



29 January 2020

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 5 February 2020, commencing at **3:00pm**.

A handwritten signature in black ink, appearing to read 'gwood', written over a rectangular box.

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 to amend Planning Permit 1647-2019

11. Reports Requiring a Decision

11.1 Consultation on Town Water Fluoridation Programs

11.2 Policy Framework

11.3 Social Media Policy

11.4 Dimboola Drainage Project – Allocation of Funds to Accommodate Budget Over-Expenditure

11.5 Financial Report for the Period Ending 31 December 2019

11.6 Council Plan 2017-2021 Progress Report

11.7 Adoption of Wimmera River Waterway Management Plan (Dimboola)

11.8 VicSmart Planning Permits – Quarterly Report

11.9 Village Settlement School Road Upgrade

12. Special Committees

12.1 Dimboola Town Committee

13. Late Reports

13.1 Dimboola Bowling Club Request for Council Contribution Towards Community Sports Infrastructure Fund Grant Application

14. Other Business

15. Confidential Matters

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 18 December 2019 at the Council Chambers, 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: DECEMBER 2019 AND JANUARY 2020

Cr GERSCH, MAYOR

Attended:

December 2019

02/12/2019	Dimboola Bendigo bank 15 th anniversary
03/12/2019	Disability Social Day
03/12/2019	NWMA meeting
03/12/2019	Nhill Hospital Wing Opening
04/12/2019	Citizenship Ceremony
04/12/2019	MAV Mayors Update
07/12/2019	Funeral for Jeff Handbury
09/12/2019	Meeting with WWHS and Karen Community
09/12/2019	Community Meeting at Jeparit
11/12/2019	Christmas Social Ann Webster/Emma Kealy
12/12/2019	WDA Board Meeting
12/12/2019	Grants Commission update
13/12/2019	RCV Board Meeting
16/12/2019	Citizenship Presentation
17/12/2019	Nhill College School Presentation Night
18/12/2019	Council Meeting
18/12/2019	Council Christmas Function
20/12/2019	Council Christmas Break-up
26/12/2019	Nhill Boxing Day Races

January 2020

12/01/2020	Karen New Year Celebrations
16/01/2020	Meeting with CEO
25/01/2020	Meal with Ambassador Neil Soullier
26/01/2020	Australia Day Celebrations Rainbow

26/01/2020 Australia Day Celebrations Jeparit
26/01/2020 Australia Day Celebrations Dimboola
26/01/2020 Australia Day Celebrations Nhill
29/01/2020 Radio Interview ABC
29/01/2020 Nhill Library Update
29/01/2020 NWMA Meeting at Stawell

Cr COLBERT, DEPUTY MAYOR

Attended:

December 2019

18/12/2019 Council Briefing Meeting, Nhill
18/12/2019 Council Meeting, Nhill

Cr ISMAY

Attended:

December 2019

12/12/2019 Grants Commission, Nhill
13/12/2019 WMT Meeting, Bordertown
17/12/2019 WMSA Meeting, Horsham
18/12/2019 Briefing Meeting, Nhill
18/12/2019 Council Meeting, Nhill
18/12/2020 Councillor – Senior Staff Dinner
23/12/2019 Rainbow Town Committee Meeting, Rainbow

January 2020

26/01/2020 Australia Day, Rainbow
26/01/2020 Australia Day, Jeparit
27/01/2020 Rainbow Town Committee Meeting, Rainbow
28/01/2020 Desert Enduro meeting, Rainbow

Cr LOWE

Attended:

December 2019

03/12/2019 Disability Day Activities, Jaypex Park, Nhill
03/12/2019 Meet with John Nichols, Dimboola
04/12/2019 Citizenship Ceremony, Nhill
09/12/2019 Community Meeting, Jeparit
12/12/2019 Christmas Lunch, WMPM, Jeparit
12/12/2019 Victorian Grants Commission Meeting, Nhill
15/12/2019 Christmas Carol evening, Rainbow
18/12/2019 Council Briefing, Nhill
18/12/2019 Council Meeting, Nhill
18/12/2019 Councillor - Senior Staff Christmas Social Dinner, Nhill
19/12/2019 Christmas Party, Avonlea, Nhill
20/12/2019 Staff Breakup, Rainbow

January 2020

26/01/2020 Australia Day Ceremonies. Rainbow, Jeparit, Dimboola and Nhill
29/01/2020 Community Library Meeting, Rainbow
29/01/2020 Community Library Meeting, Jeparit

Cr NELSON

Attended:

December 2019

03/12/2019 Dimboola Football Netball Club AGM
09/12/2019 Town Committee Meeting, Dimboola
10/12/2019 Wimmera Development Association meeting, Horsham
12/12/2019 Victorian Grants Commission meeting, Nhill
17/12/2019 DMSC Awards night
18/12/2019 Briefing meeting, Nhill
Council Meeting, Nhill
SMT/Councillors Christmas party
20/12/2019 Allambi Elderly Peoples Home residents Christmas Party.

January 2020

24/01/2020 Dr Anne Webster MP mobile office, Dimboola
26/01/2020 Australia Day Ceremony, Dimboola
29/01/2020 Wimmera River inspection
30/01/2020 Community consultation- Library services, Dimboola

Cr SCHNEIDER

Attended:

December 2019

02/12/2020 Dimboola Town Committee meeting
17/12/2020 Awards Night, Dimboola Memorial Secondary College
18/12/2020 Council meeting, Nhill

January 2020

26/01/2020 Australia Day ceremony, Dimboola
29/01/2020 Wimmera River inspection, John Nicholls, Dimboola

SENIOR MANAGEMENT ACTIVITIES: DECEMBER 2019 AND JANUARY 2020

GREG WOOD, Chief Executive Officer:

Attended:

December 2019

03/12/2019 International Day for People with Disability, Nhill
03/12/2019 Rural North West MAV Regional Meeting, Warracknabeal
04/12/2019 Citizenship Ceremony, Nhill
04/12/2019 Community Care Workers End of Year Break up, Nhill

05/12/2019 Community Awareness BBQ Breakfast
09/12/2019 Jeparit Community Conversations, Jeparit
10/12/2019 Taxi Volunteers Thank You Morning Tea, Nhill
12/12/2019 RCCC Board Meeting, Horsham
12/12/2019 CEO Meeting, Horsham
12/12/2019 Victoria Grants Commission Meeting, Nhill
16/12/2019 Annual Leave
18/12/2019 Mayor/CEO Meeting, Nhill
18/12/2019 Council Briefing Meeting, Nhill
18/12/2019 Council Meeting, Nhill
18/12/2019 Councillor - Senior Staff Christmas Social Dinner, Nhill
19/12/2019 Great Victorian Bike Ride Meeting, Nhill
20/12/2019 End of Year Staff Christmas Lunch, Rainbow
23-31/12/2019 Christmas Closure/Annual Leave

January 2020

1-12/01/2020 New Year Closure/Annual Leave
16/01/2020 Library Futures Meeting with Yarriambiack and WRLC, Nhill
16/01/2020 Meeting with Mayor
20/01/2020 Hindmarsh Shire 25 Years Morning Tea, Nhill
23/01/2020 CEO & Corporate Services RCCC Workshop, Horsham
23/01/2020 Meeting with Anne Webster, MP, Nhill
25/01/2020 Dinner with Australia Day Ambassador
26/01/2020 Australia Day Celebrations Rainbow
26/01/2020 Australia Day Celebrations Jeparit
26/01/2020 Australia Day Celebrations Dimboola
26/01/2020 Australia Day Celebrations Nhill

ANGELA HOY, Director Infrastructure Services:

Attended:

December 2019

12/12/2019 Victoria Grants Commission
17/12/2019 Emergency Safety Measures for Buildings
20/12/2019 End of Year Staff Christmas Lunch, Rainbow

January 2020

15/01/2020 Liquor Licensing Training, Nhill Council Office
22/01/2020 OHS Committee Meeting, Council Chambers Nhill

MONICA REVELL, Director Corporate and Community Services:

Attended:

December 2019

03/12/2019 International Day of People with Disability
04/12/2019 Council Briefing
04/12/2019 Council Meeting

09/12/2019	Jeparit Community Conversation – Planned Infrastructure Projects
11/12/2019	Project Governance Executive Program
12/12/2019	Project Governance Executive Program
13-18/12/2019	Annual Leave
19/12/2019	Great Victorian Bike Ride Meeting
20/12/2019	End of Year Staff Christmas Lunch, Rainbow

January 2020

10/01/2020	Rural Council Transformation Project Meeting
15/01/2020	Meeting with Nhill Town Committee President
16/01/2020	Meeting with Yarriambiack Shire and consultant regarding WRLC withdrawal and future collaboration
17-24/01/2020	Annual Leave
26/01/2020	Australia Day Celebrations Dimboola
28/09/2012	Library Consultations, Nhill
29/09/2012	Library Consultations, Jeparit

8. CORRESPONDENCE

8.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Attachment: 2

Introduction:

The following correspondence is tabled for noting by Council,

Inwards:

- Thank you letter from Dimboola Memorial Secondary College

Outwards:

- Nil

RECOMMENDATION:

That Council notes the attached correspondence.

Attachment: 2

9. ASSEMBLY OF COUNCILLORS

Responsible Officer: Chief Executive Officer
Attachments: 3 & 4

Introduction:

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

Options:

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

RECOMMENDATION:

That Council accepts the Assembly of Councillors Records as presented.

Attachment: 3 & 4

10. PLANNING PERMITS

10.1 APPLICATION TO AMEND PLANNING PERMIT 1647-2019 – USE AND DEVELOPMENT OF LAND – MINERAL EXTRACTION – EXPANSION OF EXISTING MINE – MINING LICENSE MIN5316, CA5 PARISH KURNBRUNIN (KURNBRUNIN ROAD, RAINBOW)

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 11680
Applicant: Ross Brown
Owner: Teresa & Dennis Gould
Subject Land: CA5 Psh Kurnbrunin (Kurnbrunin Rd Rainbow)
Permit Issued: 20 January 2020
Proposal: To amend planning permit to include two additional conditions
Attachments: 5 & 6

Summary:

This report and recommendation is presented to Council at its meeting on the 05 February 2020, to amend planning permit PA1647-2019 by including two additional conditions for reasons outlined in the body of this report.

Background:

On Friday 13 December, 2019, two objections were received for planning permit application 1647-2019, Use and Development of Land – Mineral Extraction – Expansion of Existing Gypsum Mine.

Council endeavored to arrange an objector / applicant meeting prior to the Council meeting on 18 December 2019. The Applicant was available; however, one of the Objectors was not.

A supplementary Council report, summarising the objections and Council's response to each of the objections, was considered by Council on 18 December 2019 (refer attachment 5).

Council at its meeting on 18 December 2019, resolved to issue a Notice of Decision to approve planning permit PA1647-2019, subject to four (4) conditions.

An objector / applicant meeting was held on 09 January 2020 to further explore the objectors concerns.

Present at the meeting was the applicant and the applicant's representative, the two objectors, the objectors' representative (via telephone), Cr Ron Ismay and two Council officers.

It was agreed that the objections primarily related to truck noise and dust. The objectors put forward the following two additional conditions to which the applicant agreed.

- (1) Hours of operation on-site are to be in accordance with the work plan (risk based work plan v 2.0) submitted with the application – i.e. weekdays and Saturdays between 8.00 am and 6.00 pm.*
- (2) Truck movements to and from the site are to occur weekdays and Saturdays between 8.00am and 6.00pm. Any variation to these hours requires the separate consent of the Responsible Authority.*

Following the meeting, both objectors withdrew their objections on the basis that the planning permit would be amended at the 05 February 2020 Council meeting by the addition of the two conditions.

As no appeal was lodged in VCAT the planning permit was issued on 20 January 2020 with the work plan endorsed as part of the permit (see attachment 6).

Proposal Details:

On the 24/01/2020 the applicant lodged an application to amend planning permit 1647-2019 by adding the agreed two conditions noted above.

With the agreement of the applicant, and as the objectors have withdrawn their objections, it is recommended that Council issue an amended planning permit to reflect these additional conditions.

Report to Council:

This report is being presented to Council at its meeting on 05 February 2020. The statutory processing time requirements of the Planning and Environment Act 1987 have been satisfied in this instance with the report presented to Council at 12 statutory days.

Conflict of interest:

Officer Responsible – Angela Hoy, Director Infrastructure Services

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

Author – Janette Fritsch, Manager Strategic Assets and Planning.

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

RECOMMENDATION:

That Council approves an amendment to planning permit PA1647-2019 for the use and development of land for mineral extraction – expansion of existing gypsum mine – mining license MIN5316, on CA5 Psh Kurnbrunin (Kurnbrunin Rd Rainbow, to include the following two conditions:

(1) Hours of operation on-site are to be in accordance with the work plan (risk based work plan v.2.0) submitted with the application – i.e. weekdays and Saturdays between 8.00 am and 6.00 pm.

(2) Truck movements to and from the site are to occur weekdays and Saturdays between 8.00am and 6.00pm. Any variation to these hours requires the separate consent of the Responsible Authority.

Attachment: 5 & 6

11. REPORTS REQUIRING A DECISION

11.1 CONSULTATION ON TOWN WATER FLUORIDATION PROGRAMS

Responsible Officer: Director Infrastructure Services

Introduction:

This report seeks Council approval to commence a public consultation program to determine whether Council should lobby for the implementation of water fluoridation programs across Council's four main towns – Nhill, Dimboola, Jeparit and Rainbow.

Discussion:

Water fluoridation is the adjustment of the level of fluoride, a naturally occurring substance, in community drinking water supplies to help prevent tooth decay. Fluoride is added at a level of one part per million (ppm) per litre or less at the water treatment plants, which are located at Dimboola and Jeparit (servicing Nhill and Rainbow).

Community fluoridation programs are widely regarded as a valuable way to assist in the prevention of tooth decay amongst the public, regardless of age, gender, socioeconomic background, financial status or access to dental care. Fluoride acts by strengthening the tooth's mineral structure to prevent against, and repair the early stages of, tooth decay. Various scientific studies have been performed, with one study spanning Victoria, Queensland, Tasmania and South Australia showing that children five and six years of age who had lived more than half their lives in a fluoridated area had 50% less decay in their baby teeth than those who did not have access to fluoridated water, and for 12-13 year olds, 38% less tooth decay in their adult teeth.

Community water fluoridation programs are considered safe, and there is no scientific evidence that water fluoridation programs are linked with thyroid disease, kidney disease, allergies or cancer.

The adjustment of fluoride in drinking water does not alter the taste or smell of the water.

Options:

Council can choose to:

1. Approve the commencement of a public consultation program to determine the level of public support for Council advocacy for the implementation of a water fluoridation program; or
2. Not approve the commencement of a public consultation program on the implementation of a water fluoridation program.

Link to Council Plan:

1.2.4 Advocate for enhanced services in community and mental health

Financial Implications:

There are limited financial implications associated with this report. Council will incur costs associated with public consultation, namely printing and time spent evaluating responses. Should the campaign produce a positive response towards water fluoridation programs, there may also be costs associated with the lobbying process.

Risk Management Implications:

There are minimal risk management implications associated with this report. Council does risk receiving complaints from the community; however, this will be reduced by ensuring that the public consultation period is extensive and the resources are available via a number of methods.

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: Angela Hoy, Director Infrastructure Services

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

Communications Strategy:

Should Council approve this report, communications will be undertaken as follows:

1. Council officers, in conjunction with Grampians Wimmera Mallee Water and the Department of Health and Human Services, will commence a public consultation period during which the public can access various resources providing information about water fluoridation and lodge responses to the proposal. Once the period has concluded, Council officers will evaluate responses and report back to Council.

RECOMMENDATION:

That Council approves the commencement of a public consultation program to determine the level of support for Council advocacy for the implementation of a water fluoridation program across the Shire's town water supplies.

11.2 FRAMEWORK POLICY

Responsible Officer: Director Corporate and Community Services

Attachment: 7

Introduction:

This report seeks Council adoption of the Policy Framework.

Discussion:

It was identified that Council did not have an overarching Policy Framework to mandate the processes for drafting and approving Council Policies or distinguishing Administrative Policies from Council Policies.

The purpose of the policy framework is to ensure that all Hindmarsh Shire Council policies are necessary, current, relevant, useful and compliant with current legislation, by providing a framework for their design, approval, implementation, monitoring and review.

The update to this policy primarily consisted of:

- reviewing Council's current processes documenting them into this Framework.
- consulting with Senior Management and relevant stakeholders.

Conclusion

This Policy Framework will aim to ensure that Hindmarsh Shire Council has a comprehensive and effective suite of policies which help Council to make consistent policy based decisions in line with the Hindmarsh Shire Council Plan.

Options:

1. Council can choose to adopt the Policy Framework;
2. Council can choose to make amendments to the Policy Framework; or
3. Council can choose not to adopt the Policy Framework.

Link to Council Plan:

Strategic Objective 4.6.2: An organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation by developing a governance and compliance framework within Council.

Financial Implications:

Nil.

Risk Management Implications:

The Policy Framework will enable Council to maintain its governance responsibilities and ensure that Policies are developed and reviewed in a cohesive and consistent manner.

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—Helen Thomson, Manager Governance and Human Services

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

Communications Strategy:

Council will post the Policy Framework on our website and ensure the Policy is circulated to all staff.

RECOMMENDATION:

That Council adopts the Policy Framework.

Attachment: 7

11.3 SOCIAL MEDIA POLICY

Responsible Officer: Director Corporate and Community Services

Attachment: 8

Introduction:

This report seeks Council adoption of the Social Media Policy.

Discussion:

It was identified that Council's Social Media Policy was due for review.

The purpose of the Social Media Policy is to provide strategic guidance to Hindmarsh Shire Council employees and Councillors involved in the delivery of social media and to encourage active promotion of Hindmarsh Shire through the use of social media. This policy also aims to facilitate dynamic and interactive two-way communication, which can complement existing communication and further improve information sharing and access and delivery of key services. This policy supports Council's Community Engagement Plan.

The update to this policy primarily consisted of:

- reviewing Council's current Social Media Policy.
- consulting with relevant stakeholders.

Conclusion

The update to the Social Media Policy ensures there is distinction between Council's strategic use of social media to communicate importance information and promote the Shire and operational matters relating to social media.

Options:

1. Council can choose to adopt the updated Social Media Policy;
2. Council can choose to make amendments to the Social Media Policy; or
3. Council can choose not to adopt the Social Media Policy.

Link to Council Plan:

Strategic Objective 1.1: An actively engaged community.

Strategic Objective 4.2: Quality customer service

Financial Implications:

Nil.

Risk Management Implications:

The Social Media Policy will enable Council to engage with the community over social media in an appropriate way by establishing clear responsibilities and guidelines.

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—Helen Thomson, Manager Governance and Human Services

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

Communications Strategy:

Council will post the Social Media Policy on our website and ensure the Social Media Policy is circulated to all staff.

RECOMMENDATION:

That Council adopts the updated Social Media Policy.

Attachment: 8

11.4 DIMBOOLA DRAINAGE PROJECT – ALLOCATION OF FUNDS TO ACCOMMODATE BUDGET OVER EXPENDITURE

Responsible Officer: Director Infrastructure Services

Introduction:

This report seeks Council endorsement to re-allocate savings from the 2019-20 Capital works program from the Broughton-Yanac Road Major Culvert project, and to cancel the Elgin Lane reconstruction project in order to fund the over expenditure on the Dimboola Drainage project.

Discussion:

The Dimboola drainage project has been undertaken over a number of financial years, with the final stage along High Street, Ellerman Street and Horsham Road commencing in the 2018/19 financial year and completed in the 2019/20 year. This project included kerb and channel, underground stormwater, and road reconstruction works aiming to direct major overland flow away from residential properties during rain events.

The completed project came in over budget due to varying factors as listed below;

- Extension of works on High St with additional culverts required \$50,000;
- Works carried out which weren't originally required on Upper Regions St due to late design alignment change \$7,500;
- Issues with shoulders and roadway being properly prepared for seal in a timely manner due to unexpected rainfall \$10,000;
- Water main service re-alignment not identified in the Dial Before You Dig plan. The main was hit and eroded the kerb and channel bed whilst waiting for a plumber to carry out repair works \$10,000;
- Lack of staff resulting in inefficiencies of time spent on ground \$10,000;
- Open earth drain along Horsham Rd being constructed at incorrect level, resulting in job being have to be done twice \$5,000; and
- Poor initial cost estimate, which was estimated to be \$50,000 less than actually required to complete the job.

The above costs predict over expenditure is likely to be around \$140,000 above the existing budget of \$46,465.

In order to fund the over expenditure officers have reviewed the 19/20 budget and recommend the following projects be dropped and referred to the 20/21 budget as follows:

1. Elgin Lane sealed construction project allocated budget is \$102,163 (2019/20 \$27,760 and 2018/19 \$74,403 carry forward). This is the lane at the rear of the council offices in Nhill. The current budget allocated will need to be re-costed and increased to complete the works required - sealing, concreting and kerb and channel.
2. Broughton-Yanac Road Major Culvert works saving of up to \$50,790.93 can be utilised. The project is all but complete, with minor tidy up works all that is remaining which will minimally add to the expenditure. The current expenditure is \$7,110.07,

with a budget of \$57,901. This large amount of savings was made possible due to scope of works changing. The original plan was to replace several box culverts with new culverts due to them separating and filling with gravel. This was changed due to the old culverts being found to be in good condition and able to be realigned and re-used, saving significantly in material and transport costs.

Financial Position:

Current Dimboola drainage project budget position:

Project	Ledger	Budget	Expenditure
Dimboola Drainage project (Horsham Rd)	20152/564	\$46,465 (18/19 carry forward)	\$185,000
		Total over expenditure:	\$138,965

The proposal to fund the over expenditure is outlined in the table below:

Project	Ledger	Budget available	Proposed
Elgin Lane sealed construction	20156/486	\$102,163	Cancellation
Broughton-Yanac Rd major culvert	20251/885	\$50,790	Utilise budget savings (projected requirement only \$38,000 approx.)
	Total:	\$160,163	

Options:

1. That Council cancel 20156/486 Elgin Lane sealed construction project and utilise savings from the 20251/885 Broughton-Yanac Road Major Culvert project to fund the over expenditure on the Dimboola Drainage project (Horsham Road) projected at approx. \$140,000.00, up to the value of \$160,163.00 if required – GL code 20152/564
2. Council can source the budget from other areas/projects to fund the over expenditure on 20152/564 Dimboola Drainage project (Horsham Road)

Link to Council Plan:

Strategic objective 2.1: Well maintained physical assets and infrastructure to meet community and organisational needs.
Strategic objective 4.1: Long term financial sustainability.

Financial Implications:

20156/486 Elgin Lane sealed construction project will not be completed in the 2019/20 year if option 1 is carried. This project will be proposed to be re-introduced in the 2020/2021 budget, with cost estimates re-evaluated and adjusted.

If option 1 is carried, there will be no financial implication on 20251/885 Broughton-Yanac Road Major culvert, as the project is complete, aside from minor tidy up works, with significant savings made due to works plan change.

Risk Management Implications:

Risk of future projects running over budget remains due to unforeseen scenarios, for example water mains bursting, and changes of the scope in the last minute. The planning phase will be used to identify these issues where possible.

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: Angela Hoy, Director Infrastructure Services

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

Author: Daniel Griffiths, Manager Capital Works

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

Communications Strategy:

Not applicable.

RECOMMENDATION:

That Council cancel and refer to the 2020/21 budget process, the 20156/486 Elgin Lane sealed construction project and utilise savings from the 20251/885 Broughton-Yanac Road Major Culvert project to fund the over expenditure on the 20152/564 Dimboola Drainage project (Horsham Road) projected at approx. \$140,000.00, up to the value of \$160,163.00 if required.

11.5 FINANCIAL REPORT FOR THE PERIOD ENDING 31 DECEMBER 2019

Responsible Officer: Director Corporate and Community Services

Attachment: 9

Introduction:

The Financial Report for the second quarter of 2019/20 financial year has been prepared, including explanations of variances where applicable, and is presented for the information of Council.

RECOMMENDATION:

That Council notes the Financial Report for the period ending 31 December 2019 as presented.

Attachment: 9

11.6 COUNCIL PLAN 2017-2021 PROGRESS REPORT

Responsible Officer: Director Corporate and Community Services

Attachment: 10

Discussion to be held during the meeting regarding the status of the 2018/2019 strategic actions in the council plan 2017-2021.

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

RECOMMENDATION:

That Council notes the Council Plan updated for the second quarter of 2018/19.

Attachment: 10

11.7 ADOPTION OF WIMMERA RIVER WATERWAY MANAGEMENT PLAN (DIMBOOLA)

Responsible Officer: Director Infrastructure Services

Attachment: 11

Introduction:

Council at its meeting on 06 February 2019 resolved to publically exhibit the draft Wimmera River Waterway Management Plan.

Nine submissions were received with various suggestions for amendments to the draft plan. The plan was revised, giving consideration to submissions received.

The revised plan was further discussed at the Wimmera River Stakeholders Advisory Group (WRSAG) meetings held 28 May 2019, 16 July 2019 and 17 September 2019.

A motion was passed at the 17 September 2019 meeting that the draft plan be referred to Council for consideration and adoption.

This report now recommends that the draft Plan be adopted by Council.

Discussion:

Hindmarsh Shire Council is the declared waterway manager for the Wimmera River within its municipal boundaries. A draft Wimmera River Waterway Management Plan has been developed to ensure the Wimmera River within the Dimboola locality is appropriately managed for the benefit of the environment, community, recreational users, traditional and abutting landowners.

As the declared waterway manager for the Wimmera River within the Hindmarsh Shire, as appointed by the Minister for Ports under the *Marine Safety Act 2010 (Vic)* (MSA), Council has powers and functions under the MSA relating to the safe operation of vessels in the waters under its control. Council is also responsible for maintaining navigational aids and controlling the navigation of vessels, usually through the introduction of waterway rules.

While Council's extent of authority with regard to the management of the river in its entirety is limited, in an attempt to achieve stakeholder cohesion, Council established the WRSAG. The membership of the WRSAG comprises:

- Councillor of Hindmarsh Shire Council;
- Wimmera Catchment Management Authority;
- Dimboola Boat and Water Ski Club Inc.;
- Dimboola Rowing Club;
- Landowners who hold Stock and Domestic Water licenses;
- Dimboola Angling Club;
- Dimboola and District Historical Society; and
- Hindmarsh Landcare.

Guests are invited, as required, from the following organisations:

- Transport Safety Victoria;
- Barenji Gadjin Land Council;
- Parks Victoria; and
- Environment Protection Authority.

Since its inception, the WRSAG has met on multiple occasions to discuss issues and concerns held by each stakeholder group which informed the first draft of the plan.

Following the public consultation period, a further review of the plan was undertaken, incorporating suggestions contained in the submissions that related to Council's extent of authority.

Questions and suggestions outside this extent of authority were referred to external groups such as GWM Water, Transport Safety Victoria, Vic Police and the Wimmera CMA for their comment and later inclusion in the plan.

The revised plan was further discussed at the WRSAG meetings held 28 May 2019, 16 July 2019 and 17 September 2019.

A motion was passed at the 17 September 2019 meeting that the draft plan be referred to Council for consideration and adoption.

The final draft Wimmera River Waterway Management Plan is now presented for adoption by Council.

Options:

Council can choose to:

1. Adopt the Wimmera River Waterway Management Plan as presented.
2. Not adopt the Wimmera River Waterway Management Plan and provide direction as to further changes or consultation as required.

Link to Council Plan:

2.1.4 Enhance river and lakes environment to support informal recreation and social interaction (subject to funding).

Financial Implications:

The only expenses incurred by Council to date has been that associated with officer time.

Risk Management Implications:

The Wimmera River Waterway Management Plan enhances environmental, cultural and heritage protection of the river while meeting the needs of recreational users and license holders of private and stock water. The adoption of the Plan will serve to decrease risks associated with the management of the Wimmera River within the Dimboola locality.

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: Angela Hoy, Director Infrastructure Services

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

Author: Janette Fritsch, Manager Strategic Assets and Planning

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

Communications Strategy:

Officers will make the adopted Wimmera River Waterway Management Plan available for download from Council's website and for access in Council's customer service centres. The adopted plan will also be publicised through Council's social media channels.

RECOMMENDATION:

That Council adopts Wimmera River Waterway Management Plan as presented.

Attachment: 11

11.8 VICSMART PLANNING PERMITS – QUARTERLY REPORT

Responsible Officer: Director Infrastructure Services

Introduction:

This report is presented to Council to inform Council, and provide an update on VicSmart permits processed by Council for the period 01 October 2019 to 31 December 2019.

Discussion:

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

Key features of VicSmart include: -

- A 10 business day permit process
- Applications are not advertised
- Information to be submitted with applications and what Council can consider is pre-set
- The CEO or his delegate decides the application.

The table below lists the VicSmart permits that have been approved within this period.

Permit No.	Address	Proposal	Date Lodged	Date Approved	Statutory Days	Comments
VS1641-2019	37 Banksia Ct Dimboola	Extension to dwelling	30/10/2019	01/11/2019	2	N/A
VS1645-2019	CA54 Pullut West Rd Rainbow	Telecommunications Monopole	23/09/2019	21/10/2019	4	RFI stopped clock
VS1648-2019	211 River Rd Dimboola	Construction of extensions to dwelling	30/10/2019	01/11/2019	2	N/A
VS1649-2019	80-86 Lloyd St Dimboola	Construction of pergola, fence and signage	08/11/2019	27/11/2019	8	RFI stopped clock

Options

N/A

Link to Council Plan:

- Strategic Objective 1.1 - An actively engaged community.
- Strategic Objective 2.1 - Well-maintained physical assets and infrastructure to meet community and organisational needs.
- Strategic Objective 3.1 - A strong rural economy and thriving towns
- Strategic Objective 4.2 - Quality customer services
- Strategic Objective 4.6 - An organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation.

Financial Implications:

Fees associated with planning permit applications and amendments are set by the State in accordance with the Planning and Environment (Fees) Regulations 2016. These fees are currently being applied to all applications received by Council. It is therefore considered that

the VicSmart process does not have any financial implications for Council.

Risk Management Implications:

Risk is managed appropriately by adhering to the VicSmart process.

Conflict of Interest:

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

Author – Andre Dalton, Coordinator Planning & Development

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

Officer Responsible – Angela Hoy, Director Infrastructure

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

Communications Strategy:

Nil

Next Steps:

Next Quarterly Report to be provided April 2020.

RECOMMENDATION:

That Council notes the report for VicSmart permits processed by Council for the period 01 October 2019 to 31 December 2019.

11.9 VILLAGE SETTLEMENT SCHOOL ROAD UPGRADE

Responsible Officer: Director Infrastructure Services

Attachments: 12 & 13

Introduction:

At its meeting on 06 February 2019, Council considered a report relating to upgrade options for Village Settlement School Road, Dimboola.

Following that meeting, and in accordance with the resolution of Council, a letter was sent to the owner of the property known as allotment 53 Village Settlement School Road, Dimboola, instructing compliance with condition 5.1 of planning permit 1010/06 by 31 December 2019. The condition requires the property owner to construct an all-weather access on Village Settlement School Road to the satisfaction of Council.

On the 16 December 2019, Council received a further letter from the property owner, asking that Council re-consider their decision.

This report seeks Council's response to this request.

Discussion:

Village Settlement School Road is a class 6 'formed only' road (no structural pavement) which provides paddock access to rural properties.

On the 22 May 2006, a planning permit was granted for the construction and use of a dwelling and associated outbuildings. Two conditions relating to the road upgrade were applied: the first required the property owner to upgrade Village Settlement School Road to Council's standard and at the applicant's cost and the second stated that the permit would not come into operation until the all-weather road had been constructed.

On 19 July 2006, Council considered a request from the property owner to reduce the formation width, allow him to relocate the house prior to the completion of the road upgrade and provide him a reasonable time period to complete the road works.

On 20 September 2006 Council approved the signing and sealing of a 173 agreement which stated that 'The Owner shall ensure that the permit requirements will be completed by no later than six months from the date of the Final Inspection or Occupancy Certificate.' The Final Inspection notice was issued 05/10/2016.

In December 2017, Council received a request from the property owner to have Village Settlement School road upgraded to all-weather access.

The request was considered by Council at its meeting on 02 May 2018 and subsequently a meeting was held on site. Present at that meeting was the property owner, the South Ward Councillors and the Director Infrastructure Services. No agreement on the matter was reached.

The matter was further considered by Council at its meeting on 06 February 2019. Council resolved that Council Officers write to the property owner, instructing compliance with the condition on permit 1010/06 relating to the upgrade of Village Settlement School Road. This letter was sent on 17 February 2019, giving the landowner until 31 December 2019 to complete the works.

The letter received on 16 December 2019 from the property owner seeks to appeal Council's decision regarding the requirement for him to upgrade the road.

The property owner asks that Council re-consider the fairness of its decision and that the cost of the upgrade is distributed among the other property owners who now reside on Village Settlement School, and Council.

Options:

Council can:

1. At its cost, choose to upgrade a 480m section of Village Settlement School Road to provide all-weather access to the applicant of planning permit 1010/06 at a cost of approximately \$20,000;
2. Enforce compliance with condition 5.1 of planning permit 1010-06 and subsequent section 173 agreement for the upgrade of Village Settlement School Road to an all-weather road at the applicants cost of approximately \$20,000;
3. Enter into a shared cost arrangement with the applicant of planning permit 1010-06 to upgrade Village Settlement School Road to an all-weather road.

Link to Council Plan:

- 1.1.6 Continue to engage with our farming community on road and road related infrastructure maintenance and improvements.
- 2.1.3 Develop and prioritise detailed plans relating to new infrastructure, infrastructure upgrade and renewal (including roads, bridges, drains, footpaths and buildings) for each town.

Financial Implications:

Council manages over 2,800 kilometres of roads, including over 1,400 kilometres of earth formed (dry weather only) roads.

There is significant cost associated with upgrading earth roads to an all-weather gravel pavement. The current magnitude of this cost is approx. \$35,000 per km.

The cost to upgrade Village Settlement School Road is approx. \$20,000.

Once upgraded, classification 5R roads are graded once per year and inspected annually. Once Council has assumed maintenance responsibility, the ongoing maintenance cost is approx. \$400 p/annum.

Risk Management Implications:

The current lack of all-weather access to properties with inhabited dwellings is outside Council's adopted service levels for residential access. Roads in these circumstances can have limitations for emergency service vehicles to have all year access to properties.

There is also concern that if council agrees to upgrade the road at council's cost then there may be a public perception that residents can ignore council's decisions with regards to conditions on planning permits.

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: Angela Hoy, Director Infrastructure Services

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

Author: Janette Fritsch, Manager Strategic Assets and Planning

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

Communications Strategy:

The property owner of allotment 53 Village Settlement School Road will be notified of Council's decision in writing.

RECOMMENDATION:

That Council write to the owner of allotment 53 Village Settlement School Road, Dimboola:

(a) Instructing compliance with condition 5.1 of planning permit 1010/06 and subsequent section 173 agreement for:

(i) The pavement on Village Settlement School Road be constructed of a 4 metre wide by 100mm consolidated depth gravel pavement to the satisfaction of the responsible authority, at the applicant's cost;

(b) Advising the owner should contact Council if they wish Council to provide a quotation and payment plan options; and

(c) Advising that this condition must be complied with by 30 April, 2020.

Attachment: 12 & 13

12. SPECIAL COMMITTEES

12.1 DIMBOOLA TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment: 14

Introduction:

The Dimboola Town Committee held its general meeting on 9 December 2019. The purpose of this report is to note the minutes from the 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 held on 9 December 2019.

Attachments: 14

13. LATE REPORTS

13.1 DIMBOOLA BOWLING CLUB REQUEST FOR COUNCIL CONTRIBUTION TOWARDS COMMUNITY SPORTS INFRASTRUCTURE FUND GRANT APPLICATION

Responsible Officer: Director Corporate & Community Services

Attachment Number: 15

Introduction:

This report seeks support from Council for the Dimboola Bowling Club submission of an application through Sport & Recreation Victoria's, Community Sports Infrastructure Fund and financial contribution towards the project.

Discussion:

Applications for funding through the Community Sports Infrastructure Fund close on Friday 14 February 2020.

Councillor Nelson and Council's Manager Economic and Community Development met with members of the Dimboola Bowling Club on 29 January 2020 to discuss the submission of a grant for a new Synthetic Green.

Councillor Nelson has requested a late report to Council for Council to consider a \$30,000 contribution towards the project.

The synthetic green project is estimated to cost up to \$250,000 with grant funding of \$165,000 sought, the Dimboola Bowling Club contributing \$55,000 and seeking Council contribution of \$30,000.

Due to the short timeframe for the submission of the grant and Council officers committed to another application through the Community Sports Infrastructure Fund the club agreed to source an external party to prepare the grant application and supporting documents, forwarding to Council for submission prior to the closing date.

Options:

1. Council can support the request from the Dimboola Bowling Club for a contribution of \$30,000 for a new Synthetic Green and submit a grant application through the Community Sports Infrastructure Fund.
2. Council can choose not to support the Dimboola Bowling Club request for a contribution and not submit a grant application through the Community Sports Infrastructure Fund at this time.

Link to Council Plan:

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

Financial Implications:

Council's contribution for the project will be included in the 2020/2021 budget.

Risk Management Implications:

Upgrading the current grass bowling green to a new Synthetic Green will reduce the requirements for watering and mowing the green.

Conflict of Interest:

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

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

RECOMMENDATION:

That

1. **Council allocate funding of up to \$30,000 in the 2020/2021 budget for the Dimboola Bowling Club's new Synthetic Green subject to the club contributing \$55,000; funding of \$165,000 through the Community Sports Infrastructure Fund.**
2. **Any project shortfall be met by the Dimboola Bowling Club.**
3. **A completed grant documentation be provided in full (including supporting documentation) by Midday on Monday 10 February 2020 to allow Council Officers time to submit the application.**

Attachment: 15

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.
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16. MEETING CLOSE
