C/A 21 345 Rainbow Rises Road, C/A 25, C/A 26 Rainbow Nhill Road, Lot 1 TP 235120 Rainbow Nhill Road, C/A 28, C/A 27 61 Solly Road, C/A 29, Lot 1-2 TP 838574 Rainbow Nhill Road, C/A 30 Kruger Road, C/A 31 Kruger Road, C/A 11A, Lot 2 PS 429122 Bullock Bottom Road, C/A 7A, Lot 2 PS 627101 Jacks Track Rainbow

Proposal: Place of assembly – Rainbow Enduro Motorcycle Event

Zoning & Overlays: Farming Zone (FZ)
Public Parks and Recreation Zone (PPRZ)
Public Conservation and Resource Zone (PCRZ)
Bushfire Management Overlay (BMO)
Environmental Significance Overlay Schedule (ESO 2) –
Channel and Reservoir Protection
Environmental Significance Overlay Schedule (ESO 3) –
Wimmera River Protection
Environmental Significance Overlay Schedule (ESO 5) –
Wetlands of Conservation Value
Environmental Significance Overlay Schedule (ESO 6)
– Wetlands of Conservation Value

Attachments: Attachment 4 page 1 – Approximate track location
Attachment 4 page 2 – Plan of marshalling area

Summary:

This report recommends that Council approves planning permit 1586-2018 for a 'place of assembly' for the 'Rainbow Enduro' car racing event.

Background:

In May 2018, The Victorian Off-Road Racing Association lodged a planning application for the 'Rainbow Enduro 400' event (place of assembly), consisting of the primary staging area, and a track, approximately 78 kilometres in length, utilising existing Council roads and tracks on private land to race off-road racing vehicles. The event is to occur on the 10, 11 and 12 August 2018.

Proposal Details:

The proposal is to conduct the Rainbow Enduro 400 event on various parcels of land within Rainbow, utilising Council's existing road network, and existing tracks on private land. Associated with the proposal is the main staging area, located on Graincorp land as well as associated staging area facilities, including a car parking area, pit area, canteens and sign-in, spectator area, race control, first aid area, and temporary toilets. The event is to be attended by approximately 80 competition vehicles, 600 personnel, and 1000 spectators.

Requirement for Permit:

A Planning permit is required under Clause 35.07 – Farming Zone (FZ) of the Hindmarsh Planning Scheme 'place of assembly', which is a Section 2 use in the zone. A 'place of assembly' is defined under the scheme as "land where people congregate for religious or cultural activities, entertainment, or meetings".

It is proposed that the event is run on this location as a 'one-off' event only, and as such, any permit issued will reflect this. Separate planning approval will need to be sought for events on this site or different locations in future.

Subject site & locality:

The staging area subject site is located at Crown Allotment 11 Section B Township of Rainbow, (11 Rainbow Rises Road Rainbow) and is currently used by Graincorp. The subject site (staging area) is located approximately 1 km west of Rainbow.

The proposal does not impact on any existing native vegetation and no native vegetation is proposed to be removed.

Public Notification

Section 52 of the Planning and Environment Act 1987 prescribes the requirements relating to giving notice as such:

s52 Notice of application

(1) *Unless the responsible authority requires the applicant to give notice, the responsible authority must give notice of an application in a prescribed form*

(a) *to the owners (except persons entitled to be registered under the **Transfer of Land Act 1958** as proprietor of an estate in fee simple) and occupiers of allotments or lots adjoining the land to which the application applies unless the responsible authority is satisfied that the grant of the permit would not cause material detriment to any person.*

The application is required to be publicly notified under the provisions of the Planning and Environment Act 1987, with a notice placed on the land, and adjoining landowners notified by registered mail. No objections have been received and it is considered that public notification has been carried out in accordance with the requirements of Section 52 of the Planning and Environment Act 1987.

Referrals:

External Referrals/Notices Required by the Planning Scheme:

Section 55 Referrals: Not required.

Section 52 Notices: As stated above.

Internal Referrals:

- Engineering: No objection, no conditions required.
- Environmental Health: No objection. Appropriate food premises permits under the Environmental Health Act have been requested for the canteens.
- Building: No objection, no conditions required.

Planning Assessment:

Permit Requirement

A Planning permit is required under Clause 35.07 – Farming Zone of the Hindmarsh Planning Scheme for ‘place of public assembly’.

Planning Scheme Requirements:

State Planning Policy Framework:

Clause 11 – Settlement

Clause 11.01 –Victoria

Clause 11.15 – Wimmera Southern Mallee

Clause 17 – Economic Development

Local Planning Policy Framework:

Clause 21 – Municipal Strategic Statement

Zoning Provisions:

Clause 35.07 Farming Zone

Clause 36.02 Public Parks and Recreation Zone

Clause 36.03 Public Conservation and Resource Zone

Overlay Provisions:

Clause 42.01 Environmental Significance Overlay Schedule (ESO 2) – Channel and Reservoir Protection

Clause 42.01 Environmental Significance Overlay Schedule (ESO 3) – Wimmera River Protection

Clause 42.01 Environmental Significance Overlay Schedule (ESO 5) – Wetlands of Conservation Value

Clause 42.01 Environmental Significance Overlay Schedule (ESO 6) – Wetlands of Conservation Value

Clause 44.06 Bushfire Management Overlay

Particular Provisions:

None applicable.

General Provisions:

Clause 65 – Decision Guidelines, states that:-

“Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause”.

The decision guidelines relevant to this application are stated within Clause 65.01 of the Hindmarsh Planning Scheme – Approval of an application or plan.

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.

- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.

It is considered that the application complies with the relevant decision guidelines as outlined.

Discussion:

The application has been assessed against the State Planning Policy Framework and the Local Planning Policy Framework, and it is considered that the proposed use is consistent with relevant policies contained within this section of the Hindmarsh Planning Scheme.

Clause 35.07 – Farming Zone states that before deciding on an application, in addition to the decision guidelines in Clause 55 the Responsible Authority must consider, as appropriate (as outlined in detail within the Planning Scheme):

Decision Guidelines

General Issues

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

Planning response:

The proposal is considered to meet the applicable decision guidelines as outlined above.

Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.

- The capacity of the site to sustain the agricultural use. The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

Planning response:

The proposal is considered to meet the applicable decision guidelines with regard to agricultural considerations outlined above due to the temporary nature of the proposed event. The event has little impact upon the continued agricultural viability of the land.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Planning Response:

The proposed event is considered to:

- Not negatively impact on the natural physical features and resources of the area.
- Not negatively impact on the flora and fauna on the site and its surrounds as no native vegetation is proposed to be removed.
- Not negatively impact upon biodiversity of the area, inclusive of the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.

Objections:

No objections received.

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 Coordinator Planning and Development advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

Processing Times:

The application was considered lodged on 22 May 2018. The report is being presented to Council for approval on the 18 July 2018 (57 days). The statutory processing time requirements of the Planning and Environment Act 1987 have been satisfied in this instance.

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 – Janette Fritsch, Acting 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 a permit for a place of public assembly on CA11 Sec B, 11 Rises Rd Rainbow, C/A 6, C/A 6A Jacks Track, C/A 7 Jacks Track, Lot 1 PS 627101 581 Jacks Track, C/A 14 Jacks Track, C/A 15, C/A 15A, C/A 15B Bullock Bottom Road , C/A 17 Bullock Bottom Road, C/A 18, C/A 18A Fuller Road, C/A 20, Lot 2 LP 215799 Albacutya Road, Lot 1 LP 215799 150 Fuller Road, C/A 8 Burma Road, C/A 13 713 Burma Road, C/A 18 Burma Road, C/A 23A Burma Road, C/A 23 Pigick Kurnbrunin Road, C/A 36 Schilling Road, C/A 30, C/A 32C, C/A 32B, C/A 34, C/A 33 423 Heinrich Road, C/A 31, C/A 35 Heinrich Road, C/A 37, Lot 1-2 LP 96895 Pigick Pella Road, C/A 25A, C/A 7A Amy Johnson Highway, Lot 1 LP 110701 Firebreak Track, Lot 2 LP 110701 Firebreak Track, C/A 20A, C/A 21 1 Heinrich Road, C/A 24 Firebreak Track, C/A 22 297 Mitchell Road, C/A 27 Amy Johnson Highway, C/A 28 Pigick Pella Road, C/A 29 Firebreak Track, C/A 31 Firebreak Track, C/A 5, C/A 9, C/A 10 Rainbow Rises Road, C/A 6, C/A 7A, Lot 2 PS 545680 Fuller Road, C/A 8B, C/A 8A, C/A 8F4, Lot 2 LP 62939, Lot 2 LP 87249, Lot 1-2 TP 944256 Rainbow Rises Road, C/A 15 Etherton Road, C/A 15A, C/A 17 Kruger Road, C/A 18 Etherton Road, C/A 19 271 Solly Road, C/A 20, C/A 21 345 Rainbow Rises Road, C/A 25, C/A 26 Rainbow Nhill Road, Lot 1 TP 235120 Rainbow Nhill Road, C/A 28, C/A 27 61 Solly Road, C/A 29, Lot 1-2 TP 838574 Rainbow Nhill Road, C/A 30 Kruger Road, C/A 31 Kruger Road, C/A 11A, Lot 2 PS 429122 Bullock Bottom Road, C/A 7A, Lot 2 PS 627101 Jacks Track Rainbow subject to the following conditions:

Endorsed Plans

- 1. The location and design of the development as shown on the endorsed plans shall not be altered or modified, whether or not in order to comply with any statute or statutory rule or local law or any other reason without the written consent of the Responsible Authority.***

Amenity

- 2. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:***
 - (a) transport of materials, goods or commodities to or from the land***
 - (b) appearance of any building, works or materials***
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil***
 - (d) presence of vermin***
 - (e) others as appropriate.***
- 3. The site must be kept in an ordered and tidy state and it's appearance must not prejudicially affect the amenity of the area.***
- 4. All loading and unloading of vehicles and delivery of goods to and from the premises must occur on site.***

Site reinstatement

- 5. The permit holder is to ensure the subject land and environs are reinstated to an equivalent condition as existed prior to the event being conducted to the satisfaction of the Responsible Authority.***

Permit Lapse/ Extension

- 9. Except with the written consent of the responsible authority, the use of the land for the purpose of a place of assembly must cease on the 15 August 2018.***

Attachment: 4

11. REPORTS REQUIRING A DECISION

11.1 DOMESTIC ANIMAL MANAGEMENT PLAN 2017-2021 ANNUAL REVIEW

Responsible Officer: Director Corporate & Community Services

Attachment: 5

Introduction:

Council is required to review the Domestic Animal Management Plan on an annual basis and report on the performance measures against the identified actions in the current plan.

Discussion:

Under Section 68A of the *Domestic Animals Act* (1994), every Council in Victoria must prepare a Domestic Animal Management Plan every four years in consultation with the Secretary of the Department of Environmental and Primary Industries.

Council's Domestic Animal Management Plan 2017-2021 (the Plan) was adopted by Council on 25 October 2017. The purpose of the Plan is to provide Hindmarsh Shire Council with a strategic framework that delivers policy direction and action plans for animal management over a four year period.

Council is required to review the plan annually and publish a review on the performance measures against the actions under Section 68A(3). The list of activities in the current Plan and achievement has been updated and can be found in attachment 5.

Options:

Council can review the current achievements contained within the plan.

Link to Council Plan

Strategic Objective 1.2: A range of effective and accessible services to support the health and wellbeing of our community.

Financial Implications:

There are no financial implications from the review of the Plan.

Risk Management Implications:

Management of risks will minimise Council's exposure to adverse financial impacts, improve effectiveness and generate efficiencies.

Communications Strategy:

Under the Domestic Animals Act 1994, there is no requirement for the plan to be advertised for public comment following annual reviews.

RECOMMENDATION:

That having reviewed the Domestic Animal Management Plan 2017-2021, Council receives the detailed outcomes achieved during 2017/18 and makes no changes to the Plan.

Attachment: 5

11.2 UNDERSTANDING SOCIAL ENTERPRISE WORKSHOP

Responsible Officer: Director Corporate & Community Services

Introduction:

This report seeks approval from Council to fund and assist in promoting an Understanding Social Enterprise Workshop in Hindmarsh Shire.

Discussion:

Rural Councils Victoria is funding the Australian Centre for Rural Entrepreneurship (ACRE) to deliver workshops on Understanding Social Enterprise in rural councils throughout Victoria over a three year period.

Social enterprises are businesses that trade and use most of their profits to tackle social problems, improve communities and assist with access to employment and training. Using the power provided through business operations, social enterprises play an important role in building a sustainable and prosperous local economy.

ACRE are seeking funding of \$1,000 to assist with the delivery of the workshops which are a practical two-day program that introduces participants to the objectives, purpose, theories and practice of social enterprise. The outcome of the workshop is for cross-sector leaders to learn about the potential of using social enterprise as a vehicle to support economic and community development.

ACRE facilitates the two-day program and coordinates the registration process. In addition to the \$1,000 financial contribution, Council is required to distribute invitations to participants, identify and provide a suitable venue, provide catering and transport.

Hindmarsh Shire Council Plan 2017-2021 Key Result Area 3 reflects Council's priorities for creating a Competitive and Innovative Economy. Council identified an action for supporting a strong rural economy and thriving towns through item 3.1.5 Support emerging Entrepreneurs Program in partnership with Rural Councils Victoria.

Options:

Council can:

1. Choose to support the ACRE understanding social enterprise workshop.
2. Choose not to support the ACRE understanding social enterprise workshop.

Link to Council Plan:

Strategic Objective 3.1.5 Support Emerging Entrepreneurs Program in partnership with Rural Councils Victoria.

Financial Implications:

Council is required to contribute \$1,000, provide a suitable venue, provide catering and transport during the workshop.

Risk Management Implications:

Nil

Conflict of Interest:

Under section 80C of the LGA officers providing advice to Council must disclose any interests, including the type of interest.

Author and Officer Responsible: Monica Revell, Director Corporate & Community Services

In providing this advice as the Author and Officer Responsible, I have no interests to disclose.

Communications Strategy:

Council will advertise the workshop in local papers, Council's website and Social Media outlets and email local community groups.

RECOMMENDATION:

That Council:

- 1. Contributes funding of \$1,000 and supports the running of an Understanding of Social Enterprise Workshop in Hindmarsh Shire Council to be facilitated by ACRE.***
 - 2. Authorises the Chief Executive Officer or delegate to identify a suitable venue and training dates with ACRE.***
-

11.3 DIMBOOLA TOWN COMMITTEE ALLOCATION OF FUNDS

Responsible Officer: Director Corporate and Community Services

Introduction:

This report seeks support from Council to approve the allocation of funds from the Dimboola Town Committee towards the supply and construction of a shelter to be located adjacent to the Dimboola Weir.

In accordance to the limitations and conditions specified in the Schedule, item 7 of the Instrument of Delegation to the Dimboola Town Committee dated 1 November 2017, the Dimboola Town Committee seeks support from Council to enter into an agreement exceeding its limit of \$2,000.

Discussion:

At its meeting on 2 July 2018, the Dimboola Town Committee unanimously agreed to proceed with the purchase and construction of a shelter to be located on the Eastern side of the Wimmera River adjacent to the Dimboola Weir and the Nine Creeks Walking Tracks system.

The Dimboola Town Committee received a quote from The Gazebo and Shade Centre, Mildura to supply and install the eight sided gazebo for \$10,200 excl GST. The Dimboola Town Committee had previously allocated \$13,440 of its funds towards this project.

The positioning of the gazebo adjacent to the Dimboola Weir and Nine Creeks Walking Tracks system will provide a location where people walking the tracks can rest under shelter while taking in the site of the weir environment and existing murals.

Link to Council Plan:

- Strategic Objective 1.1: An actively engaged community.
- Strategic Objective 1.3: A community that is physically active with access to a wide range of leisure, sporting and recreation facilities.
- 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 3.2: A thriving tourism industry.

Financial Implications:

There are no financial implications.

Risk Management Implications:

There are no risk management implications.

Conflict of Interest:

Under section 80C of the LGA officers providing advice to Council must disclose any interests, including the type of interest.

Author: Phil King, Economic and Community Development Manager

In providing this advice as the Author, I have no interests to disclose.

Officer Responsible: Monica Revell, Director Corporate & Community Services
In providing this advice as the Officer Responsible, I have no interests to disclose.

Communications Strategy:

The Dimboola Town Committee will receive formal notification within 14 days of the Council meeting.

Options:

1. Council can support the request of this report to approve the Dimboola Town Committee's allocation of funds towards the supply and installation of a gazebo adjacent to the Wimmera River at Dimboola.
2. Council can decline the request of this report and suggest to the Dimboola Town Committee to identify another project where the funds can be allocated.

RECOMMENDATION:

That Council approves the request from the Dimboola Town Committee to allocate \$10,200 (excluding GST) towards the supply and installation of a gazebo adjacent to the Wimmera River at Dimboola.

12. SPECIAL COMMITTEES

12.1 NHILL TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment: 6

Introduction:

The Nhill Town Committee held its meeting on 18 June 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 Nhill Town Committee meeting held on 18 June 2018.

Attachment: 6

12.2 YURUNGA HOMESTEAD COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment: 7

Introduction:

The Yurunga Homestead Committee held its meeting on 19 April 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 meeting held on 19 April 2018.

Attachment: 7

13. LATE REPORTS

13.1 DIMBOOLA COMMUNITY CIVIC HUB

Responsible Officer: Director of Corporate and Community Services

Introduction:

This report seeks support from Council to provide additional funding for the Dimboola Community Civic Hub project.

Discussion:

Council has been seeking funds through grant programs from both the Victorian and Federal Governments to secure funds to undertake the redevelopment of the Dimboola Community Civic Hub. This was to establish a state of the art facility that will encompass the library, community meeting and learning space, visitor information services, Council services and business incubator.

The existing library and Council customer service centre is housed in a circa 1880's built building that is too small and no longer fit for purpose. The proposed facility will become Dimboola and district primary community hub. The proposal will see the existing building retained and utilized as a meeting, exhibition or multi-purpose space and will be linked to the new building by a covered walkway.

Council engaged the services of an experienced and qualified architect to develop conceptual designs and to prepare a Bill of Quantity. Initial cost estimates for the Dimboola Community Civic Hub was \$1.6M.

In December 2016, Council applied for funding of \$750,000 through the Victorian Government's 2016 Living Libraries Program and were notified in June 2017 that the grant was successful in obtaining \$500,000. An additional \$100,000 was made available subject to Council being able to secure an additional \$800,000 through other sources.

In February 2017, Council applied for funding of \$800,000 through the Federal Government's Building Better Regions Fund – Infrastructure Projects Stream, Round 1 for the Dimboola Community Civic and Business Hub.

Council was notified late July 2017, that the application through the Building Better Regions Fund was unsuccessful as the assessment panel deemed the application ineligible. Feedback from the panel stated that the application was ineligible, as it did not include formal notification on an appropriate Victorian Government letterhead stating that funding from 2016 Living Libraries Program was approved.

This was in despite of the fact that Council explained in a letter that at that stage verbal advice from the Victorian Government had only been received but that the spokesperson from the Victorian Government could be contacted for verification.

The letter from Council also stated that Council would underwrite the Victorian Government funding until formal notification was received.

In June 2017, Council received the formal and signed funding agreement from the 2016 Victorian Government for the Living Libraries Program.

Following the unsuccessful attempt to obtain funding through the Building Better Regions Round 1 program, Council was encouraged to re-submit the application for round 2. In accordance to advice received from the assessment panel, amendments were made to the application form, which was re-submitted in December 2017.

Council received informal advice in July 2018, that the round 2 submission was also unsuccessful. At the time of preparing this report, a formal response had not been received and it is unknown why it was not successful.

As the additional \$100,000 from the Victorian Government's 2016 Living Libraries Program was dependent upon funding from the Federal Government, Council contacted the representative from the appropriate Department to inform them of the Federal Government decision.

Advice received from the Victorian Government is that Council can retain the additional \$100,000 on the proviso that the amount of \$600,000 contributed by them is matched by Council and/or other funding sources.

Based on these funding parameters it is proposed that the scope and design of the Dimboola Community Civic Hub project be adjusted to being a \$1.2M project rather than the original \$1.6M.

Should Council decide not to match the State Government's \$600,000 it will be necessary for Council to repay the \$100,000 received from the State Government in June 2018.

Financial Implications:

Council has allocated \$200,000 from its 2017 / 2018 Capital Works Annual Budget towards the establishment of the Dimboola Community Civic Hub.

Due to the unsuccessful outcome of the Building Better Regions Round 2 grant application, if Council wishes to proceed with the development of the Dimboola Community Civic Hub to the value of \$1.2M, then Council will need to allocate an additional \$400,000 towards the project by allocating funds in the 2019/2020 Annual Budget.

Link to Council & Community Plans:

Strategic Objective 1.1 An actively engaged community.
Strategic Objective 1.2 A range of effective and accessible services to support the health and well-being of our community

Strategic Objective 1.3	A community that is physically active with access to a wide range of leisure, sporting and recreational activities.
Strategic Objective 2.1	Well-maintained physical assets and infrastructure to meet community and organizational needs.
Strategic Objective 3.1	A strong rural economy and thriving towns.
Strategic Objective 3.2	A thriving tourism industry.
Strategic Objective 3.3	Modern and affordable information and communication technology throughout the municipality.
Strategic Objective 4.2	Quality customer services

Risk Management Implications:

A comprehensive Risk Management Plan will be developed for implementation during the course of this project. The Tender process will request evidence of contractor's OHS Systems. The successful contractor will complete an induction on site prior to commencement of works.

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 – Monica Revell, Director Corporate & Community Services.
In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Phil King, Manager Economic and Community Development.
In providing this advice as the author, I have no disclosable interests in this report.

Communications Strategy:

A communications strategy will be established for implementation during the course of this project.

Options:

1. Council can refer the allocation of an additional \$400,000 towards the project to the 2019/2020 Annual Budget and proceed with the establishment of the Dimboola Community Civic Hub as a \$1.2M project.
2. Council can reject the allocation of additional funds and proceed with the project with current available funds by trying to reduce the scope of the project to \$700,000
3. Council can abandon the project and return \$600,000 to the Victorian Government.

RECOMMENDATION:

That Council:

1. **Endorses the construction of the Dimboola Community Civic Hub with a budget of \$1.2M, funded by \$600,000 from the State Government and \$600,000 from Council**

- 2. *Notes that \$200,000 of Council funds has been allocated in the 2017/18 Budget and refers the additional \$400,000 to the 2019/20 Budget***
-

14. OTHER BUSINESS

15. 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:

15.1 Contract 2017-2018–12 – Provision of Professional Consultancy – Flood Recovery Program

16. MEETING CLOSE
