



MINUTES OF THE ORDINARY COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL HELD AT THE COUNCIL CHAMBER, 92 NELSON STREET NHILL ON WEDNESDAY 15 NOVEMBER 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. 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 1567-2017

11. Reports Requiring a Decision

11.1 Hindmarsh Shire Council Community Action Grants 2017/18

11.2 Asset Management Plan Part A – General Information & Part E – Pathways

11.3 Local Roads to Market Grant Program

11.4 Request to name an unnamed government road reserve and change of road

name – Zanker Heritage Road and Reserve Road

12. Special Committees

- 12.1 Dimboola Town Committee
- 12.2 Yurunga Committee of Management
- 12.3 Rainbow Town Committee

13. Late Reports

- 13.1 Application for planning permit 1561-2017

14. Other Business

No report

15. Confidential Matters

- 15.1 Sale of Council Owned Land - former Rainbow Primary School
- 15.2 Financial Hardship Application

16. Meeting Close

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

In Attendance:

Mr. Greg Wood, (Chief Executive Officer), Mr. Shane Power (Director of Infrastructure Services), Mrs. Monica Revell (Acting Director Corporate and Community Services) Miss Shelley Gersch (Executive Assistant), Mr. Andre Dalton (Coordinator Planning and Development) (1-15)

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

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 25 October 2017 in the MECCA supper room Rainbow and the Minutes of the Annual Statutory Meeting held on Wednesday 1 November 2017 at the Nhill Memorial Community Centre, Nhill as circulated to Councillors be taken as read and confirmed.

MOVED: CRS. T. Schneider/R. Lowe

That the Minutes of the Ordinary Council Meeting held on Wednesday 25 October 2017 in the MECCA supper room Rainbow and the Minutes of the Annual Statutory Meeting held on Wednesday 1 November 2017 at the Nhill Memorial Community Centre, Nhill as circulated to Councillors be taken as read and confirmed.

CARRIED

Attachment: 1 & 2

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.

Cr. R. Lowe declared an indirect financial interest in item 10.1 Application for Planning Permit 1561 – 2017.

Cr. R. Ismay declared an indirect conflict of interest because of conflicting duties in item 15.1 Sale of Council Owned Land - former Rainbow Primary School.

5. PUBLIC QUESTION TIME

Kim Gibson spoke about item 13.1 Application for Planning Permit 1561-2017.

Daryl Leyonhjelm spoke about item 13.1 Application for Planning Permit 1561-2017.

6. DEPUTATIONS

No deputations

7. ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: OCTOBER 2017

Cr NELSON, MAYOR

Attended:

- 02/10/2017 Dimboola Town Committee meeting, Dimboola
- 04/10/2017 Briefing Meeting, Nhill
- 04/10/2017 Council Meeting, Nhill
- 04/10/2017 Rural & Regional Councils Sustainability meeting, Horsham
- 04/10/2017 Police Awards presentation ceremony, Horsham
- 05/10/2017 ABC Interview
- 05/10/2017 Official launch of NDIS, Horsham
- 05/10/2017 All Saints, Nhill Memorial Community Centre
- 06/10/2017 Property inspection, Nhill
- 06/10/2017 Skill Invest Regional Award Night, Longerenong College
- 07/10/2017 Barefoot Ski Competition, Dimboola
- 09/10/2017 Riverside Holiday Park committee meeting, Dimboola
- 09/10/2017 Horsham Sports & Community Club AGM
- 10/10/2017 Student Citizenship Awards, Nhill
- 10/10/2017 Wimmera Development Association meeting, Horsham
- 11/10/2017 Meeting with Andrew Broad MP, Nhill
- 12/10/2017 Official Opening of Sculpture, Rainbow
- 13/10/2017 2017 Victorian Regional Achievement & Community Awards, Melbourne
- 16/10/2017 National Carp Control Plan forum, Horsham
- 17/10/2017 Rainbow Show, Rainbow
- 18/10/2017 RCV Forum, Melbourne
- 18/10/2017 ABC interview
- 19/10/2017 MAV Annual Conference & dinner
- 20/10/2017 MAV State Council
- 21/10/2017 A & P Society Show, Dimboola
- 22/10/2017 Jeparit Show, Jeparit
- 24/10/2017 CEO Mayor meeting, Nhill
- 24/10/2017 WSMLLEN Finance Committee meeting, Horsham
- 24/10/2017 Drive around with Director Infrastructure, Dimboola
- 24/10/2017 Cancer Crusaders Girls Night In, Dimboola
- 25/10/2017 Tidy Towns Presentations, Dimboola
- 25/10/2017 Briefing meeting, Rainbow
- 25/10/2017 Council meeting, Rainbow
- 26/10/2017 ABC interview
- 26/10/2017 WHAC meeting, Ballarat
- 29/10/2017 Nhill Sing Australia 10 year celebration, Nhill
- 31/10/2017 ABC interview
- 31/10/2017 Wimmera River Advisory Group meeting, Dimboola

Cr LOWE, DEPUTY MAYOR

Attended:

- 04/10/2017 Council Briefing, Council Meeting, Nhill.

- 09/10/2017 Town Committee Meeting, Jeparit.
- 10/10/2017 Karen Evening with Andrew Broad, Nhill.
- 14/10/2017 Launch of Oasis, Rainbow.
- 17/10/2017 Rainbow Show, Rainbow.
- 18/10/2017 Seniors Week Concert, Nhill.
- 18/10/2017 AGM, Avonlea, Nhill
- 19/10/2017 Nhill Show, Nhill.
- 21/10/2017 Dimboola Show, Dimboola.
- 22/10/2017 Jeparit Show, Jeparit.
- 25/10/2017 Council Briefing, Council Meeting, Rainbow.
- 26/10/2017 Nhill Aviation Centre AGM, Nhill.
- 27/10/2017 New Residents BBQ, Jeparit.

Cr GERSCH

Attended:

- 01/10/2017 Paper pick up
- 04/10/2017 Council briefing and meeting
- 04/10/2017 Regional partnership forum
- 08/10/2017 Movies RE: aviation centre
- 10/10/2017 WDA board meeting
- 18/10/2017 RCV Board meeting
- 18/10/2017 RCV Annual meeting
- 18-19/10/2017 RCV Mayors and CEO Forum
- 20/10/2017 MAV State Council Meeting
- 17/10/2017 Council meeting and briefing

Cr COLBERT

Attended:

- 04/10/2017 Council Briefing, Council Meeting, Nhill.
- 19/10/2017 Nhill Show, Nhill.
- 25/10/2017 Rainbow Show, Rainbow.
- 25/10/2017 Council Briefing, Council Meeting, Rainbow.
- 26/10/2017 North West Municipal Meeting, Warracknabeal
- Various Nhill Golf Club

Cr ISMAY

Attended:

- 04/10/2017 Council meeting, Nhill
- 11/10/2017 Enduro Race meeting, Rainbow
- 23/10/2017 Rainbow Town Committee meeting
- 25/10/2017 Council meeting, Rainbow
- 25/10/2017 Kenmare school, AGM

Cr SCHNEIDER

Attended:

- 04/10/2017 Briefing and Council meeting, Nhill
- 13/10/2017 Wimmera Regional Library Corporation Board meeting, Warracknabeal
- 21/10/2017 Dimboola Show

- 24/10/2017 Dimboola town tour with Director Infrastructure and Cr Nelson
 - 25/10/2017 Briefing and Council meeting, Rainbow
 - 25/10/2017 Tour of Rainbow Oasis with Cr Nelson
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SENIOR MANAGEMENT ACTIVITIES: OCTOBER 2017

GREG WOOD, Chief Executive Officer:

Attended:

- 3-4/10/2017 IBAC Conference, Melbourne
- 08/10/2017 NAHC Movie Screening, Nhill
- 10/10/2017 Student Citizenship Awards, Nhill
- 10/10/2017 WDA Meeting, Horsham
- 11/10/2017 Andrew Broad visit, Nhill
- 18/10/2017 Tour of the Korin Gamadji Institute (Richmond Football Club)
- 18/10/2017 RCV Annual General Meeting
- 18/10/2017 RCV Mayors and CEO Forum
- 19/10/2017 MAV Annual Conference and Dinner
- 20/10/2017 MAV State Council Meeting
- 23/10/2017 Exploring Renewable Energy Potential in the Grampians Region, Ararat
- 24/10/2017 Mayor/CEO Meeting Nhill
- 25/10/2017 Briefing and Council meeting, Rainbow
- 26/10/2017 LGPro CEO Forum, Inverloch
- 31/10/2017 Cinema Volunteer, Nhill

SHANE POWER, Director Infrastructure Services:

Attended:

- 02/10/2017 Dimboola Township Committee
- 04/10/2017 Council Briefing and Meeting, Nhill
- 09/10/2017 Jeparit Township Committee
- 10/10/2017 Student Citizenship Awards, Nhill
- 11/10/2017 Regional Emergency Management Planning Committee, Horsham
- 13/10/2017 Waste & Resource Recovery Consultations for e-Waste and Waste to Energy, Ararat
- 16/10/2017 Wimmera River embankment discussions with landowners and CMA, Dimboola
- 17/10/2017 Pink Lake Interpretative Signage, VicRoads, DELWP, BGLC, Parks Vic, Wail
- 24/10/2017 Meeting with East Ward Councillors, Dimboola
- 25/10/2017 Briefing and Council meeting, Rainbow
- 26/10/2017 ESC Rates Capping Forum, Bendigo
- 31/10/2017 NBN program meeting with NBN and Visionstream, Nhill
- 31 /10/2017 Landcare meeting, Nhill
- 31/10/2017 Wimmera River Advisory Committee, Dimboola

ANNE CHAMPNESS, Director Corporate and Community Services:

Attended:

- 02/10/2017 Dimboola Town Committee

- 03/10/2017 Wimmera Southern Mallee Regional Partnership early years project meeting, Horsham
- 04/10/2017 Council Briefing and Meeting, Nhill
- 04/10/2017 Sustainability of Rural and Regional Councils, Horsham
- 09/10/2017 Riverside Holiday Park Advisory Committee meeting, Dimboola
- 10/10/2017 Student Citizenship Awards, Nhill
- 13/10/2017 Wimmera Development Association Leadership Program presentations, Horsham
- 18/10/2017 Seniors Festival Concert, Nhill
- 20/10/2017 Playgroup meetings, Nhill
- 23/10/2017 Rainbow Town Committee
- 25/10/2017 Settlement Advisory Committee meeting, Nhill
- 25/10/2017 Nhill Kindergarten Parents Advisory Group meeting

MOVED: CRS. R. Gersch/D. Colbert

That Council writes a letter under seal, to thank former Director Corporate and Community Services, Anne Champness for her contribution to Council and to the wider community.

CARRIED

8. CORRESPONDENCE

8.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

No correspondence

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.

Options:

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

RECOMMENDATION:

That Council accepts the Assembly of Councillors Record as presented.

MOVED: CRS. T. Schneider/R. Lowe

That Council accepts the Assembly of Councillors Record as presented, noting that the meeting was held in the Supper Room, MECCA, Rainbow.

CARRIED

Attachment: 3

10. PLANNING PERMITS

10.1 APPLICATION FOR PLANNING PERMIT 1567-2017

Responsible Officer:	Director Infrastructure Services
File:	Planning – Applications
Assessment:	030800
Attachment:	4
Applicant:	Dimboola Outdoor Group Men’s Shed
Owner:	Department of Environment, Land, Water and Planning
Subject Land:	Allot 10, Sec 9, Township of Dimboola (12 Wimmera Street, Dimboola)
Proposal:	Extension of shed.
Zoning & Overlays:	Public Park and Recreation Zone (PPRZ) Environmental Significance Overlay (ESO6) Land Subject to Inundation Overlay (LSIO)

Summary:

This application is for a six metre by four metre extension to the existing shed located at 12 Wimmera Street, Dimboola.

Proposal Details:

Use and development of the land for an extension to an existing shed for the purpose of a Men’s Shed.

Subject site & locality

An inspection of the site and the surrounding area has been undertaken. The site has a total area of 835.51 square metres and currently contains the Dimboola Community Centre, and existing men’s shed to the rear of the allotment. The main locality characteristics consist of sporting facilities, being in close proximity to the Dimboola football oval, the swimming pool, the town centre, and adjacent residences. It is the view of Council’s Coordinator Planning and Development that the proposal will not detract visually from the amenity of the area.

Public Notification

The application was not required to be publicly notified under the provisions of the Hindmarsh Planning Scheme, as it is not considered to be of a scale detrimental to the amenity of the locality.

Referrals

External Referrals/Notices Required by the Planning Scheme:

Section 55 Referrals: Wimmera Catchment Management Authority (WCMA) – Responded with advice, to be added to the permit as a note, stating: “A 1 % AEP flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 1% AEP flood, may occur in the future”.

Section 52 Notices: Not Required

Planning Assessment:

Permit Requirement:

Use:

A planning permit is required pursuant to Clause 36.02-2 of the Public Park and Recreation Zone for a building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989. Pursuant to Clause 36.02-3 an application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

This consent has been received by the Department of Environment, Land, Water and Planning – letter dated 02 May 2017.

Planning Scheme Requirements:

State Planning Policy Framework

Clause 11 – Settlement

Clause 11.07 – Regional Victoria

Clause 11.15 – Wimmera Southern Mallee

Local Planning Policy Framework

Clause 21 – Municipal Strategic Statement

Zoning Provisions

Clause 36.02 – Public Park and Recreation Zone

Overlay Provisions

Clause 42.01 Environmental Significant Overlay 6 (ESO6)

Clause 44.04 Land Subject to Inundation Overlay (LSIO)

Particular Provisions

Clause 54.04 – Amenity Impacts

General Provisions

Clause 65 – Decision Guidelines

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 36.02 – Public Park and Recreation Zone

Clause 42.01 Environmental Significant Overlay 6 (ESO6)

Clause 44.04 Land Subject to Inundation Overlay (LSIO)

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 received on 25 August 2017. The report is being presented to the Council meeting of 15 November 2017 (86 days). The statutory processing time requirements of the Planning and Environment Act 1987 have not been satisfied due to further information requirements and referral agency response.

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 – Shane Power, 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 an application to use and develop land (including buildings and works) for the extension to the Men's Shed subject to the following conditions:

1. Endorsed Plans:

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 consent of the Responsible Authority.

2. Permit Lapse/Extension:

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within two years of the commencement of the permit. An extension of time of the development may be issued if application is made less than three months after the date on which the permit would have lapsed.

Note:

- 1. A 1 % AEP flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 1% AEP flood, may***

occur in the future.

- 2. This is not a Building Permit. Please consult a Building Surveyor and ensure that a Building Permit is obtained prior to the commencement of works.**
- 3. A copy of this permit and the endorsed plans must be provided to all builders and contractors who are to work on the site so that they are aware of the conditions to which this approval is subject.**

MOVED: CRS. T. Schneider/D. Nelson

That Council approves an application to use and develop land (including buildings and works) for the extension to the Men's Shed subject to the following conditions:

1. Endorsed Plans:

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 consent of the Responsible Authority.

2. Permit Lapse/Extension:

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within two years of the commencement of the permit. An extension of time of the development may be issued if application is made less than three months after the date on which the permit would have lapsed.

Note:

- 4. A 1 % AEP flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 1% AEP flood, may occur in the future.**
- 5. This is not a Building Permit. Please consult a Building Surveyor and ensure that a Building Permit is obtained prior to the commencement of works.**
- 6. A copy of this permit and the endorsed plans must be provided to all builders and contractors who are to work on the site so that they are aware of the conditions to which this approval is subject.**

CARRIED

Attachment: 4

11. REPORTS REQUIRING A DECISION

11.1 HINDMARSH SHIRE COUNCIL COMMUNITY ACTION GRANTS 2017/18

Responsible Officer: Director of Corporate and Community Services

Attachment number: 5

Introduction:

This report seeks endorsement to provide funding through the Community Action Grants Program to eligible organisations / community groups as outlined below.

Discussion:

The Community Action Grants program was established to support communities with funds to provide services, self-help and assist with community development, social action and connectedness. Total annual funding of \$30,000.00 has been allocated to the program, categorised into four areas:

- Community Assistance
- Event Sponsorship
- Minor Facility Upgrades
- Small Equipment

The 2017/18 Community Action Grants Program was promoted with a media release on the Council's website and to local media; adverts were displayed in shop front windows as well as Facebook promotions on Council's Facebook pages.

Round 2 - Event Sponsorship category closed on 27 October 2017. A total of 2 applications were received with funding requests totalling **\$2,000.00**

Category	Number of Applicants	Funding Allocation	Total Amount Requested
Event Sponsorship	2	\$3,000	\$2,000

Funding applications have been assessed against the following eligibility criteria:

- Demonstrate direct economic and social benefit to the community;
- Not already receive substantial support from Hindmarsh Shire Council;
- Be made by an incorporated community group or not-for-profit organisation or auspiced by such a group.
- Only be applying for one category per funding round.

Ineligible Applications:

Applications by, or for, the following purposes are not eligible for funding:

- Community organisations who do not provide direct benefit to the Hindmarsh Shire community;
- Individuals;
- Community organisations who have successfully obtained funding of \$500.00 or more through the Community Action Grants Program in the current or previous financial year (organisations can only apply for funding every two years);
- Capital works on major facility maintenance;

- Funding to groups for purposes already significantly supported by Hindmarsh Shire Council (e.g. groups that use a Council facility free of charge and pay no energy cost);
- Programs considered the major responsibility of the State or Federal Government;
- Schools and their Parents and Friends organisations;
- Projects that are clearly a duplication of an existing service;
- Retrospective funding (projects that have commenced or have been completed will not be funded); and
- Clubs that have received funds from a successful application through a sub-committee of the Club.

Assessment Criteria

- All applications have been assessed using the following criteria:

Why? 40%	<ul style="list-style-type: none"> • Explain the demonstrated community need. • How will the project improve social connections and build community wellbeing? • How will the project achieve economic benefit for the community? • Has the project been identified in a Community Plan?
What? 40%	<ul style="list-style-type: none"> • Provide a brief summary of what you are going to do. • How will your project increase community participation? • Complete and submit a Risk Assessment for any Event. • Provide detail on how Hindmarsh Shire Council's contribution will be recognised and acknowledged.
How? 20%	<ul style="list-style-type: none"> • Provide quotes/ information on specific item(s) funds will be used to purchase. • Provide a copy of the applying organisation's most recent bank statement and banking details. • Complete the budget and in-kind contribution templates • How will your event's success be measured?
Finally	<ul style="list-style-type: none"> • Complete eligibility and submissions checklist.

Event Sponsorship

Event sponsorships offer grants of up to **\$500** to assist with an event within Hindmarsh Shire which demonstrates social and economic benefit. Sponsorship up to \$1,000 is available where the event provides significant regional impact.

Applicants

1. Nhill Aviation Heritage Centre Inc. seeks funding of **\$1,000** to assist in the cost of advertising and a Vintage Cycle Display at their “Wheels for the Wirraway” event on 10 March 2018. This is a fundraising event to assist in the purchase of the Wirraway plane. The total project cost for this event is estimated to be \$25,000 of which \$13,000 is in-kind support. This event is expected to attract 1,000-1,500 visitors to Nhill and several thousand more once the plane has been purchased and relocated to Nhill.

2. Jeparit Town Committee seeks finding of **\$1,000** to assist with their event “Light the Lake”. This event is to commemorate the 180th anniversary of Edward John Eyre’s exploration of Lake Hindmarsh. The funding will contribute to the hire of lighting

equipment and advertising. The total project cost is \$5,620 of which \$2,020 is in-kind support. This event is expected to attract 100-500 visitors to Jeparit.

Options

Council can choose to support some or all, partly or in full, or none of the applications to the Hindmarsh Shire Council Community Action Grants 2017/18.

Successful applicants are required to complete their projects and acquit the funds received by 30 June 2018, unless prior consent has been approved by the Director of Corporate and Community Services.

Link to Council & Community Plans:

The Community Action Grants relate to Council's Vision of "a caring, active community enhanced by its liveability, environment and economy".

Strategic Objectives:

1.1 An actively engaged community.

1.1.4 Support and celebrate volunteering and work collaboratively with volunteer groups.

3.2 A thriving tourism Industry.

3.2.3 Support innovative community-driven events and festivals that stimulate tourism growth in the region.

3.2.7 Promote and support local historic assets and heritage groups

Financial Implications:

The Community Action Grants Program currently has \$30,000 available to be expended over the 2017/18 financial year.

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 – Phil King, Acting Director of Community Services

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

Author – Michelle Farinha, Community Development Officer

In providing this advice as the Author, I have no disclosed interest in this report.

Risk Management Implications:

Risks are to be managed by the successful applicants.

Communications Strategy

Successful and unsuccessful applicants will be notified of Council's decision.

RECOMMENDATION:

That based on the eligibility and assessment criteria; Council approve the following funding allocations:

Event Sponsorship

1. ***A grant of \$1,000 to the Nhill Aviation Heritage Centre (pending the submission of quotations and Goods and Services Template);***
2. ***A grant of \$1,000 to the Jeparit Town Committee.***

TOTAL RECOMMENDED FUNDING ALLOCATED: \$2,000.00

MOVED: CRS. D. Colbert/T. Schneider

That based on the eligibility and assessment criteria; Council approve the following funding allocations:

Event Sponsorship

1. ***A grant of \$1,000 to the Nhill Aviation Heritage Centre (pending the submission of quotations and Goods and Services Template);***
2. ***A grant of \$1,000 to the Jeparit Town Committee.***

TOTAL FUNDING ALLOCATED: \$2,000.00

CARRIED

Attachment: 5

11.2 ASSET MANAGEMENT PLAN PART A – GENERAL INFORMATION & PART E - PATHWAYS

Responsible Officer: Director Infrastructure Services
Attachment: 6 & 7

Introduction:

Asset management is about the creation of a structured approach to the acquisition, use and disposal of assets over their entire life cycle so as to maximise their service delivery potential at the lowest life cycle cost while concurrently managing risk exposure resulting from the ownership and operation of the assets.

Council considered and adopted an Asset Management Policy and an Asset Management Strategy at its meetings in May and June 2015. The prime objective of the policy and strategy are to guide the development and review of asset management plans. This report provides the first of a series of Asset Management Plans which will be developed.

Hindmarsh Shire Council has worked with other Wimmera Councils and produced a standardised template for Asset Management Plans. This report presents Part A – General Information (which provides an overview and introduction common to all assets) and Part E – Pathways.

Other AMPs to be produced in the future are:-

- Part B – Roads
- Part C – Bridges, Weirs & Major Culverts
- Part D – Buildings & Structures
- Part F – Drainage, and
- Part G – Recreation & Open Space

Discussion:

The objective of an Asset Management Plan (AMP) is to outline the financial resources required to manage and maintain the relevant asset network to an appropriate standard (or level of service). Each individual AMP provides an overview of the ongoing management of that asset network and acts as a tool to support the ability of Council to deliver well targeted, responsive and value for money maintenance and operational services for the community as a whole. Individual projects, renewal treatments or interventions which result from the plans will be included in the Shire's Long Term Financial Plan (LTFP).

The AMP Part E - Pathways is a means of outlining the key elements involved in managing council's footpath assets. It combines management, financial, engineering and technical practices to ensure that the level of service required by user groups is provided at the lowest long term cost to the community within the limits of any fiscal constraints that may be imposed by Council or lack of sufficient resources.

The specific purpose of the Pathways AMP is to:

- Demonstrate responsible stewardship by the Council;
- Define and articulate how the infrastructure is and will be managed to achieve the organisation's objectives;
- Provide a basis for customer consultation to determine the appropriate levels of

service;

- Manage risk of asset failure;
- Achieve savings by optimising whole of life costs; and
- Support long term financial planning.

Attached is the draft Pathways AMP for Council consideration. The AMP is broken down into the following sections

- **Background** – includes which assets are included in this plan, who is primarily responsible for them, and links to organisational goals and objectives
- **Levels of Service** – identifies community expectations, legislative requirements, current levels of service, and anticipated future demand
- **Risk Management** – looks at hazard identification and risk minimisation
- **Lifecycle Management Plans** – cover whole of life factors including quantity, condition, valuation, maintenance, renewal, new and upgrade, and disposal of pathway assets.
- **Financial Plan** – includes financial statements and projections, funding strategies, and key assumptions made in the financial forecast
- **Asset Management (AM) practices and improvements** – place this plan within the context of AM systems, standards and guidelines, and ongoing improvements and monitoring programs.

Options

Option One – Following a period of public consultation in which no submissions were received, Council may choose to formally adopt the attached Asset Management Plans; Part A – General Information, and Part E – Pathways as presented.

Option Two – Council may choose to formally adopt the attached Asset Management Plans; Part A – General Information, and Part E – Pathways with amendments.

Option 3 - Council may choose to place the attached Asset Management Plans; Part A – General Information, and Part E – Pathways as presented or amended for another period of consultation.

Link to Council Plan:

2.1.3 Develop and prioritise detailed plans relating to new infrastructure upgrade and renewal (including roads, bridges, drains, footpaths and buildings) for each town.

Financial Implications:

The recommendations contained in this Asset Management Plan will impact on Council's future budgets. The objective of the Pathways AMP is to ensure appropriate footpath assets are provided at the lowest life cycle cost. As such, the long term aim is for Council expenditure to be minimised.

Risk Management Implications:

There is a risk that there are inadequate asset management systems and processes in place to record, control, monitor and report on fixed infrastructure. This initiative to develop and review Asset Management documentation and processes will reduce this risk.

There is also an ongoing risk that insufficient funds will be provided to adequately meet the needs of the community's footpath infrastructure. The Pathways AMP seeks to

control this by monitoring and reporting on the adequacy of infrastructure expenditure and informing Council's budget deliberations.

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 – Shane Power, Director Infrastructure Services

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

Author – Mike Coppins, Asset Manager

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

Communications Strategy:

Community consultation has been completed including advertising and making documents available at Customer Service Centres and on Council's website for feedback for a period of 4 weeks which concluded on Friday 6th October. During this period, no public submissions were received and as a result the draft AMP is now presented to Council for formal adoption.

Next Steps:

It is proposed that Asset Management Plan Part B – Roads, will be presented to Council for consideration early in 2018.

RECOMMENDATION:

That Council adopts Asset Management Plans Part A – General Information and Part E – Pathways.

MOVED: CRS. R. Lowe/D. Nelson

That Council adopts Asset Management Plans Part A – General Information and Part E – Pathways.

CARRIED

Attachment: 6 & 7

11.3 LOCAL ROADS TO MARKET GRANT PROGRAM

Responsible Officer: Director Infrastructure Services

Attachment Number: 8 & 9

Introduction:

This report seeks Council consideration of two (2) grant applications to the Local Roads to Market Program, a funding stream provided by the Victorian Government's Agriculture Infrastructure and Jobs Fund. The two applications have been prioritised to ensure the effective use of the funding, in addition to financial contributions from Council and private industry, and in consideration of Council's infrastructure renewal plan 2017-2020.

Discussion:

The Local Roads to Market Program has an allocation of \$25 million from the Victorian Government to improve the efficiency and competitiveness of the agriculture sector.

The program aims to improve the local agricultural supply routes by upgrading local roads, intersections and bridges for use by larger and heavier trucks, helping to reduce travel times, strengthen business productivity and improve road safety.

Upgrading these important local transport connections will benefit Hindmarsh communities and road users, enhancing the capacity of existing local roads and bridges, connecting local and regional agricultural and primary producers while improving the connections to arterial roads and national highway freight networks.

Two potential projects have been identified and prioritised for Council's submission to the Local Roads to Market Program. These projects provide a significant economic impact to the agricultural industry of local and regional primary producers, freight operators and local traffic. Each project is based on a location that requires improvements for safety reasons, better access and/or connections across the shire.

Funding guidelines stipulate that eligible projects must:

- move agricultural produce more efficiently to market;
- improve water security and efficiency;
- improve connections within supply chains and access to markets;
- give consumers confidence in the safety of Victorian produce;
- increase business level innovation;
- enhance business capability to manage volatility and risk, and
- grow jobs in the agriculture sector and along the supply chain.

All applications are based on a \$2: \$1 contribution with no in-kind contribution accepted as part of the total project cost.

Project Name	Description	Total Project Cost	Total Funding Sought	Total Council Contribution	Comments
Antwerp – Woorak Road	Upgrading 5.2km of gravel road to a sealed surface	\$764,785	\$500,000	\$264,785	Total Project identified and split between \$344,785 in 2019/20 and \$420,000 in 2022/23 renewal plan
Rainbow – Nhill Road	“S” Bend safety improvements involving widening of 1.75km of sealed road	\$303,095	\$200,000	\$103,095	Identified \$303,095 in 2019/20 renewal plan

Information regarding each application is detailed below.

Antwerp – Woorak Road

Antwerp - Woorak Road is a 23.7km road (9.3km sealed and 14.4km limestone) connecting the Antwerp and Woorak communities running parallel with the Western Highway between Nhill and Dimboola. The section for which funding is sought is approximately 5km limestone road between the Nhill-Jeparit Road and Gerang-Glenlee Road, (See attachment 1 with map).

At farmer consultation forums conducted across the Shire in 2015, Antwerp-Woorak Road was put forward as a significant transport route which should be upgraded to a sealed surface standard. VicRoads provides a number of north-south arterial roads which cover the Hindmarsh Shire area but the Western Highway is the only east-west link across the municipality. Antwerp-Woorak Road is a significant east-west link along with Lorquon East Road which has been the subject of significant recent widening works to benefit the agricultural transport task. Antwerp-Woorak Road is a permitted B-Double access route.

The section of road in question extends between Nhill-Jeparit and Gerang-Glenlee Roads and includes four right angle bends where side roads intersect. The proposed upgrade will include improvements to the road alignment, lessening the severity of the angles of two of the bends into a safer and more efficient “s” bend. A widened asphalt surface is proposed at the remaining angles to cater for heavy vehicle movements and improve alignment.

A feed processing facility is located on this section of Antwerp-Woorak Road and, with

east-west through traffic, generates significant heavy vehicle traffic numbers which result in regular maintenance treatments to the gravel road surface. A sealed surface would reduce the ongoing maintenance burden on this section of road.

Antwerp-Woorak Road has been identified as an infrastructure project in Council's 2019/20 and 2022/23 draft capital works budgets for upgrade works to a sealed surface as a direct result of the farmer consultation process. With the provision of Local Roads to Market funding the entire unsealed length between Nhill-Jeparit and Glenlee-Lorquon can be completed in the one project. This has the added benefit of releasing financial resources for the ongoing road infrastructure renewal needs of Council.

Rainbow – Nhill Road

Rainbow - Nhill Road, adjacent Lake Hindmarsh is a sealed road approximately 35km in length between Lorquon East Road and Rainbow township, running largely parallel with the Dimboola-Rainbow Road between Dimboola and Rainbow (See attachment 2 with map).

The Rainbow-Nhill Road has been designated a no-through route for trucks. It provides an alternative route to Rainbow from the north-western areas of the shire and farmers in this area would like restrictions to be removed to enable heavy vehicle cartage to and from gypsum pits to the north of Rainbow. Safety issues have been a major reason for the current restrictions and completing safety improvements will contribute towards opening up the road to heavy vehicles. Despite this it still services a large local area and through traffic between Nhill and Rainbow.

Funding is sought for safety improvements to the "s" bend to the south of Schulzes Beach and adjacent to a feed lot which generates heavy vehicle movements on and off Nhill-Rainbow Road at a hazardous location as a result of reduced sight distances and narrow sealed pavement widths.

Currently the sealed road width is 4m with a 1.5m shoulder either side of the road. The proposal is to increase the seal width to 7m around the two bends and provide an additional 1.0m shoulder either side for a total pavement width of 9m.

This section of Rainbow-Nhill Road is identified as an infrastructure project in the Hindmarsh Shire Council 2019/20 draft budget to address safety issues as well as replacing an asset that is reaching the end of its useful life and requires renewing.

Both projects have been identified in Council's long term capital works program. If funding for these economically significant road projects was successful alterations to the one, three and 10-year capital works program would be required. The application process is competitive and applications close 30 November 2017.

This report seeks to endorse the proposed projects and ensuing applications to the Local Road to Market Program.

OPTIONS

Council can choose to submit funding applications for both, one, none or alternative projects to the Local Roads to Market Program.

LINK TO COUNCIL PLAN:

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

FINANCIAL IMPLICATIONS:

The funding guidelines state that all applications must include a \$2:\$1 ratio for rural councils. Funding will be announced in late 2017/18 for project completion due by 31 December 2019. As a result, financial commitments for these projects align with the 2018/19 financial year.

1. Antwerp – Woorak Road

- Council has identified Antwerp-Woorak Road as an upgrade project for the 2019/20 (\$344,785) and 2022/23 (\$420,000) draft budgets. Combining the projects in the funding submission would enable both segments to be completed using less of Council's own financial resources than an individual segment. The size of this project would require it to be commenced in the 2018/19 financial year to enable it to be completed before the deadline. If this project was successful partial funding would be required but offset by a reduction in funding required in 2019/20.

2. Rainbow – Nhill Road

- Council has identified Rainbow-Nhill Road as a renewal project for the 2019/20 draft budget (\$303,095). If the funding submission is successful the project would be completed in the same year it had been programmed as long as it was commenced early in the season and completed by December.

RISK MANAGEMENT IMPLICATIONS:

These funding submissions do not noticeably increase the risks to Council as infrastructure projects that are already identified in its forward works program. A risk management plan will be completed for each project that receives a financial contribution through the re-allocated funds.

CONFLICT OF INTEREST:

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

Officer Responsible: Shane Power, Director Infrastructure Services

In providing this report as the Officer Responsible, I have no interests to disclose.

Author: Mike Coppins, Asset Manager

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

COMMUNICATIONS STRATEGY:

Council will receive written notification of the outcome of all applications. The outcomes will be confidential until the relevant Minister has made funding announcements promoting the successful projects, at which point projects will be promoted through Council's website, Facebook page and email to stakeholders.

RECOMMENDATION:

That Council approves the following projects and financial contributions, and submit funding applications in order of priority:

(1) Woorak – Antwerp Road, (\$100,000 financial contribution from Council from 2018/19 budget and \$164,785 financial contribution from Council from 2019/20 budget);

(2) Rainbow – Nhill Road (\$103,095 financial contribution from Council from 2019/20 budget).

MOVED: CRS. D. Colbert/R. Gersch

That Council approves the following projects and financial contributions, and submit funding applications in order of priority:

(1) Woorak – Antwerp Road, (\$100,000 financial contribution from Council from 2018/19 budget and \$164,785 financial contribution from Council from 2019/20 budget);

(2) Rainbow – Nhill Road (\$103,095 financial contribution from Council from 2019/20 budget).

CARRIED

Attachment: 8 & 9

11.4 REQUEST TO NAME AN UNNAMED GOVERNMENT ROAD RESERVE AND CHANGE OF ROAD NAME – ZANKER HERITAGE ROAD AND RESERVE ROAD

Responsible Officer: Director Infrastructure Services
Attachment: 10 & 11

Introduction:

A proposal to name an unnamed government road reserve to Zanker Reserve Road was endorsed by Council at its meeting 7 June 2017. A representative of landowners local to the road, has since approached Council seeking to change the original request.

Discussion:

In 2014, Council received a request to name an unnamed government road reserve in Tarranyurk, near the western boundary of the shire, within an area more commonly known amongst the local community members as Peppers Plain (see Attachment 1). At its meeting 7 June 2017, Council resolved to change the name of the road as per the 2014 request.

A representative of the landowners local to the road, Mr Trevor Zanker, was notified by Officers of the Council resolution of 7 June 2017, in a letter dated 26 September 2017. In return correspondence from Mr Zanker, dated 5 October 2017, it is disputed that the request to rename the unnamed road reserve to Zanker Reserve Road, does not accurately reflect the wishes of the surrounding landowners, and that a change from the original request had been verbally communicated to Council Officers at or around the time of the September 2017 report. Accordingly, there is no record of this conversation and/or change in request.

Mr Zanker confirms the Zanker family wish to have the following roads renamed as such (Attachment 1 graphically represents the request):

- G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) renamed to Zanker Heritage Road; and
- The unnamed road (between G Starick Road and Jeparit – Warracknabeal Road) renamed to Reserve Road.

Procedures and principles for naming, renaming and adjusting the boundaries of geographic features, localities and roads are set out in the *Guidelines for Geographic Names*, 2010 Version 2 (in accordance with Part 2 of the *Geographic Place Names Act*, 1998). In naming a road, Council must act in accordance with these guidelines and ensure the proposal conforms to its various naming principles and procedures. Importantly, road authorities must seek the Registrar's approval for the proposed road name prior to publishing a gazette notice.

Formal proposal process:

1. Check information

Check all necessary information has been provided by the party proposing the name.

2. Apply the principles

Upon selection of a new name and/or boundaries, municipal councils should check that the proposal conforms to all of the principles outlined in Sections 1.8 (relates to consultation process) and 4.1 (relates to naming, identifying and addressing of roads) of the guidelines. These sections are detailed in Attachment 2.

3. Consult with Indigenous communities

Land adjacent to and forming the road reservations are not subject to cultural planning overlay, therefore no consultation with the Indigenous community is required.

4. Consult with emergency response and other stakeholders

As the proposal adheres to the principles of the guidelines, there is no need for consultation with emergency response and other service providers.

5. Consult with the public

The immediate community including residents, ratepayers and businesses must be consulted on proposals that will affect their address.

6. Council consideration

Once the above steps have been undertaken a report must be prepared on the proposal.

The report must include:

- discussion of how the proposal conforms to principles in Sections 1.8 and 4.1 of the guidelines; and
- discussion of and response to any objections/comments received during the consultation period(s).

Any party who responded to the proposal must be advised of Council's decision.

Upon completion of these steps, Council can lodge the proposal with the Office of Geographic Names (OGN). Upon receiving a proposal to name or rename a road, the OGN will upload details of the proposal on the Proposals webpage at www.dse.vic.gov.au/namingplaces. If the Registrar deems that the proposal conforms to the guidelines, the OGN will proceed to gazette the proposal. Once the proposal has been gazetted, the Registrar will enter the details of the new road name into VICNAMES. The gazettal date will be recorded as the official date of registration.

The proposal to formally name G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) to Zanker Heritage Road and the unnamed road (between G Starick Road and Jeparit – Warracknabeal Road) to Reserve Road, meets all the requirements of the Guidelines for Geographic Names 2010 Version 2.

It is anticipated that no formal objections will be received from the community.

Options:

1. Council can choose to leave the existing road names unchanged.
2. Proceed to formally change the name of G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) to Zanker Heritage Road and the unnamed road

(between G Starick Road and Jeparit – Warracknabeal Road) to Reserve Road.

3. Proceed to formally change the name of G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) to Zanker Heritage Road and leave the unnamed road (between G Starick Road and Jeparit – Warracknabeal Road) unchanged.
4. Proceed to formally change the name of the unnamed road (between G Starick Road and Jeparit – Warracknabeal Road) to Reserve Road and leave G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) unchanged.
5. Name the roads another name/s in accordance with the guidelines.

Link to Council Plan:

1.1 An actively engaged community.

Financial Implications:

Minor costs associated with advertising and signage can be met within the 2017/2018 adopted budget.

Risk Management Implications:

Nil

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 – Shane Power, Director Infrastructure Services

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

Author – Shane Power, Director Infrastructure Services

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

Communications Strategy:

The community will be informed about the proposal through an advertisement in the Rainbow/Jeparit Argus and letters will be sent to affected property owners within the immediate vicinity of the roads.

Next Steps:

Inform the applicant of Council's decision, proceed with consultation and procedure as per the *Guidelines for Geographic Names*, 2010 Version 2, as required.

RECOMMENDATION:

That Council:

1. **Agrees to formally name G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) to Zanker Heritage Road and the unnamed road (between G Starick Road and Jeparit – Warracknabeal Road) to Reserve Road;**
2. **Consults the community about its intent to rename roads as per recommendation 1 of this report, through advertisements in the Rainbow/Jeparit Argus and via letters to affected property owners;**
3. **In the absence of any formal objection within a 30 day period, Council proceeds with the lodging of the formal proposal to name the road through the Office of Geographic Names; and**

4. Hears any formal objections at a further meeting of Council.

MOVED: CRS. D. Colbert/D. Nelson

That Council leaves the existing road names unchanged.

LOST

AMENDMENT TO THE MOTION:

MOVED: CRS. R Gersch

That Council consults the community about its intent to rename roads as per recommendation 1 of this report, through advertisements in the Rainbow/Jeparit Argus and via letters to affected property owners.

RULED OUT OF ORDER/WITHDRAWN

MOVED: CRS. R. Lowe/T. Schneider

That Council:

- 1. Agrees to formally name G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) to Zanker Heritage Road and the unnamed road (between G Starick Road and Jeparit – Warracknabeal Road) to Reserve Road;***
- 2. Consults the community about its intent to rename roads as per recommendation 1 of this report, through advertisements in the Rainbow/Jeparit Argus and via letters to affected property owners;***
- 3. In the absence of any formal objection within a 30 day period, Council proceeds with the lodging of the formal proposal to name the road through the Office of Geographic Names; and***
- 4. Hears any formal objections at a further meeting of Council.***

CARRIED

Attachment: 10 & 11

12. SPECIAL COMMITTEES

12.1 DIMBOOLA TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment: 12

Introduction:

The Dimboola Town Committee held its Meeting on 6 November 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

6 November 2017.

MOVED: CRS. T. Schneider/D. Nelson

That Council notes the minutes of the Dimboola Town Committee Meeting on 6 November 2017.

CARRIED

Attachment: 12

12.2 YURUNGA COMMITTEE OF MANAGEMENT

Responsible Officer: Director Corporate and Community Services

Attachment: 13

Introduction:

The Yurunga Committee of Management held its Meeting on 21 September 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 Yurunga Committee of Management Meeting on 21 September 2017.

MOVED: CRS. R. Lowe/T. Schneider

That Council notes the minutes of the Yurunga Committee of Management Meeting on 21 September 2017.

CARRIED

Attachment: 13

MOVED: T. Schneider/R. Lowe

That Council writes to Ewan Christian to thank him for his service on the Yurunga Committee of Management and his contribution to the Rainbow Community.

CARRIED

12.3 RAINBOW TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment: 14

Introduction:

The Rainbow Town Committee held its Meeting on 25 September 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 Rainbow Town Committee Meeting on 25 September 2017.

MOVED: CRS. R. Lowe/R. Gersch

That Council notes the minutes of the Rainbow Town Committee Meeting on 25 September 2017.

CARRIED

Attachment: 14

Cr. R. Lowe declared a conflict of interest in item 13.1 Application for planning permit 1561-2017 and left the room.

13. LATE REPORTS

13.1 APPLICATION FOR PLANNING PERMIT 1561-2017

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 101020
Attachment: Plans – Locality Plan (Sheet 1) dated 29/06/17 prepared by Graincorp, and proposed subdivision (boundary realignment) prepared by Price Merrett Consulting, Copy of Objections, Submission by Graincorp in response.

Applicant: Tyson Fehring – Graincorp Pty Ltd
Owner: GrainCorp Pty Ltd
Subject Land: Lot 1 PS442525, 66 Belcher St Nhill

Proposal: Use and development of the land (including works) in association with Rural Store – Grain Handling facility (Grain Storage bunkers x 5), and boundary realignment (subdivision) to contain the grain storage area.

Zoning & Overlays: Farming Zone (FZ), Environmental Significance Overlay Schedule 6 – Catchments of Wetlands of Conservation Value

Attachments: Plans – Locality Plan (Sheet 1) dated 29/06/17 prepared by Graincorp, and proposed subdivision (boundary realignment) prepared by Price Merrett Consulting, Copy of Objections, Submission by Graincorp in response.

Proposal: Use and development of the land (including works) in association with Rural Store – Grain Handling facility (Grain Storage bunkers x 5), and boundary realignment (subdivision) to contain the grain storage area.

Zoning & Overlays: Farming Zone (FZ), Environmental Significance Overlay Schedule 6 – Catchments of Wetlands of Conservation Value

Summary: This application is for Use and Development of Land (including Buildings and Works) in association with Rural Store, for the construction of a grain handling facility, and boundary realignment to contain the grain storage area. The proposed boundary realignment proposes to increase the size of Lot 1 PS442525 from 12.14ha to 30.50 ha, whilst reducing the size of Lot 2 PS442525 from 148.9 ha to 130.5 ha. This proposal intends to create 5 x additional grain storage areas to the east of proposed Lot 1.

Under the provisions of the Hindmarsh Planning Scheme, the proposal accords with the definition of a “Rural Store,” being: -

“Land used to store unprocessed agricultural produce, or products used in agriculture”.

No buildings are proposed as a part of this application, with works proposed being associated with the construction of the bunker storage areas.

Previous approved planning permits include:

- Permit No. 732/01 – 21 September 2001 – Development of Grain Storage facilities including bunkers, weighbridge, sampling stand, associated road works, drainage and retarding dam.
- Permit No. 1231/2009 – 11 November 2009 – Grain Storage increase to a total of 135,000 tonnes.

Permit 1557-2017 for the construction of associated grain loading and silo facilities was approved on the 25 October 2017.

Proposal Details:

The proposal in detail involves the construction of 5 x grain storage bunkers – approximately 40m x 120m in length oriented in an east-west direction, to the east of the existing site offices and existing bunkers.

The proposed boundary realignment (subdivision) proposes to increase the size of Lot 1 PS442525 from 12.14ha to 30.50 ha, whilst reducing the size of Lot 2 PS442525 from 148.9 ha to 130.5 ha. This proposal intends to create 5 x additional grain storage areas to the east of proposed Lot 1.

(Refer Attachments / see below)



Picture 1:
Shows location of the Environmental Significance Overlay Schedule 6. The ESO 6 does not impact upon the area of works, therefore referral to the WCMA is not required.



Picture 2:
Aerial Photograph of subject site

Planning Assessment:

Permit Requirement:

Use:

A planning permit is required pursuant to Clause 35.07-1 of the Farming Zone to use the land for a Rural Store. A 'Rural Store' is a Section 2 Use, if the conditions for 'Rural Store' under Section 1 Uses cannot be met.

Development:

A planning permit is required pursuant to Clause 35.07-4 for buildings or works associated with a use in Section 2 of Clause 35.07-1 under the provisions of the Hindmarsh Planning Scheme.

Planning Scheme Requirements:

State Planning Policy Framework

Clause 11 – Settlement
Clause 11.07 – Regional Victoria
Clause 11.15 – Wimmera Southern Mallee
Clause 13 – Environmental Risks
Clause 17 – Economic Development
Clause 18 - Transport
Clause 19 - Infrastructure

Local Planning Policy Framework

Clause 21 – Municipal Strategic Statement
Clause 22.01 – Western Highway

Zoning Provisions

Clause 35.07 – Farming Zone (FZ)

Overlay Provisions

Clause 42.01 - Environmental Significance Overlay Schedule 6 – Catchments of Wetlands of Conservation Value (ESO6)

Particular Provisions

Clause 5

General Provisions

Clause 65 – Decision Guidelines
Clause 66 - Referral and Notice Provisions

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 65, the responsible authority must consider, as appropriate (as outlined in detail within the planning scheme):

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.

The land is considered suitable for the proposal, and generally accords with the overall intent of the Farming Zone. The proposed grain bunkers are additional to the existing bunkers, and the overall development accords with adjoining and nearby land uses.

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.

The proposal also considers Environmental and Design & Siting Issues, and an assessment against these issues has determined that the proposal will have no detrimental impact. The proposed boundary realignment will serve to further agricultural uses on the balance of the land (cropping), with the proposed grain storage area increasing grain storage and transfer from the area.

35.07-3 Subdivision (FZ) states that a permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

The proposed boundary realignment complies.

General Provisions – Decision Guidelines

Clause 65.01 of the Hindmarsh Planning Scheme requires that 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 relevant matters set out in s60 of the Act are:

(1) Before deciding on an application, the responsible authority must consider—

- a) the relevant planning scheme; and
- b) the objectives of planning in Victoria; and
- c) all objections and other submissions which it has received and which have not been withdrawn; and
- d) any decision and comments of a referral authority which it has received; and
- e) any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development; and
- f) any significant social effects and economic effects which the responsible authority considers the use or development may have.

It is considered that this proposal will produce acceptable outcomes, having regard to the decision guidelines as listed above.

Notification & Referral of Application:

Pursuant to Sections 52 (1) (a), (b) and (d) of the Planning and Environment Act 1987 (the Act), notice of the application must be given to the community and affected authorities, unless the responsible authority is satisfied that the grant of the permit would not cause material detriment to any person.

Notification was undertaken by way of letter to adjoining landowners, placing signs on the land, and an advertisement in the Nhill Free Press. 13 objections were received, summarised as follows (and addressed by the Coordinator Planning and Development):

Summary of Objections:

Objection	Response
Impacts of dust, noise and rodents	These matters can be conditioned.
Impacts upon natural features / views / fauna	Views are not a relevant planning consideration. Impacts upon fauna can be mitigated through an appropriate condition relating to construction management.
Halting expansion of dwellings in the area	The proposal in its amended form will not detrimentally impact on dwellings within the area. The Farming Zone is not intended for residences, and the adjoining Rural Living Zone will not be significantly impacted by the proposal in its current form.
Health impacts – mental and physical	Conditions are to be applied addressing noise, dust, light pollution, chemical spray etc.
Effects of proposal on rainwater quality and stormwater	To be conditioned
Lack of Consultation	The applicant has advertised the proposal in its various forms twice, with appropriate signage placed on the land, neighbour consultation and an advertisement in the Nhill Free Press. The amended proposal was advertised for the minimum period of fourteen (14) days, with no objections received.
Land could be used for Rural Living purposes	The land is appropriately zoned as Farming, with an adequate supply of

	Rural Living zoned land within the Shire.
Truck traffic / pedestrian safety	Appropriate engineering conditions are to be applied to address this matter.
Proposal better suited to eastern sector of existing facility	Amended plans were lodged to address this matter, and subsequently advertised, with no objection received as stated.
Effects of proposal on property values	Not a relevant planning consideration

Pursuant to Section 55 of the Planning and Environment Act 1987 (the Act), the application must be referred to stipulated authorities. This was not required (refer Clause 66 of the Planning Scheme).

Authorities:

Not required.

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 10 July 2017. The report is being presented to the Council meeting of 15 November 2017, giving a processing time of 129 days. The statutory processing time requirements of the Planning and Environment Act 1987 have not been satisfied, due to amended plans lodged under Section 72 of the Act, further information requested, and re-advertising.

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 – Shane Power, 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 the use and development of the land (including buildings and works) in association with Rural Store – Grain Handling facility (Grain Storage bunkers), and boundary realignment (subdivision) subject to the following conditions:

Endorsed Plans

(1) The development as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the Responsible Authority.

Landscaping

(2) Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must be generally in accordance with plans submitted except that the plan must show:

- a) Details of surface finishes of pathways and driveways;***
- b) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;***
- c) Landscaping and planting within all open areas of the site;***
- d) Detail of site and soil preparation including mulching and maintenance;***
- e) All species selected must be to the satisfaction of the Responsible Authority.***

Subdivision - Amended plans required

(3) Before the plan of subdivision is certified under the Subdivision Act 1988, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application/other specified plans but modified to show:

- a) all bearings, distances, levels, street names, lot numbers, lot sizes, reserves and easements.***
- b) other information relevant to the development of the land such as dams, wells, filled land, land subject to inundation, etc.***

Amenity

(4) 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; or***
- e) In any other way.***

(5) The site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area.

(6) All loading and unloading of vehicles and delivery of goods to and from the premises must occur on site.

(7) Outdoor lighting must be designed, baffled and located to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

General

(8) During the construction phase of the development, the following conditions shall be met:

- a) Only clean rainwater shall be discharged to the stormwater drainage system;***
- b) Stormwater drainage system protection measures shall be installed as***
- c) Required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises, enters the stormwater drainage system;***
- d) Vehicle borne materials shall not accumulate on the roads abutting the site;***
- e) All machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;***
- f) All litter (including items such as cement bags, food packaging and plastic stripping) must be disposed of responsibly.***

(9) All chemicals, pesticides and fungicides are to be used on site, in accordance with Occupational Health and Safety Standards. The use of chemicals must be conducted so that it has minimum impact on the amenity of the immediate area by reason smell, fumes, smoke, waste water, waste products, or otherwise.

Car Parking/Access

(10) Carparking must be provided internally within the site for maintenance vehicles.

Engineering

(11) Access to the site and ancillary road works must be constructed in accordance with the requirements of the Responsible Authority.

(12) The developer is required to treat flows from the site to eliminate contaminants entering the drainage system to the satisfaction of the Responsible Authority.

Environmental Health

(13) If the Responsible Authority is not satisfied that the approved development has mitigated unreasonable noise impacts, it may require the owner to carry out a noise assessment by an acoustic consultant by a specified date. If the assessment shows that further specified measures are required to ensure compliance with the EPA Guideline "Noise from Industry in Regional Victoria" (October 2011), additional suitable procedures for suppression must be developed and implemented to the satisfaction of the Responsible Authority.

Time Limit (Use and Development)

(14) The development approved by this permit will expire if one of the following circumstances applies:

- a) The development and use is not started within two years of the date of this permit.**
- b) The development is not completed within four years of the date of this permit.**

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or:

- a) Within six months afterwards for commencement, or**
- b) Within twelve months afterwards for completion.**

Time Limit – Subdivision

(15) This permit will expire if:

- a) the plan of subdivision is not certified within 2 years of the date of this permit;**
or
- b) the registration of the subdivision is not completed within 5 years of the date of this permit.**

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or:

- a) Within six months afterwards for commencement, or***
- b) Within twelve months afterwards for completion.***

Notes

(1) This is not a Building Permit. Please consult a Building Surveyor and ensure that a Building Permit is obtained prior to the commencement of works.

(2) Approval must be obtained from Council's Engineering Department (Phone: 03 5391 4444) for the construction or alteration of any vehicle crossings prior to the commencement of any works on the site.

(3) Prior to any works commencing on site, an Asset Protection Permit must be obtained from Council's Engineering Department (Phone: 9249 4430).

(4) A copy of this permit and the endorsed plans must be provided to all builders and contractors who are to work on the site so that they are aware of the conditions to which this approval is subject.

MOVED: CRS. R. Gersch/T. Schneider

That Council approves the use and development of the land (including buildings and works) in association with Rural Store – Grain Handling facility (Grain Storage bunkers), and boundary realignment (subdivision) subject to the following conditions:

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(4) A copy of this permit and the endorsed plans must be provided to all builders and contractors who are to work on the site so that they are aware of the conditions to which this approval is subject.

CARRIED

Attach. 17

MOTION ARISING:

MOVED: CRS. R. Gersch/T. Schneider

That Council writes to the applicant of planning permit application 1561-2017 to request that they consider reducing their after-hours operation to what is necessary for the operation of their business, in consideration of affected landowners.

CARRIED

Cr. R. Lowe returned to the room.

14. OTHER BUSINESS

MOVED: CRS. D. Nelson/T. Schneider

That Council:

- 1) writes to Dimboola Leading Senior Constable Cal Myers, congratulating him on 15 years of service.**
- 2) writes to Dimboola Sergeant Darren Saedler, congratulating him on 15 years of service and his National Police Service medal.**

CARRIED

MOVED: CRS. R. Gersch/D. Colbert

That Council writes to Ivan Reichelt, congratulating him on 41 years of service to the Lowan Shire and the Hindmarsh Shire Council.

CARRIED

MOVED: CRS. D. Colbert/R. Gersch

That Council writes to the Nhill A & P Society, the Jeparit A & P Society, the Rainbow A & P Society and the Dimboola A & P Society, congratulating them on the success of the 2017 shows.

CARRIED

MOVED: CRS. D. Colbert/T. Schneider

That Council writes to Stephanie Mieklejohn congratulating her on winning the Australian Pharmacy Assistant of the Year 2017.

CARRIED

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 (d) Contractual matters and b) The personal hardship of any resident or ratepayer;

15.1 Sale of Council Owned Land - former Rainbow Primary School

15.2 Financial Hardship application

MOVED: CRS. R. Gersch/D. Nelson

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, to consider (d) Contractual matters and b) The personal hardship of any resident or ratepayer;

15.1 Sale of Council Owned Land - former Rainbow Primary School

15.2 Financial Hardship application

CARRIED

Council resumed open session at 4.14pm.

16. MEETING CLOSE

As there was no further business, Cr. R. Ismay declared the meeting closed at 4.15pm.