



ATTACHMENTS

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MINUTES OF THE COUNCIL MEETING OF HINDMARSH SHIRE COUNCIL HELD 20 OCTOBER 2021 VIA ZOOM, COMMENCING AT 3:00PM.

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Crs R Ismay (Mayor), M Albrecht (Deputy Mayor), D Nelson, B Ireland, W Bywaters, R Gersch.

In Attendance:

Mr Greg Wood (Chief Executive Officer), Ms Monica Revell (Director Corporate and Community Services), Ms Angela Hoy (Director Infrastructure Services), Ms Shauna Johnson (Executive Assistant), Mr Phil King (Manager Community & Economic Development), Ms Petra Croot (Community Development & Youth Officer) item 9.9, Mr Joe Scimone (Development Engineer) item 9.11 and Ms Janette Fritsch (Manager Development) item 8.4.

1 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

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

2 APOLOGIES

No apologies.

3 DECLARATION OF INTERESTS

A Councillor with a conflict of interest in an item on the Agenda must indicate that they have a conflict of interest by clearly stating:

- the item for which they have a conflict of interest;
- whether their conflict is **general** or **material**; and
- the circumstances that give rise to the conflict of interest.

Declaration of material or general conflict of interest must also be advised by Councillors at the commencement of discussion of the specific item.

Cr W Bywaters declared a material conflict of interest in item 9.5 as her business is located next door to Westmix Concrete, Nhill.

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 22 September

2021 via Zoom as circulated to Councillors be taken as read and confirmed.

MOVED: CRS R Gersch/B Ireland

That the Minutes of the Ordinary Council Meeting held on Wednesday 22 September 2021 via Zoom as circulated to Councillors be taken as read and confirmed.

CARRIED

Attachment Number: 1

5 PUBLIC QUESTION AND SUBMISSION TIME

Community members wishing to ask questions at council meetings may do so, in writing, at least 24 hours prior to the council meeting. Both the question and answer will be read out at the meeting. Questions may be submitted by mail, email info@hindmarsh.vic.gov.au or delivered in person to a council customer centre but are limited to two questions and 100 words including any pre-amble. Offensive, trivial and repetitive questions or questions, which have been recently answered, may be excluded at the discretion of the Mayor.

The question must be accompanied by a name and the locality where the questioner resides or works, which will be read out at the meeting. By submitting a question, the questioner gives consent to this information being read out in public. Anonymous questions will not be answered.

No public questions or submissions.

6 ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: SEPTEMBER/OCTOBER 2021

Cr ISMAY, MAYOR

Date	Meeting	Location	Comments
03/09/2021	Liaison Meeting with Department of Transport	Zoom	
03/09/2021	Meeting with Fire Rescue Victoria	Zoom	
08/09/2021	Council Briefing Meeting	Nhill	
08/09/2021	Council Meeting	Nhill	
14/09/2021	WMT Meeting	Charlton	
19/09/2021	Development Proposal	Dimboola	
19/09/2021	Tour Dennis Elliot Salt Bush Harvesting		
22/09/2021	Council Briefing Meeting	Nhill	
22/09/2021	Council Meeting	Nhill	

06/10/2021	Phone Conference with Deputy Mayor, Facilitator		
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Cr ALBRECHT, DEPUTY MAYOR

Date	Meeting	Location	Comments
08/09/2021	Council Briefing	Nhill	
08/09/2021	Council Meeting	Nhill	
20/09/2021	Nhill Town Committee	Zoom	
21/09/2021	Hindmarsh Council Audit & Risk Committee Meeting	Zoom	Congratulations to the Finance team for the completion of the end of year financials, which were presented with positive comments from the auditors.
21/09/2021	Hindmarsh Council B-Double working group	Zoom	Significant progress has been made in addressing the numbers of B-Double gazetted roads in the Council. Thank you to everyone that participates in this working group, but in particular thanks to the farming representatives, whose voices have been extremely important in the process.
22/09/2021	Council Briefing	Nhill	
22/09/2021	Council Meeting	Nhill	
29/09/2021	Hindmarsh Landcare Network Meeting	Dimboola	The AGM has been scheduled for 26 November 2021.
04/10/2021	Tour of the Wimmera River by the Dimboola Ski Club	Dimboola	The Ski Club provided an informative tour of the River to discuss the challenges with the river and endeavors to manage water levels and riverbank erosion.
06/10/2021	Meeting with the Mayor and Joy Humphries	Zoom	Council professional education will be rescheduled due to Covid restrictions.
12/10/2021	Wimmera Development Association Board Meeting	Zoom	The Board transformation process continues and is close to be adopted. Moving to a skills based Board with an Independent Chair will ensure WDA moves with best practice governance models.

Cr GERSCH

Date	Meeting	Location	Comments
03/09/2021	Meeting with Evan Campbell re Planning		
08/09/2021	Council Meeting		
17/09/2021	Wimmera Regional Roads Meeting		
20/09/2021	Meeting with Rotary re 60 years service to Nhill		
22/09/2021	Council Meeting		
27/09/2021	Meeting with Sporting Club re Budget		
28/09/2021	Meeting with CMA Board re Dimboola River	Zoom	
29/09/2021	Meeting with Regional Dev. Institute RCV	Zoom	
29/09/2021	RCV Board Meeting		

29/09/2021	Meeting with Mark Shearwood housing developer		
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Cr IRELAND

Date	Meeting	Location	Comments
08/09/2021	Council Briefing Meeting		
08/09/2021	Council Meeting		
13/09/2021	Jeparit Town Committee Meeting		
21/09/2021	Wimmera Mallee Pioneer Museum Meeting		
22/09/2021	Council Briefing and Meeting		
23/09/2021	Yurunga Homestead Annual General Meeting		
07/10/2021	Meeting with Dimboola resident John Nichols and river walk of Dimboola skiing precinct		John has major concerns of the damage being caused by speedboats, other councillors have met with the ski club also, the cam river report is a document that tries to find a workable balance between the two.
11/10/2021	Jeparit Town Committee Meeting		

Cr NELSON

Date	Meeting	Location	Comments
03/09/2021	DMSC Student Representative Council Webex Meeting		
06/09/2021	Councillor Development Meeting	Zoom	
06/09/2021	Dimboola Town Committee meeting online		
07/09/2021	Wimmera Southern Mallee LLEN Finance Committee		
08/09/2021	Briefing Meeting		
08/09/2021	Council Meeting		
16/09/2021	Wimmera Southern Mallee LLEN meeting		
21/09/2021	HSC Audit and Risk Committee meeting		
22/09/2021	Briefing Meeting		
22/09/2021	Council Meeting		
22/09/2021	Share your Care meeting		
28/09/2021	Wimmera CMA Board Meeting		
04/10/2021	Wimmera River Inspection	Dimboola	
04/10/2021	Dimboola Town Committee Meeting		

Cr BYWATERS

Date	Meeting	Location	Comments
01/09/2021	Resilience and well-being, Municipal Association of Victoria (MAV) workshop	Zoom	

02/0/2021	Meeting procedures MAV workshop	Zoom	
06/09/2021	Councillor Development Session, meeting with external consultant, Joy Humphreys of Humphreys Group	Zoom	
08/09/2021	Council Briefing and Meeting	Zoom	
09/09/2021	Community leadership for councillors MAV workshop	Zoom	
15/09/2021	Sexual harassment MAV workshop	Zoom	
22/09/2021	Council briefing and Council Meeting	Zoom	Live streamed to Facebook
26/09/2021	River walk Jeparit – started at the Wimmera Mallee Pioneer Museum	Jeparit	
26/09/2021	River Walk - part of the 5 km ski course	Dimboola	
28/09/2021	Meeting with the Board of Wimmera CMA (catchment management authority)	Zoom	
04/10/2021	River boat tour with Ski Club president and two members- Starting from the bridge near the Caravan Park.	Dimboola	
04/10/2021	Dimboola Town Committee Meeting	Microsoft Teams	

7 CORRESPONDENCE

7.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer
Attachment Numbers: 2 – 11 and 46

Introduction:

The following correspondence is tabled for noting by Council.

Inwards:

- 27/09/2021 – Letter from Leonie Miller RE Water Fluoridation Council Report
- 28/09/2021 – Letter from West Wimmera Health Service RE Water Fluoridation
- 12/10/2021 – Letter from Dimboola Town Committee RE Projects (late attachment)

Outwards:

- 23/09/2021 – Letter to Mary Mason RE Council Plan Submission
- 23/09/2021 – Letter to Rainbow Trailblazers RE Council Plan Submission
- 23/09/2021 – Letter to Wendy Werner RE Council Plan Submission
- 23/09/2021 – Letter to West Wimmera Health Service RE Council Plan Submission
- 27/09/2021 – Letter to Wimmera Health Care Group RE Water Fluoridation
- 27/09/2021 – Letter to West Wimmera Health Service RE Water Fluoridation
- 01/10/2021 – Letter to the Hon Shaun Leane MP, Minister for Local Government, RE Hindmarsh Shire Council Annual Report 2020/21
- 04/10/2021 – Letter response to Leonie Miller RE Water Fluoridation Program

RECOMMENDATION:

That Council notes the attached correspondence.

MOVED: CRS D Nelson/W Bywaters

That Council notes the attached correspondence.

CARRIED

Attachment Numbers: 2 – 11

8 PLANNING PERMITS

8.1 VICSMART REPORT AND PLANNING APPLICATIONS APPROVED UNDER CEO DELEGATION

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 July 2021 to 30 September 2021.

This report also lists the Planning Applications approved under delegation by the CEO for the same period.

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 permit that has been approved within this period.

Permit No.	Address	Proposal	Date Lodged	Trigger	Date approved	Statutory Days
VS1734-2021	112 Ellerman St Dimboola	Development of land with a fence	27/07/2021 RFI issued 28/07/2021 and Response received 06/08/2021	Clause 42.01-2 – A permit is required to construct a fence that may obstruct the flow of water as this is specified in the schedule to the Environmental Significance Overlay (ESO6)	09/08/2021	1
VS1738-2021	3 Montrose St Dimboola	Development of land with a fence	20/08/2021	As above	23/08/2021	1
VS1743-2021	5 Upper Roy St Jeparit	Development of land with a fence	31/08/2021 Response to RFI received	As above	22/09/2021	3

			17/09/2021			
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In addition, the following Planning Permit Applications were approved under delegation by the Chief Executive Officer.

Permit No.	Address	Proposal	Date Lodged	Trigger	Date Approved	Statutory Days
PA1724-2021	Miatke Rd Rainbow	Development of an agricultural building (hay shed)	22/06/2021	Clause 35.07 – Farming Zone for a building which is within 100m from a waterway. 42.01 – Environmental Significance Overlay 2 (Channel Protection) - To construct buildings and works.	22/07/2021	30
PA1729-2021	64 Tarranyurk West Rd Tarranyurk	Removal of Vegetation	29/06/2021	Clause 42.01 – Environmental Significance Overlay 6 – A Permit is required for vegetation removal	09/08/2021	32
PA1736-2021	444 Jeparit Warracknabeal Rd Jeparit	Development of Replacement Dwelling	19/08/2021	Clause 35.07-1 – Farming Zone. A Planning Permit is required for Use as a second dwelling (Noted – condition 3 of Permit - the existing dwelling must be removed within 3 months of the issue of occupancy permit). Clause 35.07-4 – Farming Zone – A permit is required to construct a building within 100m of a waterway.	25/08/2021	8
PA1737-2021	64 Tarranyurk West Rd Tarranyurk	Development of Agricultural Outbuildings	07/09/2021	Clause 35.07-4 – Farming Zone – A permit is required to construct a building within 100m of a waterway. Clause 44.04-2 – Land Subject to Inundation (LSIO) – A permit is required to construct a building.	23/09/2021	16

Options

N/A

Link to Council Plan:

Facilitating and supporting economic development.

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.

Risk Management Implications:

Risk is managed appropriately by adhering to the VicSmart process.

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

Author – Janette Fritsch, Manager 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 Report to be provided February 2021.

RECOMMENDATION:

That Council notes the:

- *VicSmart permit issued; and*
- *Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 01 July 2021 to 30 September 2021.*

MOVED: CRS R Gersch/D Nelson

That Council notes the:

- *VicSmart permit issued; and*
- *Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 01 July 2021 to 30 September 2021.*

CARRIED

8.2 PLANNING PERMIT APPLICATION PA1697-2020 – TWO LOT SUBDIVISION (RE-SUBDIVISION OF TWO EXISTING LOTS) AND USE FOR A DWELLING AND WORKS – W COOKS ROAD NHILL VIC 3418 (CROWN ALLOTMENT 4 & CROWN ALLOTMENT 5A, PARISH OF TARRANGINNIE)

Responsible Officer: Director Infrastructure Services

File: Planning – Applications

Assessment: 200169

Application No:	PA1697-2020
SPEAR Ref. No:	S165232V
Applicant:	Russell Borgelt, C/- Angela Plazzer, Ferguson Perry Pty Ltd
Owner:	Sandra Borgelt and Russell Borgelt
Subject Land:	W Cooks Road Nhill VIC 3418 (Crown Allotment 4 and Crown Allotment 5A, Parish of Tarranginnie)
Proposal:	Two lot subdivision (Re-subdivision of two existing lots) and use for a Dwelling and works
Zoning & Overlays:	Farming Zone (FZ) Environmental Significance Overlay Schedule 6 (ESO6)
Attachment Number:	12

Summary:

This report recommends that Council approve Planning Permit PA1697-2020 for a two lot subdivision (Re-subdivision of two existing lots) and use for a Dwelling and works at W Cooks Road Nhill VIC 3418 (Crown Allotment 4 and Crown Allotment 5A, Parish of Tarranginnie), subject to standard conditions.

Background:

The site has been used for agricultural purposes, mainly cropping land, for a long time and contains scattered trees, a former dwelling, farm sheds and a shearing shed.

Proposal Details:

The application proposes a two lot subdivision (re-subdivision of two existing lots) and use for a Dwelling.

It is noted that the two existing lots are approximately 92ha (CA4) and 12ha (CA5A) in area.

The plan of subdivision (Version 1) proposes the following:

- Proposed Lot 1 with an area of 4.245ha that contains the existing buildings including a former dwelling and farm sheds, scattered remnant trees and cropping land.
- Proposed Lot 2 with an area of 99.9ha that contains cropping land, a shearing shed and scattered remnant trees.

Vehicle access to proposed Lot 1 is proposed by the applicant from the existing access on W Cooks Road. Vehicle access to proposed Lot 2 is proposed by the applicant from the existing crossovers on W Cooks Road or Sandsmere Road. The Engineering Team have requested that existing vehicle access to Lot 1 will need to be via an all-weather access road via Diapur-Yanac Road to W Hensleys Road to Pikers Road to the entrance to Lot 1 and that the access to Lots 1 and 2 is required to be upgraded to current standards.

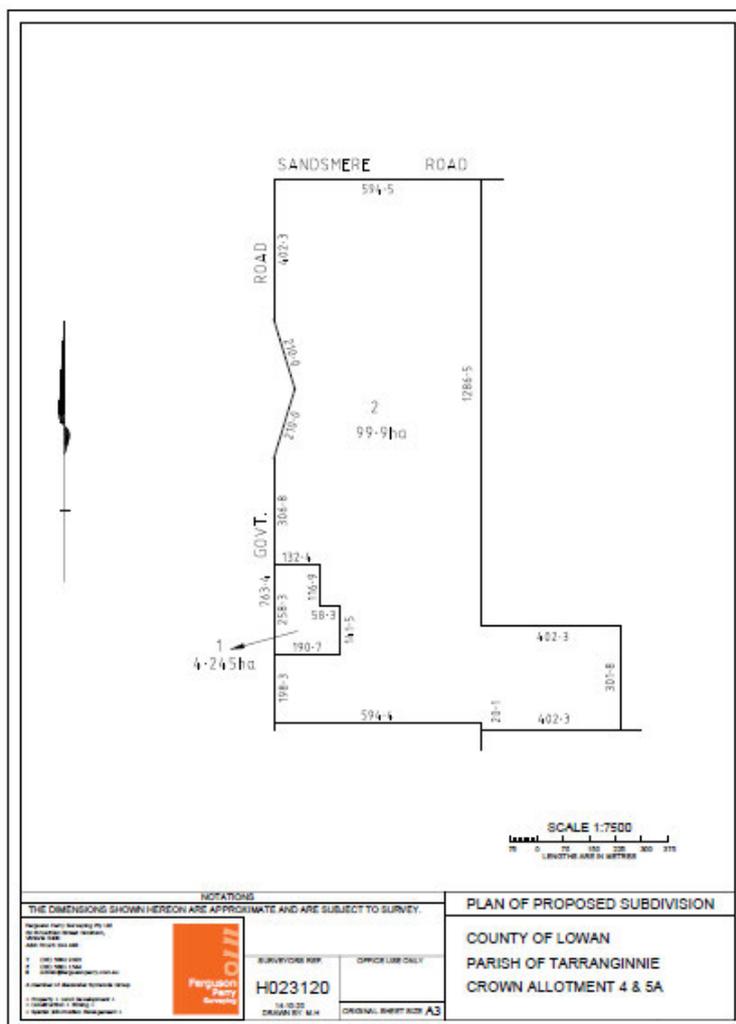
The applicant has applied for the use for a Dwelling as the former dwelling on the land has been vacant for more than two years and existing use rights do not apply.

The applicant has stated the following about the proposal:

The application proposes a 2-lot subdivision (re-subdivision) of the land in order to excise the land containing the existing dwelling structure from the farmland. This will enable the dwelling structure and farmland to be separately disposed of. The proposed subdivision will also ensure that the land contained in CA5A has legal access as it is currently landlocked. The layout of the proposed subdivision has been designed to follow the general use of the land and existing fence lines where possible.

As it has been more than two years since the dwelling building has been occupied, the application also seeks a permit for the use of the land for a dwelling on proposed Lot 1. The building will need to be either renovated or replaced before the dwelling use recommences.

Proposed Plan of Subdivision (Version 3) & Proposed Plan of Subdivision showing existing features (Version 3) below:

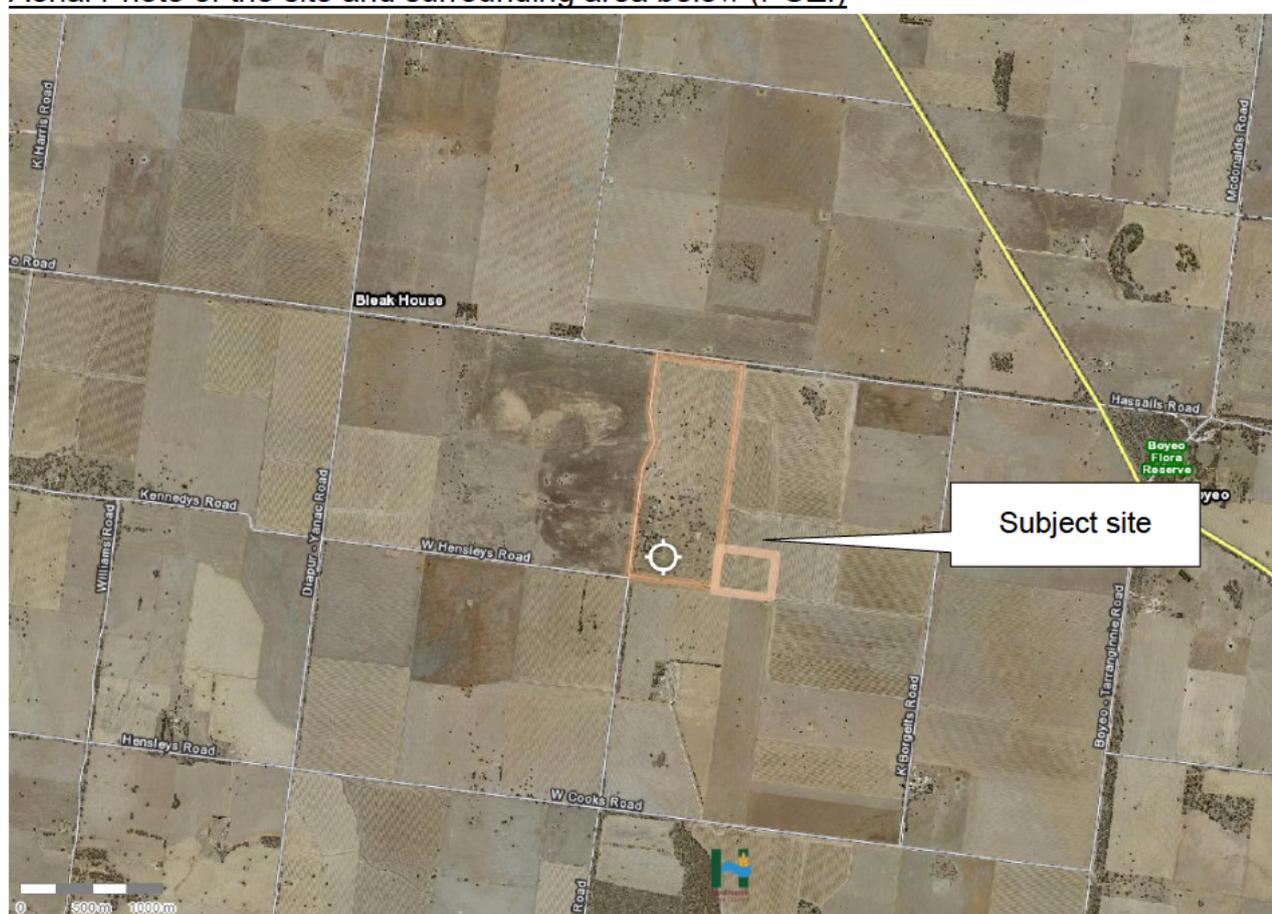


Subject site & locality:

The subject site is located on the southern side of Sandsmere Road and consists of Crown Allotments 4 (CA4) and 5A (CA5A) Parish of Tarranginnie. The site has a total area of approximately 104.145ha. CA4 has an area of approximately 94ha and consists of land used for cropping, farm sheds, a shearing shed, a former dwelling and scattered remnant native trees. CA5A has an area of approximately 12ha and contains land used for cropping and one native tree.

Access to CA4 is from Sandsmere Road to the north and an informal access track from Pikers Road to W Hensleys Road to the south-west and W Cooks Road to the south. CA5A is currently a landlocked parcel of land and is situated in between CA4 and CA5 that are in common ownership. The site and all the surrounding land are within the Farming Zone (FZ).

Aerial Photo of the site and surrounding area below (POZI)



Consultation:

Consultation was undertaken and included:

- A request for further information was sent to the applicant via SPEAR on 13 January 2021.
- Two requests for an extension of time to submit the information were requested and approved between February and June 2021.
- A subsequent request for further information was sent to the applicant via SPEAR on 17 June 2021.
- The further information including amended plan of subdivision and an amended Planning Report were received in SPEAR on 3 August 2021.

Section 52 Notice of application:

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of the adjoining land.
- Placing a public notice on Council's website.

The notification has been carried out correctly. Council has not received any objections to date.

Referrals:

External Referrals/Notices were required by the Planning Scheme:

Section 55 Referrals

Nil – Standard Conditions required for a two lot subdivision in accordance with Clause 66.01.

Section 52 Referrals

Nil

Internal Referrals:

- Engineering: Comments provided, and condition required as detailed below.

We have conducted a site visit on 24/08/2021.

The following conditions need to be applied to the permit.

Access route:

- *The current access route to the dwelling site will need to be upgraded to an all-weather road, and would be via Diapur-Yanac Road, to W Hensleys Road to Pikers Road to the entrance of property and constructed to the RA satisfaction and at the applicants cost.*

Access:

- *The current location of access at Lot 1 main entrance will need to be upgraded or a new drainage pipe and crossovers will need to be constructed as per IDM-255 Standard to RA satisfaction and at the applicants cost.*
- *The current location of access at Lot 2 will need to be upgraded or a new drainage pipe and crossovers will need to be constructed as per IDM-255 Standard, with a new fence and gate and recommended setback to RA satisfaction and at the applicants cost.*

https://www.designmanual.com.au/assets/files/documents/Standard_Drawings/DM_STANDARD_DRGS_SET_2020-03-24.pdf

- Environmental Health: Comments provided, and condition required as detailed below.
 - *I couldn't find any records of the existing septic tank. If there is existing septic tank, owners of the property must provide the following:*
 - *Land Capability Assessment stating the condition of the existing septic tank.*
 - *The wastewater from the dwelling must be treated and retained on-site in*

accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 2017. In this regard, the wastewater system must be designed, approved and constructed in accordance with the EPA Code of Practice for On-site Wastewater Management, Publication 891.4, July 2016 or a relevant alternative to the satisfaction of the Responsible Authority.

Planning Scheme:

Planning Scheme Requirements:

Municipal Planning Strategy (MPS)

The following relevant Clauses in the MPS have been considered for the application.

Clause 02.02 Vision

Clause 02.03 Strategic Directions

Clause 02.03-4 Natural Resource Management

While traditional forms of farming have formed the backbone of the economy for many years, profitability is declining. There is a need to pursue improved and alternative agricultural activities, diversify the agricultural base and develop additional local value adding opportunities.

Council's strategic directions for natural resource management include to:

- *Support traditional rural industries such as cropping, livestock and wool production.*
- *Promote the expansion or establishment of agricultural and horticultural activities, having regard to potential impacts on natural resources.*
- *Adopt minimum lot sizes that allow farmers to diversify while preventing inappropriate small lot subdivision.*

Clause 02.03-6 Economic Development

Council's strategic directions for economic development include to:

- *Retain and develop agricultural activities.*

Planning Policy Framework (PPF)

The following relevant Clauses in the PPF have been considered for the application:

Clause 11.01-1S Settlement

Clause 11.01-1R Settlement – Wimmera Southern Mallee

Clause 11.01-1L Hindmarsh

Clause 11.03-6S Regional and local places

Clause 14.01-1S Protection of agricultural land

Clause 14.01-1R Agricultural productivity – Wimmera Southern Mallee

Clause 14.01-2S Sustainable agricultural land use

Clause 19.03-2S Infrastructure design and provision

Planning Response:

The proposed subdivision will comply with the relevant objectives of the MPS and PPF by protecting and enhancing valuable agricultural land and retaining sustainable agricultural uses that will not create any conflicts with surrounding agricultural uses.

The subdivision will realign the existing two lots to remove the landlocked parcel and to enable the restructure of the farming operation to sell the smaller lot proposed (Lot 1). The proposal will not result in the loss of any productive agricultural land and will protect and enhance the cropping activities carried out as part of the existing farming enterprise.

A Section 173 Agreement is not required in this instance as the subdivision will create one lot larger and one lot smaller for a dwelling with substantial setbacks from the lot boundaries that will prevent any land use conflicts. The larger lot also currently exceeds the minimum lot area of 40ha and will still exceed 40ha. The smaller lot (proposed Lot 1) containing a dwelling will be put up for sale as it is surplus to the needs of the farming enterprise. The balance lot (proposed Lot 2) will be retained as productive agricultural land as part of the current farming operation.

The access to the lots is the key issue with this application, particularly given the lack of an all-weather access road frontage for the proposed Lot 1 containing the dwelling. The access to proposed Lot 1 will need to be upgraded to provide an all-weather access road via Diapur-Yanac Road and W Hensleys Road to Pikers Road to the entrance to the lot where the dwelling is located. The access to proposed Lot 2 will preferably be from Sandsmere Road and will need to be upgraded to current Council standards.

The proposed dwelling use and subdivision will therefore comply with the relevant provisions of the MPS and PPF subject to conditions.

Zoning Provisions

Clause 35.07 Farming Zone (FZ)

35.07-1 Table of Uses

A permit is required for the use of a second Dwelling which is a Section 2 Use under this Clause.

35.07-2 Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

35.07-3 Subdivision

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 as the following applies:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.

35.07-6 Decision Guidelines

Before deciding on an application to use or subdivide land, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate, matters under the following relevant headings:

- General issues
- Agricultural issues and the impacts from non-agricultural uses
- Environmental issues
- Design and siting issues

Planning Response:

The proposed dwelling and subdivision complies with the relevant decision guidelines in the zone for the following reasons:

General issues

- The proposal will comply with the MPS and PPF as discussed above.
- The proposal will be consistent with the current Wimmera Regional Catchment Strategy 2013-2019.
- The proposal will encourage sustainable land management by relating the lot boundaries to remove the landlocked lot and increasing the balance lot from 94ha to 99.9ha and creating a smaller dwelling lot 4.245ha to allow the sale of the unusable part of the land that is not used for farming purposes.
- The subdivision will result in the dwelling, farm sheds and scattered trees being located on a smaller lot and the majority of cropping land and shearing shed being retained on the larger lot. The proposal will be compatible with the adjoining and nearby agricultural land uses.
- The proposal makes use of existing infrastructure and services. The existing access to both lots are required to be upgraded to ensure the crossovers, drainage pipes and access are located and constructed to Council standards including the provision of all-weather access to proposed Lot 1 for the dwelling. Standard conditions will be included for services to be connected as required by the relevant authorities in accordance with the conditions listed in Clause 66.01.

Agricultural issues and the impacts from non-agricultural uses

- The proposal will not have an adverse impact on the existing cropping activities on the land, which will be retained on the balance lot as part of an existing farming enterprise.
- The proposal will not have in any adverse effect on soil quality and does not remove

any land from agricultural production.

- The proposal is unlikely to limit the operation and expansion of adjoining and nearby agricultural uses.
- The proposal will enable the productive agricultural use to be retained.
- The proposal is unlikely to adversely affect the current agricultural activities and associated infrastructure.
- There is no applicable land management plan for the site.

Dwelling issues

- The reuse of the former dwelling for that purpose will not result in the loss or fragmentation of productive agricultural land.
- The dwelling will not be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- The dwelling will not adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The proposal will not lead to a concentration or proliferation of dwellings in the area and will not impact on the use of the land for agriculture.

Environmental issues

- The proposal is unlikely to have an adverse impact on soil and water quality and any other natural physical features and resources.
- The site and surrounding land have been largely cleared of native vegetation due to historical broad acre cropping and other farming activities. The scattered trees on the site will not be affected by the proposal.
- The proposal will not have impacts on flora and fauna in the locality.

Design and siting issues

- The existing buildings on the smaller lot are in one area and will avoid any adverse impacts on surrounding agricultural uses and will prevent the loss of productive agricultural land.
- The re-use of the former dwelling will ensure there are no siting, design, height or bulk issues. If the existing dwelling is deemed to not be habitable and a new dwelling is constructed, the development is unlikely to impact on the natural environment, major roads, vistas and water features and will minimise any adverse impacts.
- The re-use of the former dwelling or the construction of a new dwelling will not impact on the character and appearance of the area. Further planning approval may be required for the development of a new dwelling if the minimum setbacks in the zone and Schedule are not met.
- The dwelling will need to be connected to the required infrastructure to comply with current standards. The access to the dwelling on proposed Lot 1 will need to be constructed as an all-weather access road to comply with Clause 35.07-2. A Land Capability Assessment is required as a condition to determine if there is an existing septic tank and if it is required to be upgraded to comply with the Environment Protection Act 2017 and the relevant regulations. A potable water supply is required

for the dwelling on proposed Lot 1. Conditions are required to provide all the necessary infrastructure for the dwelling and subdivision.

- The use for the dwelling on proposed Lot 1 and development will require traffic management measures in terms of the construction of an all-weather access road to the lot via Diapur-Yanac Road and W Henleys Road to Pikers Road and to the front entrance of the lot. Conditions are required for this access to be constructed to Council standards.

Overlay Provisions

Nil

Particular Provisions

Nil

General Provisions

Clause 63 Existing Uses

63.06 Expiration of Existing Use Rights

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
- In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.

Planning Response:

The applicant has acknowledged that the dwelling use has ceased for more than two years and the existing use rights have expired under this Clause. Hence a planning permit is sought for the use of a dwelling on the land.

Clause 65 - Decision Guidelines

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

65.01 Approval of an application or plan

Before deciding on an application or approval of a plan, the Responsible Authority must consider, relevant matters, as appropriate.

65.02 Approval of an application to subdivide land

Before deciding on an application to subdivide land, the responsible authority must also consider, relevant matters, as appropriate.

Planning Response:

The proposal complies with the relevant decision guidelines as outlined above. The proposal is supportive of, and complies with the MPS and PPF, having regard to the reconfiguration

of the two lots used for agriculture to remove a landlocked parcel and create a smaller dwelling lot with a balance lot to be retained for farming purposes. The proposal will not impact on the environment and amenity of the area. The proposal will enable the orderly planning of the area. The proposal therefore complies with Clause 65.

Discussion:

The proposal re-subdivision of the two lots will enable a restructure of the farming operation to enable the removal of a landlocked parcel of land, to allow the sale of the smaller dwelling lot and to protect the balance of the existing agricultural use of the land. The proposed subdivision will satisfy the relevant planning policies in the MPS and PPF and will comply with the relevant decision guidelines of the FZ as outlined above.

The proposed use of the dwelling will enable to re-use of the former dwelling on the smaller lot which contains the existing buildings and sheds and has not been used for agricultural purposes for a long time. The proposed dwelling will not result in the loss of agricultural land or impact on the balance lot or surrounding agricultural land and will comply with the relevant decision guidelines of the FZ as outlined above.

The proposal will not adversely impact on the amenity of the area and will enable the orderly planning of the area in accordance with Clause 65 subject to conditions outlined above being met.

The proposal should therefore be approved, and a Planning Permit be issued subject to conditions as outlined below.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the Municipal Planning Strategy and the Planning Policy Framework, the Farming Zone and Clause 65.

Report to Council:

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

Processing Times:

- 16/12/2020 – Application submitted in SPEAR.
- 12/01/2021 – Fee paid
- 13/01/2021 – Further information requested
- 05/02/2021 – Request for an extension to submit the information
- 12/02/2021 – Extension approved
- 10/05/2021 – Reminder sent that information is due
- 10/05/2021 – Request for a further extension
- 12/05/2021 – Further extension approved
- 08/06/2021 – Response to further information received and amended plans received
- 11/06/2021 – Amended application for use of a dwelling
- 17/06/2021 – Subsequent request for further information

- 18/06/2021 – Invoice for additional fee issued
- 03/08/2021 – Amended report for outstanding information received and amended plans submitted
- 09/08/2021 – Additional fee paid
- 24/08/2021 – Referral to Infrastructure sent
- 26/08/2021 – Advertising directions and letters sent, and applicant sought to waive requirement for sign on site due to Covid
- 27/08/2021 – Sign on site waived
- 08/09/2021 – Response received from Infrastructure
- 10/09/2021 – Notification period ended
- 20/10/2021 – The report is being presented to Council at the meeting held 20 October 2021 (57 statutory days)

The statutory processing time requirements of the *Planning and Environment Act 1987* have been satisfied in this instance.

Link to Council Plan:

N/A

Financial Implications:

The proposal will have positive financial implications through a potential increase in Rates income to Council.

Risk Management Implications:

There are no risks to be managed by Council, except if the planning permit is not approved, Council could be seen to be holding up development within the municipality.

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

Officer Responsible – Angela Hoy, Director Infrastructure Services

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

Author: Bernadine Pringle, Consultant Town Planner.

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

Communications Strategy:

Advise the applicant of Council's decision.

Next Steps:

Issue the Planning Permit and endorse the plans if approved.

RECOMMENDATION:

That Council approves Planning Application PA1697-2020 for a Two lot subdivision (Re-subdivision of two existing lots) and use for a Dwelling and works on the subject land at W Cooks Road Nhill VIC 3418 (Crown Allotment 4 and Crown Allotment 5A, Parish of Tarranginnie), subject to the following conditions:

Conditions:

Endorsed Plans – Use and Development

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

Endorsed Plans - Subdivision

- 2. The layout and site dimensions of the subdivision hereby permitted, as shown on the endorsed plan/s, must not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plan/s.***

General Requirements

- 3. The buildings and the site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area to the satisfaction of the Responsible Authority.***

Use for Dwelling

- 4. Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles to the satisfaction of the Responsible Authority.***
- 5. Before the issue of a Statement of Compliance under the Subdivision Act 1988, a Land Capability Assessment stating the condition of the existing septic tank of the dwelling must be submitted to the satisfaction of the Responsible Authority.***
- 6. The wastewater from the dwelling must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 2017. In this regard, the wastewater system must be designed, approved and constructed in accordance with the EPA Code of Practice for On-site Wastewater Management, Publication 891.4, July 2016 or a relevant alternative to the satisfaction of the Responsible Authority.***
- 7. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.***
- 8. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.***

Access

- 9. Before the occupation of the dwelling, the current access route to the dwelling site must be upgraded to an all-weather road, and would be via Diapur-Yanac Road, to W Hensleys Road to Pikers Road to the entrance of property and must be constructed at the permit holder/owner's cost to the satisfaction of the Responsible Authority.**
- 10. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the existing location of access to Lot 1 main entrance must be upgraded or a new crossover and new drainage pipes must be constructed to the satisfaction of the Responsible Authority.**
- 11. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the existing location of access to Lot 2 must be upgraded or a new crossover and new drainage pipes must be constructed, with a new fence and gate with recommended setback, to the satisfaction of the Responsible Authority.**
- 12. The crossovers and access to the two lots must be constructed to an all-weather standard and must have a minimum trafficable width to accommodate emergency vehicles, to the standards and satisfaction of the Responsible Authority or as otherwise agreed to writing by the Responsible Authority.**

Subdivision Conditions in Clause 66.01

- 13. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.**
- 14. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.**
- 15. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.**

Use and Development Expiry

- 16. The use and development approved by this permit will expire if one of the following circumstances applies:
 - (a) The development 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.**
 - (c) The use is not commenced within four years of the date of this permit.****

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six (6) months of the permit expiry date.

Subdivision Expiry

- 17. The subdivision will expire if:**

- (a) The plan of subdivision is not certified within two (2) years of the date of this permit.**
- (b) The registration of the subdivision is not completed within five (5) years of the date of certification of the plan of subdivision.**

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six (6) months of the permit expiry date.

Notes:

Infrastructure

- **The existing access for Lot 1 must be upgraded to provide all weather access and the existing access for Lot 2 must be upgraded or new drainage pipes and crossovers with a new fence and gate for Lot 2 with a recommended setback and all access must be constructed as per IDM-255 Standard.**
https://www.designmanual.com.au/assets/files/documents/Standard_Drawings/IDM_STANDARD_DRGS_SET_2020-03-24.pdf
- **A Consent to Works Within Road Reserve Permit must be obtained from Council's Infrastructure Department (Phone: 03 5391 4444) for the construction or alteration/upgrade of any vehicle crossovers or any works conducted in the road reserve.**

MOVED: CRS R Gersch/B Ireland

That Council approves Planning Application PA1697-2020 for a Two lot subdivision (Re-subdivision of two existing lots) and use for a Dwelling and works on the subject land at W Cooks Road Nhill VIC 3418 (Crown Allotment 4 and Crown Allotment 5A, Parish of Tarranginnie), subject to the following conditions:

Conditions:

Endorsed Plans – Use and Development

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

Endorsed Plans - Subdivision

- 2. The layout and site dimensions of the subdivision hereby permitted, as shown on the endorsed plan/s, must not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plan/s.**

General Requirements

- 3. The buildings and the site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area to the satisfaction of the Responsible Authority.***

Use for Dwelling

- 4. Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles to the satisfaction of the Responsible Authority.***
- 5. Before the issue of a Statement of Compliance under the Subdivision Act 1988, a Land Capability Assessment stating the condition of the existing septic tank of the dwelling must be submitted to the satisfaction of the Responsible Authority.***
- 6. The wastewater from the dwelling must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 2017. In this regard, the wastewater system must be designed, approved and constructed in accordance with the EPA Code of Practice for On-site Wastewater Management, Publication 891.4, July 2016 or a relevant alternative to the satisfaction of the Responsible Authority.***
- 7. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.***
- 8. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.***

Access

- 9. Before the occupation of the dwelling, the current access route to the dwelling site must be upgraded to an all-weather road, and would be via Diapur-Yanac Road, to W Hensleys Road to Pikers Road to the entrance of property and must be constructed at the permit holder/owner's cost to the satisfaction of the Responsible Authority.***
- 10. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the existing location of access to Lot 1 main entrance must be upgraded or a new crossover and new drainage pipes must be constructed to the satisfaction of the Responsible Authority.***
- 11. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the existing location of access to Lot 2 must be upgraded or a new crossover and new drainage pipes must be constructed, with a new fence and gate with recommended setback, to the satisfaction of the Responsible Authority.***
- 12. The crossovers and access to the two lots must be constructed to an all-weather standard and must have a minimum trafficable width to accommodate emergency vehicles, to the standards and satisfaction of the Responsible Authority or as otherwise agreed to writing by the Responsible Authority.***

Subdivision Conditions in Clause 66.01

- 13. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.**
- 14. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.**
- 15. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.**

Use and Development Expiry

- 16. The use and development approved by this permit will expire if one of the following circumstances applies:**
 - (a) The development 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.**
 - (c) The use is not commenced within four years of the date of this permit.**

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six (6) months of the permit expiry date.

Subdivision Expiry

- 17. The subdivision will expire if:**
 - (a) The plan of subdivision is not certified within two (2) years of the date of this permit.**
 - (b) The registration of the subdivision is not completed within five (5) years of the date of certification of the plan of subdivision.**

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six (6) months of the permit expiry date.

Notes:

Infrastructure

- **The existing access for Lot 1 must be upgraded to provide all weather access and the existing access for Lot 2 must be upgraded or new drainage pipes and crossovers with a new fence and gate for Lot 2 with a recommended setback and all access must be constructed as per IDM-255 Standard.**
https://www.designmanual.com.au/assets/files/documents/Standard_Drawings/IDM_STANDARD_DRGS_SET_2020-03-24.pdf
- **A Consent to Works Within Road Reserve Permit must be obtained from Council's**

Infrastructure Department (Phone: 03 5391 4444) for the construction or alteration/upgrade of any vehicle crossovers or any works conducted in the road reserve.

CARRIED

Attachment Number: 12

8.3 PLANNING PERMIT APPLICATION PA1713-2021 – VARIATION TO LIQUOR LICENCE TO INCREASE THE HOURS OF TRADING ALLOWED, INCREASE THE NUMBER OF PATRONS ALLOWED AND INCREASE THE AREA THAT LIQUOR IS ALLOWED TO BE CONSUMED OR SUPPLIED, CONSTRUCT AND DISPLAY BUSINESS IDENTIFICATION SIGNS AND A REDUCTION IN THE REQUIRED NUMBER OF CAR PARKING SPACES AT 29-31 ROY STREET JEPARIT VIC 3423

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 064640
Application No: **PA1713-2021**
Applicant: Mr Ricky Larkin, Larrikins
Owner: Ricky Alexander Larkin
Subject land: 29-31 Roy Street, Jeparit, VIC 3423 (Lot 2 on PS072894) – Hopetoun House Hotel (Larrikins)
Proposal: Variation to liquor licence to increase the hours of trading allowed, increase the number of patrons allowed and increase the area that liquor is allowed to be consumed or supplied, construct and display business identification signs and a reduction in the required number of car parking spaces
Zoning and Overlays: Township Zone (TZ)
Environmental Significance Overlay Schedule 6 (ESO6)
Heritage Overlay Schedule 18 (HO18)
Relevant Clauses: Clause 32.05 Township Zone
Clause 43.01 Heritage Overlay
Clause 52.05 Signs
Clause 52.06 Car Parking
Clause 52.27 Licensed Premises
Attachment Numbers: 13 – 15

Summary:

This report recommends that Council approve Planning Permit PA1713-2021 to Variation to liquor licence to increase the hours of trading allowed, increase the number of patrons allowed and increase the area that liquor is allowed to be consumed or supplied, construct and display business identification signs and a reduction in the required number of car parking spaces at 29-31 Roy Street, Jeparit, VIC 3423 (Lot 2 on PS072894), subject to standard conditions.

Background:

Planning Application PA1713-2021 was lodged with Council on 24 March 2021. The application fee was paid on 19 April 2021. The planning application form was amended on 28 June 2021. The plans were amended on 15 July 2021. The application was amended on 20 September 2021 to alter the increased trading hours and to amend the red line area to exclude an area not on the title.

The existing permanent red line area currently extends around the extent of the hotel building. The existing overall maximum number of patrons is 100. The current hours and days of the trading for the existing liquor licence are:

- Sunday Between 10am and 11pm.
- Good Friday and ANZAC Day Between 12noon and 11pm.
- On any other day Between 7am and 11pm.

A temporary variation to the red line area over the entire site and front footpath was approved by the CEO until 30 June 2021, which has since lapsed.

Proposal details:

The proposal is to increase the hours of trading, to increase the number of patrons allowed and increase the area that liquor is allowed to be consumed or supplied for the existing liquor licence. The proposal is also to display business identification signs and a reduction in the required number of car parking spaces.

The application was amended on 20 September 2021 to change the proposed hours of trading until 1am every day to only be on Thursdays, Fridays, and Saturdays until 1am the next day. The existing red line area is proposed to extend over the entire site, which has been changed to exclude a 12m by 7.5m area that is not on the current title for the subject land. The maximum number of patrons is still proposed to increase from 100 patrons to 300 patrons.

Proposed Red Line Area Plan below, except for a 12m by 7.5m area not on the title:



The proposed business identification signs comprise three 1.0m by 1.0m signs with two of those signs on the front wall of the Hotel fronting Roy Street and one sign on the side wall fronting Charles Street, and one 2.0m by 2.0m sign proposed on the side wall of the Hotel fronting Charles Street. The signs will also contain the logo 'Larrikins' and 'Pub N Grub Jeparit VIC'.

Proposed Business Identification Signs Logo



The reduction in car parking spaces is required due to the proposed increase in the maximum number of patrons to 300, which generates a requirement for 80 car spaces for Hotel under Clause 52.06 and are not proposed on the site.

Requirement for Permit:

The subject land is located within the Township Zone and the Environmental Significance Overlay Schedule 6, and the front north-east part of the site is within the Heritage Overlay Schedule 18.

A planning permit is required to display signs under Clause 32.05-14 of the Township Zone, Clause 43.01-1 of the Heritage Overlay and Clause 52.05-13 Signs.

A planning permit is also required for a reduction in the required number of car parking spaces for the increased number of patrons for the Hotel under Clause 52.06-3 Car Parking. A planning permit is also required to use land to sell or consume liquor under Clause 52.27 as the following applies:

- A licence is required under the *Liquor Control Reform Act 1998*.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased.

Restrictive Covenant or Section 173 Agreement

The subject site is not burdened by a Restrictive Covenant or Section 173 Agreement.

Cultural Heritage Management Plan (CHMP)

The proposal is exempt from requiring a CHMP as the proposal is not within land affected by Aboriginal Cultural Heritage Sensitivity pursuant to the *Aboriginal Heritage Regulations 2018*.

Subject Site and Locality

The subject site is located on the western side of Roy Street and the southern side of Charles Street in Jeparit and is occupied by the Hopetoun House Hotel, which is now called 'Larrikins'. The site is within the commercial centre of the township of Jeparit.

The site is located within a mixture of commercial and residential uses within the centre of the town. There is a Road Zone Category 1 at the intersection of Lower Roy Street and Charles Street to the north-east of the site, which is one of the main highways between Rainbow and Dimboola, and between Nhill and Warracknabeal.

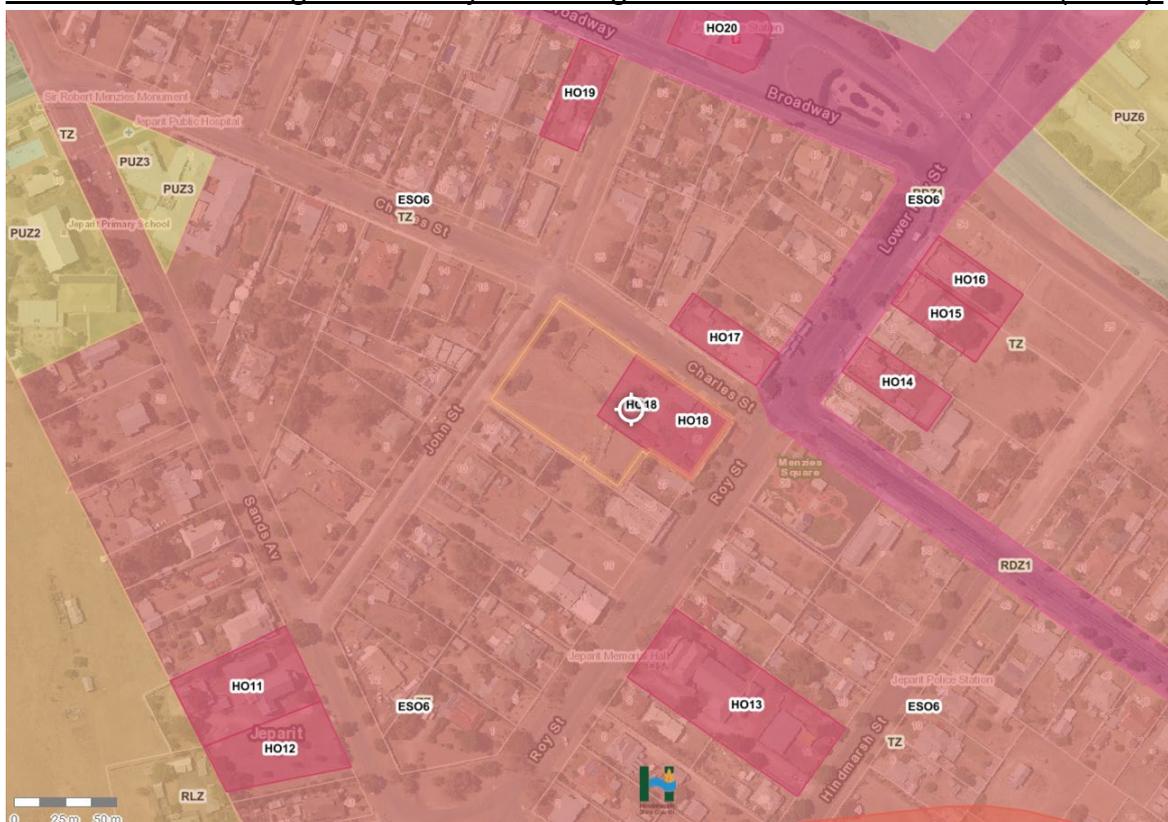
The site is within the Township Zone and the Environmental Significance Overlay Schedule 6 and the front north-east part of the site is within the Heritage Overlay Schedule 18.

The surrounding land is within the Township Zone and the Environmental Significance Overlay Schedule 6. The adjacent site to the north is within the Township Zone, the Environmental Significance Overlay Schedule 6 and the Heritage Overlay Schedule 17 (National Australia Bank).

Aerial Photo of the site and surrounds below (POZI):



Aerial Photo showing the Overlays affecting the site and surrounds below (POZI):



Advertising:

Section 52 Notice of Application

The application has been advertised pursuant to Section 52 of the *Planning and*

Environment Act 1987, by:

- Sending notices to the owners and occupiers of the adjoining land.
- Placing two public notices on site, with one notice fronting Roy Street and one notice fronting Charles Street for a period of 14 days.
- The application being made available for public viewing on Council's website.

The notification has been carried out correctly by Council (letters and website) and the applicant (public notice).

A statutory declaration form has been received from the applicant.

Council initially received three objections as a result of the advertising. The objectors raised concerns relating mainly to the extended hours until 1am every day, increase in noise - both by patrons at the hotel and on leaving the hotel, socio-economic impacts, adverse impacts on the amenity of nearby residential properties and that the red line area included a 12m by 7.5m area that is not on the title for the subject land.

Following a review of the three objections received, the applicant has amended the application to only extend the hours on Thursdays, Fridays and Saturdays until 1am the next day and is no longer proposing to extend the hours on Sundays, Mondays, Tuesdays and Wednesdays, as well as amending the red line area plan to exclude the small 12m x 7.5m area that is not on the title for the subject land and is on the Title for the adjacent land at 25 Roy Street.

The three objections have since been withdrawn.

Referrals

External Referrals

Section 55

No referrals required.

Section 52

VCGLR – Response received - No comments.

Police - No objections in regard to the proposed changes.

Internal Referrals

The application was referred internally to the following Department:

- Heritage Adviser:
 - Changes recommended to delete the small sign close to the corner of Charles Street as sign is unnecessary and there is sufficient signage on this elevation.
 - Placement of the two signs on Roy Street to be changed to be above the thin brick band to ensure the original feature remains visible and to allow a 50mm gap between the sign and the edge of the adjoining window or door opening,

which may require the signs to be reduced in size.

- The 2m by 2m Charles Street sign is too large and should be reduced in size to fit between the window and the ribbed feature on the top of the parapet with a minimum separation of 100mm from each and no wider than the window.
- Subject to the above, the proposed application is acceptable in relation to heritage.
- Manager Governance – No conditions. Note that the owner would need to apply for permits from Council to place additional signage on Council land.
- Environmental Health – No comments.
- Building – A Building Permit would be required if any additional toilets or structural alterations are proposed.

Planning Scheme:

Municipal Planning Strategy (MPS)

Clause 02.02 Vision

Clause 02.03 Strategic Directions

Clause 02.03-1 Settlement and housing

Clause 02.03-6 Economic Development

Clause 02.04 Strategic Framework Plans - Jeparit Framework Plan

Planning Policy Framework (PPF)

Clause 11.01-1S Settlement

Clause 11.01-1R Settlement- Wimmera Southern Mallee

Clause 11.01-1L Settlement - Hindmarsh

Clause 15.01-5S Neighbourhood character

Clause 15.03-1S Heritage conservation

Clause 17.01-1S Diversified economy

Clause 17.01-1R Diversified economy - Wimmera Southern Mallee

Clause 17.02-1S Business

Clause 17.04-1S Facilitating tourism

Clause 17.04-1R Tourism - Wimmera Southern Mallee

Clause 18.02-4S Car Parking

Planning Response:

- The proposal is supported by the relevant planning policies in the MPS and PPF relating to Settlement, Heritage, Economic Development and Car Parking.
- The proposal will generally recognise, support and protect neighbourhood character and a sense of place in accordance with Clause 15.01-5S. The proposed signs will identify the new Hotel business in a manner that will not adversely affect the heritage significance of the heritage place, being the Hopetoun House Hotel and the immediate area on the site.
- The proposal will provide economic opportunities for the existing Hotel business to expand the number of patrons, hours and area where liquor can be consumed and that encourages tourism opportunities and increased visitors to Jeparit in accordance

with Clauses 17.01-1S, 17.01-1R, 17.02-1S, 17.04-1S and 17.04-1R. The proposal will rely on the use of Council on-street parking for the additional patrons. As this parking is currently under-utilised, the residential amenity of the surrounding area will not be adversely affected in accordance with Clause 18.02-4S.

- The proposal will assist to ensure Jeparit remains as a local community and service centre to the region and retain the town's strong sense of identity by encouraging the existing Hotel business to continue to operate and expand on the site in accordance with Clause 02.03-1 of the MPS. The proposal will also assist to retain a commercial use within the township, which is consistent with the Jeparit Framework Plan in Clause 02.04 of the MPS.

Clause 32.05 Township Zone

32.05-14 Signs

Sign requirements are at Clause 52.05. This zone is in Category 3

Clause 43.01 Heritage Overlay

43.01-1 Permit requirement

A permit is required to construct or display a sign.

43.01-4 Exemption from notice and review (relevant to the application)

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Construction or display of a sign.

43.01-8 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate (relevant to application):

- The Municipal Planning Strategy and the Planning Policy Framework.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.

Schedule 18 of the Heritage Overlay – Hopetoun House Hotel

Schedule 18 identifies this heritage place for Hopetoun House Hotel as an individual listing where external paint controls apply.

Planning Response:

Three of the proposed signs will need to be relocated and reduced in size and one proposed sign needs to be removed as recommended by Council's Heritage Adviser to protect the heritage significance of the site. Conditions are required for amended plans to relocate and reduce the size of three of four signs and to remove the smaller sign fronting Charles Street. Subject to these conditions, the proposed signs be in keeping with the MPS and PPF and will not adversely impact on the significance of the heritage place.

Particular Provisions

Clause 52.05 Signs

52.05-13 Category 3 – High amenity areas

Minimum limitation

Section 1 - Permit not required

A Business Identification Sign is a Section 2 – Permit required sign within the Township Zone.

Planning Response:

Three of the proposed signs will be required to be reduced in size and one sign will be required to be removed as discussed above in relation to the HO18.

Clause 52.06 Car Parking

52.06-3 Permit requirement

A permit is required to reduce (including to reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

52.06-5 Number of car parking spaces required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

Table 1: Car parking requirement

- Hotel – 0.4 car spaces to each patron permitted

Therefore, 80 car spaces are required for the additional 200 patrons.

52.06-10 Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, relevant matters, as appropriate.

Planning Response:

The reduction in the 80 car spaces required for the additional 200 patrons is acceptable for the following reasons:

- The provision of car parking on site is not proposed and is also limited by the existence of fencing and a narrow entry into the existing car park at the rear of the Hotel from Charles Street.

- There are a number of on-street car spaces in front of the site that are readily accessible for patrons visiting the hotel on the site.
- The existing car parking spaces in front of the site are under utilised. The expansion of the Hotel use will increase car parking demand in front of the site, but this is acceptable in this location.
- The additional patrons to the site are likely to have multipurpose trips including visiting other commercial uses and facilities within the Jeparit town centre.
- The existing footpath in front of the site will provide suitable pedestrian access. The existence of fewer car spaces will not affect pedestrian amenity and the amenity of the adjoining residential properties.
- The car parking demand generated by the additional patrons can be accommodated in the existing car parking areas along the two street frontages adjacent to the site.
- The reduction in car parking spaces required on site is as an acceptable planning outcome.

Clause 52.27 Licensed Premises

Permit required (relevant to the application)

A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the *Liquor Control Reform Act 1998*.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased.

Referral of applications

An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.
- The impact of the hours of operation on the amenity of the surrounding area.
- The impact of the number of patrons on the amenity of the surrounding area.
- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

Planning Response:

- There is no Section 55 Referral required under Clause 66 of the Scheme as the proposed trading hours will not extend past 1am. The VCGLR have not provided comments and the Jeparit Police have advised they have no objections to the changes.
- The proposal generally complies with Municipal Planning Strategy and the Planning

Policy Framework as discussed above.

- The permanent increase to the red line area for the sale or consumption of liquor permitted by the liquor licence that excludes the 12m by 7.5m area not on the title for the subject land follows the lot boundaries and will not adversely impact on the amenity of the surrounding area.
- The amended application for the proposed increase in the trading hours on Thursdays, Fridays, and Saturdays until 1am the following day is reasonable within Township Zone having regard to there being both commercial and residential uses in the vicinity of the site. The proposed hours of trading sought will not have any adverse impacts on the amenity of the surrounding area.
- The increase in the number of patrons from 100 to 300 is acceptable due the fact that the additional 200 patrons would be accommodated in both the Hotel building and the outdoor areas at the rear to the Hotel building. The proprietor of the Hotel has indicated that they are unlikely to regularly reach this maximum number of 300 patrons due to the location and limited population of the town and that the maximum is more likely to only for occasional events where visitors from outside town attend such events.
- There will not be any cumulative impacts on the amenity of the surrounding area as a result of the increased hours, patrons and the extended red line area for the licensed premises.

General Provisions

Clause 65 - Decision Guidelines

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

Clause 65.01 Approval of an application or plan

Before deciding on an application or approval of a plan, the Responsible Authority must consider, relevant matters, as appropriate.

Planning Response:

The proposal generally complies with the Municipal Planning Strategy and Planning Policy Framework, having regard to the economic benefit the proposal will have for the existing Hotel business to have increased hours, patrons and an extended red line area for the Hotel's General liquor licence.

The increased hours will be limited to Thursdays, Fridays and Saturdays until 1am the next day, which will protect the amenity of the adjoining residential properties and the surrounding area. The proposal will facilitate the orderly planning of the area to comply with this Clause.

Strategic, Statutory and Procedural Requirements:

The proposal is generally consistent with the Municipal Planning Strategy and Planning Policy Framework, Clause 32.05, Clause 43.01, Clause 52.05, Clause 52.06, Clause 52.27 and Clause 65 of the Hindmarsh Planning Scheme, subject to conditions.

Report to Council:

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

Processing Times:

- 24/03/2021 – Application lodged
- 19/04/2021 – Application fee paid
- 21/04/2021 – Further information requested
- 18/05/2021 – Response to further information received
- 05/07/2021 – Response to further information and amended application received to include pursuant to Section 50 of the *Planning and Environment Act 1987*
- 15/07/2021 – Further information response and amended plans amended plans received pursuant to Section 50 of the *Planning and Environment Act 1987*
- 26/07/2021 – Public Notice instructions sent to applicant
- 26/07/2021 – External referrals to VCGLR and Police sent
- 26/07/2021 – Internal referrals to Heritage Adviser, Manager Governance, Environmental Health and Building sent
- 02/08/2021 – Public notice (sign) erected on site by the applicant
- 05/08/2021 – One objection received – later withdrawn
- 08/08/2021 – Second objection received – later withdrawn
- 10/08/2021 – Third objection received – later withdrawn
- 11/08/2021 – Response to External and internal referrals all received
- 17/08/2021 – Statutory declaration for the advertising received from the applicant
- 03/09/2021 – Third objection withdrawn
- 20/09/2021 – Amended application received to change the proposed trading hours and amend the red line area
- 20/09/2021 – Second objection withdrawn
- 21/09/2021 – First objection withdrawn
- 20/10/2021 – Presented to Council for approval

The report is being presented to Council for approval at the meeting held 20 October 2021 (30 statutory days).

The statutory processing time requirements of the *Planning and Environment Act 1987* have been satisfied in this instance.

Link to Council Plan:

Facilitating and supporting economic development.

Financial Implications:

The proposal will have positive financial implications through a potential increase in the Hotel business and potential to attract visitors to Jeparit.

Risk Management Implications:

There are no risks to be managed by Council, except if the planning permit is not approved,

Council could be seen to be restricting business opportunities within the municipality.

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

Officer Responsible – Angela Hoy, Director Infrastructure Services

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

Author – Bernadine Pringle, Consultant Town Planner

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

Communications Strategy:

Advise the applicant of the Council's decision.

Next Steps:

Issue a Planning Permit if approved by Council

RECOMMENDATION:

That Planning Permit PA1713-2021 be approved, for a variation to liquor licence to increase the hours of trading allowed, increase the number of patrons allowed and increase the area that liquor is allowed to be consumed or supplied, construct and display business identification signs and a reduction in the required number of car parking spaces at 29-31 Roy Street, Jeparit VIC 3423 (Lot 2 on PS072894), subject to the following conditions:

Amended Plans

- 1. Before the use commences, 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 form part of the permit. The plans must be generally in accordance with the amended application dated 20 September 2021 and the amended plans dated 25 July 2021 but modified to show:***
 - (a) An amended red line area plan to remove the 12m by 7.5m that is not part of the title of the subject land.***
 - (b) The deletion of the proposed 1m by 1m sign on the Charles Street elevation.***
 - (c) The relocation and reduced size (if required) for the two proposed 1m by 1m signs on the Roy Street elevation to have the thin feature brick band visible and at least a 50mm gap between the sign and the edge of the adjoining window or door opening.***
 - (d) The reduced size of the proposed 2m by 2m sign on the Charles Street elevation to be located between the window and the ribbed soldier course of feature bricks at the top of the parapet with a minimum separation of 100mm from each of the window and feature bricks.***

All the above must be submitted to the satisfaction of the Responsible Authority.

Endorsed Plans

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

Hours of Operation

- 3. The sale and consumption of liquor must not occur outside the following hours:***
- Thursday, Friday and Saturday: between 7.00am to 1.00am the following day.***
 - Sunday: between 10.00am-11.00pm.***
 - Good Friday: between 12.00noon-11.00pm.***
 - ANZAC Day (not being a Saturday or Sunday): between 12.00noon-11.00pm.***
 - Any other day: between 7.00am-11.00pm.***
- Unless otherwise approved in writing by the Responsible Authority.***

Number of Patrons

- 4. No more than 300 patrons may be present on the premises at any one time, unless otherwise approved in writing by the Responsible Authority.***

Amenity

- 5. The use approved by this permit is to be managed so that the amenity of the area is not detrimentally affected during its hours of operation, to the satisfaction of the Responsible Authority. In this regard the amenity of the area must not be affected through:***
- (a) Creation of excessive noise or artificial light.***
 - (b) Any other way.***
- 6. The owner/operator must take all responsible measures to ensure that patrons consuming alcohol remain within the licensed area, so as not to breach conditions of the liquor licence, and that patrons' behaviour is acceptable, so as not to create a nuisance to pedestrians or road users, all to the satisfaction of the Responsible Authority.***
- 7. The owner/operator must take all responsible measures to ensure that any organised groups, particularly any groups arriving or departing by bus, are appropriately managed on site to ensure no detrimental amenity impacts or nuisance to the surrounding area, all to the satisfaction of the Responsible Authority.***
- 8. Noise levels emanating from the premises must comply with the 'Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment values' Publication 1826.4 dated 20 May 2021 in accordance with the relevant Environment Protection Regulations 2021 and the Environment Protection Act 2017, to the satisfaction of the Responsible Authority.***
- 9. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land, to the satisfaction of the Responsible Authority.***

Signs

10. *All signage, including the structure and advertising material as shown on the endorsed plan, must at all times be maintained in good order and condition to the satisfaction of the Responsible Authority.*
11. *The signs hereby permitted must not be animated or contain any flashing or intermittent lighting.*
12. *This permit in relation to signs expires fifteen (15) years from the date of the permit.*

Permit Expiry - Use

13. *This permit will expire if one of the following circumstances applies:*
 - (a) *The use is not started within two years of the date of this permit.*

In accordance with Section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the use allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the use has lawfully started before the permit expires.

Notes:

Building:

A Building Permit would be required if any additional toilets or structural alterations are proposed.

MOVED: CRS B Ireland/M Albrecht

That Planning Permit PA1713-2021 be approved, for a variation to liquor licence to increase the hours of trading allowed, increase the number of patrons allowed and increase the area that liquor is allowed to be consumed or supplied, construct and display business identification signs and a reduction in the required number of car parking spaces at 29-31 Roy Street, Jeparit VIC 3423 (Lot 2 on PS072894), subject to the following conditions:

Amended Plans

1. *Before the use commences, 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 form part of the permit. The plans must be generally in accordance with the amended application dated 20 September 2021 and the amended plans dated 25 July 2021 but modified to show:*
 - (a) *An amended red line area plan to remove the 12m by 7.5m that is not part of the title of the subject land.*
 - (b) *The deletion of the proposed 1m by 1m sign on the Charles Street elevation.*
 - (c) *The relocation and reduced size (if required) for the two proposed 1m by 1m*

signs on the Roy Street elevation to have the thin feature brick band visible and at least a 50mm gap between the sign and the edge of the adjoining window or door opening.

- (d) The reduced size of the proposed 2m by 2m sign on the Charles Street elevation to be located between the window and the ribbed soldier course of feature bricks at the top of the parapet with a minimum separation of 100mm from each of the window and feature bricks.*

All the above must be submitted to the satisfaction of the Responsible Authority.

Endorsed Plans

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

Hours of Operation

- 3. The sale and consumption of liquor must not occur outside the following hours:*
- Thursday, Friday and Saturday: between 7.00am to 1.00am the following day.*
 - Sunday: between 10.00am-11.00pm.*
 - Good Friday: between 12.00noon-11.00pm.*
 - ANZAC Day (not being a Saturday or Sunday): between 12.00noon-11.00pm.*
 - Any other day: between 7.00am-11.00pm.*

Unless otherwise approved in writing by the Responsible Authority.

Number of Patrons

- 4. No more than 300 patrons may be present on the premises at any one time, unless otherwise approved in writing by the Responsible Authority.*

Amenity

- 5. The use approved by this permit is to be managed so that the amenity of the area is not detrimentally affected during its hours of operation, to the satisfaction of the Responsible Authority. In this regard the amenity of the area must not be affected through:*
- (a) Creation of excessive noise or artificial light.*
 - (b) Any other way.*
- 6. The owner/operator must take all responsible measures to ensure that patrons consuming alcohol remain within the licensed area, so as not to breach conditions of the liquor licence, and that patrons' behaviour is acceptable, so as not to create a nuisance to pedestrians or road users, all to the satisfaction of the Responsible Authority.*
- 7. The owner/operator must take all responsible measures to ensure that any organised groups, particularly any groups arriving or departing by bus, are appropriately managed on site to ensure no detrimental amenity impacts or nuisance to the surrounding area, all to the satisfaction of the Responsible Authority.*

8. **Noise levels emanating from the premises must comply with the 'Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment values' Publication 1826.4 dated 20 May 2021 in accordance with the relevant Environment Protection Regulations 2021 and the Environment Protection Act 2017, to the satisfaction of the Responsible Authority.**
9. **External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land, to the satisfaction of the Responsible Authority.**

Signs

10. **All signage, including the structure and advertising material as shown on the endorsed plan, must at all times be maintained in good order and condition to the satisfaction of the Responsible Authority.**
11. **The signs hereby permitted must not be animated or contain any flashing or intermittent lighting.**
12. **This permit in relation to signs expires fifteen (15) years from the date of the permit.**

Permit Expiry - Use

13. **This permit will expire if one of the following circumstances applies:
(a) The use is not started within two years of the date of this permit.**

In accordance with Section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the use allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the use has lawfully started before the permit expires.

Notes:

Building:

A Building Permit would be required if any additional toilets or structural alterations are proposed.

CARRIED

Attachment Numbers: 13 – 15

8.4 PLANNING PERMIT APPLICATION PA1732-2021 – CHANGE OF USE – DIMBOOLA-RAINBOW ROAD, RAINBOW, 3424 (LOT 1 TP217723L, PARISH OF PULLUT)

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 14680
Application Number: PA1732-2021

Application Received:	2 July 2021 (Fee paid 13 August 2021)
Applicant:	Rainbow Lake Association Inc.
Owner:	Hindmarsh Shire Council
Subject Land:	Dimboola-Rainbow Road, Rainbow 3424 (Lot 1 TP217723L Parish of Pullut)
Proposal:	Change of Use – Informal Outdoor Recreation
Zoning & Overlays:	Public Use Zone (PUZ1) and Farming Zone (FZ)
Attachment Number:	16

Summary:

This report recommends that Council approve Planning Permit PA1732-2021 for the change of use from a Utility Installation (reservoir) to be used for Informal Outdoor Recreation at Dimboola-Rainbow Road, Rainbow 3424 (Lot 1 TP217723L).

Background:

On 2 July 2021, the Rainbow Lake Association Inc lodged a planning application to the Responsible Authority for the change of use at Dimboola-Rainbow Road, Rainbow 3424.

Proposal Details:

The application proposes a change of use from a Utility Installation (reservoir) to Informal Outdoor Recreation, to allow the land to be used by the public as a recreational space now that it is under the ownership of Council.

Requirement for Permit:

A Planning Permit is required under the following clauses of the Hindmarsh Planning Scheme:

- Clause 36.01 Public Use Zone
 - Clause 36.01-1 - A permit is required for the use of land for informal outdoor recreation.
- Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road
 - Clause 52.29-2 – A permit is required to alter access to a Road in a Road Zone, Category 1.

Definitions:

Informal Outdoor Recreation - *Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track.*

Restrictive Covenant or Section 173 Agreement:

The subject site is not burdened by a Restrictive Covenant or Section 173 Agreement.

Cultural Heritage Management Plan (CHMP):

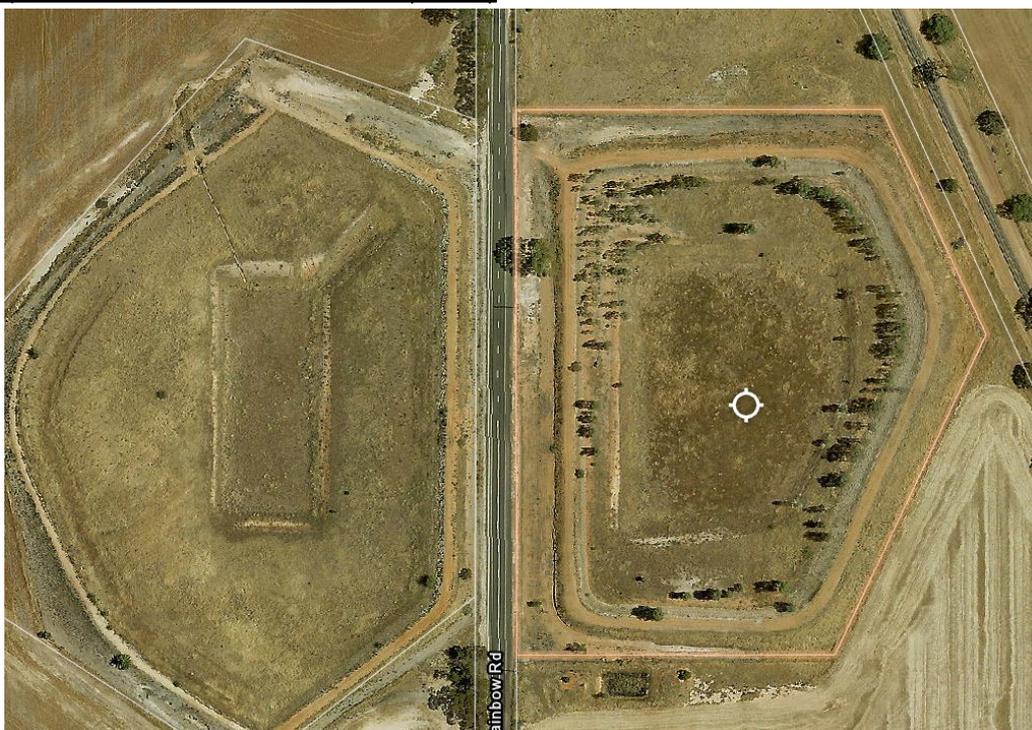
The proposal is exempt from requiring a CHMP pursuant to the *Aboriginal Heritage Regulations 2018*, as the proposal is not within land affected identified as an area of Aboriginal Cultural Heritage Sensitivity.

Subject site & locality:

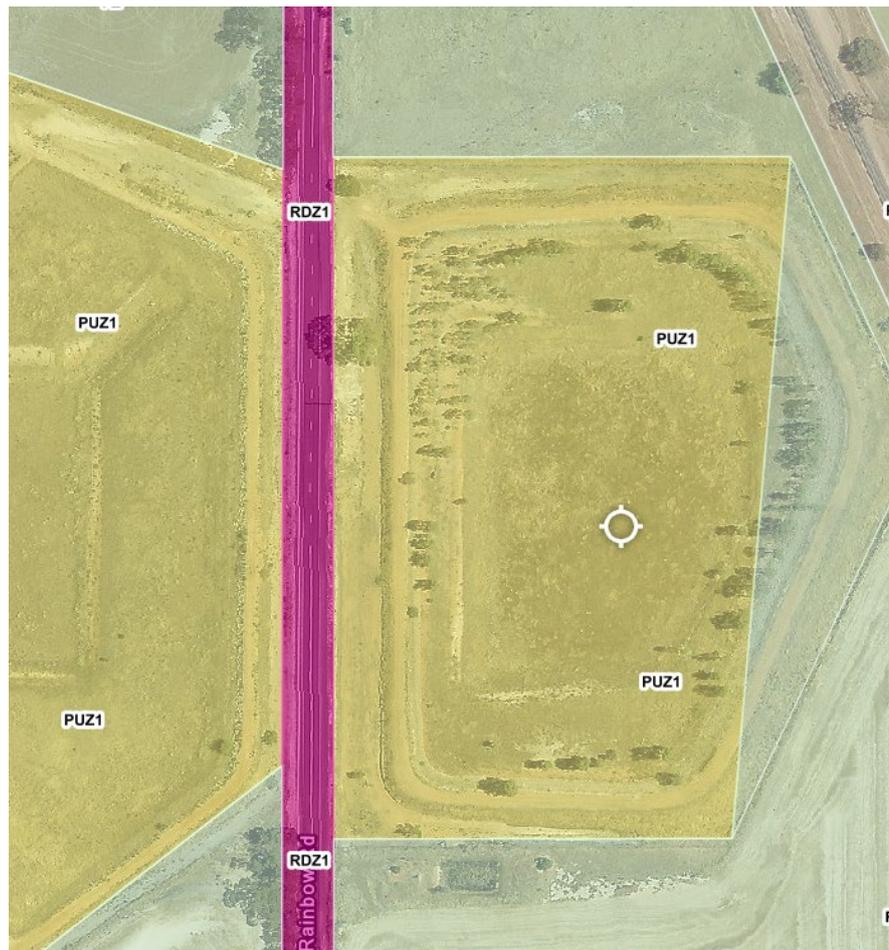
The subject site is known as Lot 1 TP217723L Parish of Pullut. The site is a disused reservoir previously managed by GMW Water. The western side of the lot has approximately 260 metres of frontage to the Dimboola-Rainbow Road and the eastern aspect abuts the rail line for approximately 120 metres. The land immediately to the north is vacant and wholly located between the road and rail line. The south of the lot abuts broad acre farmland. The subject land is approximately 2 kilometres to the south of the Rainbow Township. The broader area typically comprises broad acre farms used for such purposes.

The majority of the site is zoned Public Use Zone (PUZ1), with a small section of Farming Zone (FZ) on the eastern boundary.

Aerial Map below – Hindmarsh POZI (2016)



Aerial Map with Zoning below (Hindmarsh POZI 2016)



Section 52 Notice of Application

The application has not been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, as it has been deemed by the Responsible Authority that the grant of the permit would not cause material detriment to any person due to the passive use of the land and separation from other activities nearby.

Referrals:

The application was referred to the Department of Transport as the relevant road authority for the Dimboola-Rainbow Road, pursuant to Section 55 of the *Planning and Environment Act 1987*. The Department has not responded to the referral as of the date of this report. Vehicular traffic generated as a result of the change of use will be negligible, with no adverse safety impacts from the development to declared roads expected.

Planning Assessment:

Planning Scheme Requirements:

Municipal Planning Strategy:

Clause 02.02 Vision

Planning Policy Framework:

Clause 15.01-4S Healthy neighbourhoods

Zoning Provisions:

Clause 36.01 – Public Use Zone – Schedule 1 (PUZ1)

36.01-1 Use of land

A permit is required for the use of land for Informal Outdoor Recreation.

It is noted that the part of the land zoned Farming does not require a Permit, as Informal Outdoor Recreation is a permit not required use in the zone.

Overlay Provisions:

There are no overlay provisions affecting this proposal.

Planning Response:

The proposal is supported by both the Municipal Planning Strategy and the Planning Policy Framework. The vision (Clause 02.02) of the *Hindmarsh Planning Scheme* aims to provide for an active community enhanced by its liveability by effective and accessible services to support health and wellbeing. As the land is currently not being used in a productive manner, the proposal for Informal Outdoor Recreation to create a public lake contributes towards this vision.

The proposal further supports Clause 15.01-4S Healthy neighbourhoods by providing conveniently located public spaces for active recreation and leisure for the township of Rainbow. There are less opportunities for development of public spaces for rural communities and the use of this land for such purposes will allow it to be a valued recreational asset for the Rainbow community and its visitors.

The Public Use Zone (PUZ1) requires assessment whether the development is appropriately located and designed. While the proposal is not a development as such (with all associated development exempt from requiring a Planning Permit under Clause 62.02-1 of the Scheme), it is noted that the location of the site is around 2 kilometres from Rainbow. Vehicular traffic generated as a result of the change of use would be within the range expected for Dimboola-Rainbow Road, with any works to the road to be to the satisfaction of the Department of Transport.

Due to the nature of the use, no restrictions on hours of operations have been deemed necessary. Given that there are no dwellings or sensitive uses in close proximity to the site, the proposal will not affect the amenity of the neighbouring area.

For these reasons, it is considered that the proposed change of use to Informal Outdoor Recreation is an appropriate use for the land.

Particular Provisions:

Clause 52.06 – Car Parking

Clause 52.06 applies to an application for a new use of land.

Planning Response:

As per Clause 52.06-6 car parking spaces must be provided to the satisfaction of the Responsible Authority. Given the size and location of the land, it is considered that the car parking area shown on the submitted plans will be adequate for the expected use of the land. In the unlikely event that this car parking area is full, there remains informal parking areas available on the land that could be utilised.

Clause 52.29 Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

Clause 52.29-2 provides that a Planning Permit is required to alter access to a Road in a Road Zone, Category 1, which includes a change of use.

Planning Response:

The change of use proposal alters access to Dimboola-Rainbow Road as this change of use will result in increased numbers of vehicles accessing the site. Dimboola-Rainbow Road is a road declared as an arterial road under the *Road Management Act 2004* and as a result has been referred to the Head, Transport for Victoria (Department of Transport - DoT) under section 55 of the *Planning and Environment Act 1987*. DoT have not responded to the proposal at the time of writing. It is noted that any works to Dimboola-Rainbow Road will require DoT approval under the *Road Management Act 2004* in any event.

General Provisions

Clause 65 - Decision Guidelines

The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Clause 65.01– Approval of an application or plan

Before deciding on an application or approval of a plan, the Responsible Authority must consider, as appropriate (relevant to the application):

- The matters set out in Section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- 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.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

Planning Response:

It is considered that the proposal is supported by the relevant provisions of the Municipal Planning Strategy and the Planning Policy Framework. The matters to be considered by Clause 65.01 are appropriately met and the change of use has net community benefit for the community of Rainbow. No issues relating to natural hazards, stormwater discharge or the like arise from the application.

Discussion:

Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF)

The proposal meets the objectives of the relevant provisions of the PPF and MPS for the reasons discussed earlier in this report.

Clause 65 Decision Guidelines

The proposal complies with the relevant decision guidelines of Clause 65 as discussed above.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the Planning Policy Framework and the Municipal Planning Strategy, including the Municipal Strategic Statement.

Report to Council:

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

Processing Times:

02/07/2021 – The application was received.

10/08/2021 – External Referral sent to Department of Transport.

13/08/2021 – The fee was paid.

02/09/2021 – Reminder Referral sent to Department of Transport.

23/09/2021 – Further Reminder Referral sent to Department of Transport.

29/09/2021 – Follow up to Department of Transport by phone and email.

20/10/2021 – The report is being presented to Council at the meeting held 20 October 2021 (68 days).

The statutory processing time requirements of the *Planning and Environment Act 1987* have not been satisfied in this instance as Officers have been waiting on a Response to the Referral sent to the Department of Transport.

Link to Council Plan:

Support healthy living and provide services and activities for people of all ages and abilities. Develop and promote local tourist opportunities that attract visitation.

Financial Implications:

The proposal may have positive financial implications through a potential increase in visitors to Rainbow township.

Risk Management Implications:

Any requirement for Insurance cover for Use as an Informal Outdoor Recreation site should be explored.

Conflict of Interest:

Under section 130(2) of the Local Government Act 2020, officers providing advice to Council must disclose any conflict of interest, 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: Tim Berger, Consultant Town Planner, on behalf of Janette Fritsch, Manager Development.

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

Communications Strategy:

Advise the Applicant of Council's decision.

Next Steps:

Issue the Planning Permit and endorse the plans if approved by Council.

RECOMMENDATION:

That Council approves planning application PA1732-2021 for the change of use to Informal Outdoor Recreation on the subject land known as at Dimboola-Rainbow Road, Rainbow 3424 (Lot 1 TP217723L), subject to the following conditions:

Amended Plans

- 1. Prior to the commencement of the use, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plans will be endorsed and will then form part of the Permit.***

The plans must be drawn to scale and be generally in accordance with those submitted to Council, but modified to show:

- (a) Deletion of the 'proposed future camping area'; and***
- (b) Car parking spaces and accessways dimensioned in accordance with Clause 52.06 of the Hindmarsh Planning Scheme.***

Endorsed Plans

- 2. The use as shown on the endorsed plans shall not be altered or modified,***

whether or not in order to comply with any statute or statutory rule or local law or any other reason without the written consent of the Responsible Authority.

Amenity Condition

3. *The use must not adversely affect the amenity of the area, including through the:*
- (a) Transport of materials, goods or commodities to or from the land;*
 - (b) Appearance of any building, works or materials; or*
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*

Time Limit

4. *This permit will expire if one of the following circumstances arises:*
- (a) The use does not commence within two (2) years of the date of issue of this permit; or*
 - (b) The use ceases for a period of two (2) or more years.*

The Responsible Authority may extend the period/s referred to if a request is made in writing in accordance with Section 69 of the Planning and Environment Act 1987.

MOVED: CRS M Albrecht/D Nelson

That Council approves planning application PA1732-2021 for the change of use to Informal Outdoor Recreation on the subject land known as at Dimboola-Rainbow Road, Rainbow 3424 (Lot 1 TP217723L), subject to the following conditions:

Amended Plans

1. *Prior to the commencement of the use, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plans will be endorsed and will then form part of the Permit.*

The plans must be drawn to scale and be generally in accordance with those submitted to Council, but modified to show:

- (a) Deletion of the 'proposed future camping area'; and*
- (b) Car parking spaces and accessways dimensioned in accordance with Clause 52.06 of the Hindmarsh Planning Scheme.*

Endorsed Plans

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

Amenity Condition

3. ***The use must not adversely affect the amenity of the area, including through the:***
- (a) Transport of materials, goods or commodities to or from the land;***
 - (b) Appearance of any building, works or materials; or***
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.***

Time Limit

4. ***This permit will expire if one of the following circumstances arises:***
- (a) The use does not commence within two (2) years of the date of issue of this permit; or***
 - (b) The use ceases for a period of two (2) or more years.***

The Responsible Authority may extend the period/s referred to if a request is made in writing in accordance with Section 69 of the Planning and Environment Act 1987.

CARRIED

Attachment Number: 16

8.5 PLANNING PERMIT APPLICATION PA1740-2021 – USE AND DEVELOPMENT OF THE LAND FOR THE HARVESTING OF SALT – PINK LAKE, WIMMERA HIGHWAY, DIMBOOLA VIC 3414 (CROWN ALLOTMENT 60A, PARISH OF GERANG GERUNG)

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 91930
Application No. PA1740-2021
Applicant: Mr Richard Seymour, Mount Zero Olives and Enterprises Pty Ltd
Owner: Parks Victoria (Land Administrator of Crown Land)
Subject Land: Pink Lake, Western Highway Dimboola VIC 3414 (Crown Allotment 60A, Parish of Gerang Gerung)
Proposal: Use and development of the land for the Harvesting of Salt
Zoning & Overlays: Public Conservation and Resource Zone (PCRZ)
Environmental Significance Overlay Schedule 5 and Schedule 6 (ESO5 and ESO6)
Land Subject to Inundation Overlay (LSIO)
Attachment Numbers: 17 – 19

Summary:

This report recommends that Council approve Planning Permit PA1740-2021 for Use and development of the land for the Harvesting of Salt at Pink Lake, Western Highway Dimboola VIC 3414 (Crown Allotment 60A, Parish of Gerang Gerung), subject to conditions.

Background:

The previous Planning Permit 1245-2010 was issued on 7 April 2010 for a ten (10) year period and has expired.

A new three (3) year Licence for the use of the land between the applicant, Mount Zero Olives and Enterprises Pty Ltd and the Minister for Energy, Environment and Climate Change and Parks Victoria was signed on 13 July 2021.

A new Memorandum of Understanding (MOU) between the applicant and the Barengi Gadjin Land Council Aboriginal Corporation was fully signed on 16 November 2020. The purpose of the MOU is detailed as follows:

1. Purpose of this document

The purpose of this Memorandum of Understanding is to make clear the relevant roles and responsibilities of the parties in relation to the implementation of a key targets and goals between the Mount Zero Olives Enterprises Pty Ltd ("Mount Zero") and Barengi Gadjin Land Council Aboriginal Corporation (BGLC) for purpose of collaborating and strengthening the relationship over the annual salt harvest on Pink Lake and assist in developing the BGLC owned food brand.

This document describes the agreed-upon responsibilities and expectations between BGLC and Mount Zero in relation to activity on Pink Lake and in the view to forming a stronger partnership.

1.1. The purpose of this agreement is to support activities to strengthen the economic capability of BGLC and the people of the Wotjobaluk nations and involves two key components:

- Short term goals and aspirations between the parties
- Long term goals and aspirations between the parties

1.2. This MOU is not a legal agreement however the parties commit to using their best endeavors to achieve its purpose and realise the commitments of the parties set out in the Short and Long Term goals.

Proposal Details:

This new planning permit application proposes the Use and Development of the land for the Harvesting of Salt on the subject land at Pink Lake, Western Highway Dimboola VIC 3414 (Crown Allotment 60A, Parish of Gerang Gerung). The proposal on the application form states:

'A planning permit is sought for the single purpose of harvesting salt from Pink Lake in collaboration with the Barengi Gadjin Land Council. We propose to follow the same minimal impact, hand harvesting process that we have followed over the past 11 years.'

The applicant has also described the proposal as follows:

'Mount Zero Olives and Enterprises Pty Ltd (Mount Zero Olives) has been granted a 3-year licence (expiry 31st Jan 2025) by Parks Victoria to harvest salt at Pink Lake. This licence follows the completion of a previous 10-year harvest licence at Pink Lake. We have applied

for a 3 year (interim licence) as it is the intention that a licence be renewed in 2025 under a joint venture partnership with the Barengi Gadjin Land Council (BGLC) and Mount Zero Olives.

Mount Zero Olives has a signed memorandum of understanding with the Barengi Gadjin Land Council, outlining the short term (3 year) plan for Mount Zero to harvest salt at Pink Lake in collaboration with BGLC and the long term plan for a joint venture partnership to continue to harvest salt at Pink Lake in the years following.

Mount Zero Olives is applying for a 10 year planning permit from the Hindmarsh Shire Council to mirror the permitted harvest activity as set out in Schedule 3 of Parks Victoria Licence (agreement number CA-1901). We are requesting a 10 year planning permit as we hope to vary this permit to reflect the joint venture between Mount Zero and the Barengi Gadjin Land Council, once approved by Parks Victoria in 2025.'

Requirement for Permit:

The subject land is located within the Public Conservation and Resource Zone, the Environmental Significance Overlay Schedule 5 and Schedule 6 and the Land Subject to Inundation Overlay.

A planning permit is required for the use of the land for the Harvesting of Salt and to carry out works (development) under Clause 36.03 of the Public Conservation and Resource Zone.

A planning permit is also required to carry out works (development) under Clause 42.01 of the Environmental Significance Overlay Schedule 5 and Schedule 6.

A planning permit is also required to carry out works (development) under Clause 44.04 of the Land Subject to Inundation Overlay.

Restrictive Covenant or Section 173 Agreement:

The subject site is not burdened by a Restrictive Covenant or Section 173 Agreement.

Cultural Heritage Management Plan (CHMP):

The site is located within an Aboriginal Cultural Heritage Sensitivity Area.

The proposed use is not a high impact activity as defined by the *Aboriginal Heritage Regulations 2018*. Therefore, a Cultural Heritage Management Plan is not required pursuant to the *Aboriginal Heritage Regulations 2018*.

There is a signed Memorandum of Understanding between the Barengi Gadjin Land Council Aboriginal Corporation and the applicant as discussed above.

Subject site & locality:

The subject site is located on the western side of the Western Highway and comprises the Pink Lake Reserve within a Public Conservation and Resource Zone (PCRZ) and adjoining a Road Zone Category 1 (RDZ1). The site has a total area of approximately 103ha.

Pink Lake, which has historically been known as Lake Lochiel, is a small, circular, salty pink lake located approximately 7.0km to the north-west of the town of Dimboola.

The site is surrounded by cleared farming land which is generally used for cropping and other farming activities.

Aerial Photo of the site and surrounding area below (POZI)

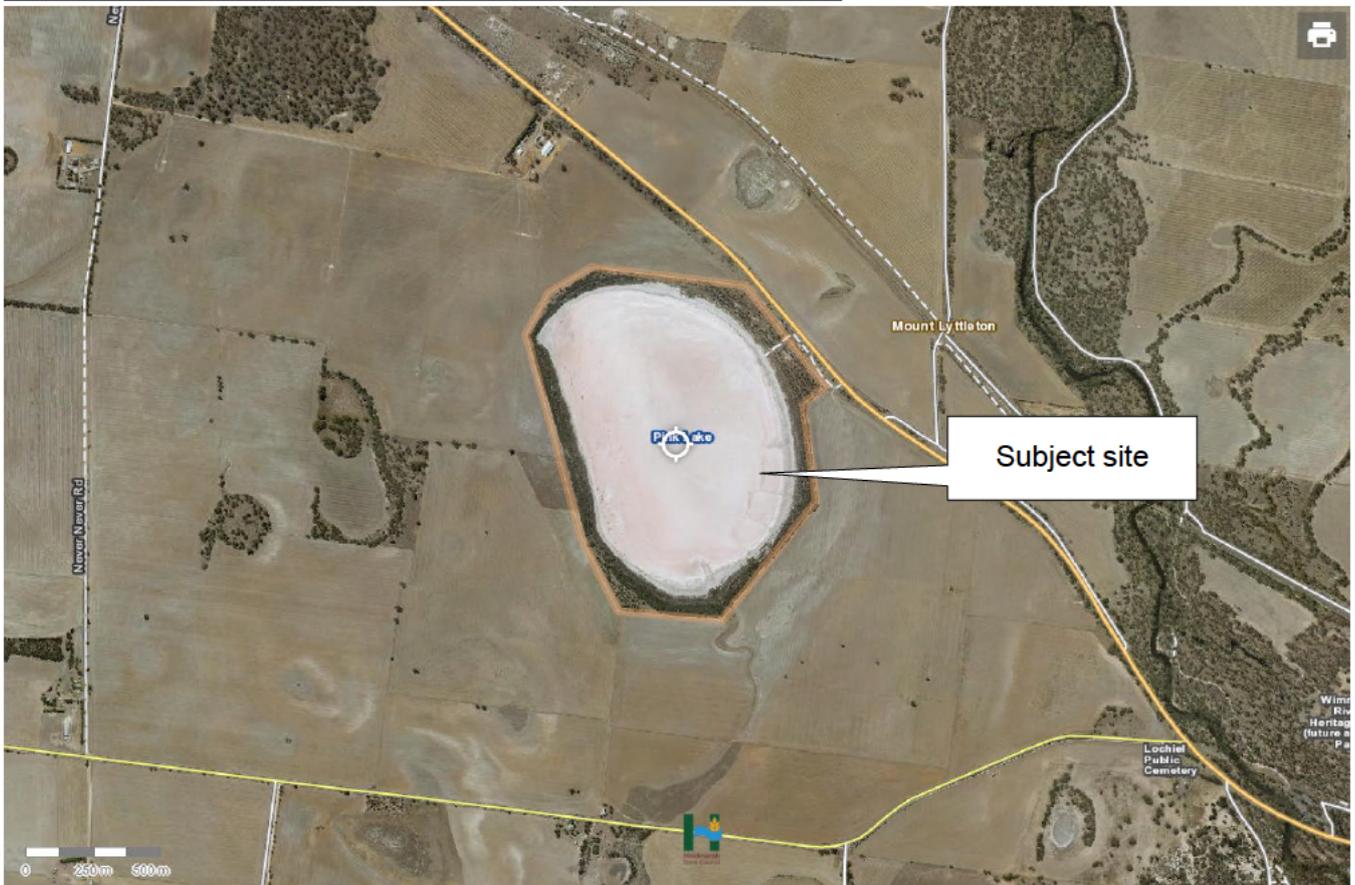


Photo examples from the applicant below:

Harvest vehicle access map – Satellite image of North Western edge of Pink Lake, showing access from rest stop on Western Hwy, marked by blue dotted line.



Vehicle and trailer at lake foreshore harvest point.



Trolley for moving salt baskets from lake to shore (showing not mechanised & minimal impact process)



Method of scraping back surface to harvest no more than 10cm from the lake surface.



Consultation:

Consultation was undertaken and included:

- Preliminary discussions with the applicant about the expired Planning Permit 1245-2010 and the need for a new planning permit application to be submitted.
- Email correspondence with the applicant about the date the sign was erected on the site during the advertising process.

Section 52 Notice of application:

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of the adjoining land.
- Placing a sign on site.
- Placing a public notice on Council's website.

The notification has been carried out correctly. The applicant has submitted a statutory declaration form. Council has not received any objections to date.

Referrals:

External Referrals/Notices were required by the Planning Scheme:

Section 55 Referrals

- Wimmera Catchment Management Authority: No objections – note provided about flood levels.

Section 52 Referrals

- Parks Victoria: Advises it is in support of this application
- First People – State Relations Group (formerly Aboriginal Victoria): No comments in relation to the planning application. The activity as described does not appear to be a high impact activity as defined the by *Aboriginal Heritage Regulations 2018*.

Internal Referrals:

- Engineering: No Engineering requirements for this application.

Planning Scheme:

Planning Scheme Requirements:

Municipal Planning Strategy (MPS)

The following relevant Clauses in the MPS have been considered for the application.

Clause 02.02 Vision

Clause 02.03 Strategic Directions

Clause 02.03-2 Environmental and landscape values

Clause 02.03-3 Environmental risks and amenity

Clause 02.03-4 Natural Resource Management

Clause 02.03-6 Economic Development

Council's strategic directions for economic development include to:

- *Develop new activities that are economically, environmentally and socially sustainable.*
- *Facilitate increased employment opportunities within and adjacent to the towns.*

Planning Policy Framework (PPF)

The following relevant Clauses in the PPF have been considered for the application.

Clause 11.03-6S Regional and local places

Clause 12.03-1S River corridors, waterways, lakes and wetlands

Objective - To protect and enhance river corridors, waterways, lakes and wetlands.

Clause 12.05-2S Landscapes

Objective - To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.

Clause

Clause 14.02-1S Catchment planning and management

Objective - To assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

Clause 14.02-2S

Objective - To protect water quality

Clause 17.01-1S Diversified economy

Clause 17.01-1R Diversified economy – Wimmera Southern Mallee

Clause 17.04-1S Facilitating tourism

Clause 17.04-1R Tourism – Wimmera Southern Mallee

Planning Response:

The proposal will protect the existing Pink Lake and surrounding vegetation and minimal disturbance will occur to the lake surface as a result of the use and works to be carried out. The environmental and tourism contribution of Pink Lake to the surrounding area will not be adversely affected by the proposal.

The proposal complies with the relevant objectives of the MPS and PPF listed above.

Zoning Provisions

Clause 36.03 Public Conservation and Resource Zone (PCRZ)

36.03-1 Use

The Harvesting of Salt is an innominate use in this Clause.

36.03-2 Permit Requirement

A permit is required to carry out of works.

36.03-6 Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

Planning Response:

The proposal complies with the relevant objectives of the MPS and PPF as discussed above. The public land manager, Parks Victoria has advised of their support for the application and there is a 'Memorandum of Understanding' between the applicant and the Barengi Gadjin Land Council Aboriginal Corporation. The Wimmera Catchment Management Authority have advised they do not object to the granting of a permit for the proposal as submitted.

The proposed works to be carried out will be undertaken in accordance with the Licence with Parks Victoria, which limits the harvesting of salt to no more than 10,000 square metres per year and the depth of harvesting to be no more than 50 millimetres. The quantity of salt to be harvested is also limited in the Licence to be no more than 40,000 tonnes in 2021, 50,000 tonnes in 2022 and 60,000 in 2023. An additional Licence from Parks Victoria will be required for the remaining seven years sought for the use after the current three (3) year Licence expires. Conditions will be required to ensure the use operates in accordance with the MOU and Licence.

The proposed use and development comply with the relevant decision guidelines in the zone.

Overlay Provisions

Clause 42.01 Environmental Significance Overlay Schedule 5 and Schedule 6 (ESO5 and ESO6)

42.01-2 Permit requirement

A permit is required to carry out works.

Schedule 5 of the ESO – Wetland of Conservation Value

Schedule 6 of the ESO – Catchments of Wetlands of Conservation Value

Planning Response:

The proposal will have result in minimal disturbance to the lake surface and will protect and enhance this wetland of conservation value.

The proposal complies with the relevant environmental objectives in the ESO5 and ESO6.

Clause 44.04 Land Subject to Inundation Overlay (LSIO)

44.04-2 Buildings and works

A permit is required to carry out works.

Planning Response:

The proposal complies with the relevant objectives of the MPS and PPF as discussed above. The Wimmera CMA have advised they do not object to the granting of a permit and have not required any conditions. The proposed harvesting of salt on Pink Lake will not create any flood hazards. There is no risk to life, health and safety as a result of the proposal. The proposed works will not redirect or obstruct any floodwater.

The proposal complies with the relevant decision guidelines in the LSIO.

Particular Provisions

Nil

General Provisions

Clause 65 - Decision Guidelines

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

65.01 Approval of an application or plan

Before deciding on an application or approval of a plan, the Responsible Authority must consider, relevant matters, as appropriate.

Planning Response:

The proposal complies with the MPS and PPF. The proposal will not adversely impact on the environment and amenity of the area. The proposal will enable the orderly planning of the area. The proposal therefore complies with Clause 65.

Discussion:

The proposal will satisfy the relevant planning policies in the MPS and PPF and will comply with the relevant decision guidelines of the PCRZ as outlined above.

The proposed harvesting of salt will be required to be carried out in accordance with the Licence requirements of Parks Victoria and the appropriate Licences must be approved for the whole ten (10) year period for the permit, which will be managed by conditions. The proposal will satisfy the relevant decision guidelines of the zone.

The proposal will not adversely impact on the environment and amenity of the area and will enable the orderly planning of the area in accordance with Clause 65 subject to conditions outlined above being satisfied.

The proposal should therefore be approved, and a Planning Permit be issued subject to conditions as outlined below.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the Municipal Planning Strategy and the Planning Policy Framework, the Public Conservation and Resource Zone and Clause 65.

Report to Council:

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

Processing Times:

06/08/2021 – Application submitted.

13/08/2021 – Fee paid

17/08/2021 – External and internal referrals sent

30/08/2021 – Advertising directions and letters sent

30/08/2021 – Referral response received from Infrastructure

01/09/2021 – Referral response received from the Wimmera CMA

16/09/2021 – Applicant advised the signs were erected on site

29/09/2021 – Referral response received from Parks Victoria

01/10/2021 – Notification period ended

11/10/2021 – Referral response received from First People – State Relations Group (formerly Aboriginal Victoria)

11/10/2021 – Statutory Declaration returned by Applicant

20/10/2021 – The report is being presented to Council at the meeting held 20 October 2021 (26 statutory days)

The statutory processing time requirements of the *Planning and Environment Act 1987* have been satisfied in this instance.

Link to Council Plan:

Recognise respect and support Traditional Owners

Facilitating and supporting economic development

Financial Implications:

The proposal will have positive financial implications through economic opportunities for a local business and cooperative between the current operator and the Registered Aboriginal Party (RAP) for Pink Lake, the Barengi Gadjin Land Council Aboriginal Corporation.

Risk Management Implications:

There are no risks to be managed by Council, except if the planning permit is not approved, Council could be seen to be holding up development within the municipality.

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

Officer Responsible – Angela Hoy, Director Infrastructure Services

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

Author: Bernadine Pringle, Consultant Town Planner.

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

Communications Strategy:

Advise the applicant of Council's decision.

Next Steps:

Issue the Planning Permit and endorse the plans if approved.

RECOMMENDATION:

That Council approves Planning Application PA1740-2021 for the use and development for the harvesting of salt on the subject land at Pink Lake, Wimmera Highway Dimboola (Lochiel) VIC 3414 (Crown Allotment 60A, Parish of Gerang Gerung), subject to the following conditions:

Conditions:

Endorsed Plans

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

Use and Development

- 2. The use and development approved by this permit must be carried out in accordance with a signed Licence with the Minister for Energy, Environment and Climate Change and Parks Victoria, which must be valid for the entire ten (10) year time period of the permit, to the satisfaction of the Responsible Authority.***
- 3. The use and development approved by this permit must be carried out in accordance with the Memorandum of Understanding between the permit holder and the Barengi Gadjin Land Council Aboriginal Corporation, to the satisfaction of the Responsible Authority.***

General Requirements

- 4. The site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area to the satisfaction of the Responsible Authority.*

Time Limit

- 5. The use and development approved by this permit will expire ten (10) years after the date of the issue of this permit.*

Notes:

Wimmera Catchment Management Authority:

- The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent, than the 1% AEP flood, may occur in the future.*
- Should you require further information please contact Wimmera CMA Floodplain Officer, on (03) 5382 1544. To assist Wimmera CMA in handling any enquiries please quote WCMA-F-2021-00192 in your correspondence with us.*

MOVED: CRS B Ireland/W Bywaters

That Council approves Planning Application PA1740-2021 for the use and development for the harvesting of salt on the subject land at Pink Lake, Wimmera Highway Dimboola (Lochiel) VIC 3414 (Crown Allotment 60A, Parish of Gerang Gerung), subject to the following conditions:

Conditions:

Endorsed Plans

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

Use and Development

- 2. The use and development approved by this permit must be carried out in accordance with a signed Licence with the Minister for Energy, Environment and Climate Change and Parks Victoria, which must be valid for the entire ten (10) year time period of the permit, to the satisfaction of the Responsible Authority.*
- 3. The use and development approved by this permit must be carried out in accordance with the Memorandum of Understanding between the permit holder and the Barengi Gadjin Land Council Aboriginal Corporation, to the satisfaction of the Responsible Authority.*

General Requirements

4. The site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area to the satisfaction of the Responsible Authority.

Time Limit

5. The use and development approved by this permit will expire ten (10) years after the date of the issue of this permit.

Notes:

Wimmera Catchment Management Authority:

- **The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent, than the 1% AEP flood, may occur in the future.**
- **Should you require further information please contact Wimmera CMA Floodplain Officer, on (03) 5382 1544. To assist Wimmera CMA in handling any enquiries please quote WCMA-F-2021-00192 in your correspondence with us.**

CARRIED

Attachment Numbers: 17 – 19

9 REPORTS REQUIRING A DECISION

9.1 HINDMARSH SHIRE COUNCIL ANNUAL REPORT 2020/2021

Responsible Officer: Director Corporate and Community Services

Attachment Number: 20

Introduction:

The purpose of this report is to present the Annual Report 2020/2021 for consideration by Council.

Discussion:

Council's Annual Report for the year ended 30 June 2021 has been prepared and forwarded to the Minister for Local Government in accordance with the Act, on 1 October 2021. The Annual Report provides a comprehensive overview of Council's activities for the period 1 July 2020 to 30 June 2021, including achievements in respect of a range of projects, services and assets managed and financial performance for the year ended 30 June 2021, for which the Auditor-General has provided unqualified audit opinions on the financial and performance statements. The report is intended as a point of reference for Council, staff, residents, shire businesses, community organisations and government departments.

Council has a statutory responsibility under the *Local Government Act 2020* (the Act) to prepare an Annual Report in respect of each financial year, containing a report on its

operations, audited performance statement, audited financial statements and any other matter required by the Local Government Planning and Reporting Regulations.

Under section 100 of the *Local Government Act 2020*, Council must consider the annual report within 4 months of the end of the financial year.

Notice of the preparation of the Annual Report and its consideration at the Council meeting on Wednesday 20 October 2021 was published in the Nhill Free Press and Dimboola Banner on Wednesday 06 October 2021, Rainbow Jeparit Argus on Thursday 07 October 2021 as well as on Council's website from 30 September 2021. The public notice advised that copies of the Annual Report could be inspected at Council's customer services centres and on Council's website.

Options:

It is recommended that Council considers and notes the Annual Report 2020/2021.

Link to Council Plan:

Strong governance practices: Ensure compliance with the *Local Government Act 2020*.

Financial Implications:

No financial implications

Risk Management Implications:

Management of Council's legislative responsibilities in a timely manner will minimise Council's exposure to adverse impacts, improve effectiveness and generate efficiencies.

Relevant legislation:

Local Government Act 2020

Community engagement:

Public notice of the preparation of the Annual report was advertised in local newspapers.

Gender equality implications:

No gender impact assessment is required.

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, 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 disclosable interests in this report.

Communications Strategy:

Copies of the Annual Report 2020/2021 are available at Council's Customer Service Centres and on Council's website.

Preparation of the Annual report will be published in Council's newsletters.

RECOMMENDATION:

That having considered the Annual Report 2020/2021, Council notes the report.

MOVED: CRS R Gersch/D Nelson

That having considered the Annual Report 2020/2021, Council notes the report.

CARRIED

Attachment Number: 20

9.2 LONG TERM FINANCIAL PLAN 2021/22 TO 2030/31

Responsible Officer: Director Corporate and Community Services

Attachment Number: 21

Introduction:

This report seeks Council adoption of the Long Term Financial Plan 2021/22 to 2030/31 in accordance with the *Local Government Act 2020*.

Discussion:

At the Council meeting held on Wednesday 8 September 2021 Council resolved to approve the draft Long Term Financial Plan 2021/22 to 2030/31 for the purposes of public consultation.

Under section 91 of the *Local Government Act 2020* council must develop, adopt and keep in force a Financial Plan for a period of at least 10 years. The Long Term Financial Plan is required to be adopted by 31 October 2021.

In developing the Long Term Financial Plan, Council has taken into account the 2021/2022 budget, Council Plan and Community Vision initiatives, and need to maintain service levels and asset renewal. The Financial Plan is based on the best available information at the time of preparation and will be updated annually as necessary.

The following assumptions have been made in the development of the Long Term Financial Plan 2021/22 to 2030/31.

Escalation Factors % movement	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
CPI	1.5%	2.0%	2.0%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Growth	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Rates & Charges	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Statutory fees & fines	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
User fees	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Grants - Operating	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Grants - Capital	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Contributions - monetary	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Contributions - non-mometary	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Other income	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Employee costs	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Materials & Services	2.0%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Depreciation	2.0%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Other expenses	2.0%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%

The draft Long Term Financial Plan 2021/22 to 2030/31 was made available for public inspection and the receiving of submissions for the period Thursday 9 September 2021 to Friday 1 October 2021. No submissions were received in relation to the Long Term Financial Plan 2021/22 to 2030/31.

The draft Long Term Financial Plan 2021/22 to 2030/31 was presented to Council's Audit & Risk Committee meeting on Wednesday 21 September 2021. The Audit & Risk Committee resolved to receive and recommend to Council the Long Term Financial Plan 2021/22 to 2030/31.

Options:

Council must prepare and advertise its Long Term Financial Plan pursuant to the *Local Government Act 2020*.

Link to Council Plan:

Long-term financial sustainability: Continue to focus on responsible financial management in budgeting and long term financial planning.

Financial Implications:

The Long Term Financial Plan is based on the 2021/22 annual budget, Council Plan and Community Vision initiatives, maintaining service levels and asset renewal.

Risk Management Implications:

A strong and robust long term financial plan will ensure Council remains financially sustainable into the future, reducing risk to the organisation.

Relevant legislation:

Local Government Act 2020

Community engagement:

Community consultation was undertaken in both the development of the 2021/22 annual budget, Council Plan 2021-2025 and Community Vision 2040 which have informed the preparation of the Long Term Financial Plan.

The draft Long Term Financial Plan was made available for public submissions between Thursday 9 September 2021 and Friday 1 October 2021.

Gender equality implications:

No gender impact assessment was completed.

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

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

Communications Strategy:

Copies of the Long Term Financial Plan will be available at Council's Customer Service Centres (subject to Covid-19 restrictions) and on Council's website.

RECOMMENDATION:

That Council adopts the Long Term Financial Plan 2021/22 to 2030/31 pursuant to the Local Government Act 2020.

MOVED: CRS B Ireland/M Albrecht

That Council adopts the Long Term Financial Plan 2021/22 to 2030/31 pursuant to the Local Government Act 2020.

CARRIED

Attachment Number: 21

9.3 MAV WORKCARE SCHEME

Responsible Officer: Director Corporate and Community Services

Introduction:

The purpose of this report is to inform Council of the potential financial implication following Work Safe Victoria's decision not to renew the licence of the Municipal Association of Victoria's (MAV) WorkCare scheme.

Discussion:

The MAV WorkCare scheme (the scheme) was Victoria's only local government workers' compensation self-insurance scheme; at its peak, it had 31 members.

Council was a member of the scheme from 2017 until it ceased operations on 30 June 2021. The decision to cease the operation of MAV WorkCare followed WorkSafe Victoria's refusal of the MAV's application for renewal of approval as a self-insurer, despite a strong performance.

With the scheme having now come to an end, its council members and their communities - the majority of whom are regional and rural councils - will be required to absorb significant financial cost as required by WorkSafe. It is an ongoing financial burden that will be felt by members potentially until the latter half of 2027.

As of 30 June 2021, WorkSafe's valuation estimated the scheme members' unpaid claims was \$74.07 million. The initial payment of \$59.26 million will be made by the MAV on 11 October, 2021. MAV hold the funds to meet this payment.

The outstanding claims liabilities has significantly increased as a consequence of the cessation of the scheme and the related funding gap has escalated materially. Among the reasons for the higher claims' liabilities include:

- The impairment of the scheme's reinsurance assets due to WorkSafe not recognising these contracts despite purchasing this reinsurance being a condition of the self-insurance licence
- A higher cost of claims management within the WorkSafe Victoria system
- Significant costs associated with the closure and transition of the scheme to a ceased self-insurer

Obligations now exist for the MAV as a ceased self-insurer and the 31 members of the scheme until June 2027. These obligations are significant and will impose significant obligations and risks to the MAV and the scheme's constituent members. These risks are particularly acute as WorkSafe has now assumed control of the outstanding claims.

The scheme is constituted as a mutual which is formalised via a Participation Agreement between the MAV and each of its members. A mutual is a mechanism to operate collaboratively and share risk to reduce the overall harm to participants' workers and ultimately reduce costs.

As part of this structure, there exists a range of obligations on each participant, the most relevant of which is that any deficiency in funding is required to be paid by those members.

The WorkSafe Victoria obligations are set out in the Workplace Injury Rehabilitation and Compensation Act, which requires:

Valuations of claims liabilities to occur annually by the WorkSafe appointed actuary.

- Any increase in the value of claims at the three and six-year period will be funded by the ceased self-insurer, which in this case is MAV
- Any reduction in the value of claims at the three and six-year period will be refunded to the ceased self-insurer by WorkSafe Victoria
- The ceased self-insurer is required to hold a bank guarantee of 50 per cent of the outstanding claims liabilities at all times until June 2027
- The ceased self-insurer is required to meet the cost of the actuarial review and audits for this six-year liability period.

The MAV has held briefing sessions for member councils since March this year to inform Council of the wind down of MAV WorkCare and forecast potential financial implications.

The MAV has advocated for a range of solutions to reduce the financial consequence on councils. Among genuine solutions it had pursued - through meetings and correspondence with Work Safe Victoria, the Victorian Government and the State Opposition - to mitigate the financial consequences for members are:

- Calling on WorkSafe agree to recognise the MAV's re-insurance in the transfer of scheme assets;
- Deferral or waiver of the bank guarantee
- Recognition of WorkSafe's underfunding of the Scheme at its commencement, and
- Recognition of WorkSafe's investment income that it will earn on the returned scheme assets.

As a result of consultation with scheme members, the MAV has ceased its advocacy efforts and has requested more modest forms such as recognising the high credit rating of participating members by seeking a waiver of the bank guarantee requirement, or alternatively for the guarantee to be provided by the Treasury Corporation of Victoria and for an extension to the payment terms.

To date, there has been little acknowledgement of the significance of the cost to councils despite previous WorkSafe Victoria public concerns about the financial consequence to scheme members in its consideration of the licence.

In line with advice from the MAV's actuary, the shortfall in funding has been allocated between members based on their share of the unpaid claims' costs. Given that not all claims' costs are known as yet, the allocation methodology will use the estimates of unpaid, open claims ("case estimates") and member premiums to estimate each member's share of the financial shortfall. Officers anticipate Hindmarsh Shire Council's contribution towards the shortfall will be approximately \$100,000.

Options:

This report is for Council to note.

Link to Council Plan:

A skilled Council and workforce capable of meeting community needs: Provide for a safe working environment.

Financial Implications:

Council has increased the annual budget for WorkCover to fund Council's contribution towards the shortfall. The bulk of the shortfall will be in this financial year. The remaining shortfall will likely be relatively small and payable over a number of budgets.

Risk Management Implications:

The wind up of the MAV WorkCare scheme poses significant financial risks to Council. Council Officers have budgeted for Council's contribution towards the shortfall, however the exact figures have not been provided by the MAV. The financial risks associated with the windup of the scheme may continue on for up to 7 years.

Relevant legislation:

Local Government Act 2020

Workplace Injury Rehabilitation and Compensation Act 2013

Gender equality implications:

A gender impact assessment is not required.

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

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

RECOMMENDATION:

That Council notes the report and requirement on Council to contribute to the MAV Workcare funding shortfall.

MOVED: W Bywaters/R Gersch

That Council notes the report and requirement on Council to contribute to the MAV Workcare funding shortfall.

CARRIED

9.4 DRAFT HUMAN RIGHTS POLICY

Responsible Officer: Director Corporate and Community Services

Attachment Number: 22

Introduction:

This report seeks endorsement of the draft Human Rights Policy before it is made available to the public for comment.

Discussion:

The Human Rights Policy has been developed with reference to The Charter of Human Rights and Responsibilities (**the Charter**). The Charter is a Victorian law that sets out the basic rights, freedoms and responsibilities of all people in Victoria. It is about the relationship between government and the people it serves. The Charter requires public authorities, such as Victorian state and local government departments and agencies, and people delivering services on behalf of government, to act consistently with the human rights set out in the Charter.

Twenty fundamental human rights are protected in the Charter. In certain circumstances, some rights may be limited. However, this must be necessary and reasonable, and there must be clear reasons for the decision.

The Charter protects human rights in Victoria in three main ways:

- Public authorities, including local government and Victoria Police, must act in ways that are compatible with human rights and take relevant human rights into account when making decisions.
- Human rights must be taken into account when Parliament makes new laws.
- Courts and tribunals must interpret and apply all laws compatibly with human rights.

The Policy places an obligation on Council to act in accordance with the human rights set out in the Charter

Options:

1. Council can endorse the draft Human Rights Policy before it is made available to the public for comment.
2. Council can amend the draft Human Rights Policy before it is made available to the public for comment.

Link to Council Plan:

Communities feel safe and are resilient.

Strong governance practices.

Financial Implications:

Nil.

Risk Management Implications:

Setting a clear Human Rights Policy will assist with managing the risk of infringing on people's human rights.

Relevant legislation:

Local Government Act 2020

Charter of Human Rights and Responsibilities Act 2006

Community engagement:

Following Council endorsement of this draft Policy, Council will engage with the community by inviting comments and feedback on the draft Policy from 21 October 2021 until 19 November 2021. The Human Rights Policy will be brought to the Council meeting on 15 December 2021 for final adoption.

Gender equality implications:

A gender impact assessment has been undertaken on the draft Human Rights Policy. The Policy uses gender neutral language and doesn't contain any harmful gender stereotypes.

Confidential Declaration:

N/A

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

Officer Responsible – Monica Revell, Director Corporate and 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:

The Policy will be placed on Council's website and will invite submissions from the community.

Next Steps:

A copy of the draft Policy will be available on Council's website and available from Customer Service Centres for feedback prior to adoption.

RECOMMENDATION:

That Council:

- 1. approves the draft Human Rights Policy for the purposes of community consultation, and***
- 2. gives public notice of the preparation of the draft Human Rights Policy inviting written submissions from the public for the period Thursday 21 October to Friday 19 November 2021.***

- 3. Considers public submissions and formal adoption of the Human Rights Policy at the Council meeting held on Wednesday 15 December 2021.**

MOVED: CRS M Albrecht/D Nelson

That Council:

- 1. approves the draft Human Rights Policy for the purposes of community consultation, and**
- 2. gives public notice of the preparation of the draft Human Rights Policy inviting written submissions from the public for the period Thursday 21 October to Friday 19 November 2021.**
- 3. Considers public submissions and formal adoption of the Human Rights Policy at the Council meeting held on Wednesday 15 December 2021.**

CARRIED

Attachment Number: 22

Cr W Bywaters declared a material conflict of interest and left the meeting at 3:27pm.

9.5 HINDMARSH SHIRE COUNCIL BUSINESS ASSISTANCE GRANTS PROGRAM 2021-2022 ROUND 1

Responsible Officer: Director Corporate and Community Services
Attachment Number: 23

Introduction:

This report seeks approval from Council to provide funding through Round 1 of the Business Assistance Grants 2021/2022 program to eligible businesses as outlined in the following report.

Discussion:

The Business Assistance Grants program (BAGs) was established in July 2016 to support local business to expand their operations or for new businesses, large and small, to establish themselves in the shire. It provides assistance to offset costs associated with expanding or establishing a business in Hindmarsh Shire.

This program addresses the ongoing need to attract new business and support existing business in our towns, as more and more small businesses close their doors.

Council has allocated \$20,000 towards the 2021/22 Business Assistance Grants program in the 2021/2022 Annual Budget along with an additional one off COVID-19 recovery allocation of \$20,000.

Total funding of \$40,000 has been allocated to the program for the 2021/22 financial. Grants have been categorised into two tiers:

- Tier One – Small projects up to \$1,000
- Tier Two – Larger projects from \$1,001 to \$3,000.

Category	Number of Applicants	Funding Available	Total Amount Requested
Tier One	3	Round 1 \$40,000	\$2,900
Tier Two	10		\$28,500
TOTAL	13		\$31,400

Criteria for Round 1 of the BAG's 2021/2022 program was amended in order to encourage business owners to identify the individual needs of their business in accordance with the eligibility criteria and then prepare an appropriate proposal to suit that need.

Applications for the Round One of Business Assistance Grants Program closed at 5.00pm on Friday 17 September 2021 with thirteen (13) applications received for funding totalling \$31,400.

Applications must meet the following criteria in order to be eligible for a Business Assistance Grant:

All applications must:

- Have a registered ABN,
- Provide evidence that the business is currently operating in the Hindmarsh Shire (for businesses relocating to Hindmarsh provide evidence of premises relocating too),
- Demonstrate an economic benefit and value for money,
- The project will result in the creation and / or retention of employment,
- Demonstrate a financial viability of the business,
- Submit only one application per business/property owner,
- Obtain written consent from property/building owner for any structural alterations,
- Only be applying for one category per funding round, and
- Obtain all relevant permits from Council / other authorities as required.

Ineligible Applications

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

- General business operating expenses including salaries, wages, overheads, general business material expenses, rental costs, utility usage costs etc.,
- Legal and financial advice or market research,
- Applications made by small businesses that have outstanding amounts owing to Council (rates, permit payments etc.),
- Schools and their Parents and Friends organisations,
- Businesses owned/operated by Council staff or Councillors or relatives that prompt a perceived or actual conflict of interest,

- Projects that are clearly a duplication of an existing service,
- Retrospective funding (projects that have commenced or have been completed will not be funded),
- Payment of commercial rates,
- Purchase of land,
- Projects that require ongoing funding or support beyond the initial grant,
- Repair of facilities damaged by vandalism, fire or other natural disasters where the damage should be covered by insurance, and
- Businesses that have previously failed to complete projects funded by Council.

Assessment Criteria

Applications have been assessed against a set of Assessment Criteria:

Why? 30%	<ul style="list-style-type: none"> • Explain the demonstrated need for the project • How will the project improve the business operations and economic situation?
What? 30%	<ul style="list-style-type: none"> • Provide a brief summary of what you are going to do. • Complete and submit a Risk Assessment for the project • Provide detail on how Hindmarsh Shire Council's contribution will be recognised and acknowledged.
How? 40%	<ul style="list-style-type: none"> • Provide quotes/ information on specific item(s) that funds will be used to purchase. • Provide the organisations banking details and evidence that the organisation can complete the project on time and within budget. • Complete the budget and in-kind contribution templates • How will your projects success be measured? (including number of employment opportunities gained) • Provide a copy of a bank statement to demonstrate financial viability • If the property is leased or rented provide written consent from property owners for streetscape applications.
Finally	<ul style="list-style-type: none"> • Complete eligibility and submissions checklist.

Tier One:

Tier One grants aim to assist existing businesses to undertake small projects / initiatives (with a value up to \$1,000 without a co-contribution).

Applications:

1. **Dimboola Store, Dimboola** seeks funding of \$1,000 to upskill their staff in the area of social media and marketing skills, and to advertise and promote the business' new ownership.

The total project cost will be \$1,400, with the grant of \$1,000, and an in-kind contribution of \$400.

Based on the details provided in the grant application, the recommendation is to provide the requested funds of \$1,000.

2. **Harris Mensland, Dimboola** seeks funding towards the repainting and refurbishment of their shopfront, including new signage.

The total project cost will be \$1,398, with the grant of \$1,000, in kind contributions of \$350, and the balance a cash contribution.

Based on the application, the recommendation is to grant the requested funds of \$1,000.

3. **Mallee Magic, Rainbow** seeks funding of \$900 towards the establishment of a plant nursery on site.

The funding will be used to landscape and pave the proposed position of the nursery to provide a suitable fit for purpose area.

The total project cost will be \$1,320, with the grant of \$900, and a cash contribution of \$420.

Based on the application, the recommendation is to grant the requested funds of \$900.

Applicant	Amount Requested	Total Project Cost	Recommended Allocation
<i>Business Development</i>			
Dimboola Store	\$1,000	\$1,400	\$1,000
Harris Mensland	\$1,000	\$1,398	\$1,000
Mallee Magic	\$900	\$1,320	\$900
TOTAL	\$2,900	\$4,118	\$2,900

Tier Two:

Tier Two grants aim to assist existing businesses to undertake larger projects (from above \$1,001 up to \$3,000 with a 1:3 cash ratio). For every \$1 cash contribution from businesses, Council will contribute \$3 up to a maximum of \$3,000.

Applications:

1. **Westmix Concrete, Nhill** seeks funding of \$3,000 to refurbish the business' entryway, update signage, and install security cameras on the premises.

The total project cost will be \$5,040, with the grant of \$3,000, a cash contribution of \$1,000, and in kind contributions of \$1,040.

Based on the application, the recommendation is to grant the requested funds of \$3,000.

2. **Dimboola Imaginarium, Dimboola** seeks funding of \$3,000 for the purchase of a refrigerator. The business is expanding to include a wine bar with the serving of light refreshments.

The total project cost will be \$4,092, with the grant of \$3,000, and a cash contribution of \$1,092.

Based on the application, the recommendation is to grant the requested funds of

\$3,000, pending the approval of licencing and planning permits required by both Council and VCGLR.

- 3. Desert Breeze Honey, Dimboola** seeks funding of \$3,000 to upgrade their power supply and to install lighting in their new shed that has been required due to the expansion of the business.
The total project cost will be \$33,544.10, with the grant of \$3,000, and a cash contribution of \$30,544.10.
Based on the application, the recommendation is to grant the requested funds of \$3,000.
- 4. Oasis Motel, Nhill** seeks funding of \$3,000 for the repair and resealing of their car park.
The total project cost will be \$4,100, with the grant of \$3,000, and a cash contribution of \$1,100.
Based on the application, the recommendation is to grant the requested funds of \$3,000.
- 5. Wimmera Bakery, Dimboola** seeks funding of \$3,000 for the painting, rebranding, and refurbishment of their shop front in Lloyd Street, Dimboola.
The total project cost will be \$4,891, with the grant of \$3,000, and a cash contribution of \$1,891.
Based on the application, the recommendation is to grant the requested funds of \$3,000.
- 6. Wimmera Bakery, Nhill** seeks funding of \$3,000 for the painting, rebranding, and refurbishment of their shop front in Victoria Street, Nhill.
The total project cost will be \$3,248.30, with the grant of \$3,000, and a cash contribution for the balance.
Based on the application, the recommendation is to grant funds of \$2,436.20, equalling three quarters of the total project cost. The applicant will contribute the balance of costs.
- 7. Clugston Butchers, Rainbow** seeks funding of \$3,000 for the refurbishment of their customer service area at their shop in Federal Street, Rainbow.
The total project cost will be \$6,088.43, with the grant of \$3,000, a cash contribution of \$1,763.43, and the remainder from in-kind contributions
Based on the application, the recommendation is to grant funds of \$3,000.
- 8. Mark Launer Plumbing, Dimboola** seeks funding of \$3,000 for the installation of industrial steel shelving at his business premises in Lloyd Street, Dimboola.
The total project cost will be \$6,280, with the grant of \$3,000, a cash contribution of \$1,000, and the remainder from in-kind contributions
Based on the application, the recommendation is to grant funds of \$3,000.

- 9. Cambrelle’s, Nhill** seeks funding of \$3,000 for the installation of automatic doors at the entrance to the business premises. The doors will provide all-ability access making entry into the shop safer and easier for people using mobility aids, wheelchairs and prams etc.

The total project cost will be \$10,165, with the grant of \$3,000, a cash contribution of \$6,845, and the remainder from in-kind contributions.

Based on the application, the recommendation is to grant funds of \$3,000.

- 10. Hooked On Classic’s, Dimboola** seek a funding of \$1,500 to help develop an online presence for the business. A webpage will be developed which will allow customers and visitors to Dimboola to examine the products and services offered, plus provide a platform to promote local events relevant to the business.

The total project cost will be \$2,200, with a grant of \$1,500, a cash contribution of \$500 and \$200 of in-kind contribution.

Based on the application, the recommendation is to grant funds of \$1,500.

Applicant	Amount Requested	Total Project Cost	Recommended Allocation
<i>Tier Two</i>			
Westmix Concrete	\$3,000	\$5,040.00	\$3,000.00
Dimboola Imaginarium	\$3,000	\$4,092.00	\$3,000.00
Desert Breeze Honey	\$3,000	\$33,544.10	\$3,000.00
Oasis Motel	\$3,000	\$4,100.00	\$3,000.00
Wimmera Bakery Dimboola	\$3,000	\$4,891.00	\$3,000.00
Wimmera Bakery Nhill	\$3,000	\$3,248.30	\$2,436.20
Clugston Butchers	\$3,000	\$6,088.43	\$3,000.00
Mark Launer Plumbing	\$3,000	\$6,280.00	\$3,000.00
Cambrelle’s	\$3,000	\$10,165.00	\$3,000.00
Hooked On Classics	\$1,500	\$2,200.00	\$1,500.00
TOTAL	\$28,500	\$79,648.83	\$27,936.20

Options:

Council can choose to support some or all, partly or in full, or none of the applications to the Hindmarsh Shire Council Business Assistance Grants 2021/2022.

Successful applicants would be required to complete their projects and acquit the funds received by 30 June 2022.

Link to Council Plan:

Facilitating and supporting economic development: Provide support to Hindmarsh businesses through buy local campaigns Council purchasing locally and promote business assistance grants.

Financial Implications:

Total funding available for 2021/22 Business Assistance Grants is \$40,000. This is made up of the 2021/2022 budget allocation of \$20,000 and an additional, one off COVID-19 recovery allocation of \$20,000.

Risk Management Implications:

Each applicant has been requested to complete a project risk assessment as part of the application process. Further development of these risk assessments will be completed upon the outcome of each application.

Relevant legislation:

Local Government Act 2020

Community engagement:

The Business Assistance Grants 2021/2022 program has been widely publicised through media releases, social media and Council's website.

Gender equality implications:

No gender impact assessment is required.

Confidential Declaration:

N/A

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

Officer Responsible – Monica Revell, Director of Corporate and Community Services.

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

Author – Phil King, Manager Economic and Community Development.

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

Communications Strategy:

The Business Assistance Grants Program has been promoted through the following channels:

- Council's Facebook Page
- Council's website
- Media release distribution
- E-marketing to local businesses

Following Council's endorsement of the allocation of funding, further media releases and promotion of outcomes will be undertaken.

RECOMMENDATION:

That Council:

a) based on the eligibility and assessment criteria; Council approves the following successful round 1 Business Assistance Grants:

Tier One

- 1. \$1,000 to Dimboola Store, Dimboola***
- 2. \$1,000 to Harris Mensland, Dimboola***
- 3. \$900 to Mallee Magic, Rainbow***

Tier Two

- 1. \$3,000 to Westmix Concrete, Nhill***
- 2. \$3,000 to Dimboola Imaginarium, Dimboola***
- 3. \$3,000 to Desert Breeze Honey, Dimboola***
- 4. \$3,000 to Oasis Motel, Nhill***
- 5. \$3,000 to Wimmera Bakery, Dimboola***
- 6. \$2,436.20 to Wimmera Bakery, Nhill***
- 7. \$3,000 to Clugston Butchers, Rainbow***
- 8. \$3,000 to Mark Launer Plumbing, Dimboola***
- 9. \$3,000 to Cambrelles's, Nhill***
- 10. \$1,500 to Hooked On Classics, Dimboola***

TOTAL RECOMMENDED FUNDING ALLOCATED ROUND ONE: \$30,836.20.

MOVED: CRS B Ireland/M Albrecht

Based on the eligibility and assessment criteria; Council approves the following successful round 1 Business Assistance Grants:

Tier One

- 1. \$1,000 to Dimboola Store, Dimboola***
- 2. \$1,000 to Harris Mensland, Dimboola***
- 3. \$900 to Mallee Magic, Rainbow***

Tier Two

- 1. \$3,000 to Westmix Concrete, Nhill***
- 2. \$3,000 to Dimboola Imaginarium, Dimboola***
- 3. \$3,000 to Desert Breeze Honey, Dimboola***
- 4. \$3,000 to Oasis Motel, Nhill***
- 5. \$3,000 to Wimmera Bakery, Dimboola***
- 6. \$2,436.20 to Wimmera Bakery, Nhill***
- 7. \$3,000 to Clugston Butchers, Rainbow***
- 8. \$3,000 to Mark Launer Plumbing, Dimboola***
- 9. \$3,000 to Cambrelles's, Nhill***
- 10. \$1,500 to Hooked On Classics, Dimboola***

TOTAL RECOMMENDED FUNDING ALLOCATED ROUND ONE: \$30,836.20.

CARRIED

Attachment Number: 23

Cr W Bywaters returned to the meeting at 3:32pm.

9.6 CROWN LAND COMMITTEE OF MANAGEMENT LOWAN SHIRE HALL

Responsible Officer: Director Corporate and Community Services

Attachment Number: 24

Introduction:

This report seeks support to enter into an agreement appointing Council as the Committee of Management with the Department of Land Water and Planning (DELWP) for Crown Parcel 3S~11\PP5595 104-106 MacPherson Street Nhill, utilised by the Nhill and District Historical Society.

Discussion:

Council was approached by the Nhill and District Historical Society (**Society**) following a meeting with a representative of DELWP. The Society were concerned about the future of their building. The below map highlights the Crown parcel 3S~11\PP5595.



Following the approach by the Society, Council officers have been liaising with DELWP and have received correspondence from DELWP that they would seek to appoint Council as the Committee of Management (**CoM**) over the parcel should Council be in agreeance. Council are currently appointed CoM over the Nhill Senior Citizens and old Nhill Kindergarten parcels which surround the Nhill and District Historical Society. It is proposed to combine all three parcels and Council to become COM over the entire site.

The building also known as the former Lowan Shire Building was built in 1888 and was first occupied by the Lowan Shire Council following an official opening in early May 1888. The Society has occupied the building since the new Shire building in Nelson Street was first occupied by the Lowan Shire in the 1960s. The building holds significant historical importance in Nhill and holds an archive of early settlers list; district school's information; oral history archival materials; Clydesdale Breeders yearbooks, 1880 – 1940 along with other records of historic value.

It is proposed Council enter into a user agreement with Nhill and District Historical Society to remain tenants of the building into the foreseeable future.

Options:

1. Council can enter into a Committee of Management agreement with DELWP for Crown Parcel 3S~11\PP5595 104-106 MacPherson Street Nhill in combination with the crown parcel 3T~11\PP5595 (Nhill Senior Citizens Centre) and 3L~11\PP5595 and 3Q~11\PP5595 (previously Nhill Kindergarten) and authorise the CEO to enter into a user agreement for the use of the Nhill & District Historical Society building.
2. Council can choose not to enter into a Committee of Management agreement for the parcel.

Link to Council Plan:

Well-maintained physical assets and infrastructure to meet community and organisation needs.

Financial Implications:

As CoM over the parcel Council will incur financial costs associated with insuring and maintaining the building. Costs will be budgeted during Council's annual budget process.

Risk Management Implications:

There is a risk associated with Council not entering into the Committee of Management over the parcel in relation to the future of the Nhill & District Historical Society. Entering into Committee of Management will ensure historical items of significance will remain in their current location and be available for future generations.

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

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

Communications Strategy:

Council will advise DELWP and the Nhill & District Historical Society of the outcome of this decision.

RECOMMENDATION:

That Council:

1. **Enters into a Committee of Management agreement with DELWP for Crown Parcel 3S~11\PP5595 104-106 MacPherson Street Nhill in combination with the crown parcel 3T~11\PP5595 (Nhill Senior Citizens Centre) and 3L~11\PP5595 and 3Q~11\PP5595 (previously Nhill Kindergarten).**
2. **Authorises the CEO to liaise with Nhill & District Historical Society to enter into a user agreement for the building 104-106 MacPherson Street, Nhill.**

MOVED: CRS R Gersch/M Albrecht

That Council:

1. **Enters into a Committee of Management agreement with DELWP for Crown Parcel 3S~11\PP5595 104-106 MacPherson Street Nhill in combination with the crown parcel 3T~11\PP5595 (Nhill Senior Citizens Centre) and 3L~11\PP5595 and 3Q~11\PP5595 (previously Nhill Kindergarten).**
2. **Authorises the CEO to liaise with Nhill & District Historical Society to enter into a user agreement for the building 104-106 MacPherson Street, Nhill.**

CARRIED

Attachment Number: 24

9.7 FINANCIAL REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2021

Responsible Officer: Director Corporate and Community Services
Attachment Number: 25

Introduction:

The Financial Report for the first quarter of 2021/2022 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 30 September 2021 as presented.

MOVED: CRS B Ireland/D Nelson

That Council notes the Financial Report for the period ending 30 September 2021 as presented.

CARRIED

Attachment Number: 25

9.8 COUNCIL PLAN 2021-2025 PROGRESS REPORT

Responsible Officer: Director Corporate and Community Services

Introduction:

This report provides Council with a progress update on the actions for 2021/2022 taken against the Council Plan 2021-2025.

Discussion:

Council's main strategic document the Council Plan 2021-2025 was developed and adopted in 22 September 2021. The document contains strategic objectives under four Themes Our Community; Built and Natural Environment; Competitive and Innovative Economy; and Good Governance & Financial Sustainability with annual actions on how Council will achieve the objective of the plan.

Progress on the year one actions against the Plan are included below:

Theme One – Our Community

Action Item	Update on Action
Monthly and fortnightly e-newsletters distributed through emails and available on Council's website	Council continues to distribute monthly and fortnightly e-newsletters. Hard copies of the monthly newsletters are placed at various businesses throughout Hindmarsh and also Council's Customer Service Centres.
Redevelopment of Council's website making it easier for our community to navigate	Council staff are working through the development of pages on Council's new website.
Councillors and Council Officers attend advisory committees including Town Committees, Wimmera Mallee Pioneer Museum and Yurunga Homestead meetings	On-line meetings have taken place in lieu of meeting in person due to COVID-19 restrictions on gathering numbers. Officers and Councillors

	have been attending these meetings.
Partner with Wimmera Pride to ensure LGBTIQ+ barriers and views are considered	On-line workshop conducted with Elite Counselling and attended by Senior Staff.
Develop the Hindmarsh Shire Youth Strategy	Youth Strategy 2021-2025 draft complete and will be presented to Council in October. Karen translation commissioned by the Migration Translators.
Upgrades to the Nhill Library to encourage use by our multicultural community, children and youth	In progress, at permit stage for minor structural changes. Electrical upgrades (excluding lighting) have been completed. Currently reviewing fixture upgrades.
Continue to support early years services in Hindmarsh Shire	Facility upgrades recently completed at Dimboola & Nhill Early Years Centres.
Partner with Nhill Learning Centre to ensure barriers and views of the Karen and other multicultural communities are considered	Meeting occurred between Coordinator Libraries, Youth and Community Development Officer and NNHLC Director Annette Creek. Discussion included potential collaboration; and training sessions.
Ensure the Municipal Emergency Management Committee includes membership from key stakeholders	The MEMC committee includes membership from external stakeholders including a community representative. Hindmarsh meetings are held 3 times per year, along with 1 combined meeting including Hindmarsh, Horsham, Yarriambiack and West Wimmera Shire.
Support our ageing community through hosting seniors concert, social connection activities including movie matinees and morning teas, and delivery of community care services	Due to the COVID-19 pandemic the 2021 Seniors Concert was postponed and will be held in early 2022, senior's week activities moved online for 2021. Movie Matinees are held when possible which included morning tea prior to the movie. Council continues to deliver community care services to our community and also continue with the social outreach service for vulnerable and isolated community members.
Support local community events including the Rainbow Desert Enduro, Great Victorian Bike	Unfortunately, due to the COVID-19 pandemic many events have been

Ride, Dimboola inaugural Steampunk Festival, Nhill Friday Fiestas in February, Peter Taylor Barefoot Tournament etc.	cancelled (Rainbow Desert Enduro, Great Victorian Bike Ride, Dimboola Steam Punk Festival etc) and or postponed. Support for these and other community events will continue in the future.
Celebrate volunteers week	
Construction of Rainbow Library	In progress. Framing and roof beams erected. Landscape design prepared.
Provide community action grants to support Hindmarsh community groups and organisations	Round 1 of the Community Action Grants is currently open. Youth Grants have also been established using FReeZA funding to support Youth outcomes.
Continue to support the Rural Outreach Program	Council continues to support the Rural Outreach Program. Outreach officers have attended movie mornings.
Provide school holiday activities throughout Hindmarsh	Due to the Covid-19 pandemic September school holiday activities were unable to be held. Take home packs were prepared with over 140 packs distributed. Activities are being planned for the remainder of the year once restrictions have eased.
Support and coordinate the volunteer taxi service in Nhill	Council continues to support and coordinate the volunteer taxi service in Nhill.
Establish and maintain relationships with Barengi Gadjin Land Council (BGLC) and local indigenous groups	Council staff are working closely with BGLC on projects such as the Wimmera River Discovery trail and will continue to maintain and build on the relationships already established through these and future projects.
Provide public computers and free Wi-Fi at Hindmarsh Shire Libraries	Public computers and free Wi-Fi are available at Dimboola, Jeparit & Nhill Libraries.

Theme Two – Built & Natural Environment

Action Item	Update on Action
Review and update Council's asset management plan	
Implement recycling bins in Dimboola, Jeparit, Nhill and Rainbow main business districts	
Review Council's road management plan	

Construction of Albacutya Bridge and associated road works	
Hold free green waste month in September and encourage residents to tidy their properties prior to the fire season	Free Green waste month was held from 10 September to 10 October.
Consider for adoption of Nhill streetscape plan	
Installation of solar heating on Rainbow swimming pool	Quotations have been obtained for installation of solar heating on Rainbow Swimming Pool.
Advocate for improved water quality in the regional lakes and rivers	
Construction of new clubrooms at Nhill Tennis Club	Due to two unsuccessful tender advertising rounds works is currently underway for design and approval of permits prior to re-advertising.
Review and update Waste Management Strategy	
Installation of pedestrian safety fencing at Nhill Early Years Centre	Pedestrian fencing has been installed at Nhill Early Years Centre.
Installation of seating and electric barbeques at Rainbow Lake	Awaiting change of use application (planning permit will be included in October Council meeting). Following approval works will be able to commence.
Consider opportunities and seek funding for lighting in public areas	
Ensure Council representation on Western Highway Action Committee, Wimmera Regional Transport Group and Grampians Central West Waste, Resource Recovery Group and Hindmarsh Landcare Network	
Continue to advocate for funding for Davis Park improvements	Council continues to advocate both state and federal government for funding to improve Davis Park.

Theme Three – Competitive and Innovative Economy

Action Item	Update on Action
Upgrades to ensuites at Dimboola Caravan Park	
Provide the business assistance grants program	Round 1 applications for the Business Assistance Grants Program will be presented to Council in October.
Promote Hindmarsh as a tourism destination to stop, stay and play	New and updated Visit Hindmarsh webpage is under development as part of the Hindmarsh Shire website development. Regional marketing campaigns being development by

	WMT through external grant funding. New brochures have been designed and printed
Host business networking session to encourage Hindmarsh businesses to come together and network	This has been delayed due to the COVID-19 pandemic.
Construction of a camp Kitchen at Jeparit riverbank precinct	Currently delayed due to slow land owner consent via Parks Victoria.
Installation of cabin accommodation (including all abilities) at caravan parks within Hindmarsh Shire (subject to funding)	
Commence review on Council's economic development strategy	
Participate in Wimmera Development Association housing strategy meetings	Council continues to participate in the WDA housing strategy meetings.
Enhance Council's Procurement Policy to support Council purchasing locally	Council adopted the updated Procurement Policy on 4 August 2021. The policy includes local and regional weighting to support our local and neighbouring businesses.
Commence Silo Art at Llew Schilling Silo in Rainbow and Arkona Silo	A Silo Art Project Coordinator has been appointed. Arkona Silo Art art curator/artist management has been appointed.
Provide a calendar of events to assist community groups and event organisers to promote their events	As part of the development of the new Hindmarsh Shire website a calendar of events will be established making it easy for community groups to register their events.
Provide business concierge services to assist business understand COVID-19 restrictions	Under the funding received Council has employed a business concierge and hospitality officer until 30 November to assist businesses and community groups understand the COVID-19 restrictions and roadmap.

Theme Four – Good Governance & Financial Sustainability

Action Item	Update on Action
Develop a workforce plan	Work has commenced on the development of a workforce plan.
Online streaming of Council meetings through Council's Facebook page	Council continues to stream Council meetings through Council's Facebook page
Consideration for employing a trainee, or apprentice when vacancies arise throughout the	

year	
Community conversation sessions held annually in our four main towns	Due to the COVID-19 pandemic restrictions have not allowed for community meetings to be held in person.
Drop in sessions held allowing for community input to Council on key documents or projects	Drop in sessions were scheduled to be held for the Council Plan but due to the COVID-19 pandemic restrictions have not allowed for community meetings and therefore sessions were required to be cancelled.
Develop a ten (10) year long term financial plan	The Long Term Financial Plan has been prepared and was adopted by Council on 20 October 2021
Quarterly finance reporting to Council	Council's first quarter finance report will be presented to the October Council meeting.
Review Council's Complaints Policy	
Ensure Council representation on Wimmera Development Association, Rural Council's Victoria, and Municipal Association of Victoria	Council continues to have representation on WDA, RCV and MAV.
Quarterly Council Plan reporting to Council	The first quarterly report to Council will presented to Council in November 2021.
Develop a gender equality action plan	Work has commenced on the development of a gender equality action plan.
Collaborate with Horsham Rural City Council, West Wimmera Shire Council and Loddon Shire Council to implement the Rural Council Transformation Project	RCTP is progressing with evaluation of potential software completed and a recommendation prepared for the board.
Audit & Risk Committee meetings review and consider Council risks at each meeting	Risk management is a standing item on Audit & Risk Committee meetings

Link to Council Plan:

The Council Plan is the overarching plan that sets the strategic objectives for Council over the four-year term and provides annual actions to achieve the plan under the four key themes.

Financial Implications:

Council's annual budget allocates funding to complete initiatives.

Risk Management Implications:

The preparation of the Council Plan, incorporating the Health and Wellbeing Plan, and Community Vision is a statutory requirement

Relevant legislation:

The Council Plan was developed under the Local Government Act 2020 and Public Health and Wellbeing Act 2008

Community engagement:

Community engagement was undertaken as part of the development and adoption of the Council Plan 2021-2025.

Gender equality implications:

A gender impact assessment was not required.

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

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

RECOMMENDATION:

That Council receives the Council Plan 2021-2025 first quarter actions 2021/2022 update.

MOVED: CRS M Albrecht/W Bywaters

That Council receives the Council Plan 2021-2025 first quarter actions 2021/2022 update.

CARRIED

9.9 YOUTH STRATEGY 2021-2025

Responsible Officer: Director Corporate and Community Services

Attachment Numbers: 26 – 28

Introduction:

The report presents the draft Hindmarsh Shire Council Youth Strategy 2021-2025 and recommends Council adopt the draft Hindmarsh Shire Youth Strategy 2021-2025 and invite community submissions.

Discussion:

The Hindmarsh Shire Council Youth Strategy 2021-2025 (**Strategy**) builds on the Youth Strategy 2016-2020 in providing direction, information and identifying gaps in youth opportunities and programs for young people, their families and Council.

The objective of the Strategy is to provide Council with a practical, achievable and measurable plan to define their role in local and regional development with recommendations on how to sustainably improve the engagement of youth within Hindmarsh Shire. The Strategy will enable Council to better understand current and future needs of young people, potential barriers to inclusion and participation, and provide direction and measurable outcomes for youth sustainability and community livability within Hindmarsh Shire.

In consultation with young people and stakeholders across the Shire, through surveys, workshops and Youth Council meetings, the Youth Strategy has been developed and amended to prioritise youth leadership, empowerment and inclusion. The Strategy has been made available in both English and S'gaw (Karen).

The Youth Strategy's overarching objectives are to:

- Ensure that Hindmarsh Shire Council's processes and spaces welcome, involve and empower young people;
- Build partnerships with community groups and organisations to expand the potential of youth services;
- Create a community that is future-safe, ensuring young people have opportunities to live, learn, earn and contribute to their community;
- Understand and address the systemic and structural barriers to inclusion, participation and representation;
- Facilitate spaces and events that create opportunities for connection and community.
- Advocate for young people to be able to access the health, wellbeing and support services that they need.

The Strategy has been developed been developed using the following methodology.

1. Data Collecting
Research and consultation, youth surveys, review of industry standards and relevant documents and procedures.
2. Analysis
Workshopping identified issues with young people, problem solving, continuing to receive feedback and ideas from social media surveys and Youth Council.
3. Development
Compiling information and data, identifying key actions and scope, development of document.
4. Review
Youth Council review and approve developed strategy for Council.

Whilst Council has an integral part to play in the development and growth of young people, communities and other agencies all have an opportunity under the strategy to support the needs and aspirations of young people living within Hindmarsh Shire.

The Hindmarsh Shire Youth Council will continue to meet to review progress and discuss further initiatives, whilst keeping Council updated. This ongoing partnership between Youth Council, Council and community stakeholders is vital to ensure the strategy remains relevant and has community participation at a strategic level.

The draft Hindmarsh Shire Youth Strategy 2021 – 2025 will be made available for public inspection and the receiving of submissions for the period Thursday 21 October until Friday 19 November 2021. Council will be advised of any submissions received at the 15 December 2021 Council meeting.

Options:

1. Council can adopt the draft Youth Strategy 2021 – 2025 and invite community submissions; or
2. Council can make changes to the draft Youth Strategy 2021 – 2025 and then adopt and invite community submissions.

Link to Council Plan:

A community well informed and engaged: Use a broad range of communication and engagement techniques with information accessible in different languages.

A range of effective and accessible services to support the health and wellbeing of our community: Continue to support and facilitate Hindmarsh Shire Youth Council including the development and implementation of a Youth Strategy.

Provide arts and cultural activities that strengthen social connection: Facilitate and support arts, music, and cultural community events, celebrations and activities to build social connection.

Financial Implications:

An allocation of funding through the State Government's FreeZA grants program is available for recreational, creative and training initiatives identified in the strategy. Additional funding is allocated through Hindmarsh Shire Council's budget to maintain the Youth Council, and support the Youth Officer in delivering the Strategy's objectives. Council will also continue to seek new funding opportunities for youth-related initiatives.

Risk Management Implications:

Ensure events proposed by the strategy fit within the scope of Councils public liability coverage and that the strategy is aligned with community expectations and Councils goals as identified within the Council plan.

Relevant legislation:

N/A

Community engagement:

Council Officers have completed youth and community engagement with schools, student leaders, Youth Council, stakeholder organisations and relevant individuals. Following the adoption of the Strategy, it will be made available for community comment on Council's website and at its Customer Service Centres. Council has engaged a translation service to translate the Youth Strategy into S'gaw (Karen) so that it is accessible to our significant Karen Community.

Gender equality implications:

A Gender Impact Assessment was undertaken on the plan. The Plan does not include gender stereotypes, uses inclusive non-gendered language and ensures that Council's activities are inclusive and representative of our diverse population.

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, 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 – Petra Croot, Youth and Community Development Officer

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

Communications Strategy:

Advertisements will be placed in local newspapers, Council's e-newsletters and on Council's Facebook page informing of the preparation of the draft Hindmarsh Shire Council Youth Strategy 2021-2025.

Copies of the Strategy will be available at Council's Customer Service Centres (subject to Covid-19 restrictions) and on Council's website.

RECOMMENDATION:

That Council:

- 1. Approves the draft Hindmarsh Shire Council Youth Strategy 2021-2025 (attached) and make it available for public comment from Thursday 21 October 2021 to Friday 19 November 2021, and***
- 2. Considers submissions at the Council meeting held on Wednesday 15 December 2021.***

MOVED: CRS D Nelson/W Bywaters

That Council:

- 1. Approves the draft Hindmarsh Shire Council Youth Strategy 2021-2025 (attached) and make it available for public comment from Thursday 21 October 2021 to Friday 19 November 2021, and**
- 2. Considers submissions at the Council meeting held on Wednesday 15 December 2021.**

CARRIED

Attachment Numbers: 26 – 28

9.10 ADOPTION OF THE DRAFT WIMMERA RIVER WATERWAY MANAGEMENT PLAN

Responsible Officer: Director Infrastructure Services
Attachment Number: 29

Introduction:

The purpose of this report is for Council to approve the adoption of the Wimmera River Waterway Management Plan as presented, and to disband the Wimmera River Stakeholder Advisory Group if the plan is adopted.

Discussion:

Hindmarsh Shire Council is the declared waterway manager for the Wimmera River within its municipal boundaries. A draft Wimmera River Waterway Management Plan (WRWMP) 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 Wimmera River Stakeholder Advisory Group (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.

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. The WRSAG have not met since, as Council has yet to approve the adoption of the Hindmarsh Shire Council Wimmera River Waterway Management Plan due to being unable to physically meet with the Wimmera Catchment Authority (CMA). Should Council Approve the adoption of this draft plan, the WRSAG will no longer be required.

Council at the Ordinary Council meeting held 5 February 2020 resolved to:

1. *Defers the adoption of the Hindmarsh Shire Council Wimmera River Waterway Management Plan (Dimboola) and provide the opportunity for public comment on the revised rules for boating times as proposed by the Dimboola Boat and Water Ski Club.*
2. *Prior to adopting the plan, write to the Wimmera Catchment Management Authority Board and invite them to inspect the river in Dimboola and meet with Council to discuss the best manner in which the exercise of responsibilities under the Heritage Rivers Act 1992, which acknowledge a need to consider environmental and recreational interests, can be implemented and managed.*

Resolution 1 is no longer required as the draft plan reflects the revised rules for boating. Both Hindmarsh Shire Council and the WCMA met on an online meeting on the 28 September 2021 to discuss joint responsibilities under the Heritage River Act, Land Ownership, erosion prevention methods introduced by the CMA and other interested parties as well as a brief discussion on future projects/funding and recreational issues. The meeting was positive and Council has now fulfilled the terms of the resolution to the best of their ability.

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.

3. Disband the WRSAG and advise them in writing of Council's decision
4. Not Disband the WRSAG in the event further discussions are required

Link to Council Plan:

A range of effective and accessible services to support the health and wellbeing of our community

Support healthy living and provide services and activities for people of all ages and abilities. Environmentally sustainable practices.

Develop and promote local tourism opportunities that attract visitation

Financial Implications:

The only expenses incurred by Council to date have 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.

Relevant legislation:

Local Government Act 2020, Local Government Act 1989, Heritage Rivers Act 1992

Community engagement:

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.

Gender equality implications:

The adoption of the plan is not considered to have any gender specific impacts.

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

Officer/Author Responsible – Angela Hoy – Director Infrastructure Services

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

Communications Strategy:

Council Officers will inform interested parties including the WRSAG of Councils Decision.

Next Steps:

Council 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 approves the adoption of the Wimmera River Waterway Management Plan as presented, and disbands the Wimmera River Stakeholder Advisory Group.

MOVED: CRS D Nelson/W Bywaters

That Council approves the adoption of the Wimmera River Waterway Management Plan as presented, and disbands the Wimmera River Stakeholder Advisory Group.

CARRIED

Attachment Number: 29

9.11 GAZETTING OF HINDMARSH SHIRE COUNCIL HEAVY VEHICLE MAP ROUTES

Responsible Officer: Director Infrastructure Services

Attachment Number: 30

Introduction:

This report seeks Council to formally adopt the definition of local road use, and to approve a trial for the upcoming harvest season of the roads with conditions as shown in attachment – Hindmarsh Shire Council (HSC) Heavy vehicle Routes to be gazetted for HML, Grain Harvest Management Scheme (GHMS) - B Doubles, Grain Harvest Management Scheme (GHMS) - Rigid trucks & Semi-Trailers, PBS Level 1 & PBS Level 2A with some conditions between full and local access only.

Discussion:

At Council's request the B Double working group was established March 2021. The group consisted of Local farmers, operators, Government departments and Council officers. The group meet up on a regular basis to discuss B Double road use, NHVR permitting and local road use.

At the Council meeting held on Wednesday 16 December 2020 Council resolved that officers undertake a review of the current roads hierarchy system and roads management plans and begin to re-enter community discussions with key stakeholders on existing road networks within the Hindmarsh Shire Municipality for the purpose of increasing A-Double and B-Double access.

Following this the B Double working group was established in March 2021. The group consisted of Local farmers, operators, Government departments and Council officers. The

group meet up on a regular basis to discuss B Double road use, NHVR permitting and local road use.

At the Council meeting held on Wednesday 4 August 2021 Council resolved for the CEO to make formal changes to some strategic freight routes to allow for increased B Double traffic movements without requiring permits, by gazetting the roads with conditions in the National Heavy Vehicle Regulator (NHVR) maps, for roads listed in Table 1, which included strategic routes such as the Nhill Rainbow Rd.

At the 15 July 2021 face to face meeting with the B Double working group, the local road use/local access was discussed. It was proposed the local road use be defined as:

A road deemed for local use only may be accessed by a B Double with conditions based on and assessment of the individual road. Conditions may be speed limits, dry weather use, no through access etc:

- If the destination of the B double is on the specific road for the purposes of loading and unloading; or
- If the B Double's depot is located on the road; or
- If there is no alternative route for the B Double to reach its final destination.

Adopting the definition of local means that an un-laden vehicle that has dropped off a load anywhere in the Shire (or outside the Shire) should not be using a local use road as a short-cut. Only vehicles that have dropped off a load on a local use road should be allowed to use that same road to make their return journey. The B Double working Group unanimously supported this definition which is supported by the Road Management Act 2004.

At the 21 September 2021 online Teams meeting with the B Double working group, the Hindmarsh Shire Council (HSC) Heavy Vehicle Routes was presented and discussed. There was overwhelming support for the map and the group were very pleased with the work by council officers in producing the map. The working group voted unanimously to request that Council adopt the definition of "Local Use", approve the HSC Heavy vehicle Map Routes for Gazetting, and trial the proposed map routes for the upcoming Harvest Season.

If council approves the HSC Heavy Vehicle Routes to be the opened to B Double access as well as another 5 truck classes including HML, Grain Harvest Management Scheme (GHMS) - B Doubles, Grain Harvest Management Scheme (GHMS) - Rigid trucks & Semi -Trailers, PBS Level 1 and PBS Level 2A with some conditions between full and local access only, this will allow increased farm access to paddocks for pickup and delivery. It will also enable Council roads to align with neighboring Shires and tying into boundary and strategic roads without a breaking down between routes or a need to apply for permits.

The HSC Heavy Vehicle Map Routes was based on a Traffic light system with and without conditions (see example map 1 below).



Example Map 1 - (Approved, with Conditions and Restricted roads)

Green - Approved - No Conditions apply

Any B Double vehicle and up to level 2A can use the Council road with No Conditions applied.

Orange - Approved with Conditions

Any B Double vehicle and up to level 2A can use the Council road with Conditions applied, such as:

- Accessible in dry weather only and to be used for pickup and delivery only, not to be used as a through road.
- Speed restrictions, weight limits on bridges, rail crossing stacking distance etc.
- Additional unique conditions specific to the road.

Red - Restricted

Any B Double vehicle and up to level 2A cannot use the Council road, where the local road manager (HSC) has restricted the use within speed limited areas.

The above conditions align with the NHVR and VicRoads Heavy vehicle map networks, as well as similar conditions placed on other road managers networks.

Options

Council can:

1. Adopt the definition of local road use
2. Not adopt the definition of local road use

3. approve the HSC Heavy vehicle routes for Gazetting with conditions, and trial the proposed map route for the upcoming Harvest Season
4. Not approve the HSC Heavy vehicle routes for Gazetting with conditions, and trial the proposed map route for the upcoming Harvest Season

Link to Council Plan:

Well-maintained physical assets and infrastructure to meet community and organisational needs: Develop and implement a strategic roads strategy to support agriculture and communities

A community well informed and engaged.

Facilitating and supporting economic development.

Financial Implications:

Approval of the recommendations will:

1. Increase access and heavy vehicle use by responsible vehicle operators and thus increase the numbers of heavy vehicles currently on the roads, which will initially increase council's maintenance costs. The costs in time will balance out as there will be less vehicle movements, with vehicle configurations able to take more loads.
2. Reduce the number of permits issued by Council staff, and allow staff to focus on other duties.

Risk Management Implications:

Approval of the recommendations will:

1. Increase access and heavy vehicle use by responsible vehicle operators and thus increase the numbers of heavy vehicles currently on the roads, which will initially increase council's maintenance costs. The costs in time will balance out as there will be less vehicle movements, with vehicle configurations able to take more loads. Farmers and transport companies will also have increased farm access to paddocks for pickup and delivery.
2. Reduce the number of permits issued by Council staff, and allow the current local transport operators to operate within the law and allow increased farm access to paddocks for pickup and delivery.
3. Have an effect on residents and non-heavy vehicle road users, which needs to be taken into account when making assessments and enforcing conditions.

Relevant legislation:

Road Management Act 2004

Community engagement:

Council has been actively engaging publically with the local farmers, operators, the B Double Working group and Government departments.

Many community surveys and consultations were conducted within the groups, over the last 6 months. Council was presented with submissions regarding the specific B Double Gazetting of roads for various vehicle types on 4 August 2021.

The working group voted unanimously to request that Council adopt the definition of ‘Local Use’, approve the HSC Heavy vehicle routes for Gazetting with conditions, and trial the proposed map route for the upcoming Harvest Season. Should Council wish to again publicly consult with the community it is unlikely that Council Officers will be able to make all the changes necessary if approved by Council for the upcoming Harvest Season.

Gender equality implications:

The local road use definition and Gazetting of HSC Heavy Vehicle Map Routes will not have any gender specific impact.

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

Officer Responsible - Angela Hoy, Director Infrastructure Services

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

Author – Joe Scimone, Development Engineer

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

Communications Strategy:

Following Council’s decision interested parties will be advised of the outcome.

Next Steps:

Contact National Heavy Vehicle Regulator, and B Double Working Group to advise them of Council’s decision with regards to HSC Heavy Vehicle Map Routes, and request the Department of Transport to update the gazetted routes on the VicRoads Heavy vehicle map networks in the event Council approves

RECOMMENDATION:

That Council:

- 1. formally adopts the definition of local road use in the Hindmarsh Shire Municipality as follows;**

A road deemed for local use only may be accessed by a B Double with conditions based on and assessment of the individual road. Conditions may be speed limits, dry weather use, no through access etc:

- 1. If the destination of the B double is on the specific road for the purposes of loading and unloading; or**
 - 2. If the B Double’s depot is located on the road; or**
 - 3. If there is no alternative route for the B Double to reach its final destination.**
- 2. approves a trial for the upcoming harvest season of the roads with conditions as shown in attachment HSC Heavy Vehicle Routes to be gazetted for HML, Grain**

Harvest Management Scheme (GHMS) - B Doubles, Grain Harvest Management Scheme (GHMS) - Rigid trucks & Semi-Trailers, PBS Level 1 & PBS Level 2A with some conditions between full and local access only.

MOVED: CRS M Albrecht/W Bywaters

That Council:

1. formally adopts the definition of local road use in the Hindmarsh Shire Municipality as follows;

A road deemed for local use only may be accessed by a B Double with conditions based on and assessment of the individual road. Conditions may be speed limits, dry weather use, no through access etc:

- 1. If the destination of the B double is on the specific road for the purposes of loading and unloading; or***
- 2. If the B Double's depot is located on the road; or***
- 3. If there is no alternative route for the B Double to reach its final destination.***

3. approves a trial for the upcoming harvest season of the roads with conditions as shown in attachment HSC Heavy Vehicle Routes to be gazetted for HML, Grain Harvest Management Scheme (GHMS) - B Doubles, Grain Harvest Management Scheme (GHMS) - Rigid trucks & Semi-Trailers, PBS Level 1 & PBS Level 2A with some conditions between full and local access only.

CARRIED

Attachment Number: 30

10 COUNCIL COMMITTEES

10.1 YURUNGA COMMITTEE OF MANAGEMENT

Responsible Officer: Director Corporate and Community Services

Attachment Numbers: 31 – 32

Introduction:

The Yurunga Committee of Management held its general meeting on 26 August 2021 and its Annual General Meeting on 17 September 2021. The purpose of this report is to note the minutes from these meetings. A copy of the minutes are included as attachments for the information of Council.

RECOMMENDATION:

That Council:

- 1. notes the minutes of the Yurunga Committee of Management meeting held on 26 August 2021;**
- 2. notes the minutes of the Yurunga Committee of Management annual general**

meeting held on 17 September 2021; and

- 3. approves the following members of the Yurunga Committee of Management:**
- **Chairperson – Jenny Solly**
 - **Treasurer – Samantha Smith**
 - **Secretary – Peter Solly**
 - **Committee members – Helen Fisher, Lou Ravenhorst and Helen Heinrich.**

MOVED: CRS B Ireland/M Albrecht

That Council:

- 1. notes the minutes of the Yurunga Committee of Management meeting held on 26 August 2021;**
- 2. notes the minutes of the Yurunga Committee of Management annual general meeting held on 17 September 2021; and**
- 3. approves the following members of the Yurunga Committee of Management:**
 - **Chairperson – Jenny Solly**
 - **Treasurer – Samantha Smith**
 - **Secretary – Peter Solly**
 - **Committee members – Helen Fisher, Lou Ravenhorst and Helen Heinrich.**

CARRIED

Attachment Numbers: 31 – 32

10.2 JEPARIT TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Number: 33

Introduction:

The Jeparit Town Committee held its meeting on 13 September 2021. 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:

- 1. notes the minutes of the Jeparit Town Committee meeting held on 13 September 2021; and**
- 2. approves the appointment of Elizabeth Schivell as a member of the Jeparit Town Committee.**

MOVED: CRS B Ireland/W Bywaters

That Council:

- 1. notes the minutes of the Jeparit Town Committee meeting held on 13 September 2021; and**
- 2. approves the appointment of Elizabeth Schivell as a member of the Jeparit Town Committee.**

CARRIED

Attachment Number: 33

10.3 NHILL TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment Number: 34

Introduction:

The Nhill Town Committee held its meeting on 20 September 2021. The purpose of this report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

RECOMMENDATION:

That Council notes the minutes of the Nhill Town Committee meeting held on 20 September 2021.

MOVED: CRS M Albrecht/D Nelson

That Council notes the minutes of the Nhill Town Committee meeting held on 20 September 2021.

CARRIED

Attachment Number: 34

10.4 WIMMERA MALLEE PIONEER MUSEUM COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment Numbers: 35 – 36

Introduction:

The purpose of this report is to note the Annual and Financial reports that have been provided by the Wimmera Mallee Pioneer Museum Committee. A copy of the reports are included as attachments for the information of Council.

RECOMMENDATION:

That Council notes the:

- 1. Annual report of the Wimmera Mallee Pioneer Museum Committee for 2020-2021; and***
- 2. Annual Financial report of the Wimmera Mallee Pioneer Museum Committee for the period 1 July 2020 to 30 June 2021.***

MOVED: CRS B Ireland/M Albrecht

That Council notes the:

- 1. Annual report of the Wimmera Mallee Pioneer Museum Committee for 2020-2021; and***
- 2. Annual Financial report of the Wimmera Mallee Pioneer Museum Committee for the period 1 July 2020 to 30 June 2021.***

CARRIED

Attachment Numbers: 35 – 36

10.5 AUDIT AND RISK COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment Number: 37

Introduction:

The Audit and Risk Committee held its meeting on 21 September 2021. 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 Audit and Risk Committee meeting held on 21 September 2021.

MOVED: CRS D Nelson/M Albrecht

That Council notes the minutes of the Audit and Risk Committee meeting held on 21 September 2021.

CARRIED

Attachment Number: 37

10.6 DIMBOOLA TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Number: 38

Introduction:

The Dimboola Town Committee held its meeting on 4 October 2021. 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 held on 4 October 2021.

MOVED: CRS W Bywaters/B Ireland

That Council notes the minutes of the Dimboola Town Committee meeting held on 4 October 2021.

CARRIED

Attachment Number: 38

11 LATE REPORTS

No late reports.

12 NOTICES OF MOTION

Nil

14 CONFIDENTIAL REPORTS

In accordance with Section 66 (2) (a) of the *Local Government Act 2020*, Council may close the meeting to the public to consider confidential information. Confidential information is defined by Section 3 of the *Local Government Act 2020* as being:

- a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
- c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;
- d) law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;
- e) legal privileged information, being information to which legal professional privilege or

- client legal privilege applies;
- f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
 - g) private commercial information, being information provided by a business, commercial or financial undertaking that—
 - i. relates to trade secrets; or
 - ii. if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
 - h) confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);
 - i) internal arbitration information, being information specified in section 145;
 - j) Councillor Conduct Panel confidential information, being information specified in section 169;
 - k) information prescribed by the regulations to be confidential information for the purposes of this definition;
 - l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989

RECOMMENDATION:

That the meeting be closed in accordance with section 66 (2) (a) of the Local Government Act 2020, to consider reports that contain confidential information as defined by section (3) of the Local Government Act 2020:

- 14.1 TENDER FOR CONTRACT 2020/21-12 CONSTRUCTION OF RAINBOW CHANGE ROOM – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;**
- 14.2 PANEL OF APPROVED SUPPLIERS – TYRE FITTING, WHEEL ALIGNMENT AND PUNCTURE REPAIR SERVICES – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;**
- 14.3 REQUEST FOR QUOTE – AWARD FOR PURCHASE OF ONE (1) BACKHOE – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;**
- 14.4 REQUEST FOR QUOTE – AWARD FOR PURCHASE OF ONE (1) MOTOR GRADER – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;**
- 14.5 LATE REPORT – PROPOSAL FOR COUNCIL TO PURCHASE VACANT LAND – this report contains “Council business information, being information that**

would prejudice the Council's position in commercial negotiations if prematurely released" insofar as it pertains to contractual matters;

MOVED: CRS M Albrecht/D Nelson

That the meeting be closed in accordance with section 66 (2) (a) of the Local Government Act 2020, to consider reports that contain confidential information as defined by section (3) of the Local Government Act 2020:

- 14.1 TENDER FOR CONTRACT 2020/21-12 CONSTRUCTION OF RAINBOW CHANGE ROOM – this report contains “Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;**
- 14.2 PANEL OF APPROVED SUPPLIERS – TYRE FITTING, WHEEL ALIGNMENT AND PUNCTURE REPAIR SERVICES – this report contains “Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;**
- 14.3 REQUEST FOR QUOTE – AWARD FOR PURCHASE OF ONE (1) BACKHOE – this report contains “Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;**
- 14.4 REQUEST FOR QUOTE – AWARD FOR PURCHASE OF ONE (1) MOTOR GRADER – this report contains “Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;**
- 14.5 LATE REPORT – PROPOSAL FOR COUNCIL TO PURCHASE VACANT LAND – this report contains “Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;**

CARRIED

13 OTHER BUSINESS

Nil

15 MEETING CLOSE

There being no further business, Cr R Ismay declared the meeting closed at 5:03pm.



MINUTES OF THE ANNUAL STATUTORY MEETING OF THE HINDMARSH SHIRE COUNCIL HELD 10 NOVEMBER 2021 AT THE NHILL MEMORIAL COMMUNITY CENTRE, 77-79 NELSON STREET NHILL COMMENCING AT 6:00PM.

AGENDA

1 WELCOME	2
2 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER	2
3 APOLOGIES	2
4 MAYORAL REPORT 2020/2021	2
5 TERM OF OFFICE OF MAYOR	4
6 ELECTION OF MAYOR – CHIEF EXECUTIVE OFFICER	4
7 CONGRATULATORY REMARKS TO MAYOR	5
8 MAYORAL RESPONSE	5
9 DETERMINATION OF POSITION OF DEPUTY MAYOR	5
10 ELECTION OF DEPUTY MAYOR – CHIEF EXECUTIVE OFFICER	6
11 APPOINTMENT OF DELEGATES TO COUNCIL COMMITTEES AND EXTERNAL ORGANISATIONS	6
12 DATE OF NEXT ANNUAL MEETING	8
13 MEETING CLOSE	8

Present:

Crs R Ismay, R Gersch, D Nelson, W Bywaters, B Ireland, M Albrecht

In Attendance:

Mr Greg Wood (Chief Executive Officer), Ms Monica Revell (Director Corporate and Community Services), Ms Angela Hoy (Director Infrastructure Services), Ms Shauna Johnson (Executive Assistant).

1 WELCOME

The Mayor, Councillor Ron Ismay, declared the meeting open at 6:00pm.

2 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Cr R Ismay acknowledged the Indigenous Community and offered the opening prayer.

3 APOLOGIES

No apologies.

4 MAYORAL REPORT 2020/2021

Cr Ron Ismay to present the Mayor's report for 2020/2021.

Mayoral Report 2020/2021

It has been an honour to represent the Shire as Mayor over the past twelve months, albeit a totally different year than any I have ever experienced before.

The year seemed to be getting back to some sort of "normal" early in the year that was at least until the Rural Council's Victoria Summit in May. We have been forced into lockdown after lockdown ever since. Hopefully this will now change with the vaccination uptake reaching prescribed targets.

I have sorely missed the handshakes, personal greetings and interaction around the council table. Zoom and Microsoft Team meetings have freed us from total limbo, just. I look forward, hopefully, to a turnaround in 2022.

2021, however, hasn't been all doom and gloom. It has resulted in funding being made available to live stream the Council meetings and made QR codes part of everyday life. QR

codes will be used much more widely into the future, certainly in the tourism and hospitality industry.

In 2021, we have seen the opening of the new Dimboola library, synthetic greens at the Dimboola Bowling Club, opening of the refurbished Dimboola Old Shire Hall into a Community Civic Hub and an exciting new structure and development at the old Dimboola pub site.

Jeparit has had a new library and refurbished customer service centre added to the Memorial Hall, and has had some upgrading of Roy St which has enhanced the entrance into town. The swimming hole/discovery trail node will be discussed this month with construction to commence before the end of the year.

Nhill Lutheran school are also about to invest in a substantial upgrade to their facilities in the near future.

I must pay tribute to Lucy Stephan, a highlight of our Shires high achiever's, for winning Gold at the Tokyo Olympics. Well done Lucy. Our young residents are our future and need inspiration such as this and mentoring by our older generation, something I hope to get involved in the future.

Material costs, undersupplies or high trade services have caused and continues to create great difficulty, not only for our shire but Australia wide with little prospect of easing anytime soon. This has impacted our funding for cabins at the Caravan Parks, Nhill Tennis Club, Davis Park and change rooms at the Rainbow Recreation Reserve.

A new dual lane Albacutya bridge is about to be constructed replacing the 100-year-old single lane version. Widening of the road will also take place to alleviate some of the safety issues with the high volumes of heavy vehicle traffic.

Rainbow also has a new library/customer service centre under construction and soon to commence, Llew Schilling silo project.

Rainbow Desert Enduro will continue to grow with range and volume of events in 2022 and beyond.

A very sincere thank you to my fellow councillors for your support throughout a somewhat difficult year.

I look forward to 2022, and hopefully a much improved and brighter outlook than this year.

Thank you to our CEO Greg Wood, Monica Revell, Angela Hoy and Shauna Johnson for their efficiency and professional support making my role so easy to do. 2022 will be an exciting year and we will all reflect on 2020/21 as years to add to the history of misfortune.

Cr Ron Ismay
Mayor

RECOMMENDATION:

That Council accepts the outgoing Mayor's report for 2020/2021.

MOVED: CRS W Bywaters/D Nelson

That Council accepts the outgoing Mayor's report for 2020/2021.

CARRIED

5 TERM OF OFFICE OF MAYOR

Section 26(3) of the *Local Government Act 2020* requires Council to determine the length of the Mayoral term prior to the election of the Mayor. The term decided will apply to the Deputy Mayor, if one is also elected. The term of office of the Mayor and Deputy Mayor may be a 1-year term or a 2-year term.

Under the Act, where the Mayor is elected for a 1-year term, the next election of the Mayor must be held on a day to be determined by Council that is as close to the end of the 1-year term as is reasonably practicable.

Where the Mayor is elected for a 2-year term, the next election of the Mayor must be held on a day to be determined by Council that is as close to the end of the 2-year term as is reasonably practicable.

RECOMMENDATION:

That Council determines that the Term of Office of the Mayor be a period of one/two year(s).

MOVED: CRS R Gersch/B Ireland

That Council determines that the Term of Office of the Mayor be a period of one year.

CARRIED

6 ELECTION OF MAYOR – CHIEF EXECUTIVE OFFICER

The election of the Mayor will be conducted in accordance with the provisions of the *Local Government Act 2020* Section 25

25 Election of Mayor

- (1) *At a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.*
- (2) *Subject to section 167, any Councillor is eligible for election or re-election to the office of Mayor.*
- (3) *The election of the Mayor must—*
 - (a) *be chaired by the Chief Executive Officer; and*
 - (b) *subject to this section, be conducted in accordance with the Governance Rules.*
- (4) *Subject to subsections (5) and (6), the Mayor must be elected by an absolute majority of the Councillors.*
- (5) *If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.*
- (6) *If only one Councillor is a candidate for Mayor, the meeting must declare that Councillor to be duly elected as Mayor.*
- (7) *In this section, **absolute majority** means the number of Councillors which is greater than half the total number of the Councillors of a Council.*

The Chief Executive Officer called for nominations and conducted the election for Mayor.

**Cr D Nelson nominated by Cr W Bywaters, seconded by Cr D Nelson.
Cr M Albrecht nominated by Cr R Gersch, seconded by Cr D Nelson.**

Voting was by a show of hands.

Cr M Albrecht was declared elected 6 votes to 0 votes.

Following declaration of voting, Cr M Albrecht assumed the chair as Mayor.

7 CONGRATULATORY REMARKS TO MAYOR

Councillors congratulated Mayor.

8 MAYORAL RESPONSE

Incoming Mayor thanked Councillors for their support.

9 DETERMINATION OF POSITION OF DEPUTY MAYOR

Pursuant to the *Local Government Act 2020*:

Section 20A Office of Deputy Mayor

- (1) A Council may establish an office of Deputy Mayor.
- (2) If the Council has established an office of Deputy Mayor, the provisions of this Act relating to the office of Deputy Mayor apply.

RECOMMENDATION:

That Council elects/does not elect a Deputy Mayor for a term of one/two year(s).

MOVED: CRS D Nelson/R Ismay

That Council elects a Deputy Mayor for a term of one year.

CARRIED

10 ELECTION OF DEPUTY MAYOR – CHIEF EXECUTIVE OFFICER

If council decides to elect a Deputy Mayor the Mayor will ask the Chief Executive Officer to conduct the election for a Deputy Mayor.

The election of the Deputy Mayor will be conducted in accordance with the provisions of the *Local Government Act 2020* Section 27

27 Election of Deputy Mayor

- (1) *Section 25, other than subsection (3)(a), applies to the election of a Deputy Mayor by the Councillors as if any reference in that section to the Mayor was a reference to the Deputy Mayor.*
- (2) *Section 26 applies to the election of a Deputy Mayor as if any reference in that section to the Mayor was a reference to the Deputy Mayor.*

The Chief Executive Officer to called for nominations and conducted the election for Deputy Mayor.

Cr W Bywaters nominated by Cr D Nelson, seconded Cr R Ismay.

Cr B Ireland nominated by Cr R Ismay, seconded Cr D Nelson.

Voting was by a show of hands.

Cr B Ireland was declared elected 4 votes to 2 votes.

11 APPOINTMENT OF DELEGATES TO COUNCIL COMMITTEES AND EXTERNAL ORGANISATIONS

The following Council organisations and external committees require the appointment of Council delegates for the period 2021/2022.

It is important that this list of Council appointments to external organisations is as complete as possible, as Council policy provides that travelling expenses and out of pocket expenses are payable for attendance at meetings of these organisations.

A Councillors role with these organisations is to provide strategic input, influencing outcomes that are consistent with goals in Council's Plan, and be a communication conduit between the organisation and Council.

Previous delegates, and appointments, are listed for convenience.

No.	COUNCIL ADVISORY COMMITTEES	2019/2020 DELEGATE	2020/2021 DELEGATE
1	Audit Committee (2 required)	Cr D Nelson Cr M Albrecht	Cr D Nelson Cr M Albrecht
2	Nhill Aerodrome Master Plan Advisory Committee	No Delegate	Cr W Bywaters
3	Nhill Town Committee	Cr M Albrecht	Cr M Albrecht
4	Dimboola Town Committee	Cr W Bywaters	Cr D Nelson
5	Jeparit Town Committee	Cr B Ireland	Cr B Ireland
6	Rainbow Town Committee	Cr R Ismay	Cr R Ismay
	COMMUNITY ASSET COMMITTEES		
7	Rainbow Civic Centre Committee	Cr B Ireland	Cr B Ireland
8	Rainbow Recreation Reserve Committee	Cr R Ismay	Cr R Ismay
9	Wimmera Mallee Pioneer Museum Committee	Cr B Ireland	Cr B Ireland
10	Yurunga Homestead Committee	Cr B Ireland	Cr B Ireland
	EXTERNAL ORGANISATIONS		
11	Municipal Association of Victoria (Delegate & Substitute Delegate recommended)	Cr R Ismay Cr W Bywaters (Substitute)	Cr M Albrecht Cr B Ireland (Substitute)
12	Rural Councils Victoria	Cr R Gersch	Cr R Gersch
13	North West Municipalities Association	Cr R Gersch	Cr R Gersch
14	Wimmera Development Association	Cr M Albrecht	Cr M Albrecht
15	Wimmera Regional Transport Group	Cr R Gersch	Cr R Gersch
16	Western Highway Action Committee	Cr R Ismay	Cr R Ismay
17	Rail Freight Alliance	Cr R Ismay	Cr R Ismay
18	Wimmera Mallee Tourism Association	Cr R Ismay	Cr R Ismay
19	Grampians Central West Waste and Resource Recovery Group	Cr R Gersch	Cr R Gersch

20	Hindmarsh Landcare Network	Cr M Albrecht	Cr W Bywaters
21	Wimmera Mallee Sustainability Alliance	Cr D Nelson	Cr D Nelson
22	Local Learning and Employment Network	Cr D Nelson	Cr D Nelson

RECOMMENDATION:

That the Council delegates for 2021/2022 as proposed be adopted.

MOVED: CRS R Gersch/R Ismay

That the Council delegates for 2021/2022 as proposed be adopted.

CARRIED

12 DATE OF NEXT ANNUAL MEETING

The date of the next Annual Meeting must be after the fourth Saturday in October and prior to 30 November 2022.

RECOMMENDATION:

That a Special Meeting to elect a Mayor and appoint delegates be held at 6pm Wednesday 9 November 2022 at the Nhill Memorial Community Centre, 77-79 Nelson Street, Nhill.

MOVED: CRS B Ireland/W Bywaters

That a Special Meeting to elect a Mayor and appoint delegates be held at 6pm Wednesday 9 November 2022 at the Nhill Memorial Community Centre, 77-79 Nelson Street, Nhill.

CARRIED

13 MEETING CLOSE

There being no further business, Cr M Albrecht declared the meeting closed at 6:22pm.

3 St Cloud Crt
Highton 3216
20.10.2021

Public Relations Department
Hindmarsh Shire Council
92 Nelson St Nhill 3418

RECEIVED

25 OCT 2021

HINDMARSH SHIRE

Dear Sir/Madam,

I am writing to ask for the chance or a Tree Planting please.
If I may introduce myself and explain...I'm a Coordinator of Leos Club, a youth initiative of Lions International; a wonderful Club is based and plays a community part in your lovely corner of Nhill.

One of our young youth Leo leaders, Kiara Drendle, was killed tragically recently in a car accident near Warrnambool. Kiara was well known for her school and community dedications. Her death has touched so many hearts around Victoria too. It becomes a sad road to see any "positive" in this; but our LIONS pride and spirit would really like to remember her. Kiara's family are proud LION CLUB members in the region.

My partner and I recently visited Nhill to share a country town visit and we were so impressed with the natural Australian beauty of the area. I was wondering please, with the aid of the local Nhill Lions Club if there was a chance of planting a tree in a corner somewhere of the Nhill Eastern Approach Project. I so admire the community coming together in club and individuals to help shape a natural green beauty.

My thoughts also wondered of the possibility of a Flowering Yellow Wattle.
That tree would signify the season of her death; celebrate the first days of spring after a cold winter; brighten the bank of natural blues & greens amongst the bark on that early corner of the Project. A bright spark of yellow light as a commemoration of life taken too soon.

I would appreciate the chance to be in contact further for discussion.
Many sincere thanks and wishing prosperity and good health to your families & community. I look to the joy of travelling to the region more often!

Regards,

DEB STALLARD
GEELONG CORIO BAY LIONS CLUB
LEOS/LEO EXTENSION CORDINATOR
201V2 VICTORIA AUSTRALIA
PH +61 425 707 736
E: stallardstcloud@vtown.com.au



Saturday 6th November 2021

Mayor Ron Ismay,
Hindmarsh Shire Council.

Dear Ron,

Thank you for talking with me on Saturday 30th October 2021.

I never know if any of my emails or letters have reached their destination at the Council.

Especially after the emails at the end of 2020, where the south ward councilors did not know of my problems with dust and noise.

My home is fast becoming unlivable because of dust and noise.

Is it my fault?

I did not object to Lester's Albacutya Gypsum mine in 2015 as I was reassured the transport route would exit onto Kurnbrunin Road via Gould's and share the existing transport route, the road all the mines use here.

It wasn't until you told me that Gould's and the Lester's had not been able to reach an agreement for the transport route, that they then went back to the council to use Western Beach Road.

From here on in – I have been severely disadvantaged. This is so Wrong!

The transport route on Western Beach Road benefits one family/business.

Why do they get priority? What are my rights – it appears to be none.

At the August 2018 Hindmarsh Shire Council meeting, the Council approved item 10.1 – Application for planning permit 1566-2017 – Eckermann's Road.

The proposal in the Environmental Management Plan for MIN006003 states the extraction of gypsum would be approximately 50,000 tonnes per annum. When in full production an average of 30- semi-tipper loads per week will come from the mine, although the actual amount may vary due to the season and weather conditions.

I can understand DELWP and the Shire approving this stating there would be minimal or no impact on amenities or the environment, 30 semi-tippers per week is not a lot, 5 per day over a 6-day week.

Are you aware of what happened in the first season that started in January 2021?

On average, during February, March, and April, most of the gypsum was moved by the mine by B-doubles, 200 per day or 1,200 per week, six days a week and some on Sundays.

This is 40 times more trucks than what was approved.

This can be calculated at 10 times more product was excavated from the mine than projected.

The mine is now extracting off season and trucks are moving gypsum almost all year round.

At what point would Council consider it possible that any material damage would impact my home/amenity? The Albacutya hall is included in this; it may not be heritage listed but it is 94 years old and has historical value of being a former school/church and public hall.

All council has done is forge ahead with a new road management plan to turn Western Beach Road into an approved B-Double. A new road is not going to reduce the noise, it may ease the dust a bit.

Angela Hoy point blank refuses to measure the noise. Why?

We previously had bylaws that ensured residents of good quality air and lifestyle. Where have they gone? My amenity has extremely poor air quality and poorer health and wellbeing – the noise causes stress, anxiety and sleeplessness – it is relentless, especially with the trucks at night.

We now have local laws only, where dust and noise complaints are referred to the EPA. The Council does not take responsibility for decisions you make that creates dust and noise – like the trucks on Western Beach Road. How do I get help?

If Council gets full ownership of Western Beach Road, does this mean you are attempting to avoid Environmental Protection Biodiversity Conservation Act referrals, which Western Beach Road and this part of the Lake Albacutya Boundary Ramsar site has been previously protected?

None of my questions get answered, all I get in reply is 'Western Beach Road is a public road!'.

The Shire Council have deliberately, consciously, knowingly, and willingly made decisions that have adversely impacted my life and done nothing to rectify the situation.

My liberty and freedom are being limited by dust and noise. What are my rights?

You asked me what I wanted you to do.

-Please have this letter tabled as correspondence in at the next November 2021 Council meeting.

-I want you and the other elected councilors to protect people like me.

-Protect my home/amenity.

-Provide clean air to breathe.

-Provide a noise free environment where I can sleep.

-I want to harvest water without it needing major filtration before consumption.

-I want to grow fruit and vegetables that I can eat, not be damaged by dust and dirt.

What was approved in August 2018 is not being put in place.

A mine already 10 times larger than the original estimate needs an alternative transport route such as Redman's Plains Road reserve to protect amenities and the environment.

Thank you for taking my questions and concerns to Council.

I look forward to your reply,

Kind regards,



Carol Paech

Rainbow.



22 October 2021

**Administration
Centre**

PO Box 250
92 Nelson Street
Nhill VIC 3418
Ph: (03) 5391 4444
Fax: (03) 5391 1376

email:
info@hindmarsh.vic.gov.au

website:
www.hindmarsh.vic.gov.au

ABN 26 550 541 746

**Customer Service
Centres**

Jeparit

10 Roy Street
JEPARIT VIC 3423
Ph: (03) 5391 4450
Fax: (03) 5397 2263

Dimboola

101 Lloyd Street
DIMBOOLA VIC 3414
Ph: (03) 5391 4452
Fax: (03) 5389 1734

Rainbow

15 Federal Street
RAINBOW VIC 3424
Ph: (03) 5391 4451
Fax: (03) 5395 1436

Ms Ali Cupper, MP

Dear Ali

Re: Sustainable Rate Support

Hindmarsh Shire Council covers a large geographical area of over 7,500sq kilometres and has a population of approximately 5,588. Hindmarsh Shire has four main townships (Dimboola, Jeparit, Nhill and Rainbow) and is largely dependent on agriculture, health services, manufacturing and retail. The median age is 50 with 27.5% of our population aged 65 years of age and over with the weekly earnings 37% less than the state average.

Council is responsible for maintaining, repairing and managing over \$160 million worth of public assets and facilities including:

- 3,200km of roads
- 74km of kerb
- 36km of footpaths
- 27km of stormwater drainage
- 160 buildings and
- Parks and gardens, including playground equipment and street furniture.

With limited ability to raise revenue outside of rates, our council is reliant on grants to support the delivery of over 100 services our community are entitle too.

Sustainable annual funding would provide significant positive impact on council's ability to deliver much needed services to our community and slow the asset renewal gap.

Hindmarsh Shire Council congratulates Ali Cuppa MP on her push to obtain sustainable recurrent funding for rural councils.

If you require any further information, please do not hesitate to contact me via email gwood@hindmarsh.vic.gov.au or telephone 03 5391 4444.

Yours sincerely

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

Greg Wood
Chief Executive Officer



1 November 2021

**Administration
Centre**

PO Box 250
92 Nelson Street
Nhill VIC 3418
Ph: (03) 5391 4444
Fax: (03) 5391 1376

email:
info@hindmarsh.vic.gov.au

website:
www.hindmarsh.vic.gov.au

ABN 26 550 541 746

**Customer Service
Centres**

Jeparit

10 Roy Street
JEPARIT VIC 3423
Ph: (03) 5391 4450
Fax: (03) 5397 2263

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Ms Deb Stallard
Geelong Corio Bay Lions Club
Leos/Leo Extension Coordinator
3 St Cloud Court
HIGHTON VIC 3216
Email: stallardstcloud@vtown.com.au

Dear Ms Stallard

Re: Tree Planting in honour of Kiara Drendle

Thank you for your letter dated 20 October 2021 in relation to planting a tree in honour of Kiara Drendle.

Council supports your request and will assist you and the Nhill Lions Club in finding a suitable location to plant a flowering Yellow Wattle on the eastern entrance to Nhill.

A member from Council's Infrastructure Department will contact you to discuss your request further.

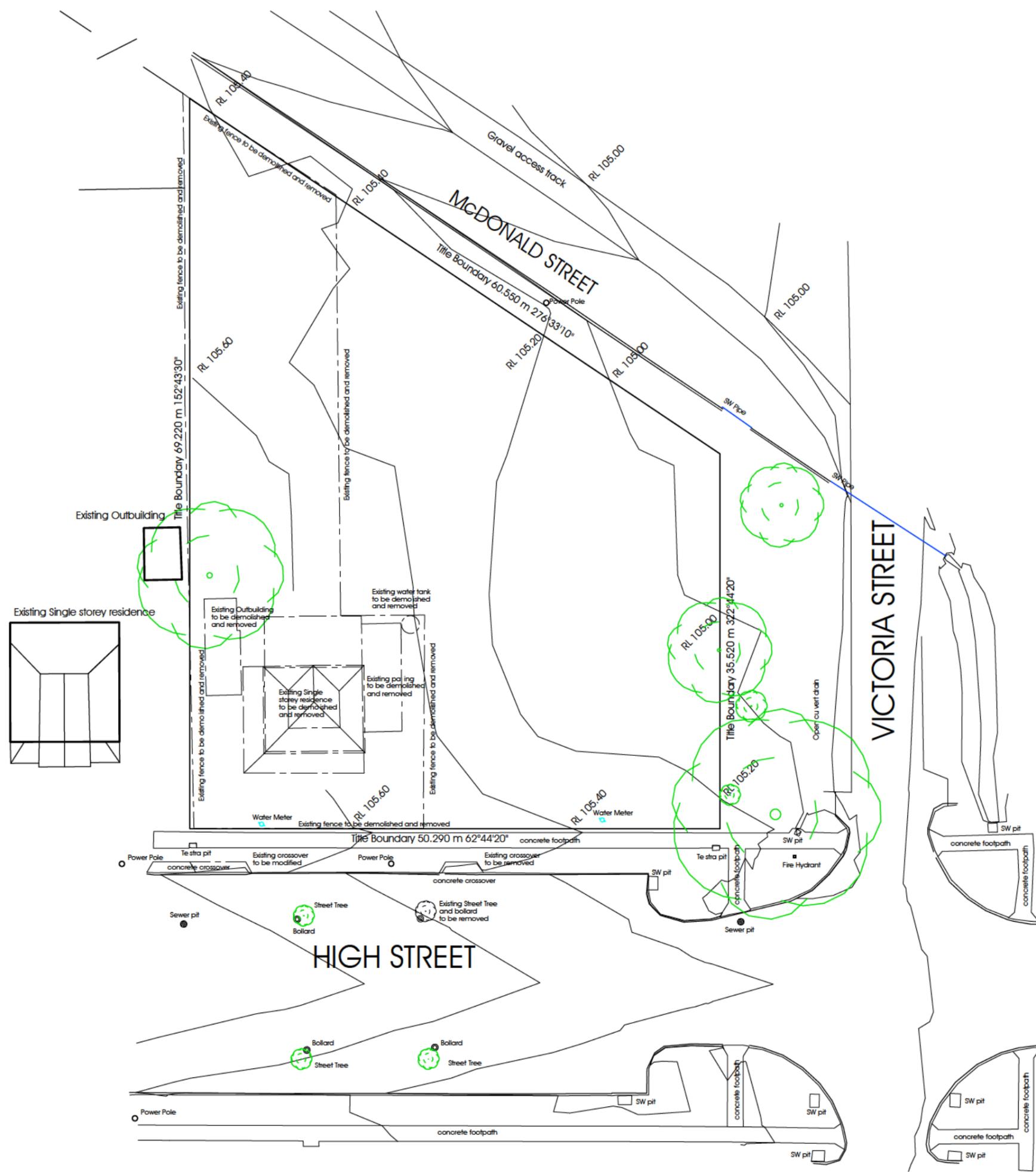
If you require any further information or assistance please do not hesitate to contact Angela Hoy, Director Infrastructure Services by email ahoy@hindmarsh.vic.gov.au or telephone 03 5391 4444.

Yours sincerely

Greg Wood
Chief Executive Officer

EXISTING CONDITIONS LOCALITY PLAN

Scale 1 : 200 at A1
Scale 1 : 400 at A3



PLANNING ISSUE

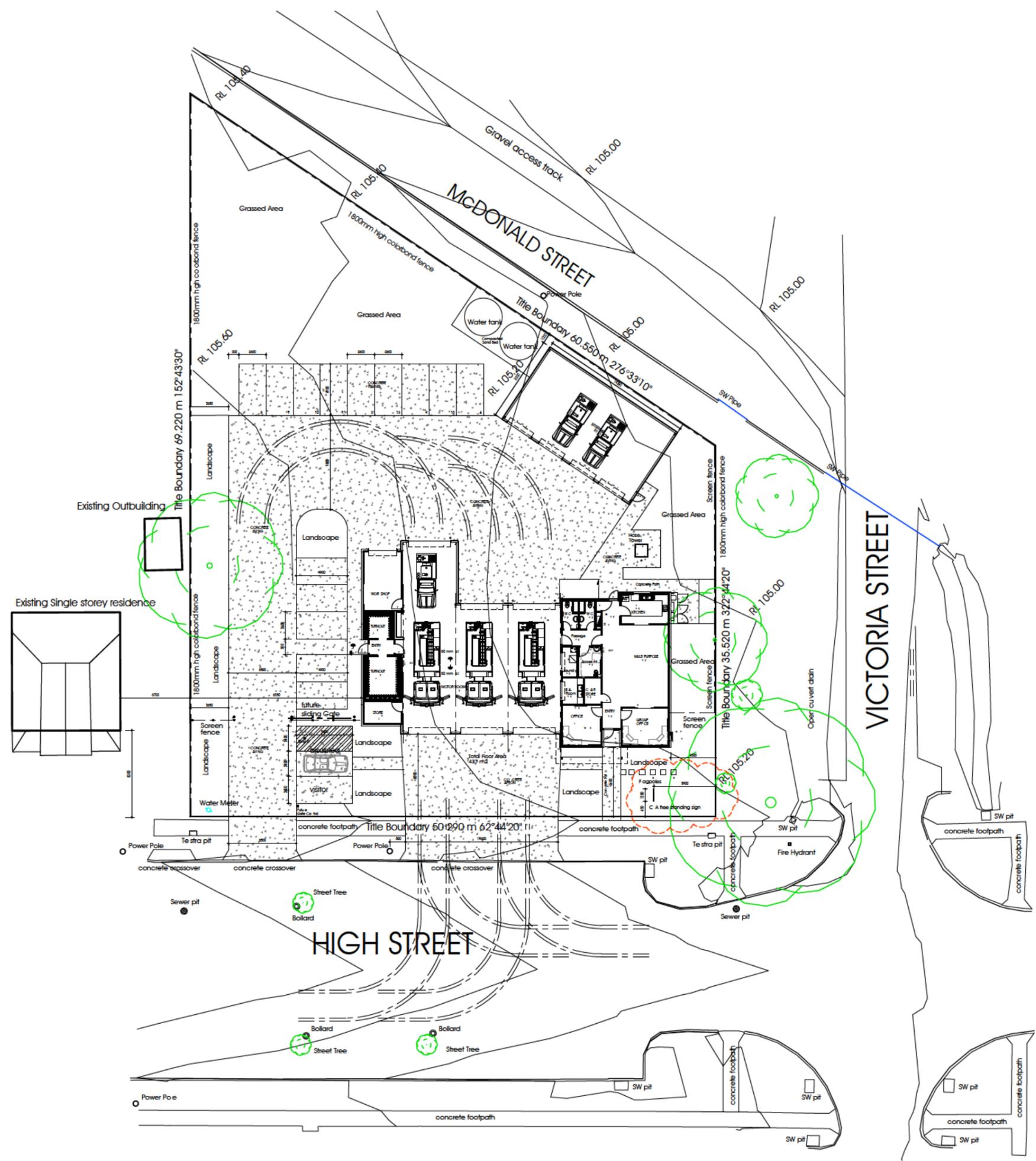
Drawn	Date	Item
TPA	28-07-01	Preliminary issue
TPB	02-09-01	Planning issue

COUNTRY FIRE AUTHORITY
4 LAKESIDE DRIVE, BURWOOD
ph (03) 9262 8348 fax (03) 9262 8358

DIMBOOLA FIRE STATION
2 - 4 HIGH STREET
DIMBOOLA

Leonard Lawrence Architect
No 3 DIXIA CLOSE
HOPPERS CROSSING, 3029
leonard.l@bigpond.com
Mobile 0414 719 567 Reg 14036

EXISTING CONDITIONS LOCALITY PLAN	DATE	BY
TP01-B	2006	LL



LOCALITY PLAN

Scale 1 : 200 at A1
Scale 1 : 400 at A3

PLANNING ISSUE

Rev	Date	Item
1	28-07-01	Preliminary issue
2	28-07-01	Planning issue
3	02-09-01	Planning issue

COUNTRY FIRE AUTHORITY
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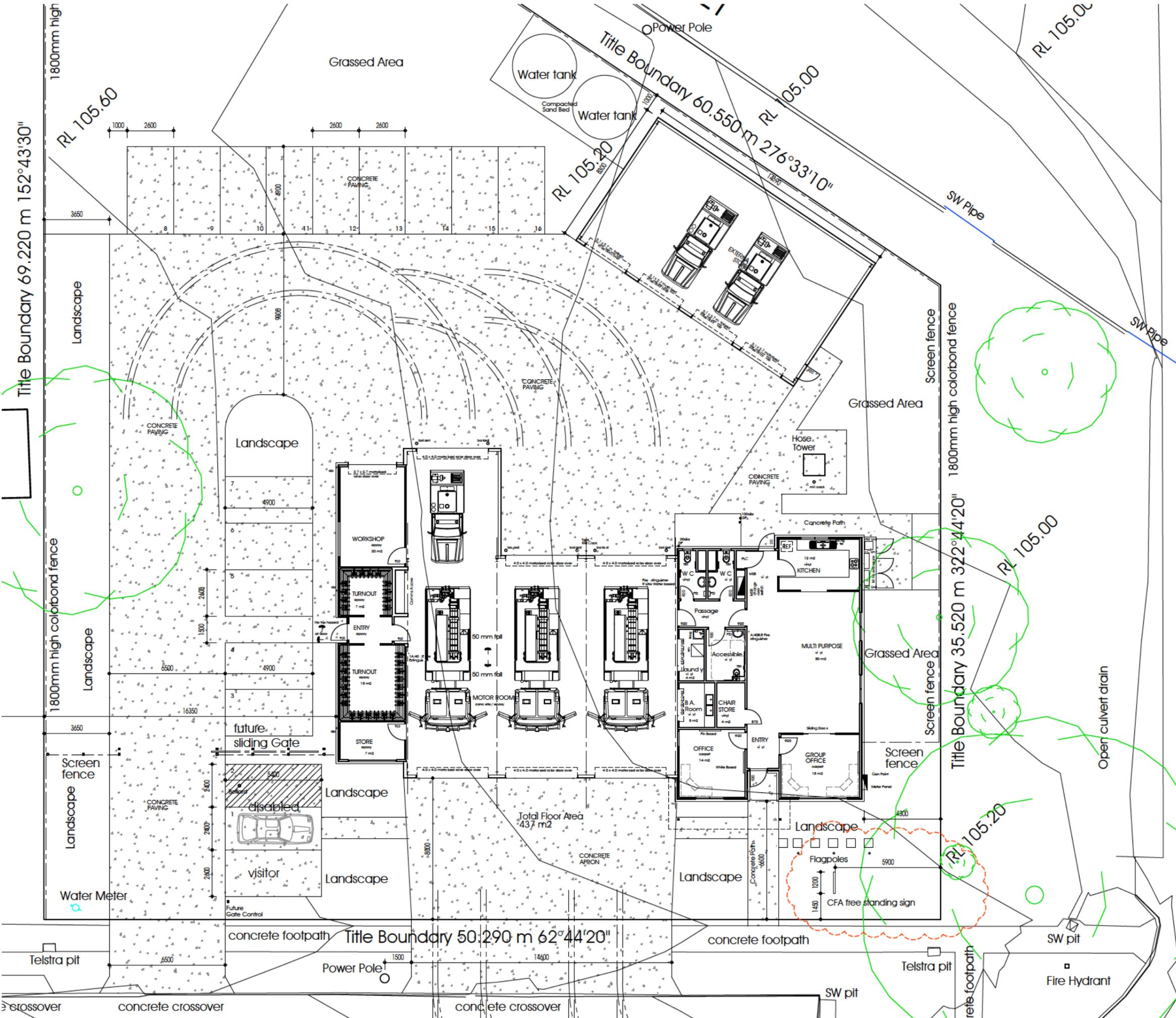
DIMBOOLA FIRE STATION
2 - 4 HIGH STREET
DIMBOOLA

Leonard Lawrence
Architect

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leonard.l@bigpond.com
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NO	DATE	BY	REVISION
1	JUNE 2006	LL	LOCALITY PLAN

TPO2-B 2006



Title Boundary 69.220 m 152°43'30"

RL 105.60

Title Boundary 60.550 m 276°33'10"

SW Pipe

1800mm high colorbond fence

Title Boundary 35.520 m 322°44'20"

RL 105.00

RL 105.20

Title Boundary 50.290 m 62°44'20"

VICTORIA STREET



PLANNING ISSUE

Rev: Date: Item:
 1: 28-07-01: Preliminary issue
 2: 28-07-01: Planning issue
 3: 02-09-01: Planning issue

COUNTRY FIRE AUTHORITY
 4 LAKESIDE DRIVE, BURWOOD
 ph (03) 9262 8348 fax (03) 9262 8358



DIMBOOLA FIRE STATION
 2 - 4 HIGH STREET
 DIMBOOLA

Leonard
 Lawrence
 Architect

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PART SITE PLAN
 FLOOR PLAN

TPO3-B 2006
 LL

FLOOR PLAN

Scale 1 : 100 at A1
 Scale 1 : 200 at A3

EXTERNAL COLOUR SCHEDULE

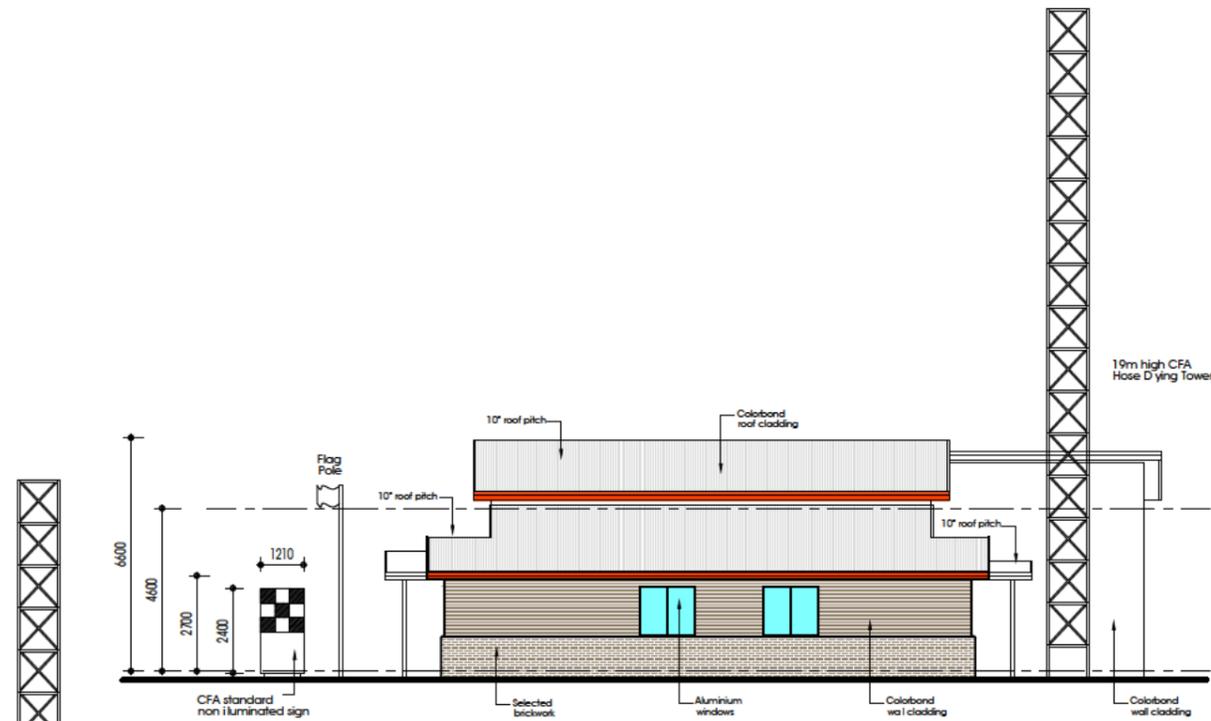
Roof Cladding
Motor Room Cladding
Motor Room Fascia
Amenities Cladding
Amenities Brick work
Fascia, Fascia gutter
Windows
External Doors
Roller Doors
Posts
Entry Canopy
Fence

Colorbond Surfmist
Colorbond Jasper
Colorbond Manor Red
Colorbond Dune
Colorbond Surfmist
Austral Whitsunday Orpheus
Colorbond Manor Red
To match Dune
Colorbond Manor Red
Colorbond Manor Red
To match Manor Red
Colorbond Manor Red
Colorbond Dune

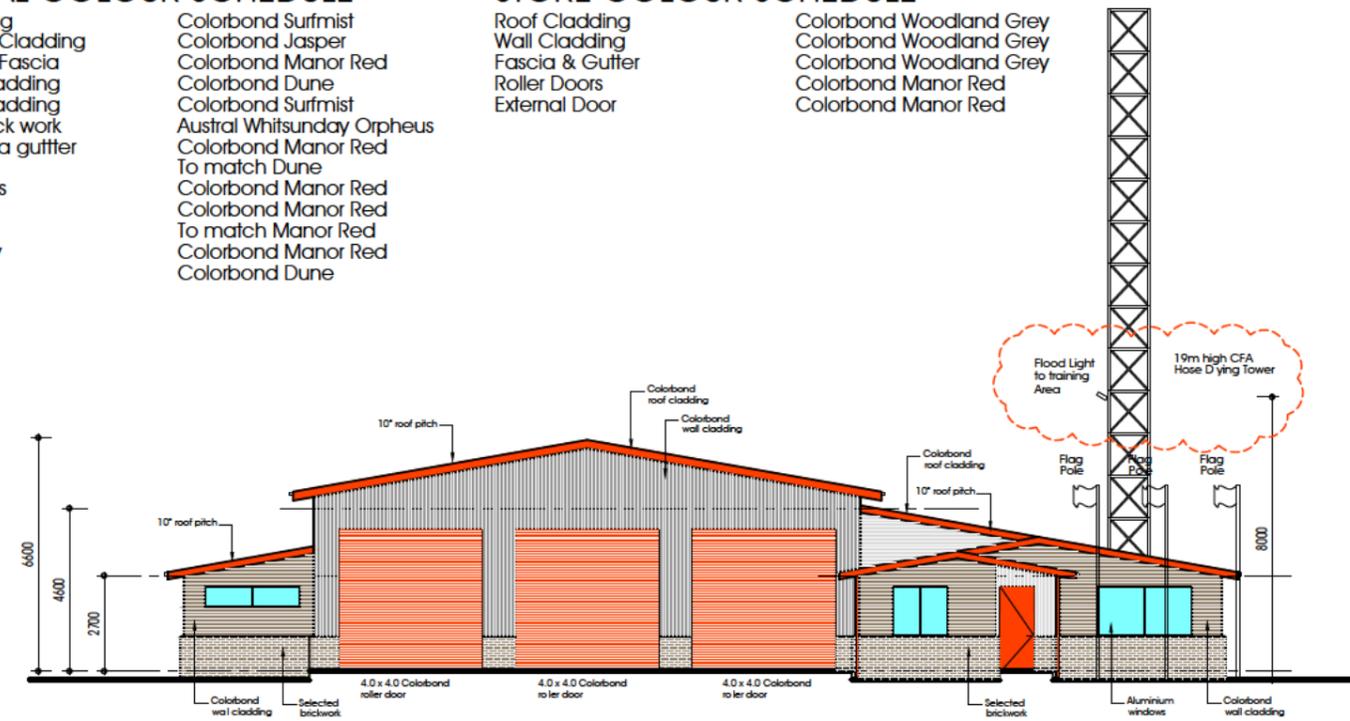
STORE COLOUR SCHEDULE

Roof Cladding
Wall Cladding
Fascia & Gutter
Roller Doors
External Door

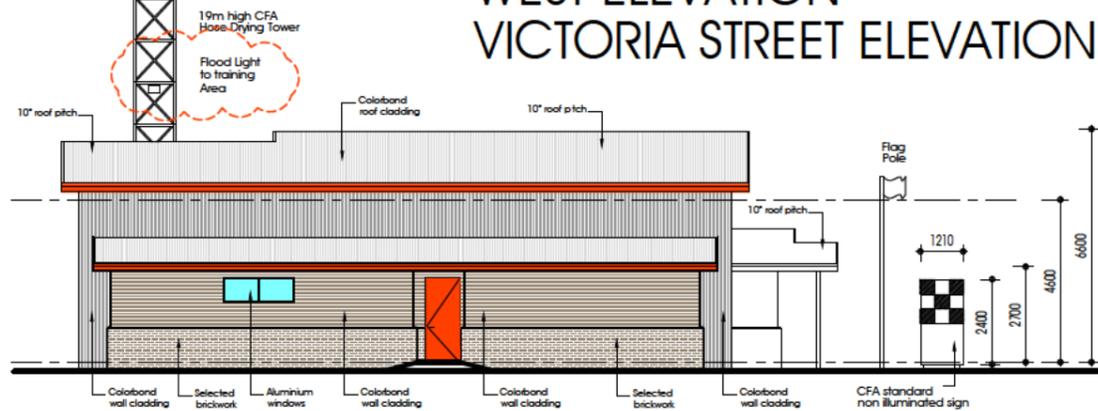
Colorbond Woodland Grey
Colorbond Woodland Grey
Colorbond Woodland Grey
Colorbond Manor Red
Colorbond Manor Red



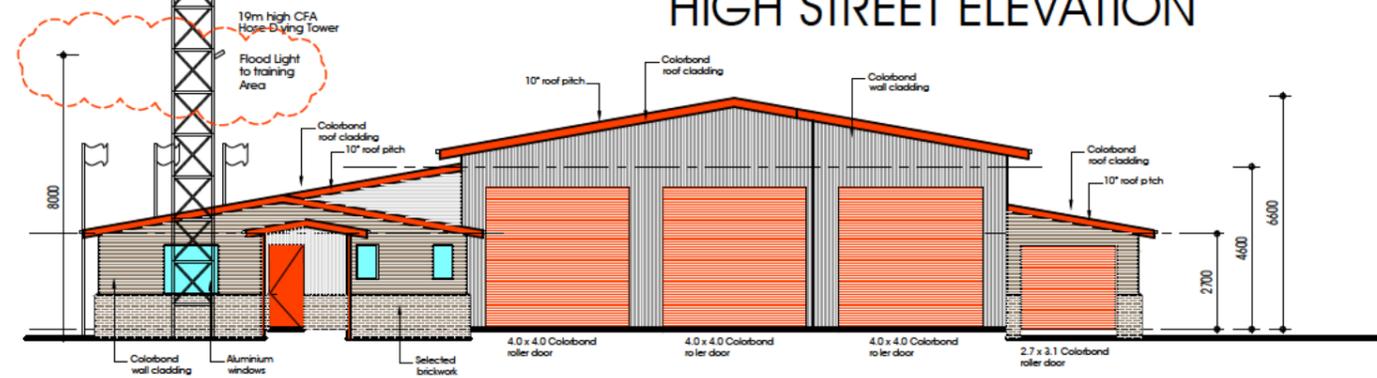
WEST ELEVATION
VICTORIA STREET ELEVATION



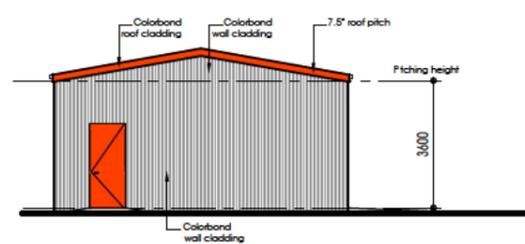
NORTH ELEVATION
HIGH STREET ELEVATION



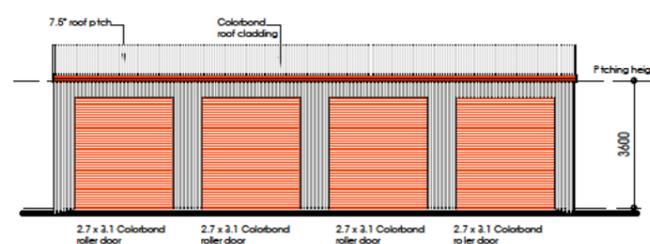
EAST ELEVATION



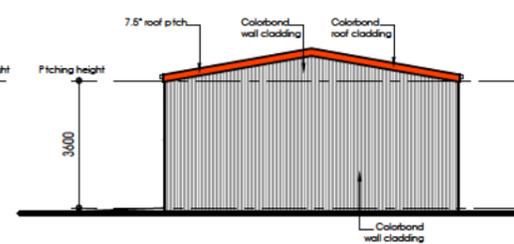
SOUTH ELEVATION



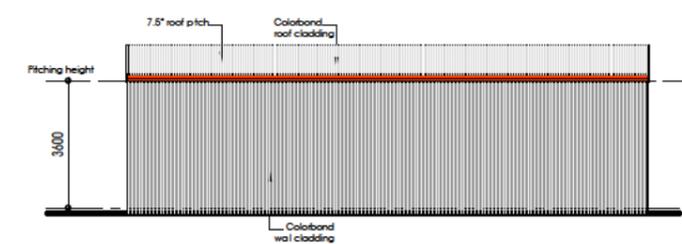
WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION

ELEVATIONS

Scale 1 : 100 at A1
Scale 1 : 200 at A3

PLANNING ISSUE

Rev	Date	Item
1	28-07-21	Preliminary issue
2	28-07-21	Planning issue
3	02-08-21	Planning issue

COUNTRY FIRE AUTHORITY
4 LAKESIDE DRIVE, BURWOOD
ph (03) 9262 8348 fax (03) 9262 8358



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DIMBOOLA

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ELEVATIONS

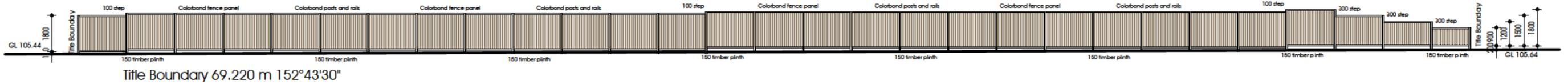
TPO4-B 2006

created: 08/02/2011
checked: LL

EXTERNAL COLOUR SCHEDULE

Fence

Colorbond Dune



Title Boundary 69.220 m 152°43'30"

EAST FENCE ELEVATION



Title Boundary 60.550 m 276°33'10"

SOUTH FENCE ELEVATION



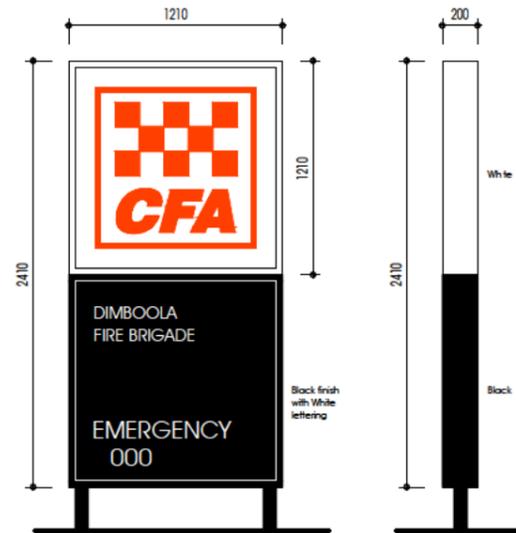
Title Boundary 35.520 m 322°44'20"

WEST FENCE ELEVATION

FENCE ELEVATIONS

Scale 1 : 100 at A1

Scale 1 : 200 at A3



CFA SIGN DETAIL

Scale 1 : 20 at A1

Scale 1 : 40 at A3

PLANNING ISSUE

Rev	Date	Item	Prepared by	Checked by
1	05-09-21	Preliminary issue		
2		Final issue		

COUNTRY FIRE AUTHORITY
4 LAKESIDE DRIVE, BURWOOD
ph (03) 9262 8348 fax (03) 9262 8358



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DIMBOOLA

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FENCE ELEVATIONS SIGN DETAILS

TP05-B 2006

checked: JUNE 2011 author: LL

GENERAL NOTES (NCC 2019 BCA Vol 2)

- ALL MATERIALS AND WORK PRACTICES SHALL COMPLY WITH, BUT NOT LIMITED TO THE BUILDING REGULATIONS 2018, NATIONAL CONSTRUCTION CODE SERIES 2019, THE BUILDING CODE OF AUSTRALIA VOL 2 AND ALL RELEVANT CURRENT AUSTRALIAN STANDARDS (AS AMENDED) REFERRED TO THEREIN.
 - UNLESS OTHERWISE SPECIFIED THE TERM BCA SHALL REFER TO NATIONAL CONSTRUCTION CODE SERIES 2019 BUILDING CODE OF AUSTRALIA VOLUME 2
 - ALL MATERIALS AND CONSTRUCTION PRACTICE SHALL MEET THE PERFORMANCE REQUIREMENTS OF THE BCA. WHERE A PERFORMANCE SOLUTION IS PROPOSED THEN, PRIOR TO IMPLEMENTATION OR INSTALLATION, IT FIRST MUST BE ASSESSED AND APPROVED BY THE RELEVANT BUILDING SURVEYOR AS MEETING THE PERFORMANCE REQUIREMENTS OF THE BCA.
 - GLAZING INCLUDING SAFETY GLAZING SHALL BE INSTALLED TO A SIZE, TYPE & THICKNESS SO AS TO COMPLY WITH:
 - BCA PART 3.6 FOR CLASS 1 AND 10 BUILDINGS WITHIN A DESIGN WIND SPEED OF NOT MORE THAN N3, AND
 - BCA VOL 1 PART B1.4 FOR CLASS 2 TO 9 BUILDINGS
 - WATERPROOFING OF WET AREAS, BEING BATHROOMS, SHOWERS, SHOWER ROOMS, LAUNDRIES, SANITARY COMPARTMENTS AND THE LIKE SHALL BE PROVIDED IN ACCORDANCE WITH AS 3740-2010: WATERPROOFING OF DOMESTIC WET AREAS.

SUSTAINABILITY MEASURES FOR NEW CLASS 1 BUILDINGS.

THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ANY HOUSE ENERGY RATING (HERS) REPORT AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STAMPED PLANS ENDORSED BY THE ACCREDITED THERMAL PERFORMANCE ASSESSOR WITHOUT ALTERATION.

SITE BUSHFIRE ATTACK ASSESSMENT.

REFERENCE DOCUMENT AS 3959-2018 CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS.
 - THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL RELEVANT STRUCTURAL AND ALL OTHER CONSULTANTS DRAWINGS/ DETAILS AND WITH ANY OTHER WRITTEN INSTRUCTIONS ISSUED IN THE COURSE OF THE CONTRACT.
 - SITE PLAN MEASUREMENTS IN MILLIMETRES - ALL OTHER MEASUREMENTS IN MILLIMETRES U.N.O.
 - FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
 - THE BUILDER SHALL TAKE ALL STEPS NECESSARY TO ENSURE THE STABILITY AND GENERAL WATER TIGHTNESS OF ALL NEW AND/OR EXISTING STRUCTURES DURING ALL WORKS.
 - THE BUILDER AND SUBCONTRACTORS SHALL CHECK AND VERIFY ALL DIMENSIONS, SETBACKS, LEVELS AND SPECIFICATIONS AND ALL OTHER RELEVANT DOCUMENTATION PRIOR TO THE COMMENCEMENT OF ANY WORKS. REPORT ALL DISCREPANCIES TO THIS OFFICE FOR CLARIFICATION

SITE CLASSIFICATION

SITE CLASSIFICATION AS CLASS:	P
REFER TO SOIL REPORT NO:	14100392-1
BY:	A&Y ASSOCIATES

STORMWATER

90mm Ø (UPTO 250m2) OR 100mm Ø (OVER 250m2) CLASS 6 UPVC STORMWATER LINE LAID TO A MINIMUM GRADE OF 1:100 AND CONNECTED TO THE LEGAL POINT OF STORMWATER DISCHARGE. PROVIDE INSPECTION OPENINGS AT 9000MM C/C AND AT EACH CHANGE OF DIRECTION. THE COVER TO UNDERGROUND STORMWATER DRAINS SHALL BE NOT LESS THAN:
 - 100MM UNDER SOIL
 - 50MM UNDER PAVED OR CONCRETE AREAS
 - 100MM UNDER UNREINFORCED CONCRETE OR PAVED DRIVEWAYS
 - 75MM UNDER REINFORCED CONCRETE DRIVEWAYS

AUTHORITIES/CONSULTANTS

MUNICIPALITY NAME:	HINDMARSH
SEWAGE AUTHORITY:	GWM WATER
CONSULTING STRUCTURAL ENGINEER:	STRUCTURE STUDIO
GEOTECHNICAL ENGINEER:	A&Y ASSOCIATES
THERMAL PERFORMANCE ASSESSOR:	PASSIVENERGY

- STEP SIZES (OTHER THAN FOR SPIRAL STAIRS) TO BE:
 - RISERS (R) 190MM MAXIMUM AND 115MM MINIMUM
 - GOING (G) 355MM MAXIMUM AND 240MM MINIMUM
 - 2R + 1G = 700MM MAXIMUM AND 550MM MINIMUM
 - WITH LESS THAN 125MM MAXIMUM GAP BETWEEN OPEN TREADS
 - ALL TREADS, LANDINGS AND THE LIKE TO HAVE A SLIP-RESISTANCE CLASSIFICATION OF P3 OR R10 FOR DRY SURFACE CONDITIONS AND P4 OR R11 FOR WET SURFACE CONDITIONS, OR A NOSING STRIP WITH A SLIP-RESISTANCE CLASSIFICATION OF P3 FOR DRY SURFACE CONDITIONS AND P4 FOR WET SURFACE CONDITIONS.
 - PROVIDE BARRIERS WHERE CHANGE IN LEVEL EXCEEDS 1000MM ABOVE THE SURFACE BENEATH LANDINGS, RAMPS AND/OR TREADS. BARRIERS (OTHER THAN TENSIONED WIRE BALUSTRADES) TO BE:
 - 1000MM MIN. ABOVE FINISHED SURFACE LEVEL OF BALCONIES, LANDINGS OR THE LIKE, AND
 - 865MM MIN. ABOVE FINISHED SURFACE LEVEL OF STAIR NOSING OR RAMP, AND
 - VERTICAL WITH LESS THAN 125MM GAP BETWEEN, AND
 - ANY HORIZONTAL ELEMENT WITHIN THE BALUSTRADE BETWEEN 150MM AND 760MM ABOVE THE FLOOR MUST NOT FACILITATE CLIMBING WHERE CHANGES IN LEVEL EXCEEDS 4000MM ABOVE THE SURFACE BENEATH LANDINGS, RAMPS AND/OR TREADS.
 - WIRE BARRIER CONSTRUCTION TO COMPLY WITH NCC 2019 BCA PART 3.9.2.3 FOR CLASS 1 AND 10 BUILDINGS AND NCC 2019 BCA VOLUME 1 PART D2.1.6 FOR OTHER CLASSES OF BUILDINGS.
 - TOP OF HAND RAILS TO BE 865MM MINIMUM ABOVE STAIR NOSING AND FLOOR SURFACE OF RAMPS.
 - WINDOW SIZES NOMINATED ARE NOMINAL ONLY. ACTUAL SIZE MAY VARY ACCORDING TO MANUFACTURER. WINDOWS TO BE FLASHED ALL AROUND.
 - WHERE THE BUILDING (EXCLUDES A DETACHED CLASS 10) IS LOCATED IN A TERMITE PRONE AREA THE AREA TO UNDERSIDE OF BUILDING AND PERIMETER IS TO BE PROVIDED WITH A TERMITE MANAGEMENT SYSTEM.
 - CONCRETE STUMPS: UP TO 1400MM LONG TO BE 100MM X 100MM (1 NO. H.D. WIRE) 1401MM TO 1800MM LONG TO BE 100MM X 100MM (2 NO. H.D. WIRES) 1801MM TO 3000MM LONG TO BE 125MM X 125MM (2 NO. H.D. WIRES) 100MM X 100MM STUMPS EXCEEDING 1200MM ABOVE GROUND LEVEL TO BE BRACED WHERE NO PERIMETER BASE BRICKWORK PROVIDED.
 - BUILDINGS IN MARINE OR OTHER EXPOSURE ENVIRONMENTS SHALL HAVE MASONRY UNITS, MORTAR AND ALL BUILT IN COMPONENTS AND THE LIKE COMPLYING WITH THE DURABILITY REQUIREMENTS OF TABLE 4.1 OF AS4773.1-2015 MASONRY IN SMALL BUILDINGS PART 1:DESIGN
 - EXTERNAL WALL TO BE PROVIDED WITH AS 4200.1 COMPLIANT VAPOUR PERMEABLE MEMBRANES INSTALLED IN ACCORDANCE WITH AS 4200.2
 - ALL STORMWATER TO BE TAKEN TO THE LEGAL POINT OF DISCHARGE TO THE RELEVANT AUTHORITIES APPROVAL.
 - INSTALLATION OF ALL SERVICES SHALL COMPLY WITH THE RESPECTIVE SUPPLY AUTHORITY REQUIREMENTS.
 EXHAUST SYSTEMS INSTALLED IN A KITCHEN, BATHROOM, SANITARY COMPARTMENT OR LAUNDRY MUST HAVE A MINIMUM FLOW RATE OF 25 L/S FOR A BATHROOM OR SANITARY COMPARTMENT AND 40 L/S FOR A KITCHEN OR LAUNDRY AND MUST BE DISCHARGED DIRECTLY OR VIA A SHAFT OR DUCT TO OUTDOOR AIR.
 - THE BUILDER AND SUBCONTRACTOR SHALL ENSURE THAT ALL STORMWATER DRAINS, SEWER PIPES AND THE LIKE ARE LOCATED AT A SUFFICIENT DISTANCE FROM ANY BUILDINGS FOOTING AND/OR SLAB EDGE BEAMS SO AS TO PREVENT GENERAL MOISTURE PENETRATION, DAMPNES, WEAKENING AND UNDERMINING OF ANY BUILDING AND ITS FOOTING SYSTEM.
 - THESE PLANS HAVE BEEN PREPARED FOR THE EXCLUSIVE USE BY THE CLIENT OF HARGREAVES DESIGN GROUP (THE DESIGNER) FOR THE PURPOSE EXPRESSLY NOTIFIED TO THE DESIGNER. ANY OTHER PERSON WHO USES OR RELIES ON THESE PLANS WITHOUT THE DESIGNER'S WRITTEN CONSENT DOES SO AT THEIR OWN RISK AND NO RESPONSIBILITY IS ACCEPTED BY THE DESIGNER FOR SUCH USE AND/ OR RELIANCE.
 - A BUILDING PERMIT IS REQUIRED PRIOR TO THE COMMENCEMENT OF THESE WORKS. THE RELEASE OF THESE DOCUMENTS IS CONDITIONAL TO THE OWNER OBTAINING THE REQUIRED BUILDING PERMIT.

- THE CLIENT AND/OR THE CLIENT'S BUILDER SHALL NOT MODIFY OR AMEND THE PLANS WITHOUT THE KNOWLEDGE AND CONSENT OF HARGREAVES DESIGN GROUP EXCEPT WHERE A REGISTERED BUILDING SURVEYOR MAKES MINOR NECESSARY CHANGES TO FACILITATE THE BUILDING PERMIT APPLICATION AND THAT SUCH CHANGES ARE PROMPTLY REPORTED BACK TO HARGREAVES DESIGN GROUP.
 - THE APPROVAL BY THIS OFFICE OF A SUBSTITUTE MATERIAL, WORK PRACTICE, VARIATION OR THE LIKE IS NOT AN AUTHORISATION FOR ITS USE OR A CONTRACT VARIATION. ALL VARIATIONS MUST BE ACCEPTED BY ALL PARTIES TO THE AGREEMENT AND WHERE APPLICABLE THE RELEVANT BUILDING SURVEYOR PRIOR TO IMPLEMENTING ANY VARIATION.
 - THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL RELEVANT STRUCTURAL AND ALL OTHER CONSULTANTS DRAWINGS/DETAILS AND WITH ANY OTHER WRITTEN INSTRUCTIONS ISSUED IN THE COURSE OF THE CONTRACT.
 - ALL MEASUREMENTS IN MILLIMETRES UNLESS NOTED OTHERWISE. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
 - THE BUILDER SHALL TAKE ALL STEPS NECESSARY TO ENSURE THE STABILITY AND GENERAL WATER TIGHTNESS OF ALL NEW AND/OR EXISTING STRUCTURES DURING ALL WORKS.
 - THE BUILDER AND SUBCONTRACTORS SHALL CHECK AND VERIFY ALL DIMENSIONS, SETBACKS, LEVELS AND SPECIFICATIONS AND ALL OTHER RELEVANT DOCUMENTATION PRIOR TO THE COMMENCEMENT OF ANY WORKS. REPORT ALL DISCREPANCIES TO THIS OFFICE FOR CLARIFICATION.
 - INSTALLATION OF ALL SERVICES SHALL COMPLY WITH THE RESPECTIVE SUPPLY AUTHORITY REQUIREMENTS
 - OPENABLE WINDOWS WITH A SILL HEIGHT OF LESS THAN 1.7M FROM THE UPPER FFL ARE TO BE FITTED WITH WITH A DEVICE OR SUITABLE SCREEN TO LIMIT OPENING SO A 125MM SPHERE CANNOT PASS THROUGH
 - ALL MECHANICAL VENTILATION TO BE DUCTED EXTERNALLY TO THE OUTSIDE AIR.

BUILDING PERIMETER DRAINAGE

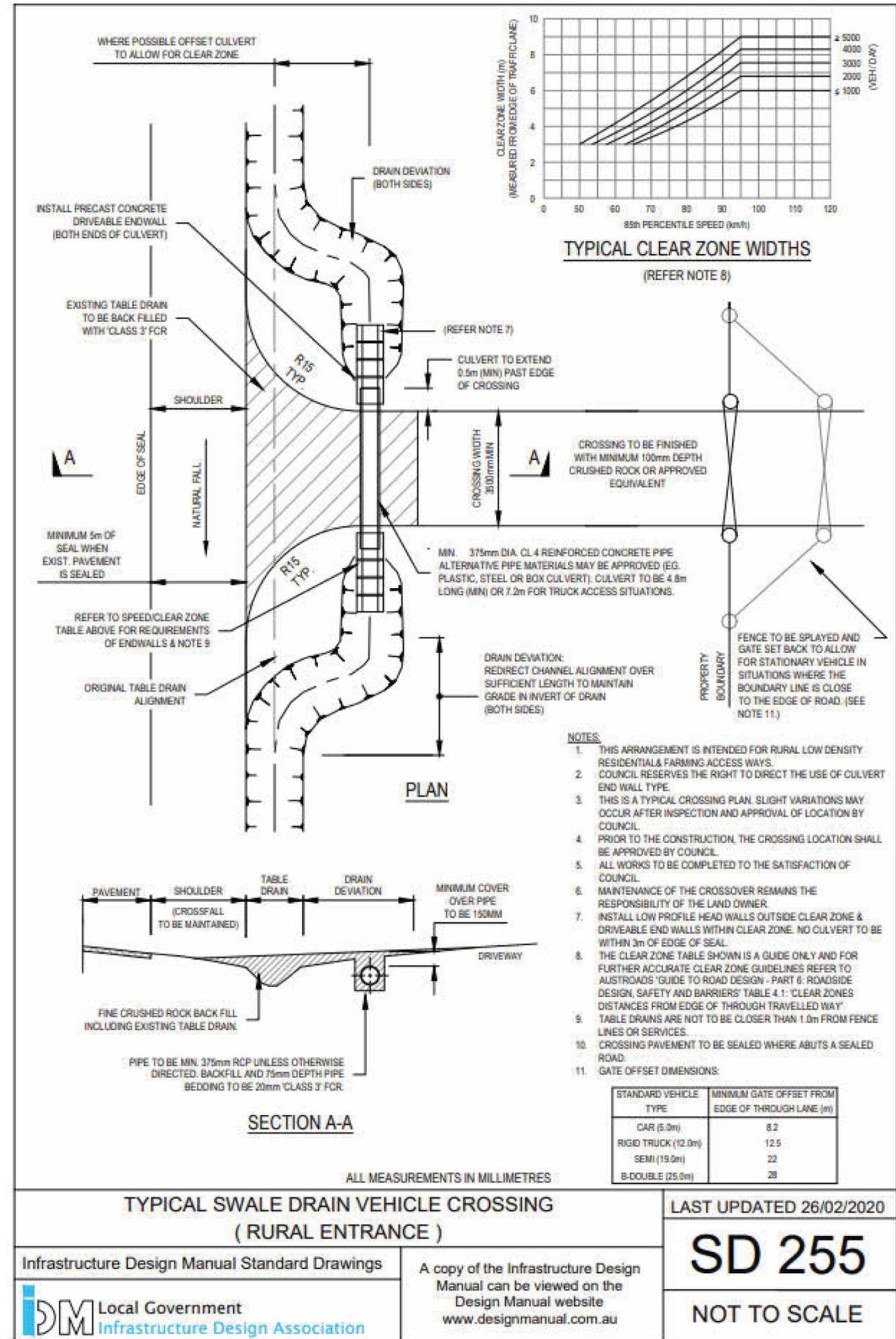
- BUILDING PERIMETER GROUND SURFACE SLOPED AWAY FROM DWELLING (WITHOUT CAUSING A NUISANCE TO ADJOINING PROPERTIES) TYPICALLY MIN 50mm OVER THE FIRST 1m FROM BUILDING (ie. 1:20)
 FINISHED SLAB HEIGHT ABOVE NATURAL GROUND LEVEL TYPICALLY MIN 150mm. LOCATION OF DAMP PROOF COURSE/FLASHING TO MASONRY VENEER WALLS TYPICALLY MIN 150mm ABOVE THE ADJACENT GROUND SURFACE

ISSUE	AMENDMENT DETAILS
A	WORKING DRAWINGS ISSUE DGH 21/09/21
B	AMEND CROSSING DETAILS TO AS PER IDM SD 255 DGH 04/10/21
C	RFI response plans DGH 21/10/21
D	
E	
F	
G	
H	
I	
J	
K	
L	
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N	
O	
P	
Q	
R	
S	
T	
U	
V	

BUSHFIRE ATTACK LEVEL:- (BAL)
BAL-N/A
 THERE IS INSUFFICIENT RISK TO WARRANT SPECIFIC CONSTRUCTION REQUIREMENTS
ALL HOMES TO COMPLY WITH AS 3959-2018 (BAL)

WIND SPEED ASSESSMENT:
 MAXIMUM DESIGN GUST WIND SPEED FOR THIS SITE IS: **N1 - 28m/s**

IMPORTANT NOTE:
 THE WIND SPEED CALCULATION IS TAKEN FROM THE JOB SPECIFIC SOIL REPORT (FRONT PAGE)
 STANDARD HOMES ARE DESIGNED TO SUIT A MINIMUM WIND GUST SPEED OF 33 m/s



JOHNSON STREET

TOWN PLANNING APPROVED
 PERMIT NUMBER: PA1698-2020

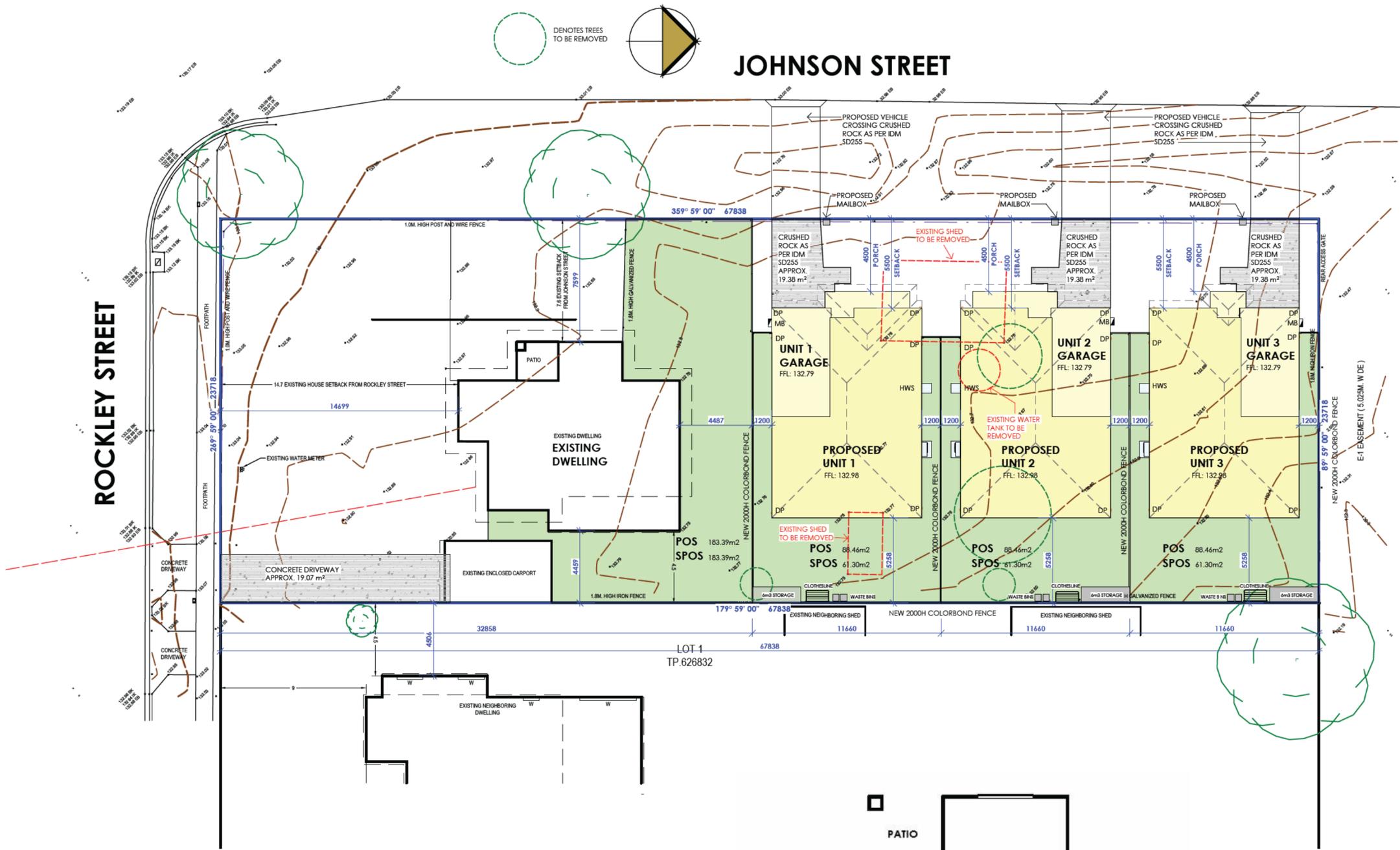
SITE SCRAPE NOTE
 SCRAPE SITE TO REMOVE ALL SURFACE VEGETATION & PROVIDE LEVEL BUILDING PLATFORM. PROVIDE AN ADDITIONAL SCRAPE TO GARAGE TO ACCOMMODATE A 570 mm STEPDOWN NOTE: 45° BATTER ANGLE

TERMITE TREATMENT REQUIRED
 PROVIDE TERMITE TREATMENT IN ACCORDANCE WITH AS 3660.1

BOUNDARY FENCE(S) REQUIRED
 PROVIDE TIMBER PALING PERIMETER FENCING TO A MINIMUM HEIGHT OF 1800mm WITH CAPPING & EXPOSED POSTS TO ANY UNFENCED BOUNDARIES PRIOR TO OBTAINING A CERTIFICATE OF OCCUPANCY PERMIT.

TREE REMOVAL
 IT IS THE RESPONSIBILITY OF THE OWNER TO UNDERTAKE ANY TREE REMOVAL INCLUDING OBTAINING ANY NECESSARY PERMITS, & TO PROVIDE A SITE CLEAR OF ANY VEGETATION & DEBRIS, TO THE SATISFACTION OF THE BUILDER PRIOR TO COMMENCEMENT OF WORKS

TERMITE TREATMENT REQUIRED
 A SOIL CHEMICAL COMPONENT SYSTEM SHALL COMPLY WITH AS3660.3
 THE CHEMICAL USED SHALL BE REGISTERED BY THE PESTICIDES REGISTRAR. CHEMICAL TERMITE MANAGEMENT SYSTEMS APPLIED UNDER CONCEALED AND INACCESSIBLE AREAS SHALL BE REPLENISHABLE VIA A RETICULATION SYSTEM PROVIDING AN EVEN AND CONTINUOUS DISTRIBUTION OF CHEMICAL INTO THE SOIL.
 OR
 A PHYSICAL COMPONENT SYSTEM SHALL COMPLY WITH AS3660.1 AND AS3660.3
 PHYSICAL TERMITE MANAGEMENT SYSTEMS INSTALLED AROUND SERVICE PENETRATIONS AND PERIMETER PROTECTION



Proposed Four Unit Development
 At: 32 Rockley Street, Nhill

Clause 55 Response

B6: STREET SETBACK
 The setback of the new units are consistent with Rescode. The original setback approved of 6m seem to be an arbitrary figure given the only neighbouring house is the front unit which faces Rockley Street. As the new units face the side street, Johnson Street, a minimum setback of 3m for the house & 5.5m for the garage would be allowable. The decision to set the house & garages back at 5.5m is due to being able to comfortably park the secondary car on the site. Given the actual crossing in the nature strip is over 7m long it seems evident that the reduction from 6m to 5.5m front setback will have no real impact on the streetscape.

B8: SITE COVERAGE
 Site coverage now comes to 32.67%, still well below the 60% max. permitted by Rescode.

B9: PERMEABILITY
 61.27% of the site remains available for open landscaping and/or lawn. This is a significant achievement on a large sized block and is helped by efficient use of paving areas & reduction in driveway area due to all units having a street frontage.

B11: OPEN SPACE
 The design ensures that open spaces provided are well designed and benefit residents and the community. Existing Unit 1 has an area of 183.39m² of combined private & secluded open space. Units 2, 3 & 4 have an SPOS area of 61.30m² with a minimum dimension of 5m and 88.46m² of total POS.

B16: PARKING PROVISION
 First car space for Unit 1 is under cover via an existing carport having a minimum internal dimension of 3.5m wide and a depth of at least 4.0m; with the second car space being provided located in front of the proposed carport. The rear units have one if their 2 car spaces located with a single garage 3.5m wide and a depth of at least 6.0m and the remaining car located tandem in the 5.5m setback.

B17: SIDE AND REAR SETBACKS
 The development is in keeping with side and rear setback requirements as per the requirements outline in the schedule to the zone. Given the 3 new units face side street the allowable front setback for the unit would be 3m from the side street. Originally council have approved a 6m setback & the new proposed 5.5m setback is well over the required house setback while allowing parking of the second car space on the site. The side setbacks for each new unit had been approved at 1.4m. This appears to be an arbitrary figure not related to building height of amenity. The decision to reduce the setback to 1.2m on both side allows for an additional 400mm to be utilised inside the unit.

B28: PRIVATE OPEN SPACE
 The development ensures that each dwelling has a practical and accessible area of private open space which is greater than 40m² whilst ensuring a minimum area of 60m² or greater with a minimum dimension of 5m or greater.

B31: DESIGN DETAIL
 The original permit has approved a layout which by and large did not work for the residents. Redesign allowed by the reduced front & side setbacks has improved the internal amenity of the units dramatically. Items on the original approved plans which required redesign to allow for better use of the units include:
 1. bedroom 1 did not have a wall to put the bed against. Relocation of the robe has allowed a spare wall to place a queen size bed against.
 2. Bathroom & ensuite layouts did not work as access to the shower was inhibited & there was no vanity storage space. Installation of a corner shower & addition of a proper vanity unit makes this area work better. The extra 400mm in width allowed internally by reduction of the side setbacks allows these rooms to function much better.
 3. Laundry was included in the kitchen area thereby precluding the provision of a pantry or fridge space. With the extra 600mm added to the house length we have moved the laundry to the rear of the garage, allowing a larger laundry area as well as now providing a pantry & fridge space to the kitchen. A side door from the garage allows easy access to the rear yard for washing.

SITE ANALYSIS

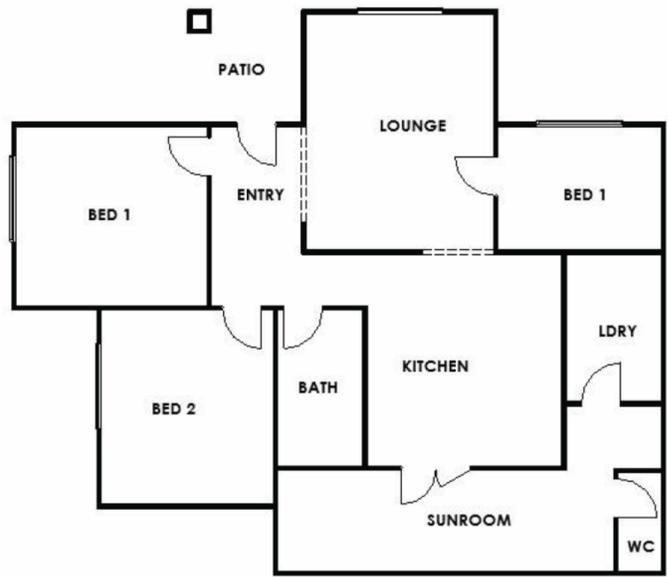
GARDEN AREA REQ. FOR GRZ & NRZ ZONES ONLY:		
400-500m ² = 25%		
501-650m ² = 30%	650m ² = 35%	
GARDEN AREA	975.26 m ²	60.61%
NON-COMPLIANT GARDEN AREA	10.57 m ²	0.66%
TOTAL PERMEABLE SPACE	985.83 m ²	61.27%
SITE COVER	525.65 m ²	32.67%
PAVED AREA	0.00 m ²	0.00%
DRIVEWAY AREA	97.50 m ²	6.06%
TOTAL HARD COVER	623.15 m ²	38.73%
SITE AREA	1608.98 m ²	100.00%

DRAINAGE NOTES:

- SITE DRAINAGE SHALL COMPLY WITH NCC 3.1.2 DRAINAGE AND AS3600 NATIONAL PLUMBING DRAINAGE CODE.
- BASE OF CUT GRADED TO SLOPE TRAP AT 1:100 MIN. DRAIN SHALL BE PROTECTED BY GRAVEL FILTER.
- TEMPORARY DOWNPIPER CONNECTED TO THE STORM WATER SYSTEM TO BE INSTALLED AS SOON AS ROOF COVER IS COMPLETED.
- STORMWATER DRAIN ARE INDICATIVE ONLY. DRAINER TO CONNECT TO LEGAL POINT OF DISCHARGE AT THEIR DISCRETION.

- ▲ GRADE SURFACE AWAY FROM HOUSE FOOTING (MINIMUM FALL 1:20).
- GRATED INLET PIT CONNECTED TO STORMWATER SYSTEM DIRECTED TO LEGAL POINT OF DISCHARGE.
- PROVIDE AG DRAIN AT BASE OF CUT GRADED TO SLOPE AT 1:100 MIN.
- SLOPE PIT CONNECTED TO AG DRAIN & DIRECTED TO LEGAL POINT OF DISCHARGE VIA STORMWATER SYSTEM.

REFER TO DRAINAGE ENGINEER'S DRAWINGS FOR ALL DRAINAGE DESIGN DETAILS.



EXISTING HOUSE PLAN
 NOT TO SCALE



CARPET	107.72 m ²
TILES	22.73 m ²
TIMBER	133.78 m ²

- GENERAL NOTES:**
- WRITE DIMENSIONS ALWAYS TAKE PREFERENCE OVER SCALE
 - BU LIDER MAY ADJUST GARAGE DOOR HEIGHT ON SITE AS REQUIRED
 - UNLESS OTHERWISE INDICATED ALL DIMENSIONS ARE
 - EXTERNAL UNLESS NOTED OTHERWISE
 - INTERNAL FINISH
 - ALL INTERNAL DOORS TO BE 2040H (2040H NOTED WITH ABBREVIATION - 6027)
 - REMOVABLE FINISHES TO BE NOTED WITH ABBREVIATION - 6027
 - ROOM DOORS WHERE INDICATED (LH)
 - DOOR WEATHER STRIPS TO BE NOTED WITH ABBREVIATION - 6027
 - 600x600 CEILING ACCESS MANHOLE LOCATION (LH)
 - MANHOLE LOCATION (LH) TO BE NOTED WITH ABBREVIATION - 6027
 - DOOR FINISH TO BE NOTED WITH ABBREVIATION - 6027
 - ENGINEER DESIGNED BEAM - (EDB)
 - DOOR FINISH TO BE NOTED WITH ABBREVIATION - 6027
 - BRICKWORK ARTICULATION JOINTS TO BE NOTED WITH ABBREVIATION - 6027
 - EXTERNAL PLUMBING POINTS TO PLUMBERS DISCRETION
 - SAFETY GLASS WHERE WINDOW IS WITHIN 2m OF SHOWER BASE
 - 88 TAP
 - RECYCLED TAP
 - GAS METER - 1m CLEARANCE TO OPENINGS & IGNITION SOURCES
 - HWS WATER SERVICE TO BE 300mm CLEAR OF BLDG OPENINGS

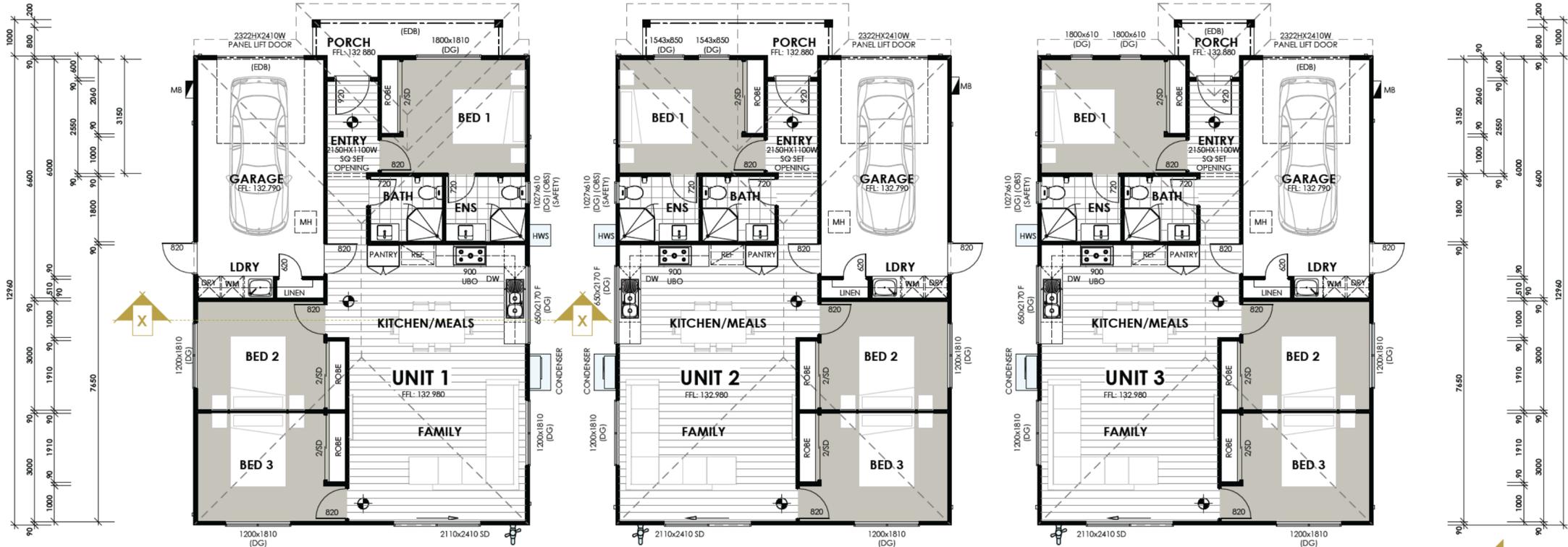
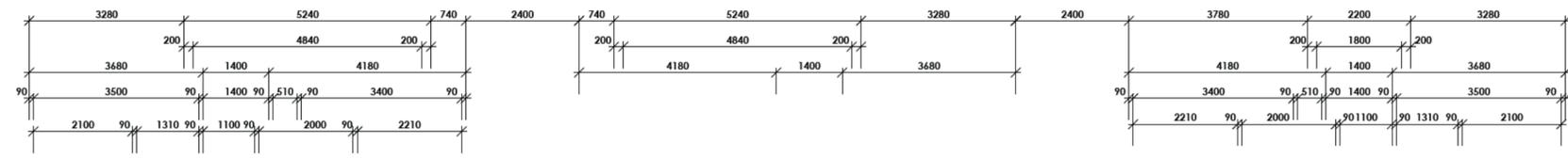


- CARPET
- DECK
- NONE
- TILES
- TIMBER

GROUND FLOOR COVERINGS

DUAL OCC FLOOR AREAS

	(sq)	
UNIT 1 - GROUND FLOOR	95.10 m ²	10.24
SUB TOTAL:	95.10 m ²	10.24
UNIT 1 - GARAGE	24.07 m ²	2.59
UNIT 1 - PORCH	6.08 m ²	0.65
UNIT 1 - ALFRESCO	Not Placed	
TOTAL OTHER	30.15 m ²	3.25
UNIT 1	125.25 m ²	13.48
UNIT 2 - GROUND FLOOR	95.10 m ²	10.24
SUB TOTAL:	95.10 m ²	10.24
UNIT 2 - GARAGE	24.07 m ²	2.59
UNIT 2 - PORCH	6.08 m ²	0.65
UNIT 2 - ALFRESCO	Not Placed	
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UNIT 2	125.25 m ²	13.48
UNIT 3 - GROUND FLOOR	95.10 m ²	10.24
SUB TOTAL:	95.10 m ²	10.24
UNIT 3 - GARAGE	24.07 m ²	2.59
UNIT 3 - PORCH	3.04 m ²	0.33
TOTAL OTHER	27.11 m ²	2.92
UNIT 3	122.21 m ²	13.15



GROUND FLOOR PLAN

Proposed Four Unit Development
At: 32 Rockley Street, Nhill

Clause 55 Response

B6: STREET SETBACK
The setback of the new units are consistent with Rescode. The original setback approved of 6m seem to be an arbitrary figure given the only neighbouring house is the front unit which faces Rockley Street. As the new units face the side street, Johnson Street, a minimum setback of 3m for the house & 5.5m for the garage would be allowable. The decision to set the house & garages back at 5.5m is due to being able to comfortably park the secondary car on the site. Given the actual crossing in the nature strip is over 7m long it seems evident that the reduction from 6m to 5.5m front setback will have no real impact on the streetscape.

B8: SITE COVERAGE
Site coverage now comes to 32.67%, still well below the 60% max. permitted by Rescode.

B9: PERMEABILITY
61.27% of the site remains available for open landscaping and/or lawn. This is a significant achievement on a large sized block and is helped by efficient use of paving areas & reduction in driveway area due to all units having a street frontage.

B11: OPEN SPACE
The design ensures that open spaces provided are well designed and benefit residents and the community. Existing Unit 1 has an area of 183.39m² of combined private & secluded open space.
Units 2, 3 & 4 have an SPOS area of 61.30m² with a minimum dimension of 5m and 88.46m² of total POS.

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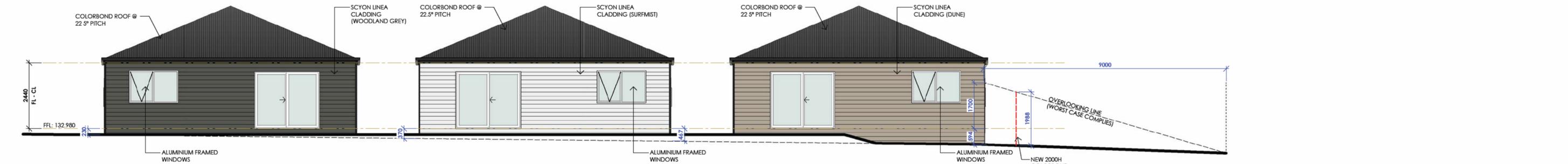


ELEVATION B - (WEST) UNIT 1

UNIT 2

UNIT 3

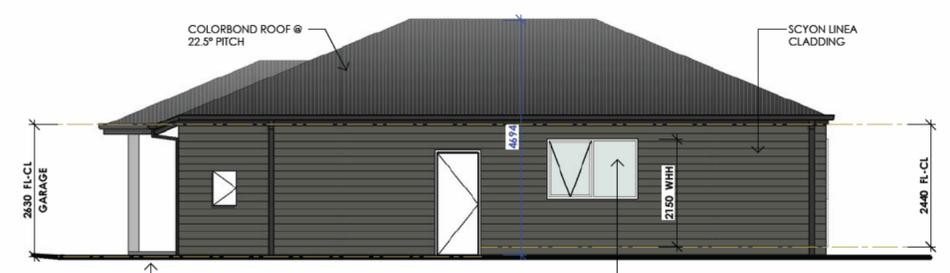
U2 ELEVATION A - (SOUTH)



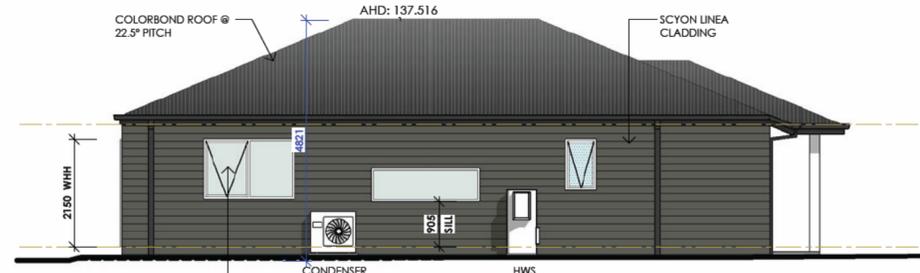
ELEVATION D - (EAST) UNIT 3

UNIT 2

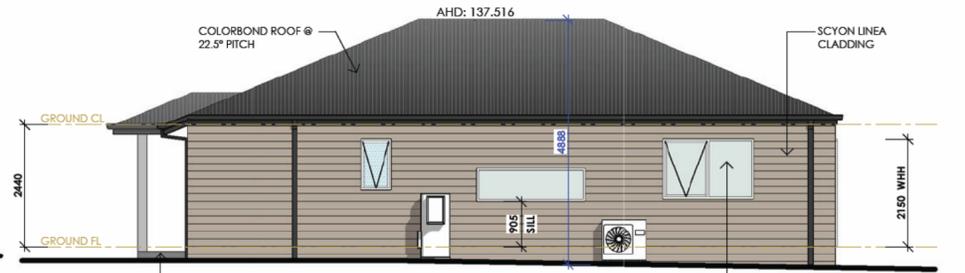
UNIT 1



U1 ELEVATION A - (SOUTH)



U1 ELEVATION C - (NORTH)



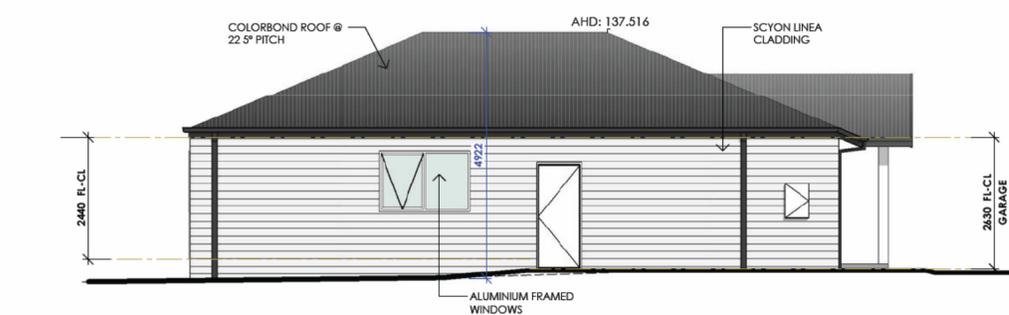
U3 ELEVATION A - (SOUTH)



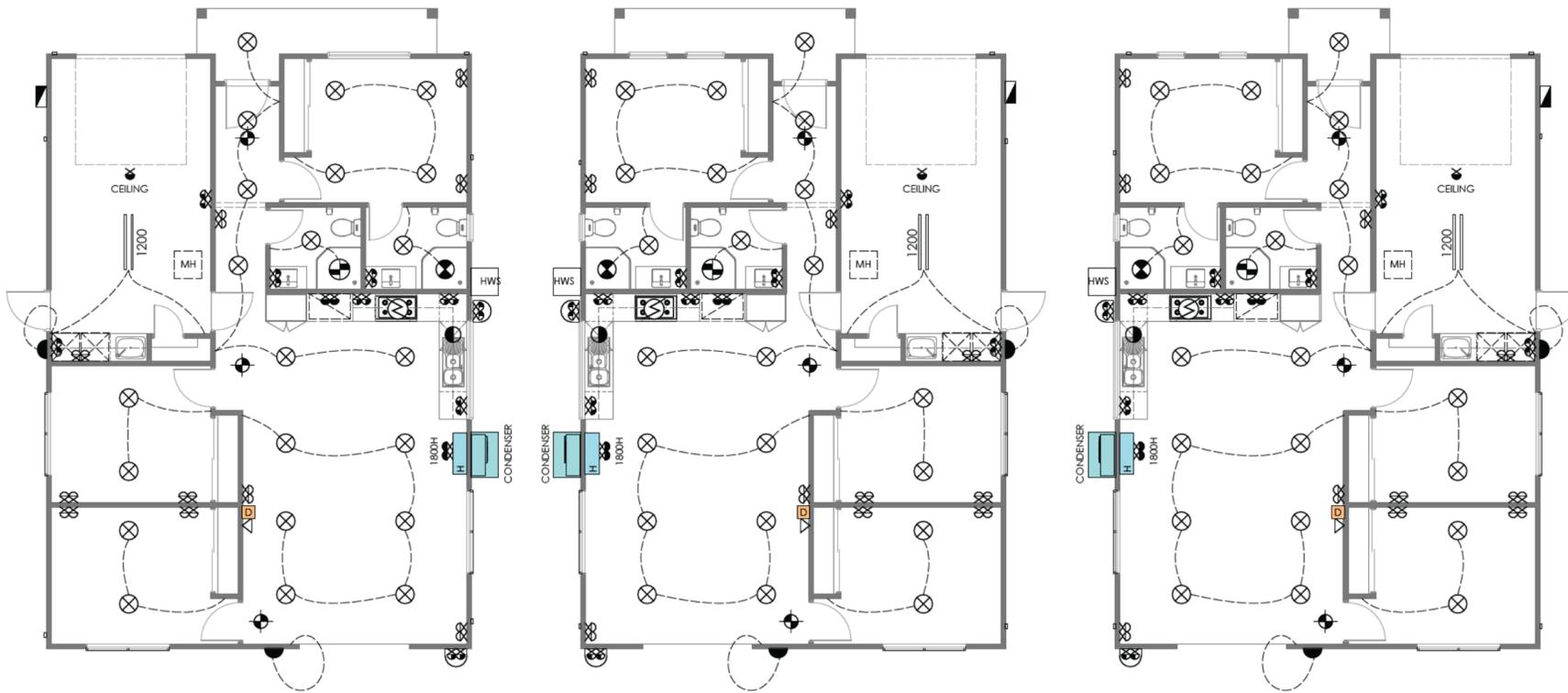
U3 ELEVATION C - (NORTH)

6 STAR ENERGY REQ'MENTS:
 REQUIREMENTS AS PER 6 STAR ENERGY RATING REPORT.

INSULATION TO CEILING:	R5.0
INSULATION TO EXTERNAL WALLS:	R2.5
INSULATION TO INTERNAL WET AREA WALLS:	R2.5
INSULATION TO GARAGE INTERNAL WALLS:	R2.5
INSULATION TO SUB-FLOOR BETWEEN JOISTS:	R2.5
SEAL GAPS AND CRACKS AROUND ALL EXTERNAL DOOR & WINDOW FRAMES:	YES
WEATHER SEALS TO ALL EXTERNAL DOORS:	YES
WEATHER SEALS TO INTERNAL UTILITY DOORS:	NO
REFER FLOOR PLAN & ELEVATIONS FOR DOUBLE GLAZED WINDOWS IF REQUIRED:	(DG)
WEATHER STRIP(S) TO FRONT ENTRY DOOR(S):	YES
FULLY SEALED CEILING EXHAUST FANS:	YES
PROVIDE ROOF SARKING TO DWELLING & GARAGE	YES
AG SISILATION TO ALL EXTERNAL WALLS - STD INCLUSION WINDOWS & SLIDING DOORS AS PER ENERGY REPORT	



U2 ELEVATION C - (NORTH)



HEATING/COOLING VENTS:

THE LOCATION OF THE HEATER / COOLER AND VENT LOCATION IS UP TO THE DISCRETION OF THE INSTALLER AND MAY VARY PENDING TRUSS LOCATION

IMPORTANT NOTE:

ALL ELECTRICAL ITEMS ARE IN APPROXIMATE LOCATIONS ONLY AND MAY BE VARIED TO SUIT TRUSS LAYOUT AND FRAME LOCATIONS

ARTIFICIAL LIGHTING TABLE

FLOOR AREA	95.10 m ²	WATTAGE ALLOWED	476 w
POR /OUT AREA	3.04 m ²	WATTAGE ALLOWED	12 w
GARAGE AREA	24.07 m ²	WATTAGE ALLOWED	72 w
TOTAL AREA	122.21 m²	ALLOWABLE WATTS	560 w
HOUSE 5 W/m²		NO. OF GLOBES USED	TOTAL WATTS
LED GLOBES	15 w	0	0 w
LED DOWNLIGHTS	9 w	21	189 w
LED TUBES	10 w	0	0 w
		HOUSE TOTAL	189 w
POR./OUT 4 W/m²			
LED GLOBES	15 w	0	0 w
LED DOWNLIGHTS	9 w	1	9 w
LED TUBES	10 w	0	0 w
		PORCH TOTAL	9 w
GARAGE 3 W/m²			
LED GLOBES	15 w	0	0 w
LED DOWNLIGHTS	9 w	0	0 w
LED TUBES	10 w	2	20 w
		GARAGE TOTAL	20 w

LIGHTING LEGEND

- ⊗ CEILING LIGHT BATTEN HOLDER
- 90mm DOWNLIGHT
- 70mm DOWNLIGHT
- 50mm DOWNLIGHT
- ⊕ WALL STAIR LIGHT
- ⊙ EXTERNAL LIGHT POINT
- ⊗ HEATER/FAN & LIGHT - 2 GLOBE
- ⊗ HEATER/FAN & LIGHT - 4 GLOBE
- ⊗ JUNCTION BOX
- ⊗ CEILING FAN
- ⊗ CEILING FAN WITH LIGHT
- ⊗ PARA FLOOD LIGHT - SINGLE
- ⊗ PARA FLOOD LIGHT - DOUBLE
- ⊗ ROUND LED TUBE
- ⊗ 1200 LED TUBE - SINGLE
- ⊗ 1200 LED TUBE - DOUBLE
- ⊗ WALL LIGHT BATTEN HOLDER
- ⊗ MOTION SENSOR
- ⊗ CEILING EXHAUST FAN
- ⊗ CEILING EXHAUST FAN SWITCHED WITH LIGHT
- ⊗ SUSPENDED PENDANT

HEAT/COOL LEGEND

- ⊗ CEILING HEATING DUCT (APPROX)
- ⊗ DUCTED HEATING UNIT IN CEILING
- ⊗ CEILING HEAT/COOL DUCT
- ⊗ REV CYCLE DUCTED HEAT/COOL UNIT
- ⊗ THERMOSTAT
- ⊗ RETURN AIR
- ⊗ EVAPORATIVE COOLING DUCT
- ⊗ EVAPORATIVE COOLING UNIT
- ⊗ AC CONDENSER UNIT
- ⊗ AC HEAD UNIT
- ⊗ COOLING UNIT

POWER LEGEND

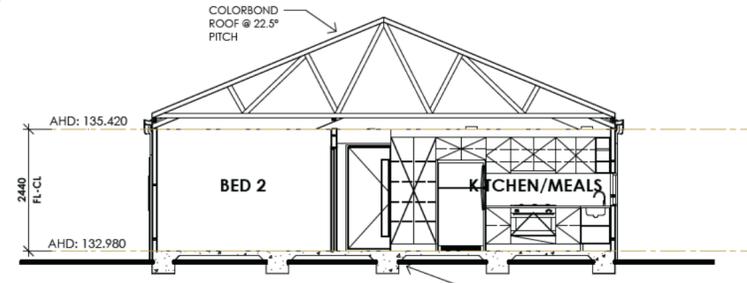
- ⊗ SINGLE GPO - 300mm
- ⊗ SINGLE GPO - 1100mm
- ⊗ SINGLE GPO - 1350mm
- ⊗ SINGLE GPO - EXTERNAL
- ⊗ SINGLE GPO - FOR DISHWASHER
- ⊗ SINGLE GPO - FOR MICROWAVE
- ⊗ DOUBLE GPO - 300mm
- ⊗ DOUBLE GPO - 1100mm
- ⊗ DOUBLE GPO - 1350mm
- ⊗ DOUBLE GPO - EXTERNAL
- ⊗ TELEVISION POINT
- ⊗ TELEPHONE POINT
- ⊗ METER BOX
- ⊗ SMOKE DETECTORS (INTERCONNECTED)
- ⊗ UBO & RHODD CONNECTIONS
- ⊗ DATA POINT WIRED TO NBN
- ⊗ NBN BOX
- ⊗ SOLAR PV INVERTER

DUCTED VACUUM

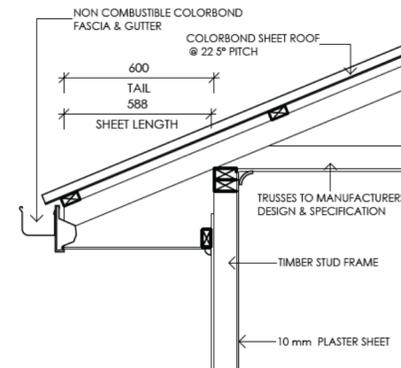
- ⊗ DUCTED VACUUM UNIT & SGPO
- ⊗ DUCTED VACUUM OUTLET

HOME ALARM LEGEND

- ⊗ ALARM PANEL
- ⊗ KEYPAD
- ⊗ PIR DETECTOR

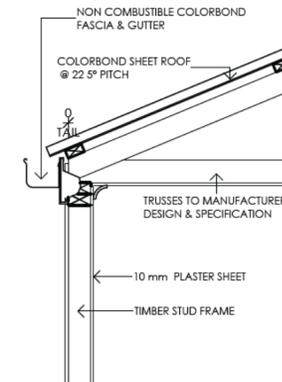


SECTION X-X
1 : 100



450 EAVE

SCALE 1:20
NOTE: EAVE LINING WITHIN 900mm OF BOUNDARY TO BE NON-COMBUSTIBLE

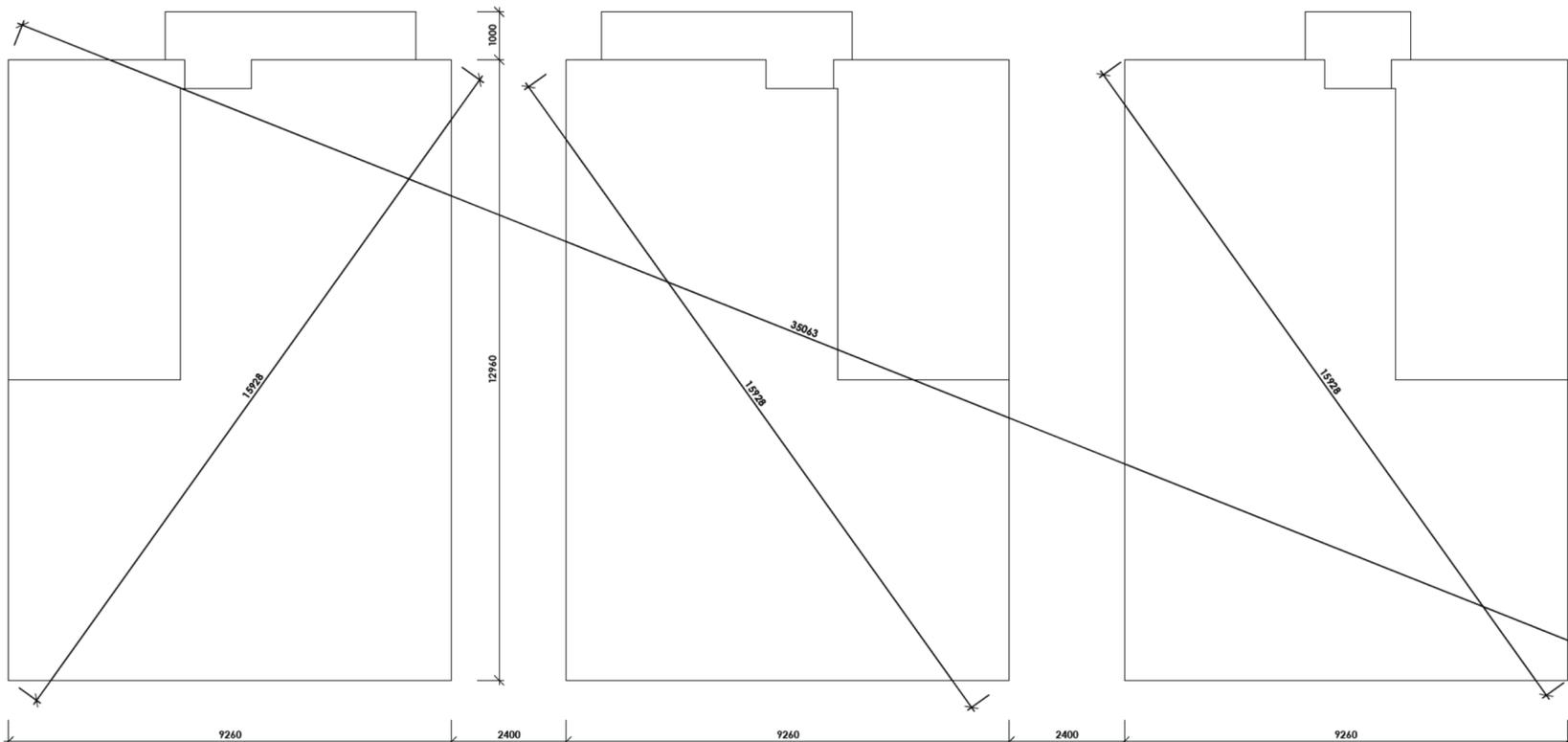
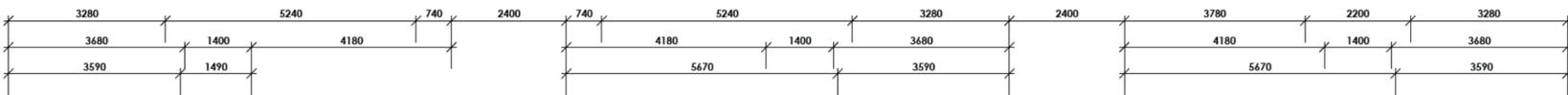


FASCIA GUTTER

SCALE 1:20

GROUND FLOOR ELECTRICAL

1 : 100



GROUND FLOOR SETOUT

1 : 100

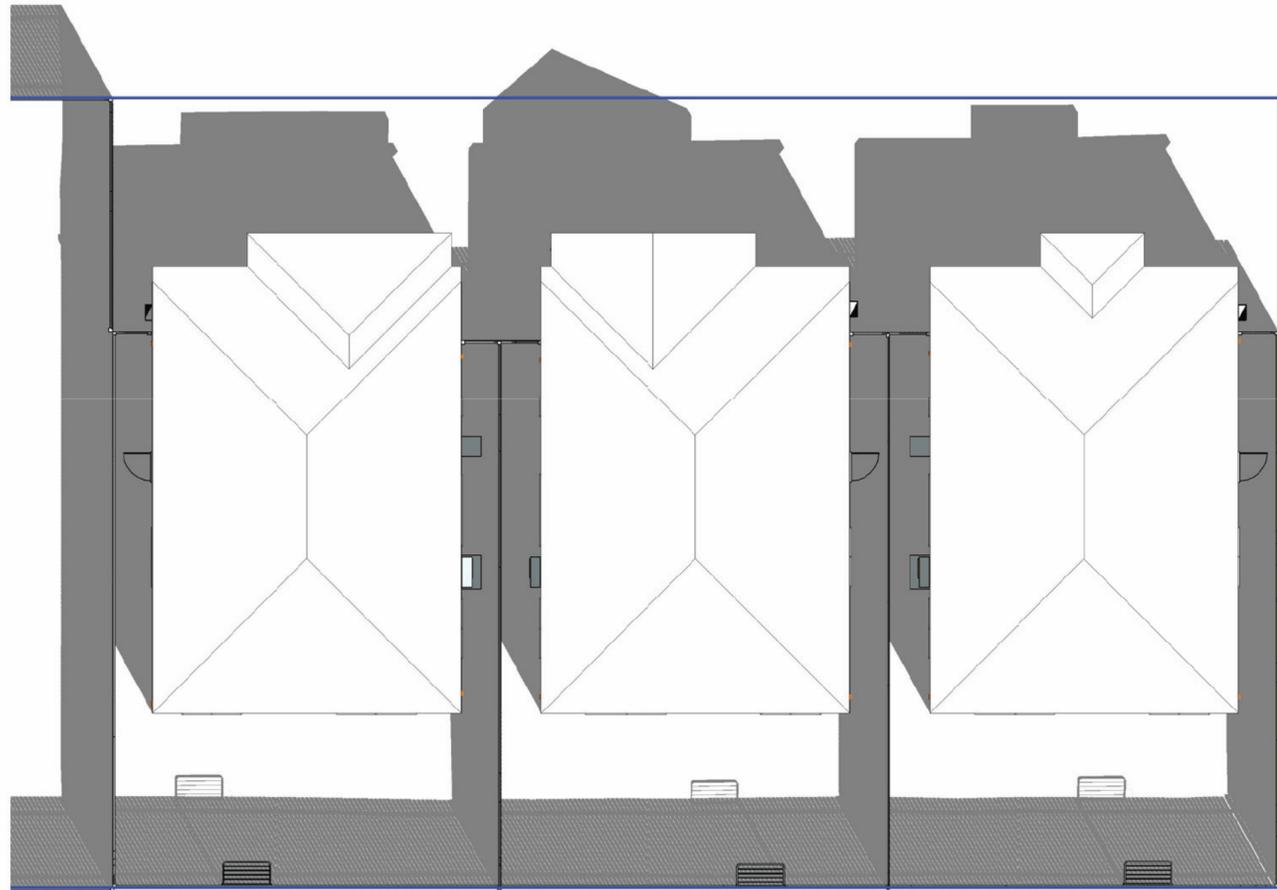
TIMBER FRAMING SCHEDULE RLW : 6000
SINGLE STOREY OR UPPER STOREY LOADBEARING WALLS
COLORBOND SHEET ROOF - TRUSSES @ 600 CTS

MEMBER	SIZE	G	SPAN	CTRS
CONCRETE RAFT SLAB FLOOR				
Blm. plate	90x35	MGP10		
Top plate	2/90x35	MGP10		
Studs	90x35	MGP10		450
Jamb studs 1	90x45	MGP10		1300
Jamb studs 2	2/90x45	MGP10		3100
Wall bracing	IN ACCORDANCE WITH AS 1684-2010			
Noggings	70x35	MGP10		1350
Lintel 1	170x35	LVL15	2050	
Lintel 2	200x35	LVL15	2450	
Lintel 3	2/240x35	LVL15	3650	
Porch Beam	AS PER ENG.			
LINTELS IN LOWER STOREY WALLS OF A TWO STOREY TO ENGINEERS DESIGN				
TRUSSED ROOF				
TIMBER FABRICATED AS PER MANUF. SPECIFICATIONS @ MAX. 600 CTS				

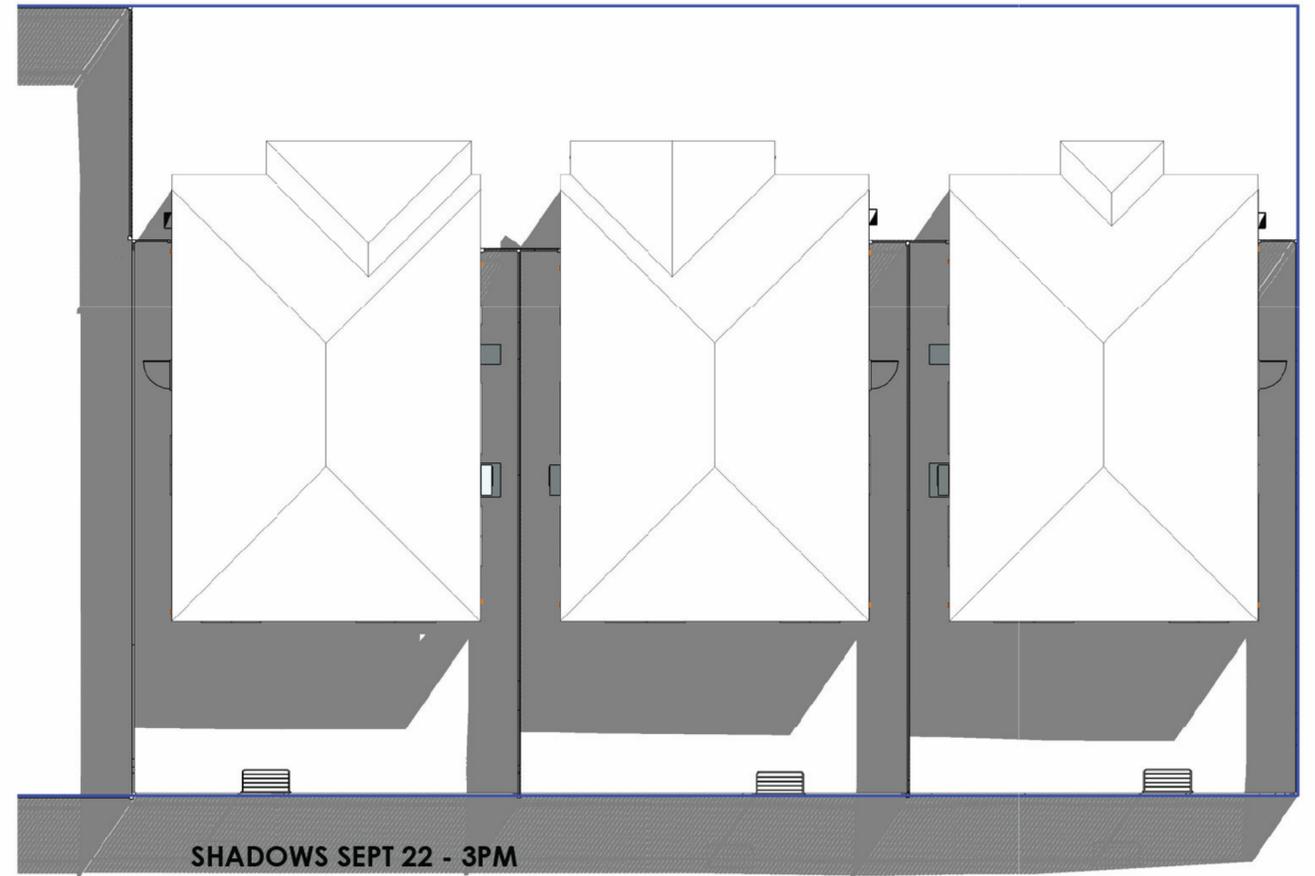
* Sizes may be built up using vertical nail lamination

NON LOADBEARING WALLS

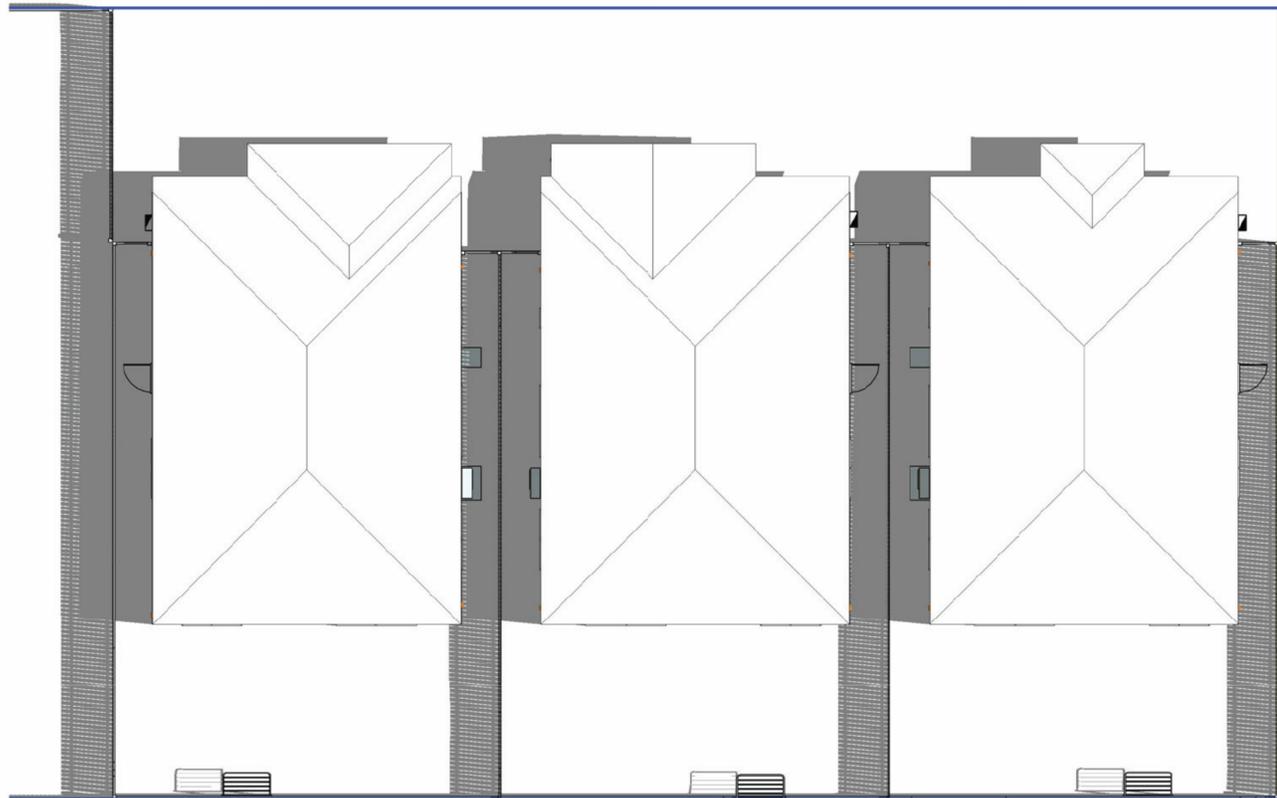
MEMBER	SIZE	G	SPAN	CTRS
CONCRETE RAFT SLAB FLOOR				
Blm. plate	90x35	MGP10		
Top plate	2/90x35	MGP10		
Studs	90x35	MGP10		600
Jamb studs 1	90x45	MGP10		1300



SHADOWS SEPT 22 - 9AM



SHADOWS SEPT 22 - 3PM

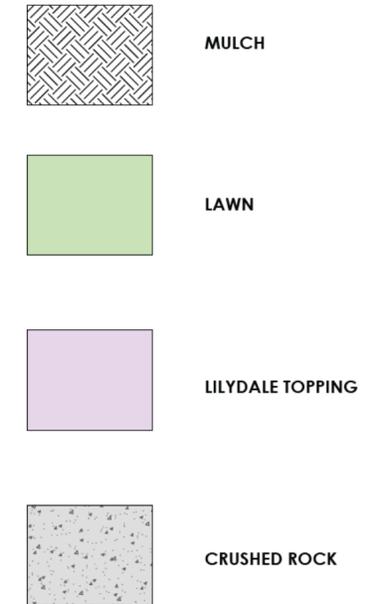
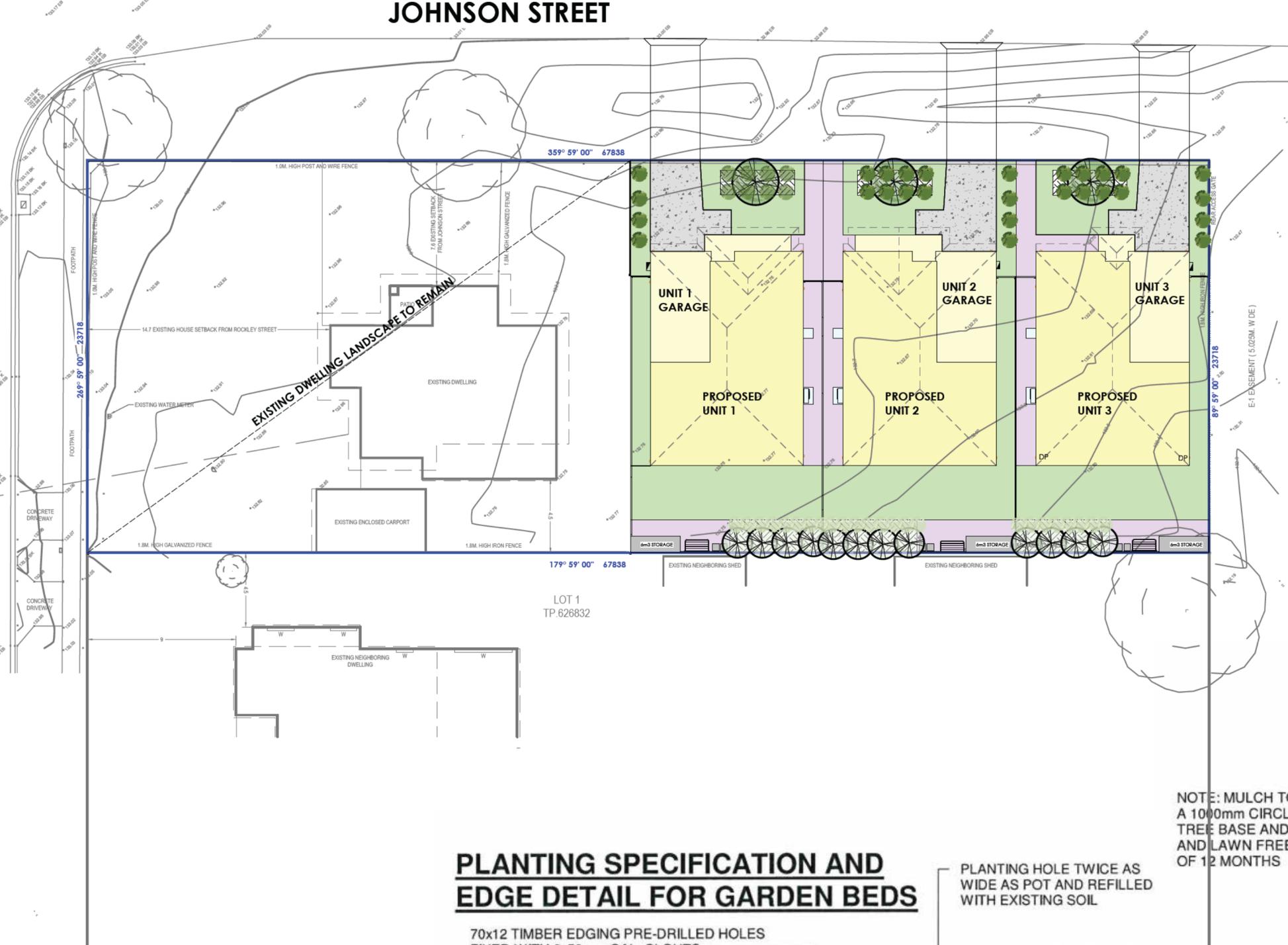


SHADOWS SEPT 22 - 12PM

JOHNSON STREET

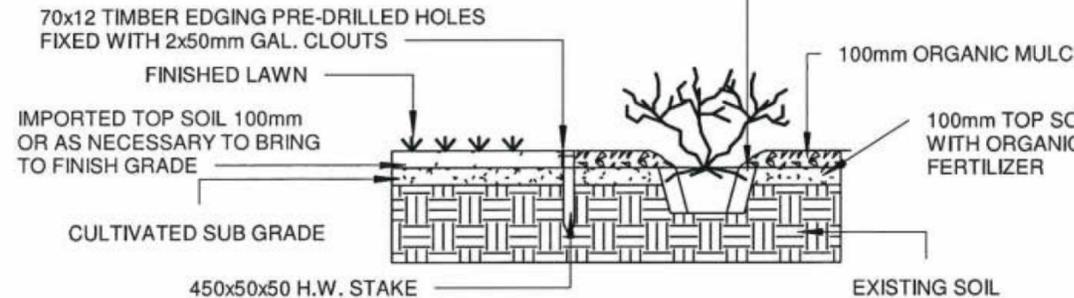


ROCKLEY STREET



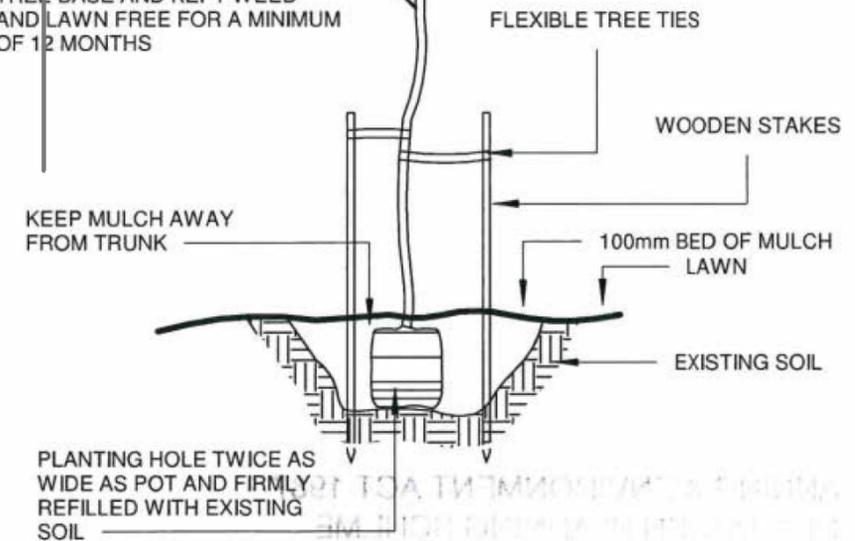
PLANTING SPECIFICATION AND EDGE DETAIL FOR GARDEN BEDS

	PLANT NAME	COMMON NAME	MATURE HT	POT SIZE	QUANTITY PER LOT
	AGONIS FLEXUOSA	WILLOWMYRTLE	5000mm	50	1
	PITOSPORUM	JAMES STERLING	1600mm	150	4
	GOODENIA AVATA	HOP GOODENIA	1000mm	150	12
	DIANELLA LONGIFOLIA	SMOOTH FLAXLILY	500mm	150	8



NOTE: IN HEAVY CLAY SOILS APPLY GYPSUM AT A RATE OF 2KG PER SQUARE METER. BREAK UP THE SOIL BELOW THE PLANTING HOLE, APPLY HALF A BUCKET OF WATER IMMEDIATELY AFTER PLANTING.

NOTE: MULCH TO BE SPREAD IN A 1000mm CIRCLE AROUND THE TREE BASE AND KEPT WEED AND LAWN FREE FOR A MINIMUM OF 12 MONTHS



PROPOSED SINGLE STOREY UNIT

1 DIMBOOLA ROAD NHILL 3418



SHEET LIST

SHEET NO.	SHEET NAME
TP 01	COVERSHEET
TP 02	NEIGHBOURHOOD DESCRIPTION1
TP 03	NEIGHBOURHOOD DESCRIPTION2
TP 04	DEMOLITION PLAN
TP 05	PROPOSED SITE PLAN
TP 06	PROPOSED GROUND FLOOR PLAN
TP 07	AREA ANALYSIS

SHEET LIST

SHEET NO.	SHEET NAME
TP 08	ELEVATION (1)
TP 09	ELEVATION (2)
TP 10	SHADOW DIAGRAM 9 AM
TP 11	SHADOW DIAGRAM 12 PM
TP 12	SHADOW DIAGRAM 3 PM
TP 13	LANDSCAPE PLAN

DATE	ISSUE	AMENDMENTS
04/05/21	REV.A	DRAWINGS PREPARED FOR COUNCIL SUBMISSION
28/06/21	REV.B	DRAWINGS UPDATED AS PER PA1718-2021 RFI
23/07/21	REV.C	DRAWINGS UPDATED AS PER PA1718-2021&102380, 21/07/21



1 DIMBOOLA ROAD NHILL 3418

DREAMWORX DRAFTING & DESIGN

DESIGN STUDIO, MELTON
INFO@DREAMWORXDD.COM.AU

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WILL RESULT IN COURT PROCEEDINGS.

Project Number 01DIM

Date 23/07/21

Drawn by RT

Checked by IJA

DRAWING TITLE COVERSHEET

SHEET NUMBER TP 01

FOR TOWN PLANNING SHEET SIZE A3 Scale NTS



NO. 1 DIMBOOLA ROAD (SUBJECT SITE)
EXISTING SINGLE STOREY DWELLING
BRICK AND TILE ROOF



NO. 2 DIMBOOLA ROAD (ADJOINING SITE)
EXISTING SINGLE STOREY DWELLING
BRICK AND TILE ROOF



NO. 3 DIMBOOLA ROAD (ADJACENT SITE)
EXISTING SINGLE STOREY DWELLING
WEATHERBOARD AND TILE ROOF



NO. 4 DIMBOOLA ROAD (ADJACENT SITE)
EXISTING SINGLE STOREY DWELLING
WEATHERBOARD AND TIN ROOF



NO. 1 NELSON STREET (ADJACENT SITE)
EXISTING SINGLE STOREY DWELLING
BRICK AND COLORBOND ROOF



NO. 3 NELSON STREET (ADJACENT SITE)
EXISTING SINGLE STOREY DWELLING
WEATHERBOARD AND TIN ROOF



NO. 5 NELSON STREET (ADJACENT SITE)
EXISTING SINGLE STOREY DWELLING
WEATHERBOARD AND TIN ROOF



NO. 1 GLENFERNESS STREET (ADJACENT SITE)
EXISTING SINGLE STOREY DWELLING
BRICK HOUSE AND TIN ROOF



NO. 3 GLENFERNESS STREET (ADJACENT SITE)
EXISTING SINGLE STOREY DWELLING
WEATHERBOARD AND TIN ROOF



NO. 5 GLENFERNESS STREET (ADJACENT SITE)
EXISTING SINGLE STOREY DWELLING
WEATHERBOARD AND TIN ROOF



NO. 2 MACPHERSON STREET (ADJACENT SITE)
EXISTING SINGLE STOREY DWELLING
WEATHERBOARD AND TIN ROOF

DATE	ISSUE	AMENDMENTS
04/05/21	REV.A	DRAWINGS PREPARED FOR COUNCIL SUBMMISION
28/06/21	REV.B	DRAWINGS UPDATED AS PER PA1718-2021 RFI
23/07/21	REV.C	DRAWINGS UPDATED AS PER PA1718-2021&102380, 21/07/21



1 DIMBOOLA ROAD NHILL 3418

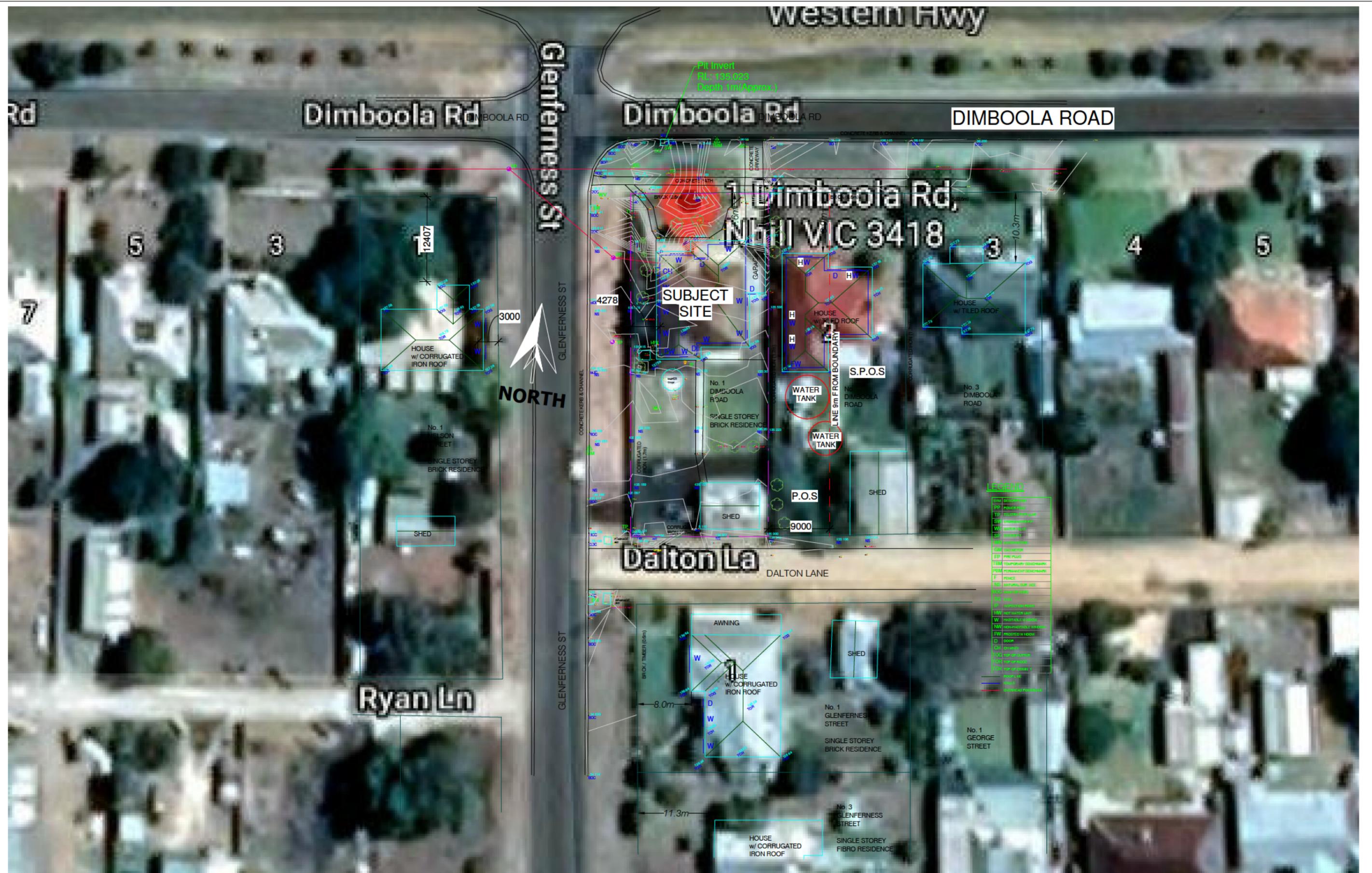
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Project Number	01DIM
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Drawn by	RT
Checked by	IJA

DRAWING TITLE		NEIGHBOURHOOD DESCRIPTION1	
SHEET NUMBER		TP 02	
FOR TOWN PLANNING	SHEET SIZE	A3	Scale NTS



DATE	ISSUE	AMENDMENTS
04/05/21	REV.A	DRAWINGS PREPARED FOR COUNCIL SUBMISSION
28/06/21	REV.B	DRAWINGS UPDATED AS PER PA1718-2021 RFI
23/07/21	REV.C	DRAWINGS UPDATED AS PER PA1718-2021&102380, 21/07/21



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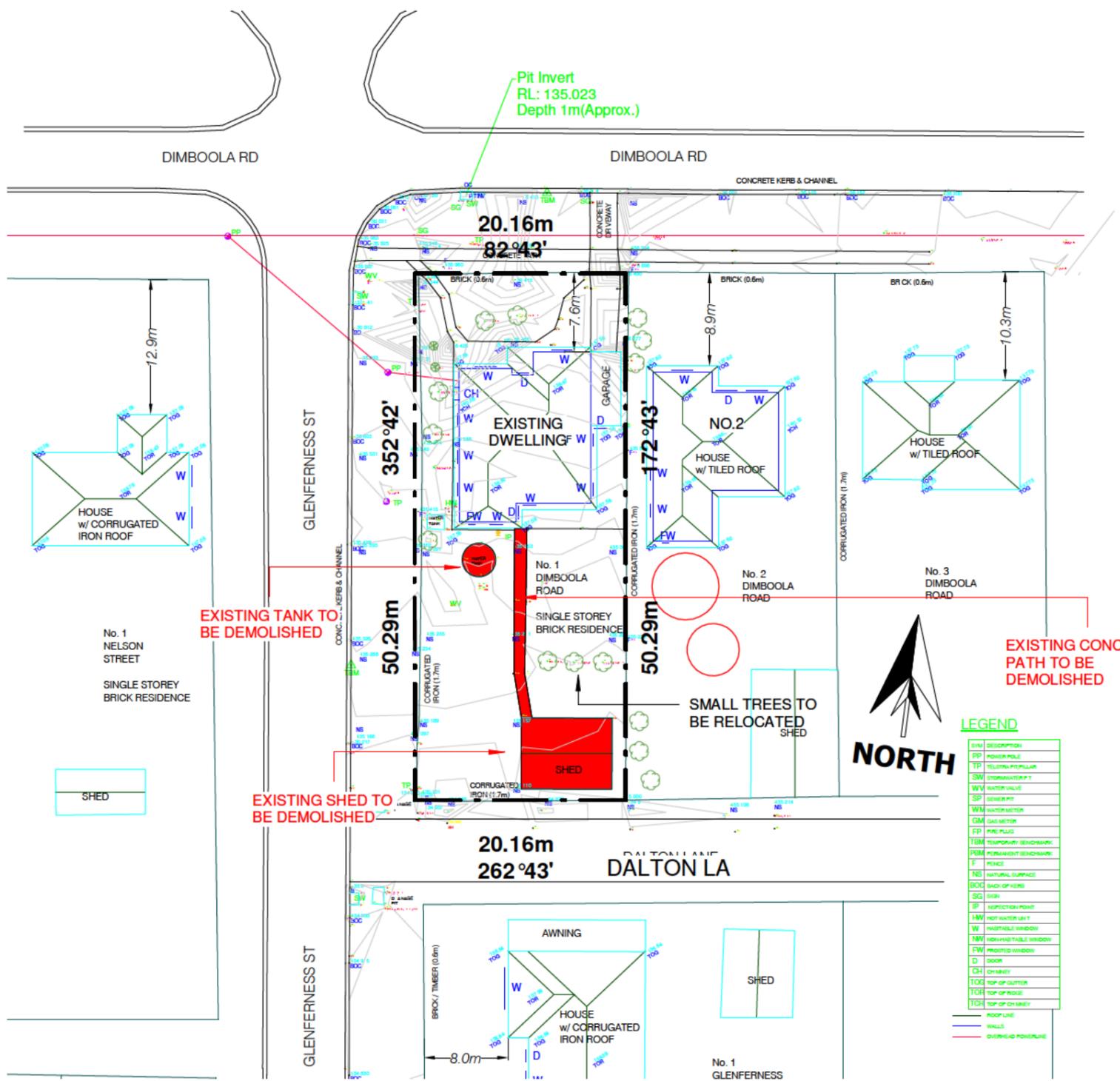
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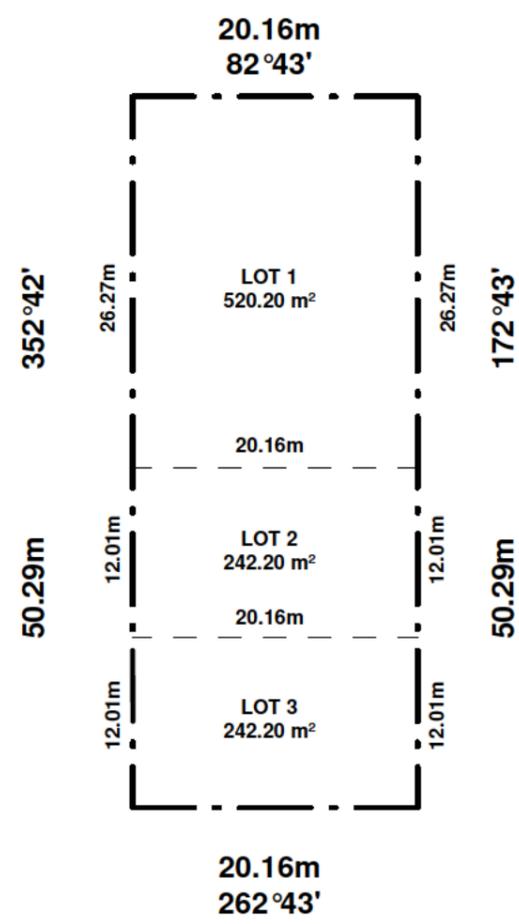
DRAWING TITLE	NEIGHBOURHOOD DESCRIPTION2		
SHEET NUMBER	TP 03		
FOR TOWN PLANNING	SHEET SIZE	A3	Scale 1 : 500



1 DEMOLITION PLAN
1 : 500

2 PRELIM PLAN OF SUBDIVISION
1 : 500

DIMBOOLA ROAD



DATE	ISSUE	AMENDMENTS
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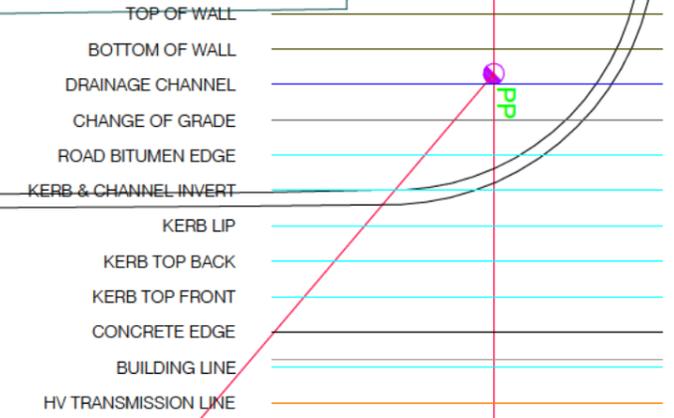
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DRAWING TITLE		DEMOLITION PLAN	
SHEET NUMBER		TP 04	
FOR TOWN PLANNING	SHEET SIZE	A3	Scale
			1 : 500

TOTAL SITE COVERAGE: 425.29 m² 41.92 %
 TOTAL PERMEABILITY: 437.15 m² 43.11 %
 TOTAL HARD SURFACE: 151.78 m² 14.95 %

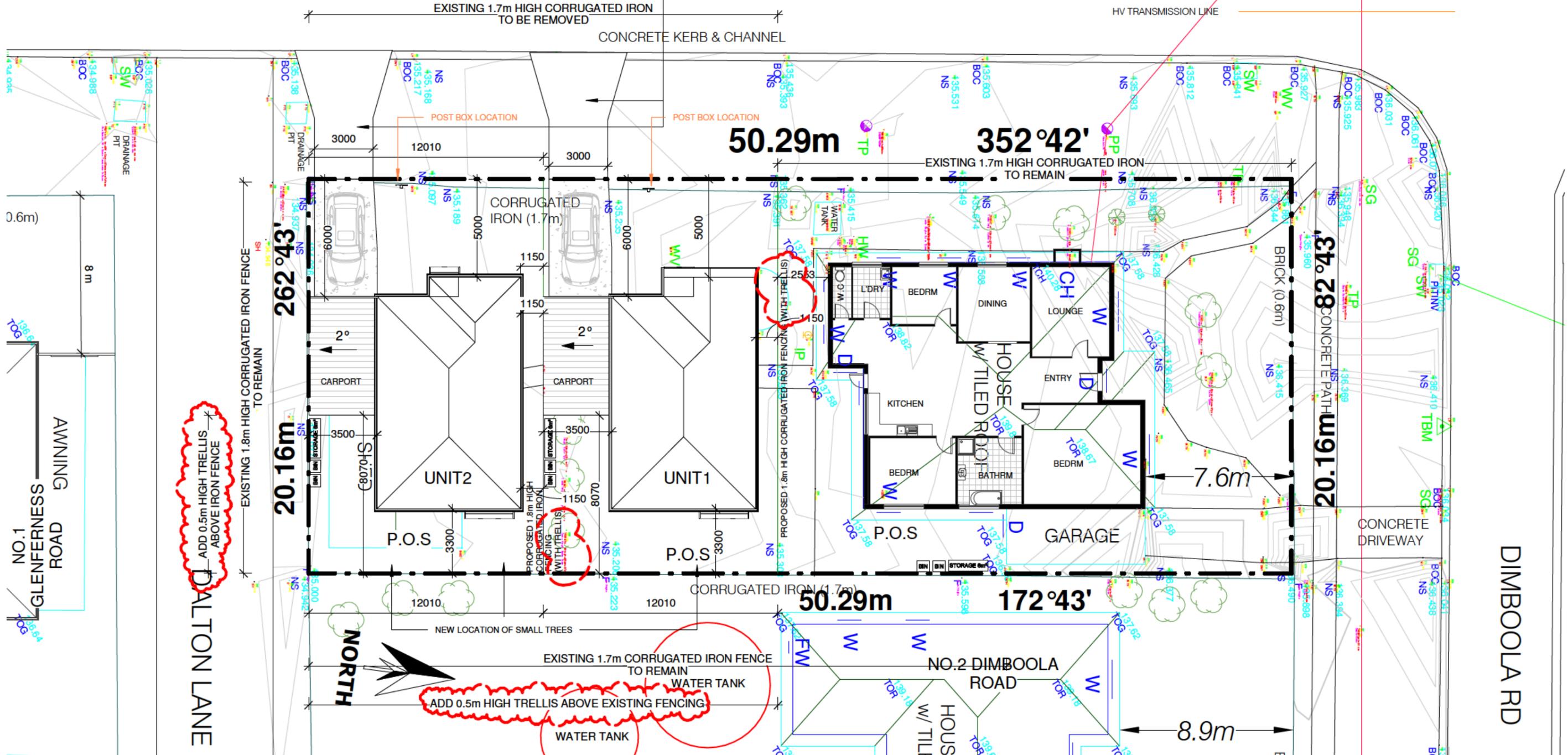


ST

PROPOSED VEHICLE CROSSING
AS PER COUNCIL STANDARDS

GLENFERNESS ST

300LA RD



DIMBOOLA RD

DATE	ISSUE	AMENDMENTS
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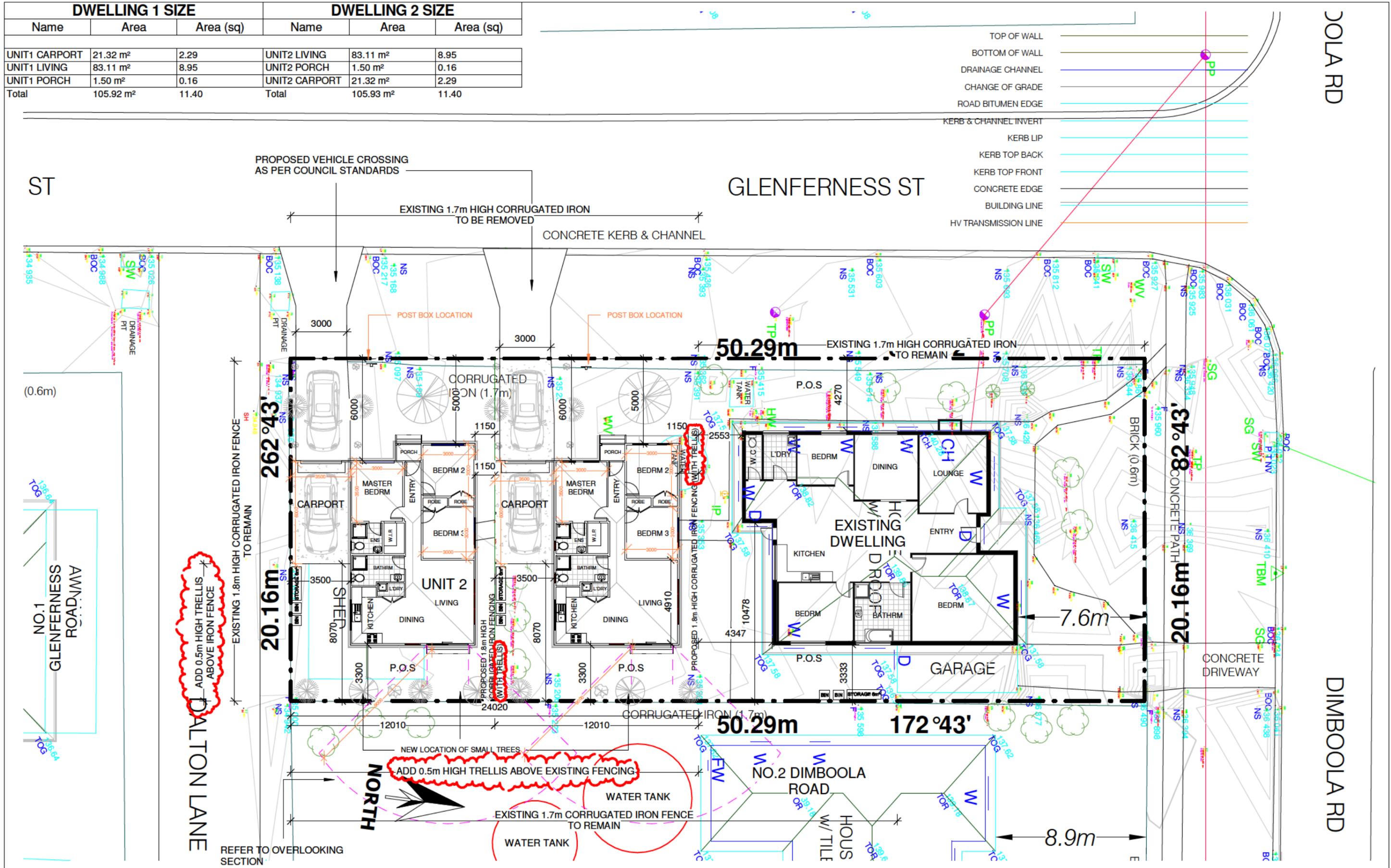


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DRAWING TITLE	PROPOSED SITE PLAN		
SHEET NUMBER	TP 05		
FOR TOWN PLANNING	SHEET SIZE	A3	Scale 1 : 200

DWELLING 1 SIZE			DWELLING 2 SIZE		
Name	Area	Area (sq)	Name	Area	Area (sq)
UNIT1 CARPORT	21.32 m ²	2.29	UNIT2 LIVING	83.11 m ²	8.95
UNIT1 LIVING	83.11 m ²	8.95	UNIT2 PORCH	1.50 m ²	0.16
UNIT1 PORCH	1.50 m ²	0.16	UNIT2 CARPORT	21.32 m ²	2.29
Total	105.92 m²	11.40	Total	105.93 m²	11.40



- TOP OF WALL
- BOTTOM OF WALL
- DRAINAGE CHANNEL
- CHANGE OF GRADE
- ROAD BITUMEN EDGE
- KERB & CHANNEL INVERT
- KERB LIP
- KERB TOP BACK
- KERB TOP FRONT
- CONCRETE EDGE
- BUILDING LINE
- HV TRANSMISSION LINE

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DRAWING TITLE	PROPOSED GROUND FLOOR PLAN		
SHEET NUMBER	TP 06		
FOR TOWN PLANNING	SHEET SIZE	A3	Scale 1 : 200

Area Analysis		
Name	Area	Percentage
EXISTING DWELLING FRONT YARD	69.04 m ²	6.81%
EXISTING DWELLING HARD SURFACE 1	64.26 m ²	6.34%
EXISTING DWELLING HARD SURFACE 2	25.37 m ²	2.50%
EXISTING DWELLING PERMEABLE AREA	133.34 m ²	13.15%
EXISTING DWELLING SITE COVERAGE	204.82 m ²	20.19%
EXISTING DWELLING TOPPING	24.52 m ²	2.42%
GARAGE LANDSCAPE	8.54 m ²	0.84%
UNIT1 BACKYARD	39.63 m ²	3.91%
UNIT1 DRIVEWAY	20.72 m ²	2.04%
UNIT1 FRONT YARD	45.57 m ²	4.49%
UNIT1 SIDE	13.64 m ²	1.34%
UNIT1 SITE COVERAGE	105.93 m ²	10.44%
UNIT1 TOPPING	16.70 m ²	1.65%
UNIT2 BACKYARD	39.63 m ²	3.91%
UNIT2 DRIVEWAY	20.71 m ²	2.04%
UNIT2 FRONT YARD	45.54 m ²	4.49%
UNIT2 SIDE	13.64 m ²	1.34%
UNIT2 SITE COVERAGE	105.93 m ²	10.44%
UNIT2 TOPPING	16.70 m ²	1.65%
LAND SIZE	1014.21 m ²	

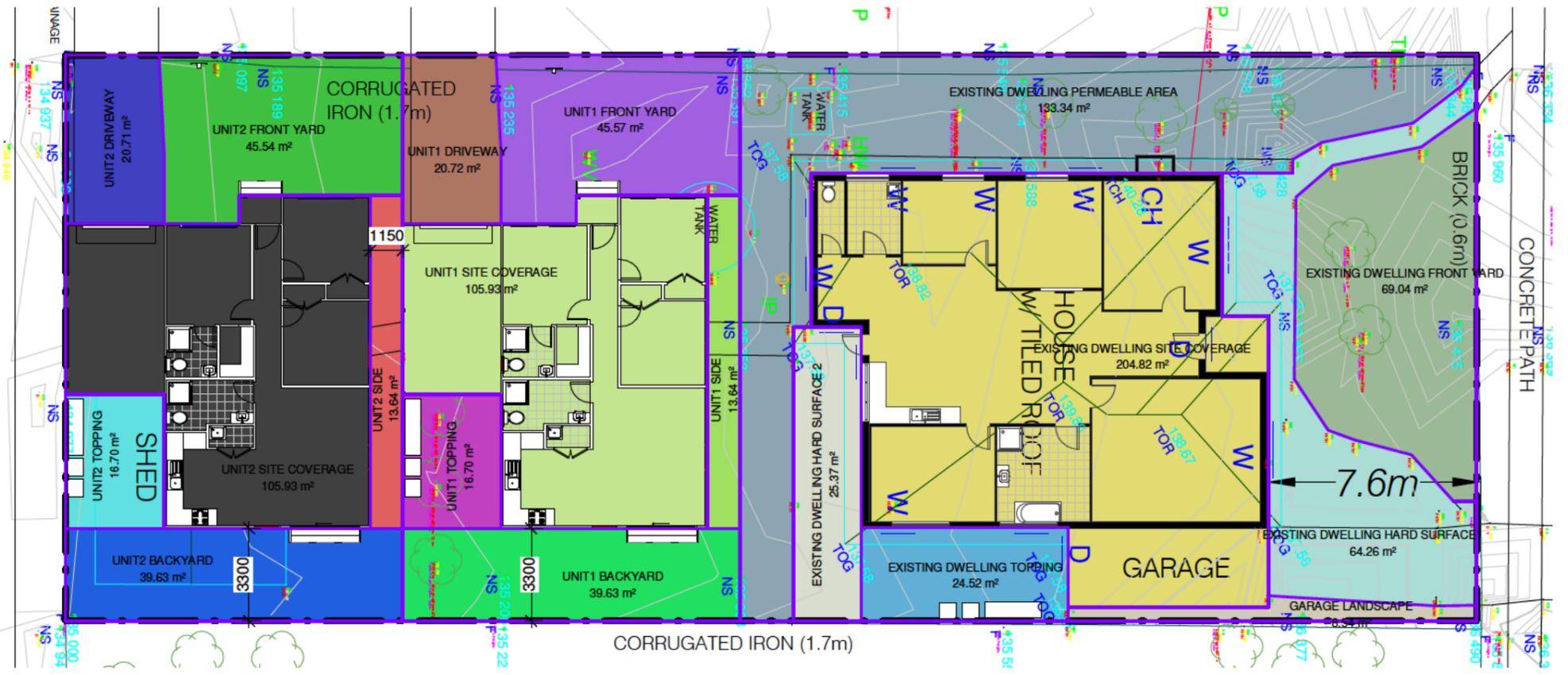
- EXISTING DWELLING FRONT YARD
- EXISTING DWELLING HARD SURFACE 1
- EXISTING DWELLING HARD SURFACE 2
- EXISTING DWELLING PERMEABLE AREA
- EXISTING DWELLING SITE COVERAGE
- EXISTING DWELLING TOPPING
- GARAGE LANDSCAPE
- UNIT1 BACKYARD
- UNIT1 DRIVEWAY
- UNIT1 FRONT YARD
- UNIT1 SIDE
- UNIT1 SITE COVERAGE
- UNIT1 TOPPING
- UNIT2 BACKYARD
- UNIT2 DRIVEWAY
- UNIT2 FRONT YARD
- UNIT2 SIDE
- UNIT2 SITE COVERAGE
- UNIT2 TOPPING

TOTAL SITE COVERAGE: 416.68 m² 41.07 %
 TOTAL PERMEABILITY: 400.03 m² 39.44 %
 TOTAL HARD SURFACE: 188.98 m² 18.64 %

EXISTING DWELLING TOTAL S.P.O.S: 69.92 m²
 EXISTING DWELLING PERMEABILITY: 235.44 m² 45.25%
 EXISTING DWELLING SITE COVERAGE: 204.82m² 39.37%
 EXISTING DWELLING GARDEN AREA: 321.53m² 61.80%
 EXISTING DWELLING LOT SIZE: 520.20 m²

UNIT1 TOTAL S.P.O.S: 56.33 m²
 UNIT1 PERMEABILITY: 98.84 m² 40.80%
 UNIT1 SITE COVERAGE: 105.93 m² 43.73%
 UNIT1 GARDEN AREA: 114.74 m² 47.37%
 UNIT1 LOT SIZE: 242.20 m²

UNIT2 TOTAL S.P.O.S: 56.33 m²
 UNIT2 PERMEABILITY: 98.84 m² 40.80%
 UNIT2 SITE COVERAGE: 105.93 m² 43.73%
 UNIT2 GARDEN AREA: 114.95m² 47.46%
 UNIT2 LOT SIZE: 242.20 m²



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23/07/21	REV.C	DRAWINGS UPDATED AS PER PA1718-2021&102380, 21/07/21



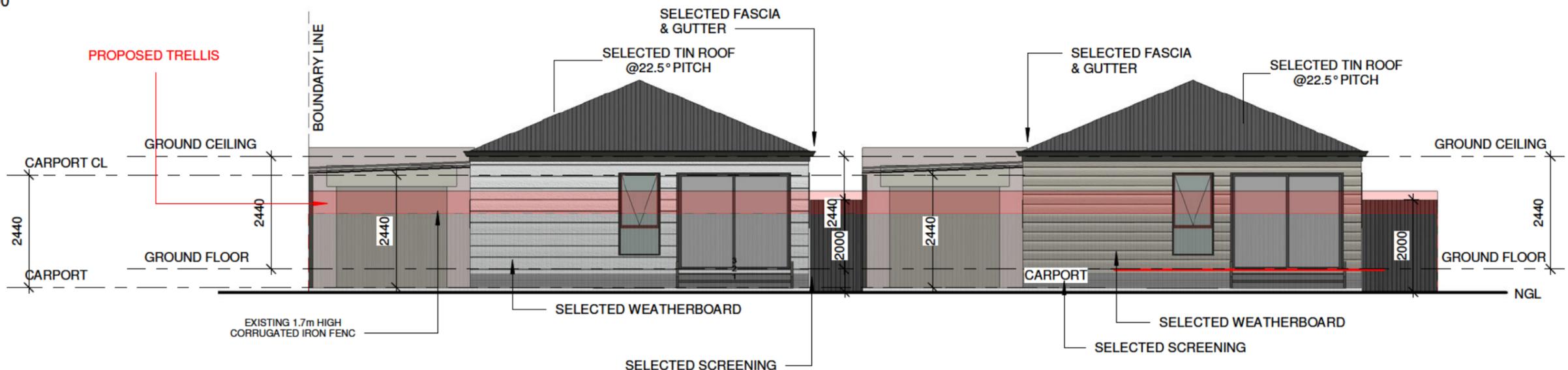
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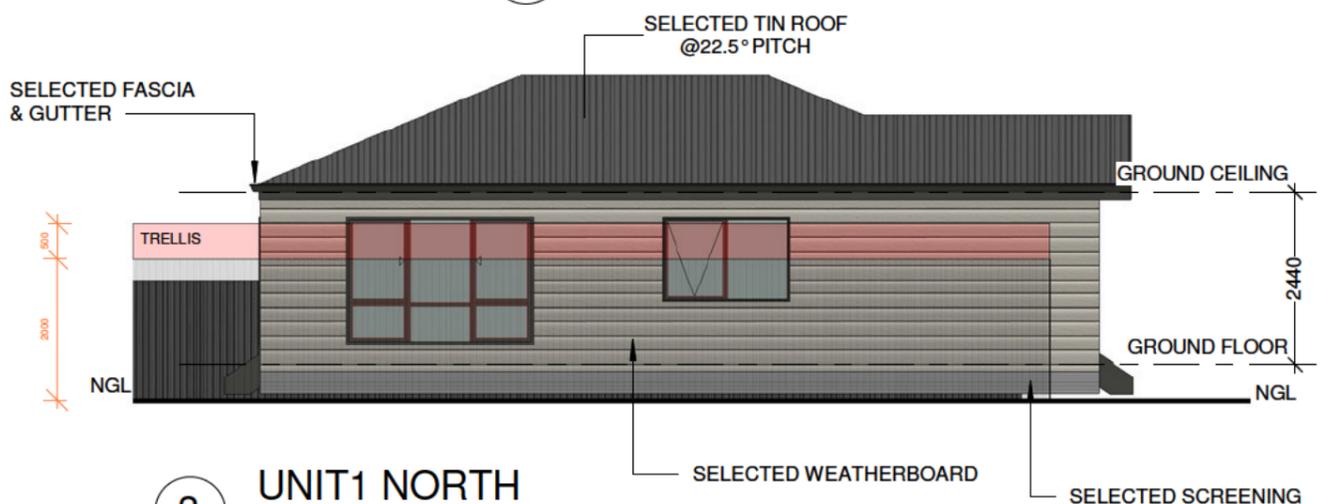
DRAWING TITLE		AREA ANALYSIS	
SHEET NUMBER		TP 07	
FOR TOWN PLANNING	SHEET SIZE	A3	Scale 1 : 200



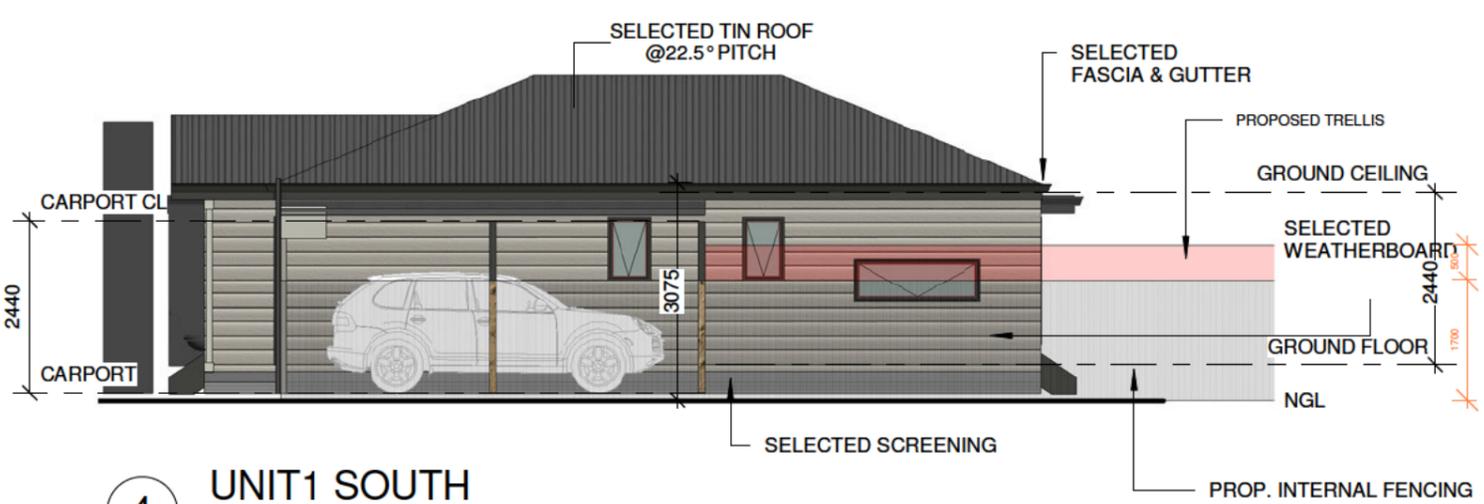
1 UNIT1 & 2 WEST ELEVATION
1 : 100



2 UNIT1 & 2 EAST ELEVATION
1 : 100



3 UNIT1 NORTH
1 : 100



4 UNIT1 SOUTH
1 : 100

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23/07/21	REV.C	DRAWINGS UPDATED AS PER PA1718-2021&102380, 21/07/21



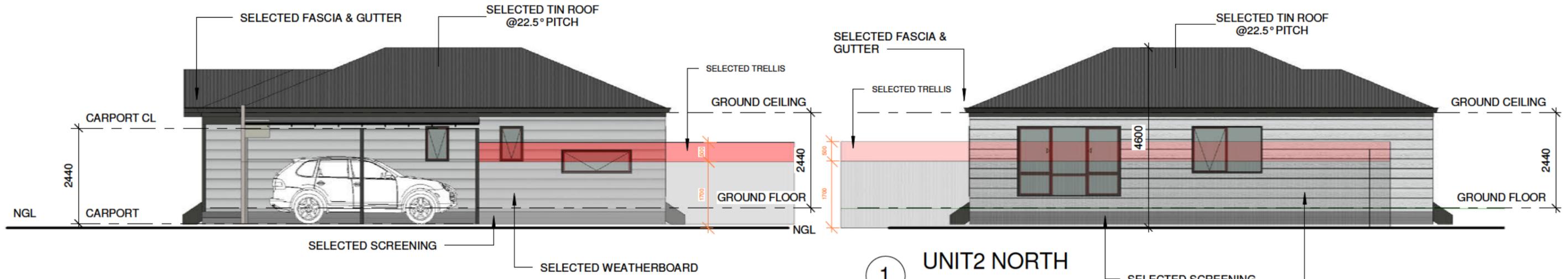
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Project Number	01DIM
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DRAWING TITLE		ELEVATION (1)	
SHEET NUMBER		TP 08	
FOR TOWN PLANNING	SHEET SIZE	A3	Scale
			1 : 100



3 STREETScape VIEW GLENFERNESS STREET
1 : 200



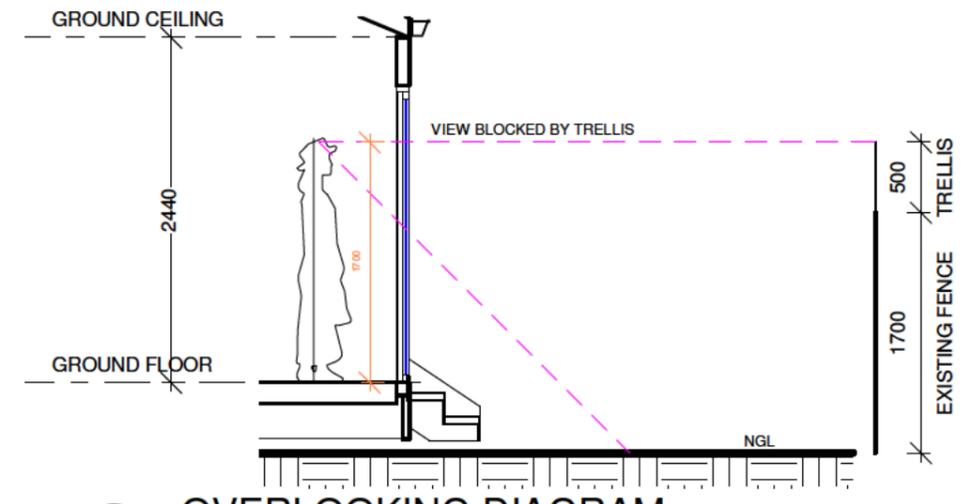
2 UNIT2 SOUTH
1 : 100

1 UNIT2 NORTH
1 : 100

COLOUR SCHEDULE

SELECTED WEATHERBOARD1 :	SURFMIST		SELECTED SCREENING:	SURFMIST	
SELECTED COLORBOND ROOF:	SHALE GREY		SELECTED WEATHERBOARD2 :	DUNE	
SELECTED GUTTER:	WOODLAND GREY		SELECTED ROLLER DOOR:	DUNE	
SELECTED FASCIA:	WOODLAND GREY		SELECTED PAINTED CLADDING:	WOODLAND GREY	

TRELLIS TO HAVE MAX. 25% TRANSPARENCY



4 OVERLOOKING DIAGRAM
1 : 50

DATE	ISSUE	AMENDMENTS
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Project Number	01DIM
Date	23/07/21
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DRAWING TITLE		ELEVATION (2)	
SHEET NUMBER		TP 09	
FOR TOWN PLANNING	SHEET SIZE	A3	Scale
			As indicated



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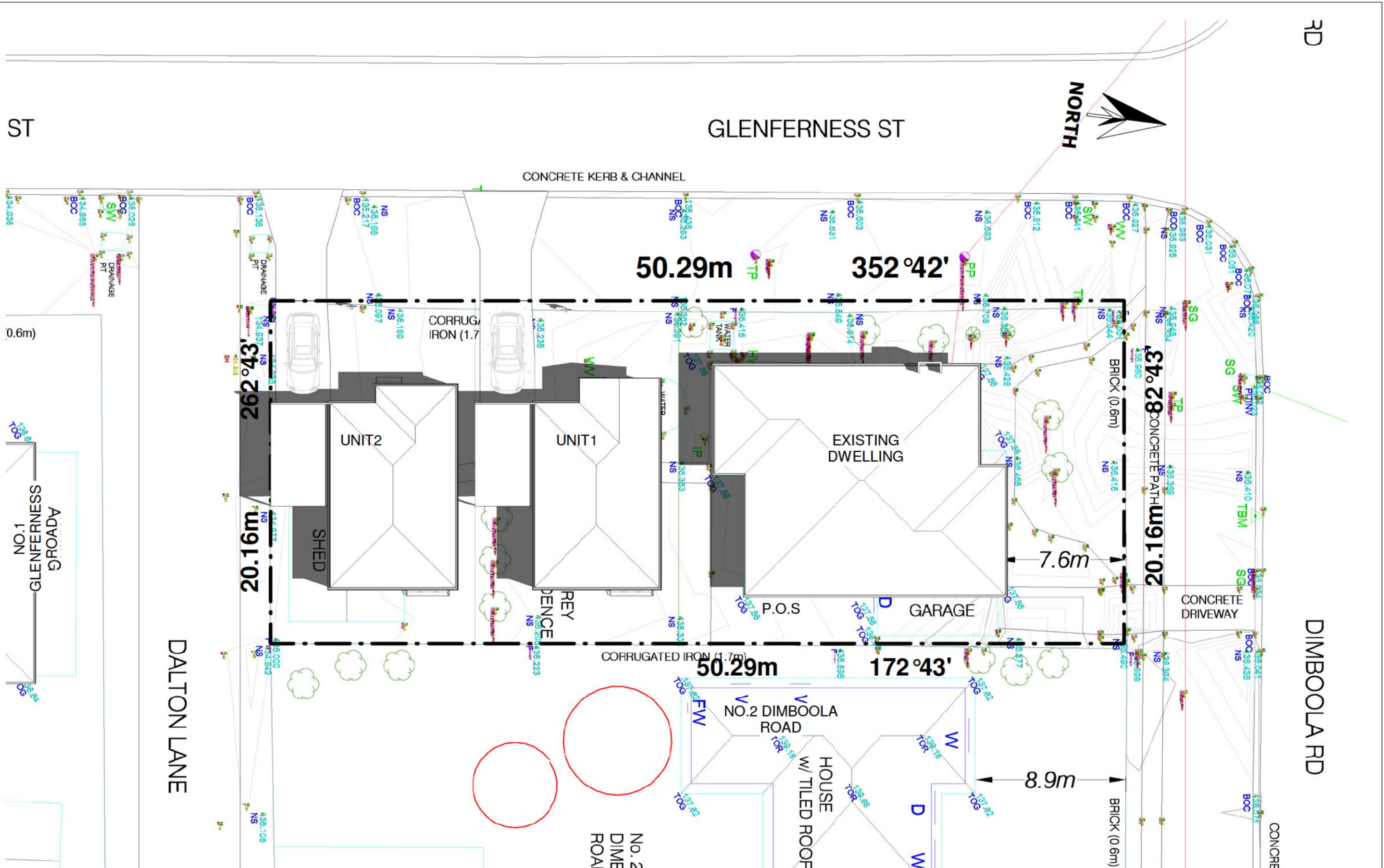
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DRAWING TITLE		SHADOW DIAGRAM 9 AM	
SHEET NUMBER		TP 10	
FOR TOWN PLANNING	SHEET SIZE	A3	Scale
			1 : 200



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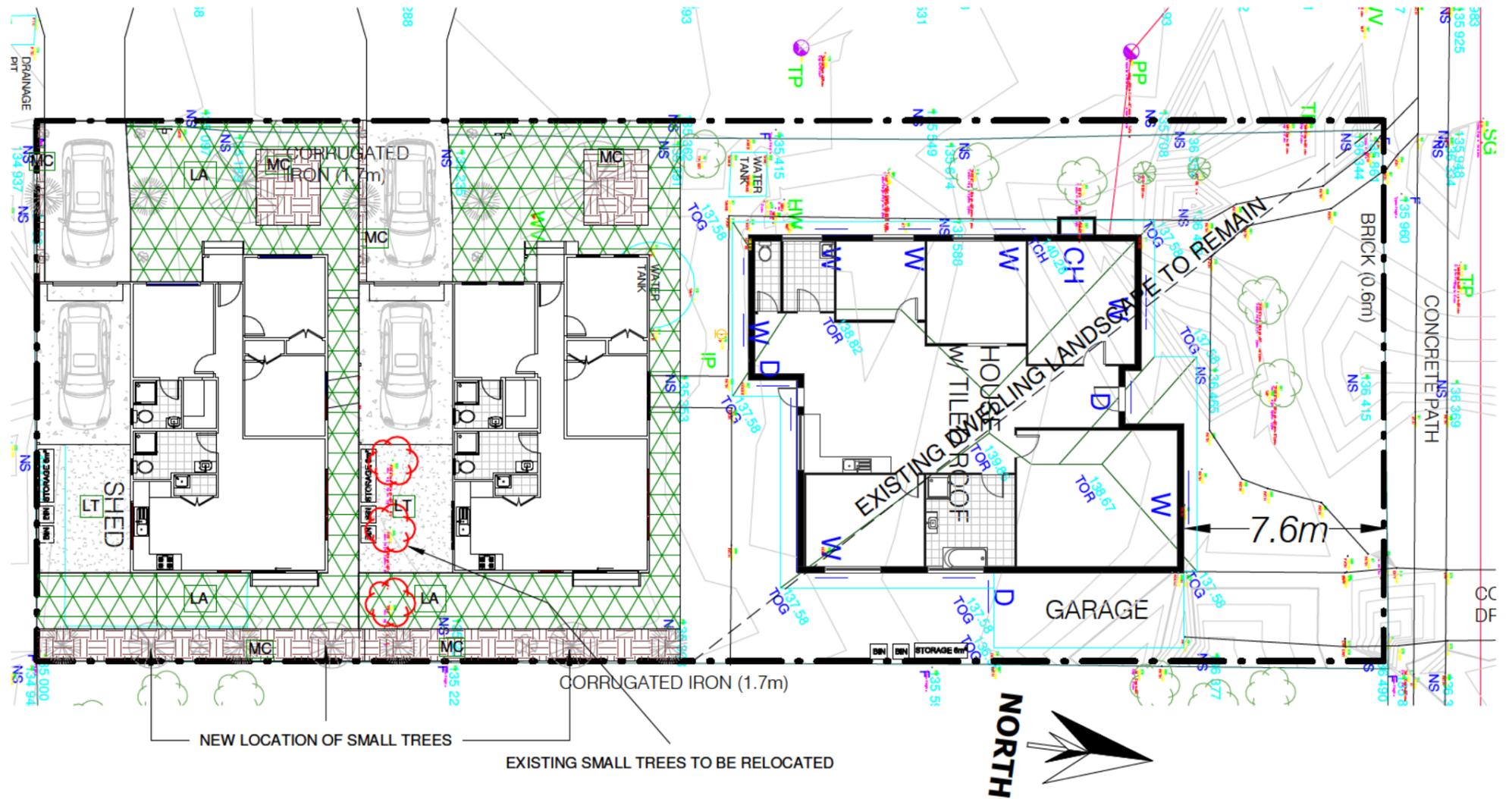
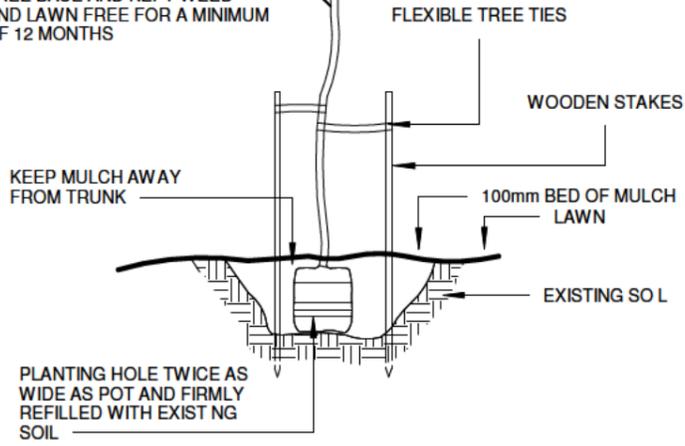
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Project Number	01DIM
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DRAWING TITLE		SHADOW DIAGRAM 12 PM	
SHEET NUMBER		TP 11	
FOR TOWN PLANNING	SHEET SIZE	A3	Scale 1 : 200

TREE PLANTING IN LAWN

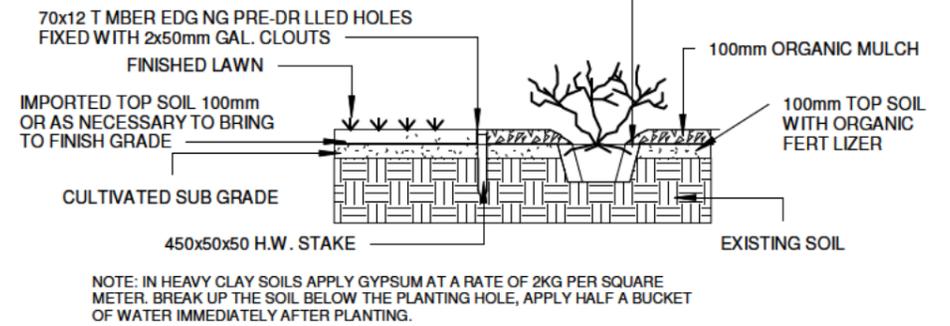
NOTE: MULCH TO BE SPREAD IN A 1000mm CIRCLE AROUND THE TREE BASE AND KEPT WEED AND LAWN FREE FOR A MINIMUM OF 12 MONTHS



PLANT NAME	COMMON NAME	MATURE HEIGHT	POT SIZE	QUANTITY
DIANELLA LONGIFOLIA	SMOOTH FLAXLILY	500 mm	150	16
GOODENIA OVATA	HOP GOODENIA	1000 mm	150	6
PITTOSPORUM	JAMES STERLING	1600 mm	150	8
Agonis flexuosa	Willow myrtle	5000 mm	50	2

	MULCH	MC
	LAWN	LA
	LILYDALE TOPPING	LT
	CONCRETE	CON.

PLANTING SPECIFICATION AND EDGE DETAIL FOR GARDEN BEDS



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Project Number	01DIM
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DRAWING TITLE	LANDSCAPE PLAN		
SHEET NUMBER	TP 13		
FOR TOWN PLANNING	SHEET SIZE	A3	Scale
			As indicated

Attachment 2

Clause 55 Assessment – PA1703-2021 – 1 Dimboola Road, Nhill

Neighbourhood Character Clause 55.02

Clause & Objective	Standard Met	Objectives Met
Clause 55.02-1 - Neighbourhood character objectives -Standard B1	Yes – Single storey dwellings with design and scale in keeping with the character of the area.	Yes
Clause 55.02-2 - Residential policy objectives -Standard B2	Yes	Yes
Clause 55.02-3 - Dwelling diversity objective - Standard B3	N/A – relates to developments of ten or more dwellings	N/A
Clause 55.02-4 - Infrastructure objectives - Standard B4	Yes – subject to conditions for utility services and crossovers to be constructed	Yes
Clause 55.02-5 - Integration with the street objective Standard B5	Yes – existing dwelling orientated to Dimboola Road and new dwellings orientated to Glenferness Street and no front fencing	Yes

Site Layout and Building Massing Clause 55.03

Clause & Objective	Standard Met	Objectives Met
Clause 55.03-1 - Street setback objective - Standard B6	Yes – Proposed 5.0m minimum setback of front wall of the two new dwellings and 6.0m setback of main bedroom wall and carport from west boundary to Glenferness Street are acceptable.	Yes
Clause 55.03-2 - Building height Objective - Standard B7	Yes	Yes
Clause 55.03-3 - Site coverage objective - Standard B8	Yes – site coverage 41.7% approx.	Yes
Clause 55.03-4 - Permeability objectives - Standard B9	Yes – permeability – 39.4% approx.	Yes
Clause 55.03-5 - Energy efficiency objectives - Standard B10	Yes	Yes
Clause 55.03-6 - Open space objective - Standard B11	N/A – no public or communal open space adjacent to the site	N/A
Clause 55.03-7 - Safety objective - Standard B12	Yes	Yes
Clause 55.03-8 - Landscaping objectives - Standard B13	Yes – Landscaping proposed on landscape plan includes two new trees and shrubs.	Yes
Clause 55.03-9 - Access objectives - Standard B14	Yes – single crossovers for the two new dwellings are required to be constructed and conditions required	Yes
Clause 55.03-10 - Parking location objectives - Standard B15	Yes	Yes

Amenity Impacts Clause 55.04

Clause & Objective	Standard Met	Objectives Met
Clause 55.04-1 - Side and rear setbacks objective - Standard B17	Yes	Yes
Clause 55.04-2 - Walls on boundaries Objective - Standard B18	Yes – there are no proposed walls on the external boundaries of the site. New single carports for Unit 1 and Unit 2 will be located on the southern boundary and the lot boundaries between Lots 2 and 3.	Yes
Clause 55.04-3 - Daylight to existing windows objective - Standard B19	Yes	Yes
Clause 55.04-4 - North facing windows objective - Standard B20	Yes	Yes
Clause 55.04-5 - Overshadowing open space objective - Standard B21	Yes	Yes
Clause 55.04-6 - Overlooking objective - Standard B22	Yes – Existing 1.7m high corrugated iron fence and 0.5m trellis screen above to prevent any overlooking to the east and south. No overlooking concerns.	Yes
Clause 55.04-7 - Internal views objective - Standard B23	Yes – internal views prevented by the proposed 2.0m high Colorbond fences and 0.2m trellis screening above.	Yes
Clause 55.04-8 - Noise impacts objectives - Standard B24	Yes	Yes

On-Site Amenity and Facilities Clause 55.05

Clause & Objective	Standard Met	Objectives Met
Clause 55.05-1 - Accessibility objective - Standard B25	Yes	Yes
Clause 55.05-2 - Dwelling entry objective - Standard B26	Yes	Yes
Clause 55.05-3 - Daylight to new windows objective - Standard B27	Yes	Yes
Clause 55.05-4 - Private open space objective - Standard B28	Yes – The secluded open space areas for all three dwellings exceeds 25m ² with a minimum width of 3m. The total private open space is approximately 250m ² for the existing dwelling and 85.1m ² for each of Unit 1 and Unit 2. The total of private open space area for the three dwellings exceeds the requirements.	Yes
Clause 55.05-5 - Solar access to open space objective – Standard B29	Yes – north and east facing living areas. Solar access acceptable.	Yes
Clause 55.05-6 - Storage objective - Standard B30	Yes – 6m ³ external storage sheds proposed.	Yes

Detailed Design Clause 55.06

Clause & Objective	Standard Met	Objectives Met
Clause 55.06-1 - Design detail objective - Standard B31	Yes – design detail is in keeping with the character of the area.	Yes
Clause 55.06-2 - Front fences objective - Standard B32	N/A – No front fences proposed.	N/A
Clause 55.06-3 - Common property objectives - Standard B33	N/A	N/A
Clause 55.06-4 - Site services objectives - Standard B34	Yes – Conditions required for services to be connected.	Yes

Attachment 3

Clause 56 Assessment – 1 Dimboola Road, Nhill

Clause 56.02 – Policy Implementation

Clause & objective	Standard Met	Objectives Met
Clause 56.02-1 Strategic implementation objective – Standard C1	N/A	N/A

Clause 56.03 – Liveable and Sustainable Communities

Clause & objective	Standard Met	Objectives Met
Clause 56.03-1 Compact and walkable neighbourhoods objectives – Standard C2	N/A	N/A
Clause 56.03-2 – Activity Centre objective – Standard C3	N/A	N/A
Clause 56.03-3 – Planning for community facilities objective – Standard C4	N/A	N/A
Clause 56.03-4 Built Environment Objective – Standard C5	N/A	N/A
Clause 56.03-5 Neighbourhood character objective – Standard C6	Yes – the subdivision will create smaller lots than prevailing lot sizes in the area, but will adequately respect the existing neighbourhood character. A Section 173 Agreement is required as a condition to link the subdivision to the development.	Yes

Clause 56.04 Lot Design

Clause & objective	Standard Met	Objectives Met
Clause 56.04-1 Lot diversity and distribution objectives- Standard C7	Yes – a higher lot density is proposed Lot 2 and Lot 3	Yes
Clause 56.04-2 Lot area and building envelopes objective – Standard C8	Yes – the development proposed within Lot 2 and Lot 3 is acceptable	Yes

Clause 56.04-3 Solar orientation of lots objectives – Standard C9	Yes	Yes
Clause 56.04-4 Street orientation objective –Standard C10	Yes – Lot 1 will be orientated to Dimboola Road and Lot 2 and Lot 3 will be orientated to Glenferness Street	Yes
Clause 56.04-5 Common area objectives – Standard C11	N/A	N/A

Clause 55.05 Urban Landscape

Clause & objective	Standard Met	Objective Met
Clause 56.05-1 Integrated urban landscape objectives – Standard C12	Yes	Yes
Clause 56.05-2 Public open space provision objectives – Standard C13	N/A	N/A

Clause 56.06 Access and Mobility Management

Clause & objective	Standard Met	Objective Met
Clause 56.06-1 Integrated mobility objectives – Standard C14	N/A	N/A
Clause 56.06-2 Walking and cycling network objectives – Standard C15	Yes	Yes
Clause 56.06-3 Public transport network objectives – Standard C16	N/A	N/A
Clause 56.06-4 Neighbourhood street network objective – Standard C17	Yes	Yes
Clause 56.06-5 Walking and cycling network detail objectives – Standard C18	Yes	Yes
Clause 56.06-6 Public transport network detail objectives – Standard C19	N/A	N/A
Clause 56.06-7 Neighbourhood street network detail objective – Standard C20	Yes	Yes
Clause 56.06-8 Lot access objective – Standard C21	Yes – new single 3.0 metre wide crossovers for Lot 2 and Lot 3 to be constructed to Council standards	Yes

Clause 56.07 Integrated Water Management

Clause & objective	Standard Met	Objective Met
Clause 56.07-1 Drinking water supply objective – Standard C22	Yes	Yes
Clause 56.07-2 Reused and recycled water objective – Standard C23	Not proposed	Not proposed
Clause 56.07-3 Waste water management objective – Standard C24	Yes	Yes
Clause 56.07-4 Stormwater management objectives - Standard C25	Yes	Yes

Clause 56.08 Site Management

Clause & objective	Standard Met	Objective Met
Clause 56.08-1 Site management objectives – Standard C26	Yes	Yes

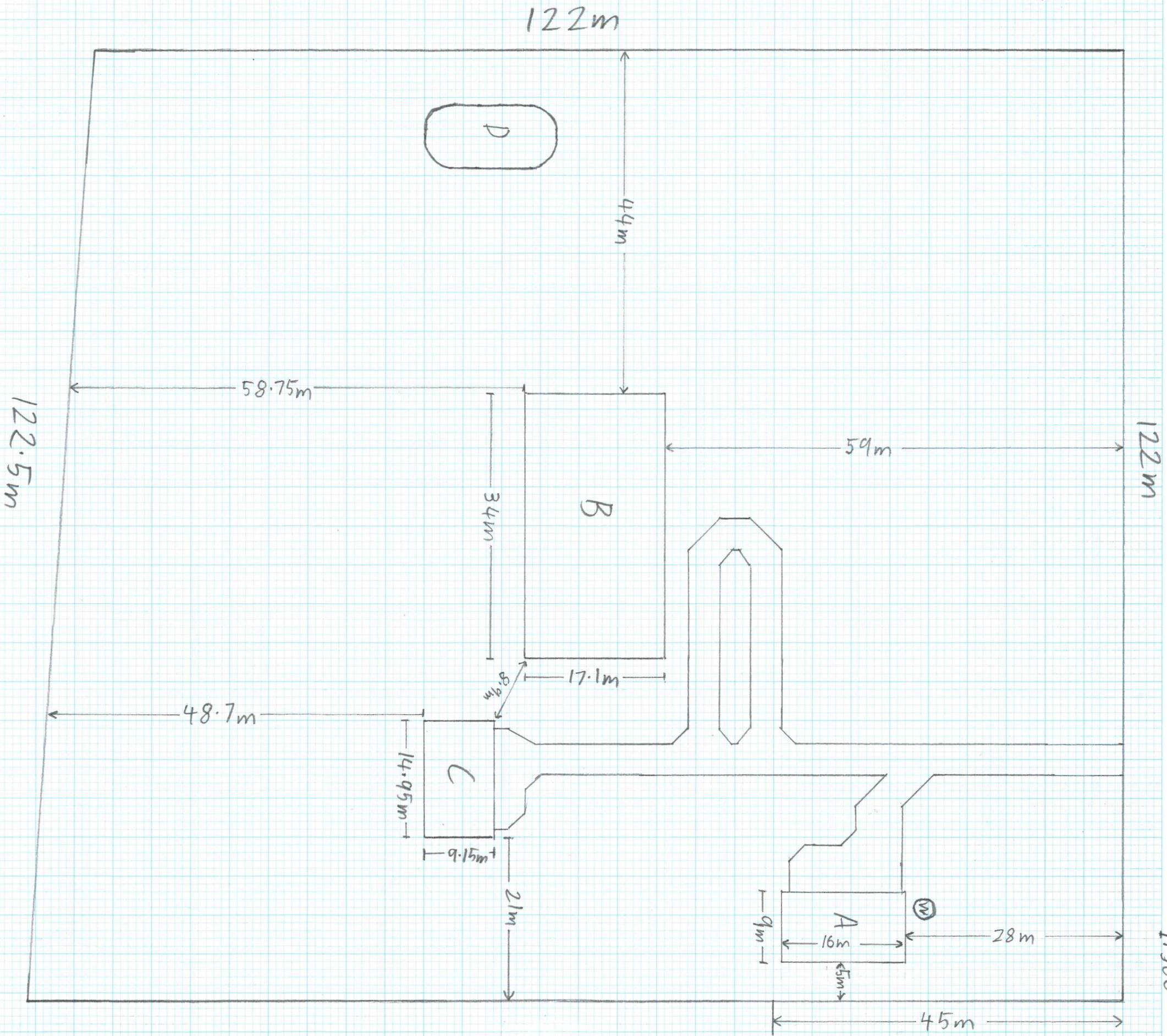
Clause 56.09 Utilities

Clause & objective	Standard Met	Objective Met
Clause 56.09-1 Shared trenching objectives – Standard C27	Yes	Yes
Clause 56.09-2 Electricity, telecommunications and gas objectives – Standard C28	Yes – conditions required	Yes
Clause 56.09-3 Fire Hydrants objective – Standard C29	N/A	N/A
Clause 56.09-4 Public lighting objective – Standard C30	N/A	N/A



Townsend Street

scale: 2mm = 1m
1:500



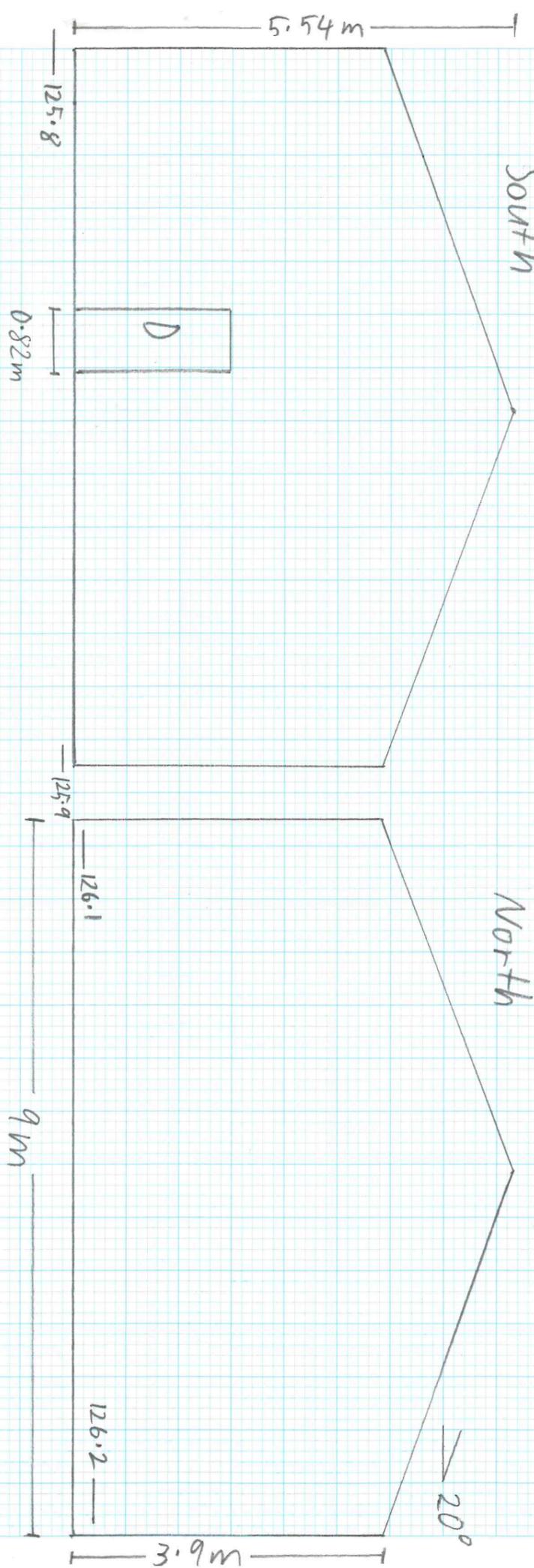
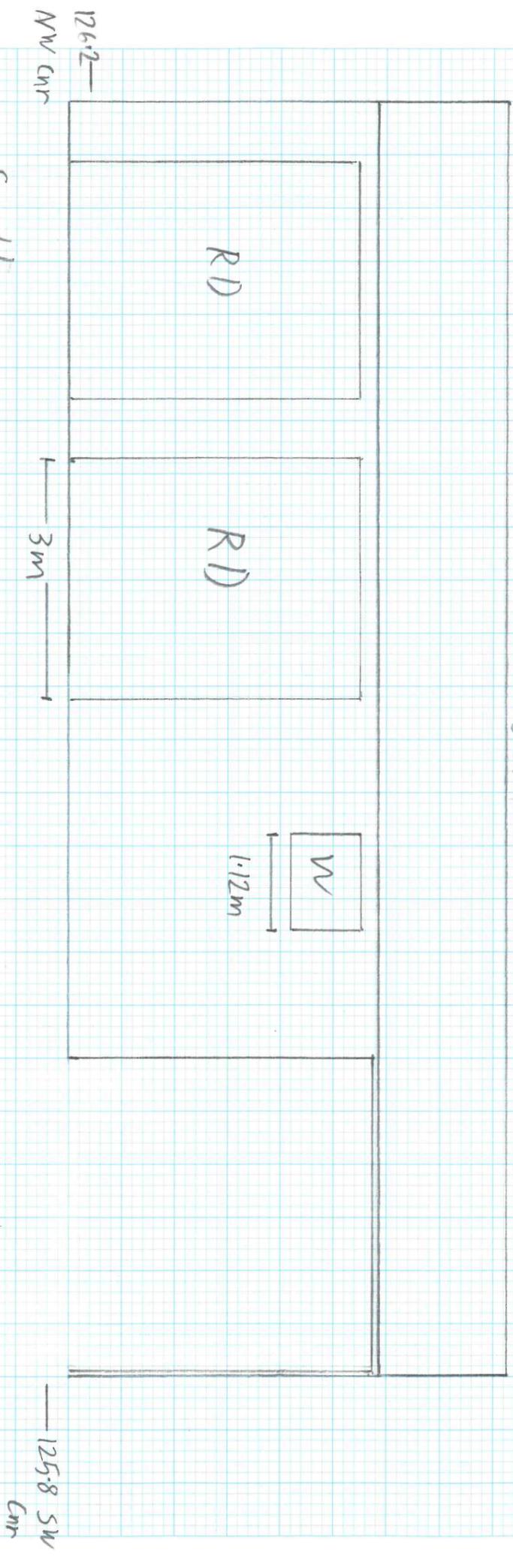
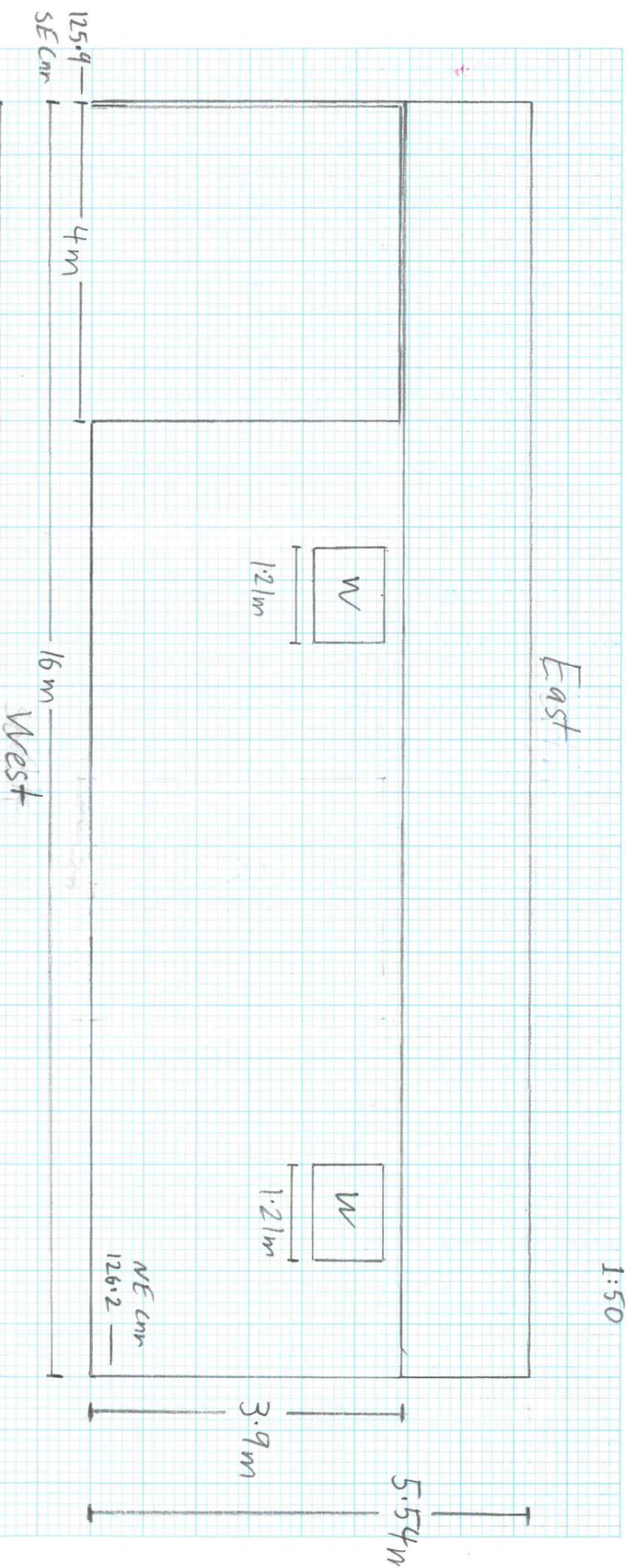
- A: Shed
 - B: House
 - C: Garage
 - D: Existing Dam
- } Proposed sites

W: Proposed static water supply for firefighting

Shed Elevations

scale: 2mm = 0.1m

1:50



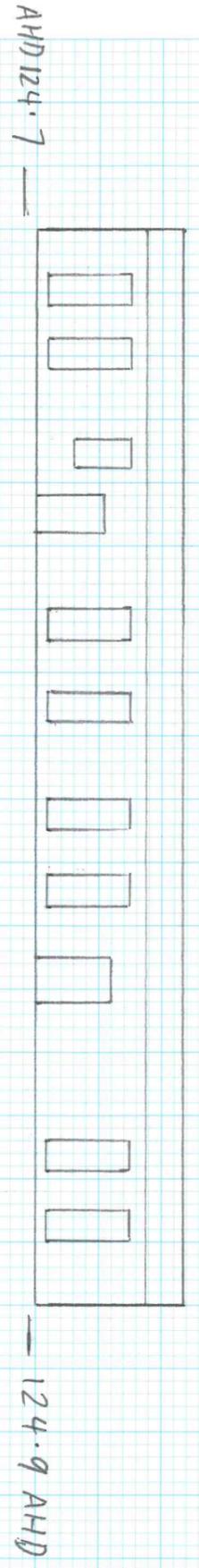
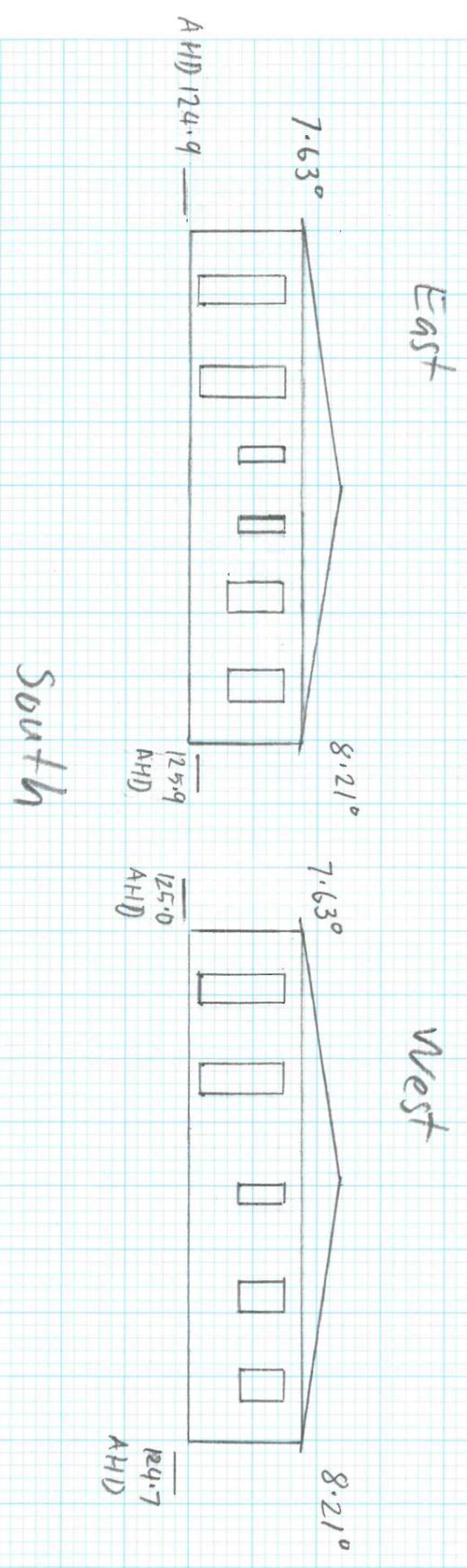
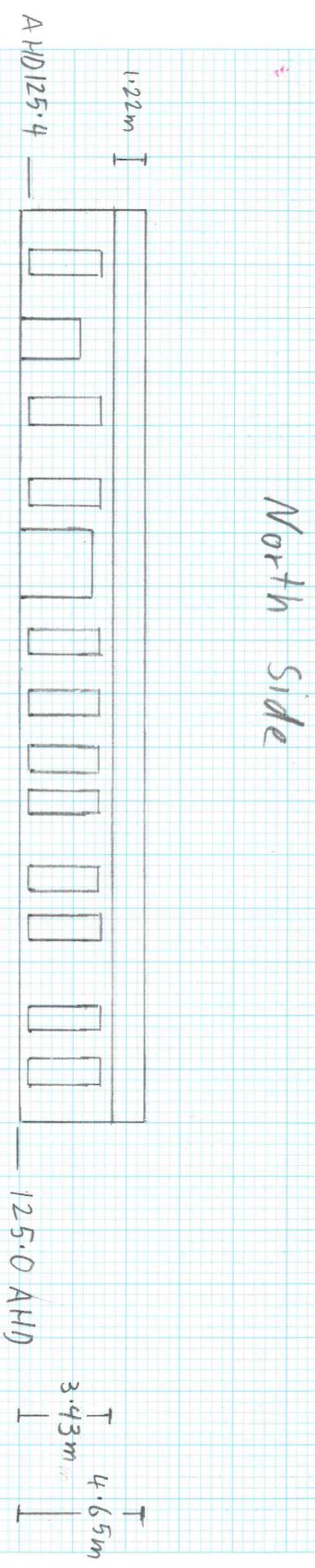
RD = Roller Door
 D = PA. Door
 W = Window

A.H.D marked at NE, NW, SE, SW corners. Maximum elevation difference is 0.4m.

- NE: 126.2m
- NW: 126.1m
- SE: 125.9m
- SW: 125.8m

House Elevations

Scale: 1:200

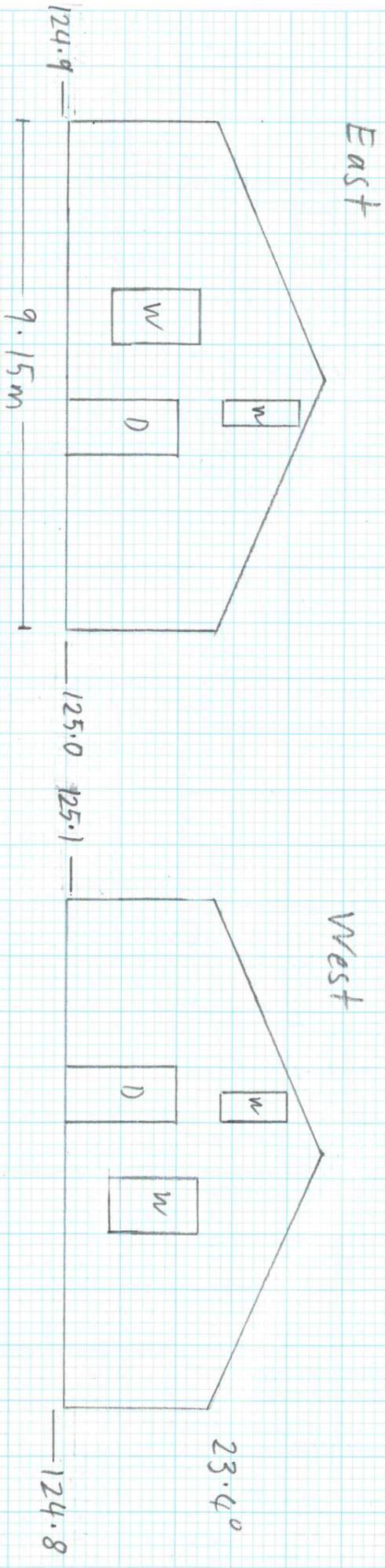
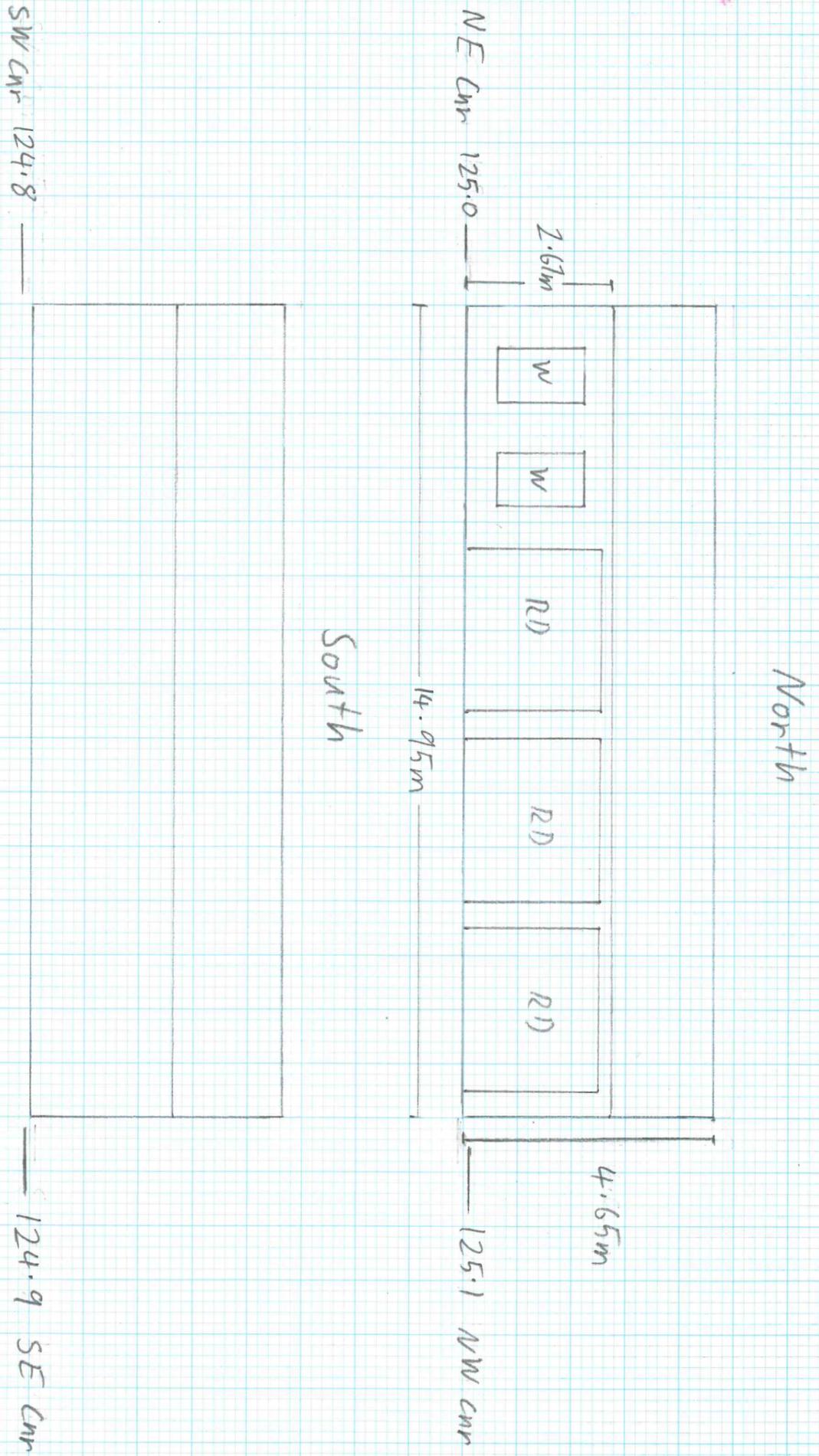


Australian Height Data (AHD) shown at NE, NW, SE, SW corners of house site.
 To construct with finished floor (100mm concrete slab) at AHD 125.1 (as per requirement)
 400mm cut required at NE corner, 100mm fill at SE, 300mm fill at SW, none at NW.

- Ground Elevations AHD:
- NE: 125.4m
 - SE: 124.9m
 - NW: 125.0m
 - SW: 124.7m
- Finished Floor Level: 125.1 AHD
- Roof Pitch:
- North face: 8.21°
 - South face: 7.63°

Garage Elevations

Scale 1:100

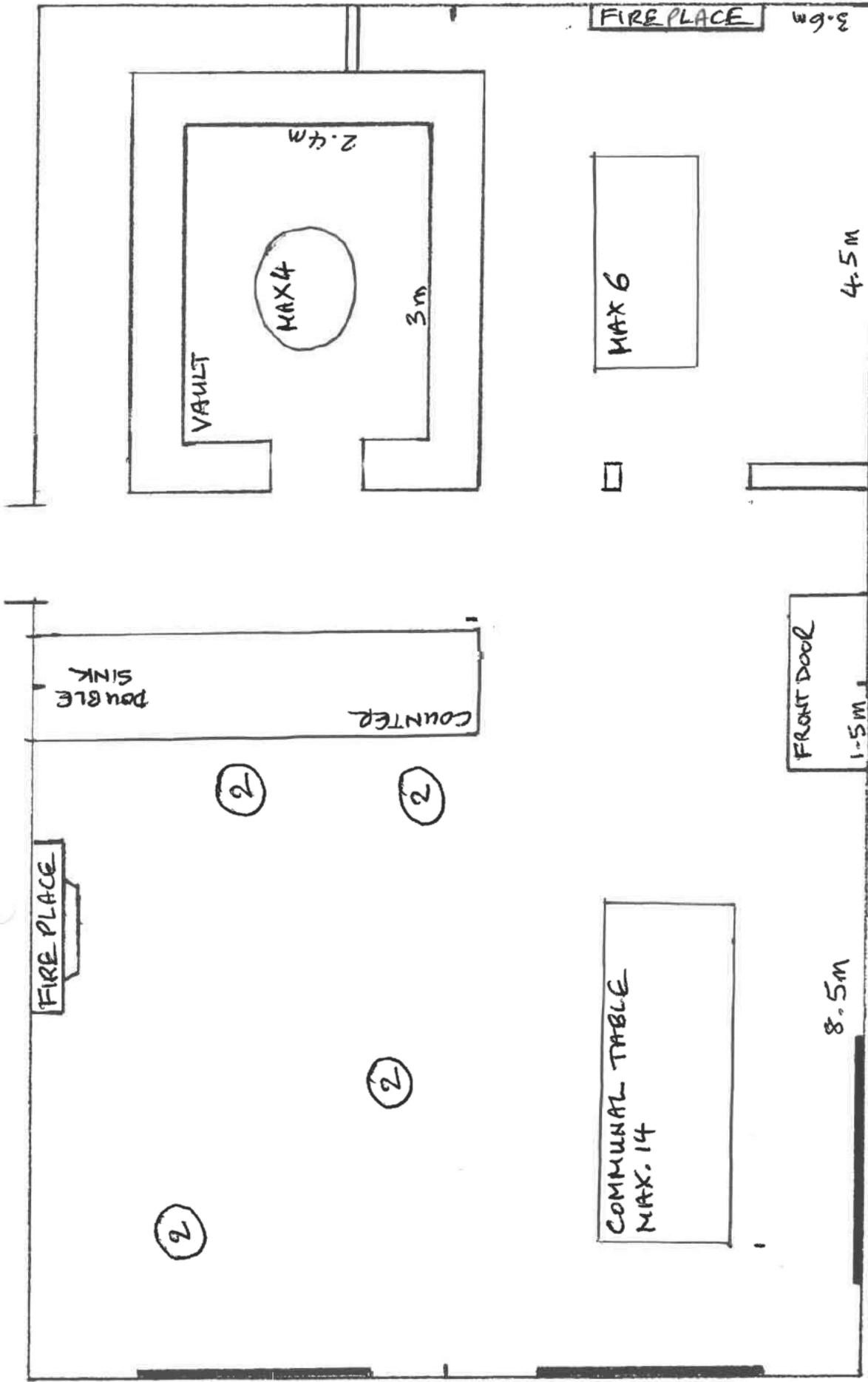


- RD = Roller Door
- D = P.A. Door
- W = Window

Ground Elevations at NE, NW, SE, SW corners of shed, shown as Australian Height Data (AHD). Slope is very gradual with a maximum difference of 0.3m between highest and lowest elevations.

- SE Corner: 124.9m
- NW Corner: 125.1m
- NE Corner: 125.0m
- SW Corner: 124.8m

Roof Pitch: 23.4°



← 7.89 →

← 13.24 →

②

②

②

②

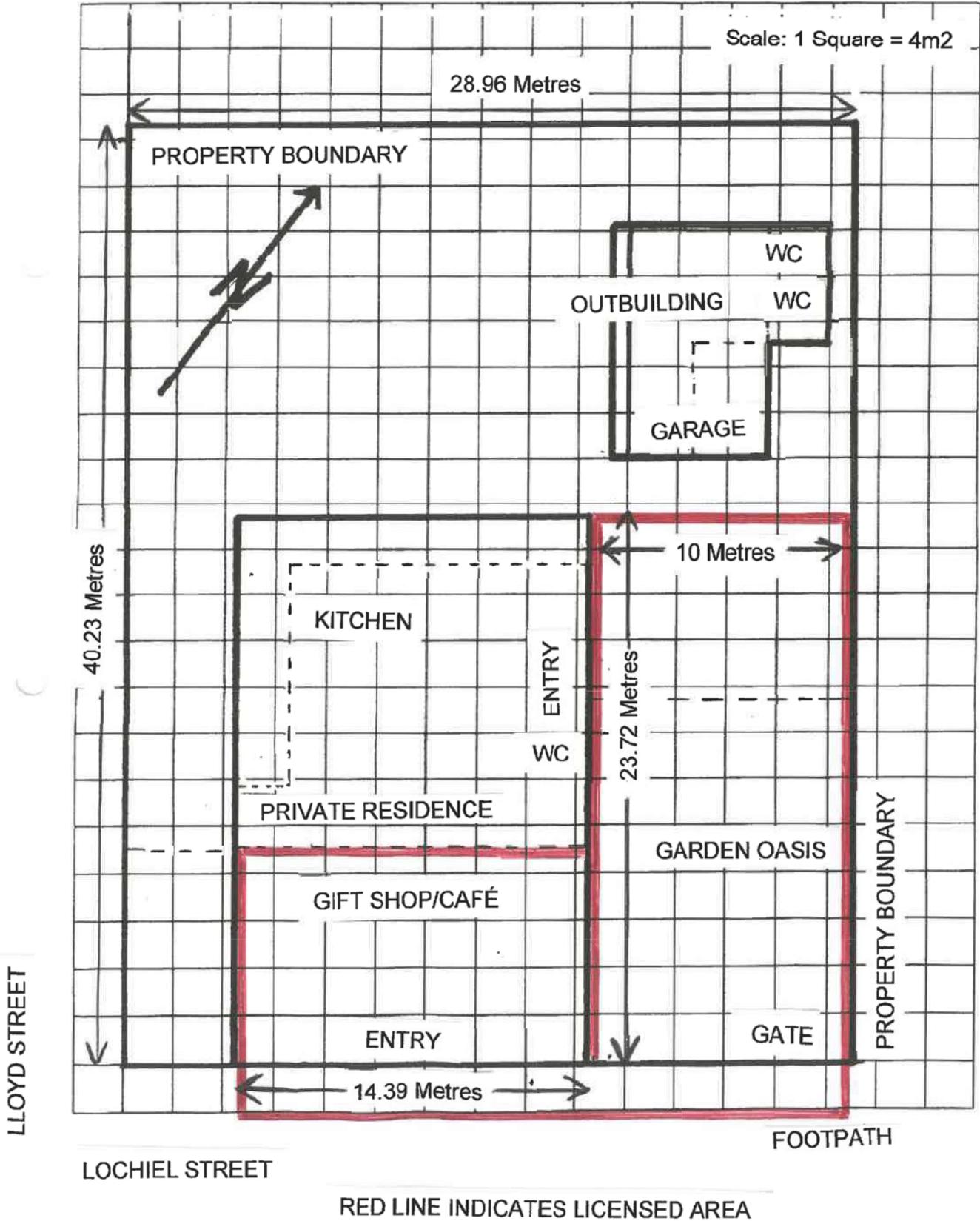
SCALE 1:50

2cm = 1m.

TOTAL PATRONS = 40

BLOCK PLANS

Show boundaries of the site, adjacent streets, etc., position of all existing buildings, proposed position of the new building with distances to adjacent boundaries and other buildings, drawn to a scale of 1:500 or similar.



POLICY

CEO Employment and Remuneration Policy



1 Purpose

The purpose of this policy is to:

- outline the way in which Council will manage the recruitment and appointment of its Chief Executive Officer;
- provide consistency for contract content, performance monitoring and requirement for annual review;
- apply the principles of good governance, transparency and fairness in all matters relating to the employment, management and remuneration of the Chief Executive Officer; and
- meet legislative requirements under the *Local Government Act 2020*.

2 Scope

This policy applies Councillors and candidates or incumbents of the Chief Executive Officer position.

3 Definitions

Act	means <i>Local Government Act 2020</i>
Council	means Hindmarsh Shire Council
Councillors	means the individuals holding the office of a Councillor of Hindmarsh Shire Council
Council officer	means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.

4 Responsibility

4.1 Council

Under the Act, Council is responsible for:

- developing, adopting and keeping in force the CEO Employment and Remuneration Policy;
- establishing a CEO Employment and Remuneration Committee and appointing members to the Committee in accordance with this Policy
- undertaking the recruitment and appointment of CEO when a vacancy occurs in the office of CEO;

- appointing an Acting CEO when there is a vacancy in the office of the CEO, including a temporary vacancy (where the vacancy is longer than 28 consecutive days);
- adopting, overseeing and monitoring the implementation of this policy.

4.2 CEO Employment and remuneration committee

Independent committee members will be responsible for:

- Attending committee meetings
- Undertaking the responsibilities of the Committee as set out in this Policy and the Act, including:
 - developing and recommending performance criteria and undertaking the annual review of the CEO
 - identifying and recommending appropriate development opportunities for the CEO
 - making recommendations on the CEO's total remuneration package and remuneration reviews
 - ensuring the Committee adheres to statutory obligations and Council's policies and procedures, including equity and fairness.

4.3 CEO

The CEO is responsible for:

- Attending committee meetings as required
- Participating in regular performance reviews
- Providing relevant information to the Committee in a timely manner
- Advising Councillors in instances where an Acting CEO is to be appointed under delegation during the temporary absence of the CEO, in accordance with approved delegations.

4.4 Director Corporate and Community Services

The Director Corporate and Community Services is responsible for:

- Providing advice on the interpretation and application of this policy; and
- Obtaining formal advice if requested.

4.5 Manager Governance and Human Services

The Manager Governance and Human Services is responsible for:

- Providing advice on the implementation and application of this policy; and
- Obtaining formal advice if requested.

5 CEO Employment and Remuneration Committee

To implement the requirements of the Act, Council will:

- establish a CEO Employment and Remuneration Committee (Committee) to oversee the implementation of this Policy;

- appoint an independent member to the Committee to assist with and advise on the implementation of this Policy;
- determine the rate of remuneration of the independent member of the Committee;
- consider reports and recommendations from the Committee;
- review this Policy within six months of a Council election.

5.1 Purpose

The Committee is established to:

- make recommendations to Council on the appointment of a permanent CEO;
- monitor and make recommendations to Council on performance matters relating to the CEO; and
- perform any other functions or responsibilities prescribed by the Act or specified by Council.

The Committee is an Advisory Committee to Council and has no delegated decision making power or authority.

5.2 Composition

The CEO Employment and Remuneration Committee will be comprised of:

- All councillors; and
- One independent member appointed by Council in accordance with this Policy.

The independent member of the committee is a full member of the committee and is expected and required to be an active participant in Committee meetings.

The independent member will act as Chairperson of the Committee.

5.3 Committee functions

5.3.1 Recruitment

The Committee will establish and oversee the process to enable Council to appoint a CEO, including, but not limited to:

- advising on the selection of a recruitment consultant or agency to facilitate and advise on the recruitment process;
- acting as the selection panel for the recruitment process;

In conjunction with the recruitment consultant or agency, the Committee will:

- prepare a shortlist of applicants for interview;
- develop details of the interview process – questions, required presentations etc.

The Committee will:

- provide a recommendation to Council on the appointment of the CEO including remuneration, terms and conditions of appointment;

- provide a recommendation on any extension of the appointment of the CEO under section 44(3) of the Act, when required.

5.3.2 Annual review

The CEO's performance will be reviewed by the Committee on an annual basis. During the annual review the Committee will:

- formally review the CEO's performance objectives against the CEO's performance in the previous 12 months;
- undertake a review of the total remuneration package;
- develop, in conjunction with the CEO, relevant and measurable performance objectives for the following 12 months and make a recommendation to Council on those performance objectives;
- make recommendations on development opportunities for the CEO;
- make recommendations to Council on matters relating to the CEO's performance and performance review, as appropriate.

5.3.3 CEO contract expiry

The Committee must make a recommendation to Council between three and six months prior to the expiry of the CEO contract and with regard to current legislation to:

- reappoint the CEO; or
- advertise for recruitment of the role of CEO.

5.4 Independent members

In accordance with the Act, Council is required to obtain independent professional advice. The independent member will be appointed following an advertisement calling for expressions of interest from a suitably skilled and qualified person.

The independent member is to be engaged on a contractual basis and cannot be an employee of Council.

5.4.1 Independent member remuneration

The independent member will be paid at a rate to be determined by Council from time to time.

5.4.2 Key competencies

The independent member must possess and demonstrate the following key competencies:

- strong leadership and communication skills;
- skills, expertise and experience in one or more of the following;
 - human resource management (including executive recruitment, remuneration and talent management);
 - senior business or government experience;
 - experience with and understanding of employment law;
 - demonstrated ability in performance management and development of executive level staff;

- understanding of good governance and previous experience working with Governance bodies or Boards;
- ability to work effectively with Councillors and CEO;
- knowledge and understanding of the issues affecting Hindmarsh Shire.

5.4.3 Appointment process

Council will call for expressions of interest for independent committee membership where there is a vacancy in the position of independent member (or impending vacancy);

The Committee will prepare a shortlist, conduct interviews and make a recommendation to Council on the appointment of the independent member. The list of all expressions of interest considered by the Committee will be provided to Council.

5.4.4 Appointment timeframe

The independent member may be appointed for up to four (4) years, or the term of the Council, whichever is the lesser period.

The independent member may be re-appointed by Council, subject to Council's procurement requirements.

5.5 Committee procedures

5.5.1 Meeting schedule

The Committee will meet at least once every six months. The Committee will provide a report to Council following each meeting.

Special Meetings may be called by the Committee Chairperson or the Mayor providing two weeks' notice of and the reasons for the Special Meeting.

5.5.2 Chairperson responsibilities

It is the Chairperson's responsibility to:

- chair Committee meetings in accordance with Council's Governance Rules;
- prepare the agenda in consultation with the mayor; and
- prepare and distribute the minutes to Committee members.

The Chairperson will liaise with the Manager Governance & Human Services (or nominee) when necessary.

5.5.3 Meeting procedure

Committee meetings should follow Council's Governance Rules.

Where required, the CEO will attend Committee Meetings, but will not have voting rights.

5.5.4 Minutes of the meeting

- The Independent Chairperson will be responsible for taking minutes of Committee Meetings.
- The Agenda shall be distributed at least five working days in advance of the meeting to all Committee members and a call for Agenda items will be made prior to issuing the Agenda.
- A copy of the minutes shall be distributed to all Committee members within five working days of the meeting, as far as practicable.
- A report to Council prepared by the Independent Chairperson will be tabled after every meeting of the Committee as a confidential report to Council.
- Reports to Council should reflect a consensus view. Where consensus cannot be reached, the report should clearly outline the differing points of view ie, the majority and minority points.

5.5.5 Legal advice

The Committee may request legal advice or other specific expert advice, as required and necessary.

Any formal advice requested by the Committee will be made available to all Committee members and, where relevant and appropriate, will be provided to Council through meeting minutes.

Any advice requested by the Committee will be arranged by the chair through the Manager Governance & Human Services to ensure compliance with Council’s policies and procedures.

6 Contractual requirements

The CEO contract will at minimum outline:

- the responsibilities of the position;
- remuneration;
- term of appointment (up to five years)
- legislative obligations including those continuing after appointment; and
- processes for managing unsatisfactory performance or early termination.

7 References

Related documents	Legislation
CEO’s Employment Contract CEO Position Description Council’s Procurement Policy Hindmarsh Shire Council Governance Rules	<i>Local Government Act 2020</i> <i>Fair Work Act 2009</i> <i>National Employment Standards</i> <i>Equal Opportunity Act 2010</i> <i>Gender Equality Act 2020</i> <i>Protecting Integrity – Leading the Way. Managing the employment cycle of a council CEO – Local Government Inspectorate (Victoria) (February 2019)</i> <i>Government Policy on Executive Remuneration in Public Entities</i> <i>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</i>

8 Document Control

CEO Employment and Remuneration Policy		Policy Category	COUNCIL
Version Number	1.0	Policy Status	DRAFT
Approved/Adopted By		Date approved/adopted	
Responsible Officer		Review date	
Version history	Date	Version	Description



MEMORANDUM OF UNDERSTANDING

1 December 2021 – 30 June 2026



MEMORANDUM OF UNDERSTANDING

between

WIMMERA DEVELOPMENT ASSOCIATION

**of 62 Darlot Street
Horsham**

and

MEMBER MUNICIPALITIES

Comprising:

HORSHAM RURAL CITY COUNCIL	18 Roberts Ave, Horsham
HINDMARSH SHIRE COUNCIL	92 Nelson Street, Nhill
WEST WIMMERA SHIRE COUNCIL	49 Elizabeth Street, Edenhope
YARRIAMBIAK SHIRE COUNCIL	34 Lyle Street, Warracknabeal
NORTHERN GRAMPIANS SHIRE COUNCIL	59-69 Main Street, Stawell

1. RECITALS

- 1.1 The objective of this Memorandum of Understanding (MoU) is to articulate the arrangements and expectations between Wimmera Development Association (WDA) and Member Councils as funding partners for the core operation of the WDA.
- 1.2 WDA is a Company Ltd formed with the purpose of fostering and undertaking actions that support sustainable growth and development of the Region within the municipal districts of Member Councils (the Region).
- 1.3 The core role of WDA is to build on the existing social, economic and environmental capacity of the Region with regard being given to the WDA Objects and Powers (refer to WDA Constitution).
- 1.4 WDA provides the forum and mechanisms for regional issues or opportunities to be identified and solutions or projects implemented.
- 1.5 The MOU is for the period from 1 December 2021 to 30 June 2026.
- 1.6 WDA will not expand the number of Member Councils unless agreement is obtained from all current Member Councils.
- 1.7 The success of WDA pivots on the participation and good will of people and organisations across the Region.

2. GENERALLY APPLIED CRITERIA FOR WDA ACTIVITY

- 2.1 WDA applies a policy of: "subsidiarity where functions which subordinate or local organisations perform effectively belong more properly to them than to a central organisation such as WDA."
- 2.2 The generally applied criteria for issues or projects to be considered by WDA include assessment as to whether the impact, involvement and benefits are:
 - Regional
 - Multi-agency
 - Triple Bottom Line with overall long term and community benefitAnd generally demonstrate:
 - Support by a Leader, Lead Agency or Project Champion
 - A general need for a cooperative effort to be successful
 - Likelihood of happening

The parties as signatories to this document understand and record the following:

3. RESOURCING

- 3.1 The Member Councils are committed to support WDA via an annual subscription.
- 3.2 Councils are encouraged to participate in activities that further the objectives of WDA.
- 3.3 WDA will work closely with Member Councils' committees, advisory boards, task groups and relevant Council officers to further WDA objectives.
- 3.4 Financial contributions to support the core operation of WDA shall be based on the regional population formula included in Table 1. This formula will remain in place for the four year period of the agreement.
- 3.5 Any proposed variation to the four year contributions listed on Table 1 will be raised by the WDA Board with Member Councils at the Annual Review.
- 3.6 Funding received from Member Councils will be used for the core operation of WDA which includes the staff, on-costs, overheads and out goings required to achieve WDA objectives.
- 3.7 Additional and supplementary funding for the core operation of WDA may be obtained from Federal and State Government sources and will be advised through regular reporting to Councils and Members.
- 3.8 It is recognised that the development and updating of the regional strategic plan will occur through a planning process conducted at a frequency to be determined by the Board. Additional resources will be required to support planning, research, consultation and participation processes.
- 3.9 Additional financial contributions for specific WDA projects (i.e. non-core) may be sought from Member Councils from time to time and will be subject to separate business cases and funding submissions through normal Council approval processes.
- 3.10 It is recognised that the majority of WDA projects require partnerships and funding by a range of stakeholders from various levels of government, business and community agencies and other statutory authorities.

TABLE 1- FINANCIAL CONTRIBUTION FROM MEMBER COUNCILS

Contributor	%Region	2022/23	2023/24	2024/25	2025/26
HRCC	48	\$228,231	\$231,654	\$235,129	\$238,656
WWSC	8	\$36,789	\$37,341	\$37,901	\$38,469
NGSC	20	\$95,632	\$97,066	\$98,522	\$100,000
HSC	10	\$49,030	\$49,765	\$50,512	\$51,270
YSC	14	\$64,395	\$65,361	\$66,341	\$67,336
TOTAL	100%				

4. ACCOUNTABILITY AND COMMUNICATION

- 4.1 WDA is accountable for operating under a Company Constitution.
- 4.2 WDA will make available regional statistics, performance and forecast information of strategic use and interest. Conversely, Council's assistance in making available the same information to WDA will add value to all strategic direction processes.
- 4.3 By 31 July each year, WDA will prepare and adopt a Business Plan that details operational initiatives and targets established to evaluate performance.
- 4.4 WDA will present progress reports twice per annum to Member Councils that include performance outcomes against targets in the WDA Business Plan.
- 4.5 The WDA CEO will consult with Member Council CEOs prior to establishing annual contributions to allow for budget considerations. This will occur by 31 March annually or as agreed with individual Councils.
- 4.6 Councils recognise the independent role, structure, purpose and expertise of WDA and understand the function also includes being an independent voice and advocate for regional direction in local and national media.
- 4.7 On request, WDA will be available to any Council meeting or meeting within the municipality to discuss issues, progress or any items pertinent to WDA as raised by the Council.
- 4.8 In addition to Board meetings, WDA will communicate with Councils and members on a regular basis using a range of media.

5. SPECIFIC ARRANGEMENTS

5.1. Director Nomination:

5.1.1 Each Member Council shall nominate one Director, which will be either the Mayor or Councillor, to the WDA Board as described in the WDA Constitution.

5.2 Innovative Staffing Options:

5.2.1 Councils are encouraged to directly support WDA through initiatives such as officer placements or secondments. These arrangements may be made directly between the WDA CEO and Council CEO.

5.3 Demonstrate Regional Benefits:

5.3.1 WDA related activities must demonstrate regional benefits.

5.4 Integration of Strategic Direction Processes:

5.4.1 The parties acknowledge that WDA success rests largely with Councils recognising WDA as an independent but integral part of their own strategic direction and community building processes.

5.4.2 Every effort will be made by all parties to annually integrate strategic direction processes and timetables to maximise value adding and minimise potential duplication. Examples include the conduct of community and specific consultation, research, performance indicators, demographics or information gathering processes.

5.4.3 Projects will be identified from time to time that involves some or all Councils. Council officers and the WDA CEO are responsible for working cooperatively to ensure funding submissions meet the requirements of individual Councils.

5.5 Communication is a Joint Responsibility:

5.5.1 A two-way communication and feedback loop is essential for an initiative of the type and size of WDA. All parties accept their responsibilities in seeking out and supporting communication and feedback processes.

5.5.2 WDA shall coordinate opportunities as they arise for joint communications and marketing across the region.

6. GENERAL

- 6.1 WDA is accountable for operating to the Company Constitution, Board Charter, Business Plan and arrangements contained in this MoU.
- 6.2 Should a Member Council have concerns with the performance or lack of performance of WDA then discussion should be initiated to address the concerns.
- 6.3 Should a Council wish to withdraw its membership of WDA then written notice must be given twelve months in advance of ceasing membership. Such notice will allow appropriate modifications to the Business Plan and budget process.
- 6.4 If any dispute or difference arises between the parties in carrying out the principles of this Memorandum of Understanding that cannot be resolved, then the parties will seek an agreed independent mediator to resolve the difference.
- 6.5 The terms of this Memorandum of Understanding can only be modified by the agreement of all parties.

DATED this ____ day of _____ 2021

SIGNED on behalf of the
Wimmera Development Association

.....

SIGNED on behalf of the
Horsham Rural City Council

.....

SIGNED on behalf of the
West Wimmera Shire Council

.....

SIGNED on behalf of the
Hindmarsh Shire Council

.....

SIGNED on behalf of the
Yarriambiack Shire Council

.....

SIGNED on behalf of the
Northern Grampians Shire Council

.....

Constitution

A public company limited by guarantee and not having a share capital

Wimmera Development Association Limited
A.C.N. [INSERT ACN]

Effective from: ____th day of _____ 2021

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Constitution of Wimmera Development Association Limited A.C.N. [INSERT ACN]

This Constitution was adopted on _____ day of _____ 2021

1. Interpretation**1.1 This Constitution**

- (a) This Constitution contains clauses setting out the manner in which the Members of the Company have agreed to conduct the internal administration of the Company.
- (b) This Constitution takes the place of the Replaceable Rules contained in the Corporations Act.

1.2 Definitions

In this Constitution, unless the context otherwise requires:

Accounting Standards means:

- (a) the accounting standards required under the Corporations Act including the Approved Accounting Standards issued by the Australian Accounting Standards Board;
- (b) other mandatory professional reporting requirements issued by the joint accounting bodies including the Australian Accounting Standards issued either jointly by CPA Australia and the Institute of Chartered Accountants in Australia or by the Australian Accounting Research Foundation on behalf of CPA Australia and the Institute of Chartered Accountants in Australia; and
- (c) if no accounting standard applies under the Corporations Act or other mandatory professional reporting requirements, the principles set out in the Australian Statement of Accounting Concepts;

AGM means an annual general meeting of the Company held in accordance with section 250N of the Corporations Act;

Appointed Director means a Director appointed in accordance with clause 3.2;

ASIC means the Australian Securities and Investments Commission;

Auditor means the auditor for the time being of the Company;

Board means the board of Directors of the Company comprised of Municipality Appointed Directors, the Chairperson and Appointed Directors;

Chairperson means the independent person appointed as a Director to be the chairperson of meetings of Directors in accordance with clause 3.4;

Committee means any committee formed by the Board to assist with the governance of the Company or other group specifically formed to assist the Board in implementation of strategic initiatives of the Company.

Company means Wimmera Development Association Limited ACN [INSERT ACN];

Constitution means this Constitution and any supplementary, substituted or amended Constitution in force from time to time;

Corporations Act means the *Corporations Act 2001* (Cth);

Director means any person formally and lawfully appointed as a director of the Company and includes both Appointed Directors and Municipality Appointed Directors and unless the context

otherwise requires, includes the Chairperson;

Guarantee means the maximum amount each Member agrees to pay to the Company in accordance with clause 2.3;

Member means a Municipality admitted as a Member under clause 7.2;

Member Representative means the representative nominated by the Member to exercise the powers of the Member in accordance with clause 7.6;

Municipality means a municipality in the Region;

Member Director means a Director nominated by Member in accordance with clause 3.3;

Objects means the object of the Company set out in clause 2.4;

Officer means an officer of the Company within the meaning of the Corporations Act;

Region means the Wimmera Southern Mallee region of Victoria;

Register of Members means the Register of Members to be kept pursuant to section 169 of the Corporations Act; and

Secretary means any person formally and lawfully appointed as a secretary of the Company including any assistant or acting Secretary or any substitute for the time being for the Secretary and in the absence of a determination by the Board shall be the person employed by the Company in the position of Executive Officer.

1.3 Interpretation

In this Constitution, unless the context otherwise requires:

- (a) a reference to **legislation** or a **legislative provision** includes any statutory modification, or substitution of that legislation or legislative provision and any subordinate legislation issued under that legislation or legislative provision;
- (b) a reference to a **body** or **authority** which ceases to exist is a reference to a body or authority having substantially the same objects as the named body or authority;
- (c) a reference to a **clause** is a reference to a clause of this Constitution;
- (d) **clause headings** and the **table of contents** are inserted for convenience only and do not form part of this Constitution;
- (e) a reference to a **person** includes a natural person, corporation, statutory corporation, partnership, the Crown or any other organisation or legal entity;
- (f) **related** or **subsidiary** in respect of a corporation has the same meaning given to that term in the Corporations Act;
- (g) **including** and **includes** are not words of limitation;
- (h) the words **at any time** mean at any time and from time to time;
- (i) a word that is derived from a defined word has a corresponding meaning;
- (j) **monetary amounts** are expressed in Australian dollars;
- (k) the singular includes the plural and vice-versa; and
- (l) words importing one gender include all other genders.

1.4 Application of Legislation

- (a) Unless the context otherwise requires, an expression used in this Constitution that has a particular meaning in the Corporations Act has the same meaning as in the Constitution.
- (b) Subject to the Corporations Act, the Replaceable Rules contained in the Corporations Act do not apply to the Company.
- (c) This Constitution is subject to the Corporations Act and where there is any inconsistency between a clause of this Constitution and the Corporations Act, the Corporations Act prevails to the extent of the inconsistency.

1.5 Transfer of Registration

The Company is formed upon the transfer of registration of Wimmera Development Association Inc.

2. Nature of the Company

2.1 Public Company limited by Guarantee

The Company is a public company limited by guarantee.

2.2 Limitation of Company

- (a) The Company must not be carried on for the purpose of the profit or gain of any Member.
- (b) The Company does not have the power to:
 - (i) issue shares of any kind; or
 - (ii) apply, pay or transfer, whether directly or indirectly, any portion of the income and property of the Company for the benefit of, or to, a Member, other than as provided in clauses 3.10 and 3.11.

2.3 Guarantee of Members

If the Company is wound up:

- (a) while a Member is a Member; or
- (b) within one year after the Member ceases to be a Member, each such Member must contribute a maximum of \$50 to the Company for payment of:
 - (i) the debts and liabilities of the Company;
 - (ii) the costs, charges and expenses of any winding up; and
 - (iii) the adjustment of the rights of Members among themselves.

2.4 Objects of the Company

- (a) The Company is established with the following objectives:
 - (i) lead, support and encourage the sustainable development of the Region in partnership with government, business and the community;
 - (ii) promote, encourage and facilitate the ongoing economic and social development of the Region;
 - (iii) determine the natural and built resources of the region, which might act as focal points for economic development and opportunity;
 - (iv) establish a development strategy which meets the needs of the community and enables it to achieve its potential, while recognising the role other regional organisations and groups play in pursuing similar objectives;

- (v) advocate for the Region by engaging with politicians, relevant government agencies and senior bureaucrats;
- (vi) advocate for the Region through stakeholder engagement and consultations;
- (vii) liaise with other groups and organisations that have an interest in economic and social development, including for the avoidance of doubt groups and organisations outside the Region;
- (viii) increase the levels of communication and co-operation between Municipalities, communities, organisations, industry and individuals interested in developing the Region;
- (ix) increase public awareness of regional development strategies and directions, and to develop an on-going process of public consultation;
- (x) increase the level of understanding and awareness of all relevant Federal and State programs and services, and assist the Region and its communities obtain maximum benefit from such programs;
- (xi) develop a referral centre and comprehensive information database on matters of economic and social concern, to be available to all levels of the community; and
- (xii) ensure that any development strategy will not only preserve the community's quality of life but will seek to improve it through increased opportunities for investment, employment, education, and research and development.

2.5 Powers of the Company

Solely for the purposes of carrying out the Company's Objects, and without limiting the powers granted to it by section 124 of the Corporations Act, the Company may:

- (a) raise money and otherwise secure sufficient funds to further the Objects;
- (b) receive any funds from any government or authority, municipal, local or otherwise and distribute these funds in a manner that best attains the Objects;
- (c) manage moneys of the Company including funding received from any government or authority, municipal, local or otherwise in a manner consistent with the Objects and with any conditions or contractual obligations attached to that funding;
- (d) support, fund, promote and aid academic research relating to the Objects;
- (e) enter into any arrangements with any government or authority, municipal, local or otherwise that may seem conducive to the Objects;
- (f) employ such staff as is necessary to achieve the Objects or enter into arrangement with a Member for it to employ staff and second that staff to the Company in which event the Member will acknowledge that such staff will report and be accountable to the Board in the performance of their duties;
- (g) invest the moneys of the Company not immediately required in accordance with the investment policy approved by the Board;
- (h) borrow moneys required to facilitate the Company meeting its Objects upon such security as may be determined and to make, accept and endorse any promissory note, bill of exchange and other negotiable instrument; and
- (i) do all such things as are incidental, convenient or conducive to the attainment of all or any

of the Objects.

2.6 Amending this Constitution

This Constitution may only be amended by a unanimous resolution of the Members.

3. Directors

3.1 Number and eligibility of Directors

- (a) The Company must have not more than 11 Directors unless otherwise determined in accordance with this Constitution.
- (b) The Board will be comprised of:
 - (i) up to five Appointed Directors appointed by the Members acting through the Nominations Committee;
 - (ii) an independent Chairperson appointed by the Members acting through the Nominations Committee; and
 - (iii) the Member Directors appointed by each of the Members.

3.2 Appointed Directors

- (a) The Members acting through the Nominations Committee may appoint up to five persons as Appointed Directors.
- (b) No person who is a councilor, chief executive officer or other council officer of a Member shall be eligible to be an Appointed Director.
- (c) Subject to clause 3.2(d), the Board acting through the Nominations Committee will establish procedures relating to the nomination and admission of Appointed Directors.
- (d) The Board will maintain a Board Skills Matrix identifying the skills, knowledge, experience and capabilities desired of the Board to enable it to meet both the current and future objectives of the Company. In exercising its powers the Nominations Committee:
 - (i) may engage an independent expert consultant to facilitate the making of any decisions or selections by the Nominations Committee;
 - (ii) shall have regard to the Board Skills Matrix; and
 - (iii) shall ensure that all vacancies are widely advertised to potential candidates with the relevant skills and experience identified in the Board Skills Matrix.
- (e) Save as otherwise provided in this Constitution, all Appointed Directors will hold office for a maximum term of three years with the term of office being set by the Nominations Committee at the time of their appointment. Subject to any specific provision to the contrary in this Constitution or as may otherwise be provided by the Corporations Act all Appointed Directors shall be eligible for reappointment. The Nominations Committee shall be responsible for evaluating the appropriateness of reappointing the individual Director by reviewing the then current Board Skills Matrix and the individual Director's performance. For the avoidance of doubt, all Appointed Director appointments, including re-elections, must be made pursuant to and in accordance with the procedures relating to the nomination and admission of Appointed Directors implemented by the Nominations Committee.
- (f) No Appointed Director shall hold office for more than three consecutive three year terms. When an Appointed Director has concluded a third consecutive three year term in office, they must vacate the office of Appointed Director for a minimum of one year following

which he or she is eligible for re-election.

3.3 Member Directors

- (a) Each Municipality Member shall nominate one person as a Member Director.
- (b) A Member Director must be the Mayor or a councillor of the Municipality.
- (c) Where a vacancy occurs in the office of a Member Director the relevant Municipality Member shall notify the Board of a replacement nominee whose appointment shall take place automatically upon receipt of such notification.
- (d) A Member may at any time remove its Member Director and replace this person with another nominee of its choosing by notifying the Company, and the appointment of such replacement nominee in his or her capacity shall be automatic.

3.4 Chairperson

- (a) The Nominations Committee excluding the Chair must in consultation with an independent expert consultant and in accordance with the Board Skills Matrix appoint an independent person as a Director to fulfill the role of Chairperson. No person who is a councillor, chief executive officer or other council officer of a Member shall be eligible to be Chairperson.
- (b) The Chairperson shall hold office for a three year term or until such time he or she is removed as Chairperson in accordance with clause 3.4(c) or ceases office as a Director pursuant to clause 3.14. At the end of his or her term as Chairperson, he or she may nominate for re-election as Chairperson.
- (c) The Nominations Committee excluding the Chairperson may at any time revoke the appointment of the Chairperson and elect another person to that office. Upon the appointment of a Chairperson being revoked the Chairperson shall automatically cease to be a Director.
- (d) All members of the Nominations Committee must receive five (5) working days' notice of any resolution proposed to revoke the appointment of the Chairperson.

3.5 Period of appointment of Directors

Each Director may hold office until they:

- (a) die;
- (b) vacate the office in accordance with clause 3.14; or
- (c) are removed in accordance with clause 3.3(d), 3.4(c) or 3.13,

or until the term for which they are appointed or elected expires.

3.6 Casual vacancies

- (a) The Nominations Committee shall whenever there is a vacancy in the number of the Appointed Directors attempt to fill such vacancy.
- (b) A person may be appointed as an Appointed Director in order to make up a quorum for a Directors' meeting even if the total number of Directors otherwise present is not enough to make up that quorum.

3.7 Non-eligibility of Auditor

The Auditor is ineligible to be elected or appointed as a Director.

3.8 Alternate Directors

No Director may appoint an alternate Director to act in his or her place.

3.9 Other offices held by Directors

A Director may hold any other office or position of profit in the Company together with the Directorship on such conditions including additional remuneration as may be agreed by the Directors in accordance with clause 3.10, 3.11 or 3.12.

3.10 No Remuneration of Member Directors

Save as may otherwise be resolved by a unanimous decision of the Nominations Committee, no remuneration or other benefit may be paid or given by the Company to any Member Director except:

- (a) for the reimbursement of out-of-pocket expenses incurred on reasonable commercial terms in carrying out the duties of a Director where the amount does not exceed an amount previously approved by a resolution of the Directors;
- (b) for any service rendered to the Company in a professional or technical capacity, other than in a capacity as Director, where the terms of service are on reasonable commercial terms and have been previously approved by a resolution of the Directors; or
- (c) as an employee of the Company, where the terms of employment are on reasonable commercial terms and have been previously approved by a resolution of the Directors.

3.11 Remuneration of Appointed Directors and Chair

Appointed Directors and the Chair shall be entitled to such remuneration as is determined by a unanimous decision of the Nominations Committee in addition to any other benefit or payment given by the Company to an Appointed Director or the Chair:

- (a) for the reimbursement of out-of-pocket expenses incurred on reasonable commercial terms in carrying out the duties of a Director where the amount does not exceed an amount previously approved by a resolution of the Directors;
- (b) for any service rendered to the Company in a professional or technical capacity, other than in a capacity as Director, where the terms of service are on reasonable commercial terms and have been previously approved by a resolution of the Directors; or
- (c) as an employee of the Company, where the terms of employment are on reasonable commercial terms and have been previously approved by a resolution of the Directors.

3.12 Remuneration of Directors for extra services

- (a) If the Company requests a Director to perform services in addition to those required by the Corporations Act, the Company may remunerate the Director in any manner the Company thinks fit.
- (b) Any remuneration paid as contemplated by clause 3.12(a) is in addition to remuneration paid under clause 3.10 or clause 3.11.

3.13 Removal of Directors

The Nominations Committee may:

- (a) remove an Appointed Director from office; and
- (b) appoint another person as a replacement of the Appointed Director removed.

3.14 Vacation of office of Director

- (a) A Director ceases to be a Director if the Director:
- (i) becomes prohibited from being a Director by virtue of any provision of the Corporations Act;
 - (ii) becomes of unsound mind or a person whose property is liable to be dealt with under a law relating to mental health;
 - (iii) is declared bankrupt;
 - (iv) resigns their office by written notice to the Company;
 - (v) is absent from meetings of the Directors for more than 3 months without obtaining permission for such absence from the other Directors;
 - (vi) is directly or indirectly interested in any contract or proposed contract with the Company (other than as a Member) and fails to disclose details of that interest as required by 4.1;
 - (vii) is removed from the office of Appointed Director by the Nominations Committee in accordance with clause 3.13;
 - (viii) is removed from the office of Chairperson by the Nominations Committee in accordance with clause 3.4;
 - (ix) is a Member Director of a Member which ceases to be a Member; or
 - (x) is a Member Director and is removed from office by the Municipality appointing that Director.

4. Management of business by Directors

4.1 Material personal interest - Director's duty to disclose

- (a) Unless an exception under section 191 of the Corporations Act applies, if a Director has a material personal interest in a matter that relates to the affairs of the Company, the Director must give the other Directors notice of the interest.
- (b) The notice required by clause 4.1(a) must:
- (i) include details of:
 - (A) the nature and extent of the interest; and
 - (B) the relation of the interest to the affairs of the Company; and
 - (ii) be given at a Directors' meeting as soon as practicable after the Director becomes aware of their interest in the matter.

4.2 Director may give standing notice about an interest

A Director with a material personal interest in a matter that relates to the affairs of the Company may give standing notice of this ongoing interest in accordance with clause 4.1 and section 192 of the Corporations Act.

4.3 Voting and completion of transactions in which a Director has a material personal interest

A Director who has a material personal interest in a matter that is being considered at a Director's meeting must not:

- (a) be present while the matter is being considered at the meeting; or

- (b) vote on the matter, unless:
- (c) the interest does not need to be disclosed under section 191 of the Corporations Act; or
- (d) the Directors who do not have a material personal interest in the matter pass a resolution that:
 - (i) identifies the Director, the nature of their interest in the matter and its relation to the affairs of the Company; and
 - (ii) states that the Directors are satisfied that the interest should not disqualify the Director from voting or being present.

4.4 Financial benefits to related parties

The Company must not give a financial benefit to a related party of the Company unless it is authorised in accordance with and complies with the Corporations Act and any laws and regulations applicable to the Company.

4.5 Powers of Directors

- (a) Subject to the Corporations Act and to any provision of this Constitution, the business of the Company is to be managed by or under the direction of the Directors.
- (b) The Directors may exercise all of the powers of the Company except any powers that the Corporations Act or this Constitution requires the Company to exercise in general meeting.

4.6 Negotiable instruments

- (a) Any two Directors may sign, draw, accept, endorse or otherwise execute a negotiable instrument.
- (b) The Directors may determine that a negotiable instrument may be signed, drawn, accepted, endorsed or otherwise executed in a different way.

4.7 Delegation and Committees

- (a) The Board:
 - (i) must establish a Nominations Committee which shall consist of such Municipality Appointed Directors as the Municipality Appointed Directors determine and the Chair;
 - (ii) must establish an Operations Committee which shall consist of the Executive Officer acting as the manager of the Company and the Chief Executive Officer of each Member or such other suitable person who is employed by or holds a position of office at a Member; and
 - (iii) may establish such other Committees as it considers appropriate.
- (b) The Board may specify in writing from time to time the terms of reference and functions of any Committee formed pursuant to this clause 4.7 and shall have the power to appoint and remove any persons appointed to a Committee.
- (c) The Directors may delegate any of their powers to a Committee, a Director, an employee of the Company or any other person.
- (d) A delegate or Committee must exercise the powers delegated to it in accordance with any directions of the Directors.
- (e) The effect of the Committee, Director or employee so exercising a power is the same as if the Directors exercised it.

4.8 Appointment of attorney for Company

The Directors may by power of attorney appoint any company, firm, person or body of persons to be the attorney of the Company for:

- (a) any period; and
- (b) for the purposes and with the powers, authorities and discretions vested in or exercisable by the Directors under this Constitution.

4.9 Accounting for profit

Where a Director's interest is approved by a resolution of Directors in accordance with clause 4.3(d), no Director will be liable to account that interest to the Company for any profit arising from any office or place of profit or realised from any contract or arrangement by reason only of the Director holding that office or of the fiduciary relations so established.

4.10 Director's Duties

- (a) Duty to act in the best interest of the Company

A Director must act in the best interest of the Company. A Director's first loyalty is to the Company, not to individual members or groups of Members or to other organisations or other parties.

- (b) Duty of care and diligence

In the exercise of his or her powers or the exercise of his or her duties, a Director must exercise the degree of care and diligence that a reasonable person in a like position in an organisation would exercise in the Company's circumstances.

- (c) No improper use of inside information

A Director or former Director must not, in relevant circumstances, make improper use of information acquired by virtue of his or her position to gain, directly or indirectly, an advantage for him or herself as or for any other person or to cause detriment to the Company.

- (d) No gain by improper use of the position

A Director must not, in relevant circumstances, make improper use of his or her position to gain, directly or indirectly, an advantage for him or herself as or for any other person or to cause detriment to the Company.

- (e) Not to trade while insolvent

A Director must not permit the Company to trade while insolvent.

- (f) Duty to avoid a conflict of interest

A Director is bound to avoid any conflict between their personal interests and those of the Company.

5. Directors' meetings

5.1 Circulating resolutions

- (a) The Directors may pass a resolution without a Directors' meeting being held if all of the Directors entitled to vote on the resolution sign a document containing a statement that they are in favour of the resolution set out in the document.
- (b) Separate copies of a document may be used for signing by Directors if the wording of the

resolution and statement is identical in each copy.

- (c) The resolution is passed when the last Director signs.

5.2 Calling Directors' meetings

A Directors may at any time, and the Secretary must convene a Directors' meeting on the requisition of not less than three Directors, at least one of whom must be a Member Director. Reasonable notice of a Directors' meeting must be given individually to every Director.

5.3 Use of technology

- (a) A Directors' meeting may be called or held using any technology consented to by the Directors.
- (b) Any consent may be a standing consent.
- (c) A Director may only withdraw their consent within a reasonable period before the meeting.

5.4 Chairing Directors' meetings

- (a) The Chairperson shall chair the Directors' meetings.
- (b) If a Chairperson has not been elected or is not available or declines to act as chair for the meeting or part of it, the Directors must elect a Director present to chair a meeting, or part of it as the case maybe.

5.5 Quorum at Directors' meetings

Unless the Directors determine otherwise, the quorum for a Directors' meeting is a majority in number of the Directors and the quorum must be present at all times during the meeting.

5.6 Passing of Directors' resolutions

- (a) All questions at a Directors' meeting shall be determined by a show of hands and a resolution of the Directors shall be passed by a majority of the votes cast by Directors entitled to vote on the resolution.
- (b) Each Director present in person has one vote on a matter arising and the Chairperson has no casting vote in addition to any vote they have in their capacity as a Director unless this Constitution expressly states otherwise.

6. Secretary

6.1 Appointment

The Directors must appoint a Secretary in accordance with the Corporations Act.

6.2 Terms and conditions of office

A Secretary holds office on the terms and conditions (including as to remuneration) that the Directors think fit.

7. Members

7.1 Number of Members

- (a) There must be at least one Member.
- (b) The Members may set a limit on the maximum number of Members.

7.2 Admission to membership

- (a) Any Municipality in the Region is eligible to be admitted as a Municipality Member.
- (b) The Members may resolve to impose an annual membership fee or application fee.
- (c) The application of a Municipality to become a Member must be:
 - (i) lodged with the Secretary;
 - (ii) made in writing and be in such form that the Board determines; and
 - (iii) accompanied by any applicable application or membership fees.
- (d) As soon as is practicable after the receipt of an application, the Secretary shall refer the application to the Board.
- (e) The Members must determine in its absolute discretion whether to approve or reject the application.
- (f) If the Members approves an application to become a Member, the Board must as soon as practicable notify the applicant in writing that the application has been approved.
- (g) If the Members approve an application, the Secretary must within 28 days enter the applicant's name in the register or Members.
- (h) An applicant becomes a Member and is entitled to exercise the rights of a Member when its name is entered in the Register.
- (i) If the Members rejects an application, the Board must, as soon as practicable, notify the applicant in writing that the application has been rejected. The Board does not have to give any reasons for rejecting an application.
- (j) A right, privilege or obligation of a Member by reason of being a Member is not capable of being transferred or transmitted to another Municipality or person.
- (k) Each Member admitted must sign an undertaking to be bound by this Constitution.

7.3 Classes of Members

- (a) The Members may by Special Resolution:
 - (i) establish additional different classes of Members;
 - (ii) prescribe the qualifications, rights and privileges of Members of a class; and
 - (iii) vary the qualifications, rights and privileges or terminate any class of Members established pursuant to this clause 7.3(a).

7.4 Address and contact details of Member

- (a) Each Member must provide the Secretary with:
 - (i) an address in Australia where the Company can send notices to that Member and the telephone number, facsimile number and email address (as applicable) of the Member; and
 - (ii) such other information as the Board may require.
- (b) Each Member must notify the Secretary in writing of any change in that person's name, address, telephone or facsimile number or email address within one month after the change.

- (c) If a Member fails to provide information in accordance with clause 7.4(a) the address of the Member is deemed to be the registered office of the Company.

7.5 Register of Members

- (a) The Secretary must keep and maintain a Register of Members containing:
 - (i) the name and address of each Member; and
 - (ii) the date on which each Member's name was entered in the Register and, where relevant, the date any Member ceased to be a Member.

7.6 Member Representative

7.7 The rights of a Member shall be exercised by a Member Representative nominated in writing by the Member who will exercise the powers of the Member subject to any restrictions placed on such powers by the Member in nominating the Member Representative. Where for the purposes of this Constitution a Member is required to do any act or thing, or where it is required to give meaning or efficacy to this Constitution a reference to a Member shall be or include a reference to a Member Representative and vice versa. In the absence of a written nomination by the Member the Member Representative shall be the Member Director appointed by that Municipality

A Member ceases to be a Member if:

- (a) the Member resigns by notice in writing to the Secretary, in which case the resignation shall take effect from the date the notice is received or such later date as is specified in the notice;
- (b) the Members determine to expel the Member where the Member has failed to pay any applicable membership fees within 3 months of such fees falling due; or
- (c) the Member has a receiver or a receiver and manager appointed to its assets or some of them, or passes a resolution or takes or has taken against it any action with the effect of its winding up.

7.8 Effect of cessation

A Member who ceases to be a Member continues to be liable for:

- (a) any moneys due by them to the Company; and
- (b) the Guarantee.

7.9 Power of Directors in respect of a Member's conduct

- (a) If any Member:
 - (i) wilfully refuses or neglects to comply with the provisions of the Constitution; or
 - (ii) engages in any conduct which, in the opinion of the Members, is unbecoming of a Member or prejudicial to the interests of the Company,
 the Members have the power to censure, fine, suspend or expel the Member.
- (b) At least one week before the meeting of the Directors at which a resolution under clause 7.9(a) is passed, the Company must provide the Member with:
 - (i) notice of the meeting;
 - (ii) the allegations against them;

- (iii) the intended resolution; and
- (iv) advice that the Member will have an opportunity, at the meeting and before the passing of the resolution, to give, orally or in writing, any explanation or defence they may think fit.

8. Meetings of Members

8.1 Calling of meetings of Members by a Director

A minimum of three Directors, at least one of whom must be a Member Director may call a general meeting of Members. The Board must call and arrange to hold a general meeting if required to do so under the Corporations Act.

8.2 Calling of meetings by Members

A Member may call and arrange to hold a general meeting in accordance with section 249F of the Corporations Act.

8.3 Amount of notice of meetings

- (a) Subject to the Corporations Act, at least 21 days' notice must be given of a general meeting of Members.
- (b) Subject to clause 8.3(c), the Company may call on shorter notice:
 - (i) an AGM, if all of the Members entitled to attend and vote at the AGM agree beforehand; and
 - (ii) any other general meeting, if Members with at least 95% of the votes that may be cast at the meeting agree beforehand.
- (c) At least 21 days' notice must be given of a meeting of Members at which a resolution will be moved to remove an Auditor.

8.4 Notice of meetings of Members

- (a) Written notice of the meeting of Members must be given individually to each Member entitled to vote at the meeting and to each Director.
- (b) Notice to joint Members must be given to the joint Member first named in the register of Members.
- (c) The Company may give the notice of meeting to a Member:
 - (i) personally;
 - (ii) by sending it by post to the address of the Member in the Register of Members or the alternative address (if any) nominated by the Member;
 - (iii) by sending it to the electronic address (if any) nominated by the Member; or
 - (iv) by any other means authorised by the Corporations Act.
- (d) A notice of meeting sent by post is taken to be given three days after it is posted. A notice of meeting sent by electronic means is taken to be given on the business day after it is sent.
- (e) A Member's attendance at a meeting of Members waives any objection which that Member may have had to a failure to give notice, or the giving of a defective notice, of the meeting, unless the Member at the beginning of the meeting objects to the holding of the meeting.

8.5 Auditor entitled to notice and other communication

The Company must give its Auditor:

- (a) notice of a general meeting of Members in the same way that a Member is entitled to receive notice; and
- (b) any other communication relating to the general meeting of Members that a Member is entitled to receive.

8.6 Contents of notice of meeting

- (a) The notice of meeting must specify the place, the day and the hour of meeting and if the meeting is to be held in two or more places, the technology that will be used to facilitate the meeting, the general nature of the business to be transacted and any other matters as are required by the Corporations Act.
- (b) The accidental omission to give notice of any general meeting to, or the non-receipt of a notice by, a person entitled to receive notice does not invalidate a resolution passed at a general meeting of Members.

8.7 Notice of adjourned meetings

When a meeting is adjourned, new notice of the resumed meeting must be given if the meeting is adjourned for one month or more.

8.8 Members' resolutions

The Members may propose a resolution to be moved at a general meeting only in accordance with the provisions of Division 4 of Part 2G.2 of the Corporations Act.

8.9 Time and place for meetings of Members

A meeting of Members must be held at a reasonable time and place.

8.10 Technology

The Company may hold a meeting of its Members at two or more venues using any technology that gives the Members as a whole a reasonable opportunity to participate.

8.11 Quorum

- (a) The quorum for a meeting of Members is three Member Representatives present in person. The quorum must be present at all times during the meeting.
- (b) In determining whether a quorum is present:
 - (i) individuals attending as proxies are to be counted;
 - (ii) if a Member has appointed more than one proxy, only one of them is to be counted; and
 - (iii) if a Member has appointed another Member present at a meeting as proxy then the Member present at the meeting shall be counted as being present themselves and as being present for each Member they are appointed as proxy for.
- (c) A meeting that does not have a quorum present within 30 minutes after the time for the meeting set out in the notice of meeting is to be adjourned to a date, time and place as the Directors specify.
- (d) If the Directors do not specify one or more of those requirements, the meeting is adjourned to :
 - (i) if the date is not specified, the same day of the week in the following week;

- (ii) if the time is not specified, the same time; or
 - (iii) if the place is not specified, the same place.
- (e) If no quorum is present at the resumed meeting within 30 minutes after the time for the meeting, the meeting is dissolved.

8.12 Chairing meetings of Members

- (a) The Chairperson shall chair all meetings of Members.
- (b) The Members present at a meeting of the Members must elect a Member present to act as the Chairperson of the meeting (or part of it) if:
 - (i) a Chairperson has not been elected by the Directors; or
 - (ii) the Chairperson is not available or declines to act as chair for the meeting (or part of the meeting).
- (c) The chair of the meeting may determine the procedures to be adopted for proper and orderly discussion or debate at the meeting, and the casting or recording of votes at the meeting.
- (d) The chair of the meeting may make rulings without putting the question (or any question) to the vote if that action is required to ensure orderly conduct of the meeting.
- (e) The chair of the meeting may, subject to the Corporations Act, at any time terminate discussion or debate on any matter being considered at the meeting and require that matter to be put to a vote.
- (f) The chair of the meeting may refuse to allow debate or discussion on any matter which is not business referred to in the notice of that meeting or is not business of the meeting permitted pursuant to the Corporations Act without being referred to in the notice of meeting.
- (g) Subject to the terms of this Constitution regarding adjournment of meetings, the chair of the meeting's ruling on all matters relating to the order of business, procedure and conduct of the general meeting is final and no motion of dissent from a ruling of the chair of the meeting may be accepted.
- (h) The chair of the meeting may, in his or her absolute discretion, refuse any person admission to a general meeting, or expel the person from the general meeting and not permit them to return, if the chair of the meeting reasonably considers that the person's conduct is inappropriate. Inappropriate conduct in a general meeting includes:
 - (i) the use of offensive or abusive language which is directed to any person, object or thing;
 - (ii) attendance at the meeting while under the influence of any kind of drug, or using or consuming any drug at the meeting, including any alcoholic substance; or
 - (iii) possession of any article, including a recording device or other electronic device or a sign or banner, which the chair of the meeting considers is dangerous, offensive or disruptive or likely to become so.
- (i) The chair of the meeting may delegate any power conferred on them to any person.
- (j) Nothing contained in this clause 8.12 limits the powers conferred by law on the chair of the meeting.
- (k) The chair of a meeting of Members must adjourn the meeting if Members present and

holding a majority of votes at the meeting agree or direct that the chair of the meeting must do so.

8.13 Auditor's right to be heard at meetings of Members

- (a) The Auditor is entitled to attend and be heard at meetings of Members.
- (b) The Auditor is entitled to be heard at the meeting on any part of the business of the meeting that concerns the Auditor in their capacity as Auditor.
- (c) The Auditor is entitled to be heard even if:
 - (i) the Auditor retires at the meeting; or
 - (ii) the meeting passes a resolution to remove the Auditor from office.
- (d) The Auditor may authorise a person in writing as their representative for the purpose of attending and speaking at any general meeting.

8.14 Proxies and body corporate representatives

- (a) Each Member Representative is entitled to attend and cast a vote at meetings of Members and Members may also appoint a proxy to attend and cast a vote at that meeting.
- (b) Any proxy or Member Representative appointed by a Member must be appointed in accordance with and has the rights set out in Division 6 of Part 2G.2 of the Corporations Act.
- (c) A proxy need not be a Member, however:
 - (i) a document appointing a proxy must be in writing, in any form permitted by the Corporations Act or in any form (including electronic) which the Board may determine or accept, and signed on behalf of the Member making the appointment; and
 - (ii) a document appointing a proxy may specify the manner in which the proxy is to vote in respect of a particular resolution and, where the document so provides, the proxy is not entitled to vote on the resolution except as specified in the document.
- (d) Before the time for holding the meeting or adjourned meeting at which a proxy proposes to vote, the document appointing the proxy must be deposited with the Company.
- (e) That document must either be:
 - (i) received at the Company's office or at another place or electronic address specified for that purpose in the notice convening the meeting not less than 24 hours before the time for holding the meeting; or
 - (ii) produced to the chair of the meeting before the proxy votes.
- (f) If a general meeting has been adjourned, an appointment and any authority received by the Company at least 24 hours before the resumption of the meeting are effective for the resumed part of the meeting.

8.15 Voting

- (a) Subject to any rights or restrictions attached to any class of Member, at a meeting of Members each Member has one vote on a show of hands and on a poll.
- (b) The Chairperson does not have a casting vote.

8.16 Objections to right to vote

A challenge to a right to vote at a meeting of Members:

- (a) may only be made at the meeting; and
- (b) must be determined by the Chairperson whose decision is final.

8.17 How voting is carried out

- (a) A resolution put to the vote at a meeting of Members must be decided on a show of hands unless a poll is demanded.
- (b) On a show of hands, a declaration by the Chairperson is conclusive evidence of the result.
- (c) Neither the Chairperson nor the minutes need to state the number or proportion of the votes recorded in favour or against a resolution.

8.18 Matters on which a poll may be demanded

- (a) A poll may be demanded on any resolution other than resolutions concerning:
 - (i) the election of the chair of the meeting; or
 - (ii) the adjournment of the meeting.
- (b) A poll may be demanded in accordance with section 250L of the Corporations Act.

8.19 When and how polls must be taken

- (a) A poll demanded on a matter other than the election of a chair or the question of an adjournment must be taken when and in the manner the chair of the meeting directs.
- (b) A poll on the election of the chair of a meeting or on the question of an adjournment must be taken immediately.

8.20 Holding of AGM

- (a) The Company must hold an AGM within 18 months after its registration.
- (b) The Company must hold an AGM at least once in each calendar year and within five months after the end of its financial year.
- (c) An AGM must be held in addition to any other meetings held by the Company in a year.
- (d) If the Company only has one Member, it is not required to hold an AGM.

8.21 Extension of time for AGM

The Company may lodge an application with ASIC to extend the period within which it is required to hold the AGM in accordance with section 250P of the Corporations Act.

8.22 Consideration of reports at AGM

The Directors must make the following available at an AGM:

- (a) the financial report;
- (b) the Directors' report; and
- (c) the Auditor's report,

for the last financial year that ended before the AGM completed in accordance with the requirements of Part 2M.3 of Chapter 2M of the Corporations Act.

8.23 Business of the AGM

The business of the AGM may include any of the following, even if not referred to in the notice of meeting:

- (a) the consideration of the annual financial report, Director's report and Auditor's report;
- (b) the appointment of the Auditor; and
- (c) the fixing of the Auditor's remuneration.

8.24 Questions by Members of the Company

The chair of the AGM must allow a reasonable opportunity for the Members as a whole at the meeting to ask questions about or make comments on the management of the Company.

8.25 Questions by Members to Auditors

If the Auditor or their representative is at the meeting, the chair of an AGM must allow a reasonable opportunity for the Members as a whole at the meeting to ask the Auditor or their representative questions relevant to the conduct of the audit and the preparation and content of the Auditor's report.

8.26 Resolution in writing

- (a) A resolution in writing signed by all Members entitled to vote on the resolution is to be treated as a determination of the Members passed at a meeting of the Members duly convened and held.
- (b) A resolution in writing may consist of several documents in like form, each signed on behalf of one or more Members, and if so signed it takes effect on the latest date on which a Member signs one of the documents.

9. Directors' and Members' minutes

9.1 Minutes

- (a) The Company must keep minute books in which it records within one month:
 - (i) proceedings and resolutions of Members' meetings;
 - (ii) proceedings and resolutions of Directors' meetings, including committee meetings;
 - (iii) resolutions passed by Members without a meeting; and
 - (iv) resolutions passed by Directors without a meeting.
- (b) The Company must ensure that the minutes of a meeting are signed by the Chairperson of the meeting or the Chairperson of the next meeting within a reasonable time after the meeting.
- (c) The Company must ensure that the minutes of the passing of a resolution without a meeting are signed by a Director within a reasonable time after the resolution is passed.

9.2 Members' access to minutes

Members are entitled to gain access to the minute book of meetings of Members in accordance with the Corporations Act.

10. Accounts and audit

10.1 Accounting records

- (a) The Directors must ensure that accounting and other records are kept to correctly record and explain the transactions and financial position of the Company, to enable true and fair

profit and loss accounts and balance sheets to be prepared and to permit preparation of any other documents required by the Corporations Act or this Constitution.

- (b) The records must be kept:
 - (i) in a manner that enables them to be conveniently and properly audited;
 - (ii) for seven years after the completion of the transactions or operations to which they relate; and
 - (iii) at the Company's registered office or at such other place as the Directors think fit.
- (c) The records must at all times be open to inspection by the Directors.

10.2 Accounts

- (a) Each financial year, the Company must prepare a financial report and a Directors' report in accordance with the Corporations Act.
- (b) The financial report for each financial year must consist of:
 - (i) the financial statements for the year;
 - (ii) the notes to the financial statements; and
 - (iii) the Directors' declaration about the statement and the notes.
- (c) The financial statements for the year will consist of:
 - (i) a profit and loss statement for the previous financial year;
 - (ii) a balance sheet at the date to which the profit and loss statement is made up;
 - (iii) a statement of cashflows for the year; and
 - (iv) if required by the Accounting Standards, a consolidated profit and loss statement, balance sheet and statement of cash flows.
- (d) The notes to the financial statements must consist of:
 - (i) disclosures required by the Corporations Regulations;
 - (ii) the notes required by the Accounting Standards (if any); and
 - (iii) if required, any other information necessary to give a true and fair view of the financial position and performance of the Company.
- (e) The Directors' declaration made pursuant to clause 10.2(b)(iii) is a declaration by the Directors:
 - (i) that the financial statement, and the notes required by the Accounting Standards comply with the Accounting Standards;
 - (ii) that the financial statements and the attached notes give a true and fair view of the financial position and performance of the Company;
 - (iii) whether, in the Directors' opinion, there are reasonable grounds to believe that the Company will be able to pay its debts as and when they become due and payable; and
 - (iv) whether, in the Directors' opinion, the financial statement and attached notes are in accordance with the Corporations Act.

10.3 Auditor

The Company must appoint a registered company auditor to audit the Company's financial statements in accordance with the Corporations Act. The remuneration of the Auditor must be fixed and the Auditor's duties regulated in accordance with the Corporations Act.

11. Winding up

11.1 Rights of Members on winding up

If the Company is wound up or dissolved, the Members have no right to participate in any distribution or payment of the assets or property of the Company.

11.2 Distribution of assets

- (a) If the Company is wound up or dissolved, the assets and property available for distribution after satisfaction of all debts and liabilities must be given or transferred to some other institution or institutions:
 - (i) whose objects are similar to the objects of the Company;
 - (ii) whose constitution prohibits the distribution of its income and property to an extent at least as great as that imposed by clause 2.2(b); and
 - (iii) which is approved by the Commissioner of Taxation as an institution exempt from income tax.
- (b) The Directors must determine the identity of the institution or institutions for the purpose of clause 11.2(a) at the time of dissolution.
- (c) If the Directors fail to determine the identity of the institution or institutions under clause 11.2(b), the Supreme Court of Victoria may make that determination.

12. Indemnity

12.1 Indemnity

- (a) Subject to Part 2D.2 of the Corporations Act, a person who is an Officer or Auditor of the Company is indemnified by the Company against any liability to another person (other than the Company or a related body corporate of the Company as defined in the Corporations Act) incurred in that person's capacity as an Officer unless the liability:
 - (i) arises out of conduct involving a lack of good faith; or
 - (ii) is for a pecuniary penalty order or composition order under Part 9.4B of the Corporations Act.
- (b) The Company will indemnify any other employee of the Company at the Directors' discretion.
- (c) The Company will indemnify an Officer against a liability for costs and expenses (including, legal expenses on a full indemnity basis) incurred by the Officer:
 - (i) in defending proceedings, whether civil or criminal, in which:
 - (A) judgment is given in favour of the Officer; or
 - (B) the Officer is acquitted; or
 - (ii) in connection with an application, in relation to proceedings under clause 12.1(c)(i), in which a court grants relief to the Officer under the Corporations Act,

subject only to an obligation on the Officer to repay to the Company the expenses advanced by the Company if:

- (iii) judgment is not given in the Officer's favour;
 - (iv) the Officer is not acquitted;
 - (v) a court subsequently determines that the indemnification is not permitted; or
 - (vi) the indemnification is not permitted by the Corporations Act.
- (d) For the purposes of this clause, the Company will have the burden of proving that the Officer to be indemnified is not entitled to the requested indemnification.
- (e) The indemnification rights in this clause constitute a contract between the relevant parties seeking indemnification and the Company and will continue to have effect following the rescission or restrictive modification of the clause with respect to events occurring prior to the rescission or modification of the clause.

12.2 Payment of Costs

The Directors may, out of the funds of the Company, pay all costs, losses and expenses which any Officer may incur or become liable to pay by reason of any contract entered into or act or thing done by them in their capacity as an Officer or in any way in discharge of their duties.

12.3 Limit of indemnity

Subject to the provisions of the Corporations Act, an Officer of the Company will not be liable for:

- (a) the acts, receipts, neglect or defaults of any other Officer;
- (b) joining in any receipt or other act of conformity or for any loss or expense happening to the Company through:
 - (i) the insufficiency or deficiency of title to any property acquired by order of the Officers for or on behalf of the Company; or
 - (ii) the insufficiency or deficiency of any security in or upon which any of the moneys of the Company is invested at any time;
- (c) any loss or damage arising from the bankruptcy, insolvency or tortious act of any person with whom any moneys, securities or effects are deposited at any time;
- (d) any loss occasioned by any error of judgment or oversight on the Officer's part; or
- (e) any other loss, damage or misfortune which occurs in the execution of the duties of the Officer's office,

unless the loss, damage or misfortune occurred through the Officer's own dishonesty.

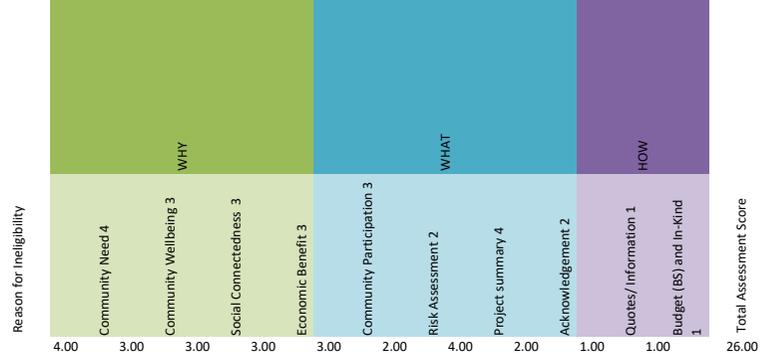
13. Insurance

Except to the extent precluded by the Corporations Act, the Company may pay a premium for a contract insuring a person who is or has been an Officer, against:

- (a) any liability incurred by the Officer which does not arise out of conduct involving a wilful breach of duty in relation to the Company or a contravention of sections 182 or 183 of the Corporations Act; or
- (b) any liability for costs and expenses incurred by that person in defending proceedings relating to that person's position with the Company, whether civil or criminal and whatever their outcome.

1	Project Number	
	Date Received	6/10/2021
	Council Meeting	
	Doc ID	340556
	Organisation	Nhill Aviation Heritage Centn Historic Engineering Expo
	Project Name (Description?)	

Amount Requested	\$500.00
Total Project Cost	\$3,000.00
Cash Contribution	\$1,450.00
Eligible (Y/N)	Y



Community/ Council Plan Reference

Recommended Allocation \$500

Allocated Amount

Project Number	Date Received	Council Meeting	Doc ID	Organization	Project Name (Describe it on?)
2	12/10/2021		3444400	Ctzens Youth Club	Jepa 1 Gym expansion
3	7/10/2021		3444408	Nhll-Dmboola Band	Rent Assistance

Amount Requested	Total Project Cost	Cash Contribution	Eligible (Y/N)
\$1,000.00	\$1,768	\$768	Y
\$1,000	\$1,300	\$300	Y

Reason for Eligibility

Community Need	Community Wellbeing	Social Connectedness	Economic Benefit	Community Participation	Risk Assessment	Project Timeline	Acknowledgement	Quotely Information	Budget (BS) and link end	Total Assessment Score
4	3	3	3	3	N/A	4	2	1	1	24
4	3	3	2	3	N/A	4	2	1	1	23

Community/Council Plan Reference

Recommended Allocation	Allocated Amount
\$1,000.00	\$1,000

Project Number	Date Received	Council Meeting	Doc ID	Organisation	Project Name (Description?)	Amount Requested	Total Project Cost	Cash/in kind Contribution	Eligible (Y/N)	Reason for Ineligibility	Community Need 4	Community Well being 3 WHY	Social Connectedness 3	Economic Benefit 3	Community participation 3	Risk Assessment 2 WHAT	Project summary 4	Acknowledgement 2	Quotes/ Information 1 HOW	Budget (B\$) and In-kind 1	Total Assessment Score	Community/ Council Plan Reference	Recommended Allocation \$1,000.00	Allocated Amount
4	#####		344412	Antwerp Hall Committee	Meeting room/kitchen upgrades	1000	1435	435 y			4	3	3	2	3	0	4	2	1	1	23		1000	
5	7/10/2021		344417	Dimboola Ski Club	Stalom and Barefoot Water Skiing Courses	758	1258	500 y			3	3	3	2	3	2	4	2	1	1	24		758	
6	#####		344420	Dimboola Fire Brigade	Upgrade Dimboola Fire Brigade	1000	1340.9	340.9 y			3	2	3	2	3	2	4	2	1	1	24		1000	
7	#####		344423	Dimboola Hockey Club	Goal Replacement	1000	7 400	6400 y			4	3	3	2	3	0	4	2	1	1	23		1000	
8	#####		344424	Jeparit Bowling Club	Jeparit and District Bowling Club Security and Landscape	1000	1425	425 y			4	3	3	3	3	0	4	2	1	1	24		1000	
9	#####		344429	Jeparit Tennis Club	New Tennis Nets	1000	1347	347 y			4	3	3	2	3	0	4	1	0.5	1	21.5		1000	
10	5/10/2021		344430	Lowan Group CFA	Radio TP900 Chargers	1000	1095	95 y			4	3	3	2	3	0	4	2	1	1	23		1000	
11	6/10/2021		344431	Nhill Basketball Association	21st Century Basketball Management	814.95	814.95	0 y			4	3	3	2	3	0	4	1	1	1	22		814.95	
12	5/10/2021		340807	Nhill Historical Society	Wall Hanging Equipment	1000	917.89 (ph)	200 y			2	2	2	1	3	0	4	1	1	1	17		1000	
13	#####		344436	Nhill Silo Heritage Project	Initial Clean Up Project	883.9	6132	5248.1 y			4	3	2	2	3	0	4	2	1	1	22		883.9	
14	1/10/2021		344439	Rainbow Fire Brigade	Upright Freezer Replacement Computer update and community access to our digitised records	1000	1200	200 y			4	3	2	2	2	0	4	2	1	1	21		1000	
15	#####		344441	Rainbow Historical Society		1000	1423.62	423.62 y			4	3	3	2	3	0	4	2	1	1	23		1000	

Yurunga Homestead Community Asset Committee

Annual Meeting

Thursday, September 23, 2021

In the Mecca supper room.

Minutes

Welcome to all:

- Hindmarsh Shire Council representatives Cr Brett Ireland
- Other official visitors
- Committee members and community members Jenny Solly, Peter Solly, Helen Fisher, Debbie Funke, Col Drendel, Helen Heinrich.

Apologies: Jeff Woodward Hindmarsh Shire, Lou Ravenhorst

Minutes of the 2020 Annual Meeting, as circulated.

Moved: Helen Fisher, Helen Heinrich - That the minutes of the September 17th 2020 Annual General Meeting as circulated are a true and accurate record. c/d

Chairperson's Report as read and circulated.

Moved: Jenny Solly, Helen Fisher - That the chairperson's report be received. c/d

Treasurer's Report as tabled

Opening Balance at September 1 st 2020	\$11,545.54
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Closing Balance at August 31 st 2021	\$11,634.27
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Term Deposit at Jul 14 th 2020	\$5,028.53
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Term Deposit at Jun 30 th 2021	\$5,040.92
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Moved: Peter Solly, Col Drendel - That the financial report as circulated and checked by Heather Boyd (Hindmarsh Shire) be received as a true and accurate record. c/d

All positions were declared vacant. Councillor Brett Ireland took the Chair for the election of Office Bearers.

Cr Brett on running at a profit during COVID. Good things have happened with the mural and grant for renovations.

1. Election of Office Bearers:

- Chairperson. Jenny Solly nominated by Peter Solly, and elected.
- Secretary. Peter Solly nominated by Helen Heinrich, and elected.
- Treasurer. Peter Solly nominated by Helen Fisher, and elected.

2. Nomination of Committee members: Moved Debbie Funke, Helen Fisher that Helen Fisher, Debbie Funke, Helen Heinrich, Col Drendel and Lou Ravenhorst be elected committee members. c/d

Jenny Solly resumed the chair at 8:15 pm.

Business:

- Changing our financial year to the fiscal year, to bring it into line with Council reporting requirements (July 1 to June 30). Moved: Helen Fisher, Debbie Funcke - That we move our financial year and reporting period to the fiscal year, July to June, to align with Council reporting requirements. c/d
- Entry charges. Moved: Peter Solly, Helen Heinrich - That we increase entries to \$7.50 adult, secondary students \$5.00. Primary students and under free. c/d
- Motion to update bank signatories. Moved: Helen Heinrich, Col Drendel - That bank signatories be Peter Solly, Jenny Solly, and Helen Fisher. c/d
- Peter will check feasibility for Internet banking with Comm and NAB.

Meeting Close 8:40 pm

Yurunga Homestead Community Asset Committee

General Meeting, Thursday, September 23, 2021, Mecca supper room.

Minutes

Welcome and Opening at 8:40 pm following the AGM and election of office bearers.

Members present: Jenny Solly (Chair), Peter Solly (Secretary/Treasurer), Helen Fisher, Helen Heinrich, Col Drendel, Debbie Funcke.

Visitors: Cr Brett Ireland – Hindmarsh Shire.

Apologies: Lou Ravenhorst, Jeff Woodward – Hindmarsh Shire.

Moved: Helen Fisher, Helen Heinrich - That the apologies be accepted – c/d

Additional items for General Business (to be accepted at Chairperson's discretion)

- Painting the shipping container.
- Re-recording for the QR code for the mural – end date is October 15th.
- Clean out the garden shed.
- Manhole in the master bedroom.
- Removing the fallen tree stump.
- Catering Co-ordinator.
- Sunday Duty Roster Coordinator.

Declaration by a Councillor, Officer or Committee Member of any direct or indirect interest in any item on the agenda

Nil

Minutes of the previous meeting as circulated.

Moved: Debbie Funcke, Helen Heinrich - That the minutes of the August 26th meeting be confirmed as a true and accurate record c/d.

Business arising:

- Aug 30: Samantha Smith (Treasurer) resigned from the Yurunga Committee
- Sept 1: Jeff Woodward advised that the deadline for the mural project has been extended to October 15. Thanks Jeff for following this up.
- Sept 6: The tree in the south lawn was found collapsed after the recent big rain.
- Sept 9: Our Living Heritage grant was officially announced (\$184,000)
- Sept 9: The Council reporting templates were completed and emailed to Council – financial and activity forms.

- Sept 13: Tony Balcombe (Spirit Travel) rang to postpone two bookings.
- Sept 14: Dr Gary Hill (our heritage consultant) briefly visited. Press took a photo of him with Peter. Gary thinks the shipping container can stay put for the restoration works. Gary is looking into putting a temporary floor in the coach house man's room for storage.
- Sept 15: Jenny was interviewed on local ABC radio re the grant.
- September 17: Belinda finished painting the mural. She now has to order the coating product and paint it on.

Correspondence In (Emails)

- Aug 27x2: Jeff Woodward to Jenny re AGM ad
- Aug 30: Samantha Smith to Committee re resignation
- Sept 1: Jeff to Belinda (copy) re extended completion date for mural
- Aug 30: Heather Boyd, Manager Finances and Customer Services, HSC to Peter & Jenny re financial audit
- Sept 1: Helen Thomson, Manager Governance & Human Services, HSC re finance & annual report forms now due September 9
- Sept 2: Helen Thomson to Peter re changing our financial year
- Sept 7: Heather Boyd to Peter re financial audit
- Sept 9: Jeff to Peter & Jenny re Yurunga grant officially announced today
- Sept 9: Peter to Helen Thomson re copies of completed Council reporting templates.
- Sept 10: Jeff to Peter, Jenny & Wendy re reopening
- Sept 10: Sharon Maloney, Hindmarsh Tourism Group re town walks brochure
- Sept 13: Heather Boyd to Peter re financial records
- Sept 13: Heather Boyd to Peter re receipts
- Sept 15: Jacqui Jones, Trade Travel to Peter re October 3 booking postponed (Warrandyte group)

Correspondence Out (Emails)

- Aug 27: Jenny to Jeff re AGM ad
- Aug 31 & Sept 1: Jenny to Heather Boyd re financial audit
- Sept 1: Jenny to Jeff re thanks
- Sept 2x2: Peter to Helen Thomson re changing our financial year & holding our AGM in July
- Sept 7x2: Peter to Heather Boyd re financial audit
- Sept 7: Jenny to Council re copy of July Minutes
- Sept 9: Jenny to Jeff re thanks
- Sept 10: Peter to Jeff re remaining closed
- Sept 11: Peter to Sharon Maloney re town walks brochure
- Sept 13x2: Peter to Heather Boyd re books and receipts
- Sept 15: Peter to Jacqui Jones re booking postponed

Late Correspondence In
(emails)

- Sept 20: Heather Boyd HSC to Peter re financial books endorsed.
- Sept 21: Jacqui Jones to Peter re Trade Travel tour and lunch October 3rd cancelled.
- Sept 22: Emma Ussing HSC to Peter re Yurunga – Yurunga is an Indoor Tourism Venue and should remain closed.
- Sept 23: Heather Boyd to Peter re accounts.

Late Correspondence Out
(emails)

- Peter to Heather Boyd re thanks for checking books and organizing pick up.
- Sept 21: Peter to Jacqui Jones re cancellation of tour October 3rd.
- Sept 22: Peter to Emma Ussing, Jeff Woodward and Shelly Kaur re AGM venue, reopening and catering.
- Sept 23: Peter to Heather Boyd re accounts and IGA account.

Moved: Col Drendel, Helen Heinrich – That the incoming emails be received and the outgoing endorsed. c/d

Reports

~ Financial as tabled

Yurunga Homestead Community Asset Committee

Financial Report

August 1st 2021 to August 31st 2021

Opening Balance per statement at 1st August \$11,656.23

Plus Income:

Door takings \$95.00

Donations \$35.00

Merchandise \$10.00

Total Income \$140.00 \$11,796.23

Less Expenses:

Origin Energy \$161.96

Total Expenses \$161.96

Closing Balance per statement at 31st August \$11,634.27

Term Deposit at 30th June 2021 \$5,040.92

Outstanding liabilities:

Hindmarsh Shire – Ismay Mural frame	\$ 1,412.13
Balance of Belinda's fee for Mural	\$ 1,000.00
Paechy's Electrical Switch replacement	\$97.41

Peter Solly Secretary, Yurunga Homestead Community Asset Committee

Moved: Peter Solly, Helen Fisher - that the financial report be received. c/d

~ Cr Brett Ireland –

Crim checks required by the Shire for all volunteers are free.

Large investors are active in the Shire. There is interest around sub divisions. There is a real estate shortage, lot of interest in development.

Rainbow will still be getting 6 cabins in the caravan park

Moved Helen Heinrich, Col Drendel – That Cr Brett's shire report be received. c/d

~ Jeff Woodward - apology

General Business

- Reopening on Sunday, October 3? This was clarified by Emma Ussing on 22nd September. Yurunga is an Indoor Tourism Venue and must remain closed under current Covid guidelines. We have tours with catering booked for Saturday October 9th and Sunday October 10th.
- Reinvesting the term deposit – Moved Peter Solly, Helen Fisher that our term deposit be automatically reinvested for 3 months at a time unless a project requiring it is flagged by the committee. c/d
- Taking photos of the rooms to be restored – for historical records and also to print and display while rooms are emptied and closed. Needs to be done. Peter is to approach Les Graetz.
- Painting the shipping container. This can be done where the container is now before the mural is attached. It does not have to be moved for restoration works. Council indicated that funds were available in last year's maintenance budget. Peter is to ask Ron Ismay for a quote.
- Re-recording for the QR code for the mural – end date is October 15th. Work with Jeff
- Clean out the garden shed. Needs to be done
- Manhole in the master bedroom. Needs attention

- Removing the fallen tree stump. Leave and see if it re shoots
- Catering Co-ordinator. Helen Fisher is to continue.
- Sunday Duty Roster Coordinator. Helen Fisher is to continue.

Bookings

Four bookings have been postponed

Bookings going ahead at this stage are:

Saturday October 9, 2021, Warrnambool Historical Vehicle Club (70's cars), 24 ppl for lunch & tour, 12.30-1.00 arrival

Contact:

Sunday, October 10, 2021, Hopetoun Patchwork Group, tour and sweet morning tea only, 10-12 ppl, 10am arrival

Contact:

Monday, October 25, 2021, Trade Travel, 20 ppl for lunch & tour, 12pm arrival

Contact:

Wednesday, November 17, 2021, Spirit Travel (Melbourne), Doreen Probus, 20 ppl, 2.30ish arrival, tour only

Contact:

Saturday, June 4, 2022, Roll family reunion, tour

Next Meeting: Thursday, October 28, 2021

If you have an idea or would like some action taken, please notify the Secretary or Chairperson so that it can go on the agenda for discussion at the meeting. If something comes up after the agenda goes out (usually a week before the meeting), it can be listed in additional items on the night.

Meeting Close 9:40 pm



MINUTES OF THE DIMBOOLA TOWN COMMITTEE MEETING HELD MONDAY 8TH NOVEMBER 2021, AT THE DIMBOOLA SHIRE LIBRARY, COMMENCING AT 7.09 PM.

AGENDA

- 1. Acknowledgement of the Indigenous Community**
- 2. Apologies**
- 3. Confirmation of Minutes**
- 4. Disclosure by Committee members or Councillors or Council Officers of any interest or conflicts of interest in any item on the agenda**
- 5. Finance report**
- 6. Decisions to be made**
- 7. Correspondence**
- 8. General business as notified to the Chair**
- 9. Urgent business**
- 10. Meeting Closed**
- 11. Council Officer Authorisation**

Present:

Kaylene Pietsch KP (Committee Member), Phil Colquhoun PC (Committee Member), Jo Donnelly JD (Committee Member), Angela Hoy AH (Council Officer), Helen Thomson HT (Council Officer), Lou Catania LC (Member), Wendy Bywaters WB (Councillor in Attendance), Deb Nelson DN (Committee Member), Bill Eldridge (Committee Member), Chan Ouy CO (Committee Member), Mary Mason MM

(Member), Tamara Schilling TS (Member), David Jochinke DJ (Guest), Ross John RJ (Guest)

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Chairperson opened the meeting at 7.09pm by acknowledging the Indigenous Community.

2. APOLOGIES

Amanda Ingeme AI (Committee Member), Rick Charlesworth (Member), Sharyn Cook (Member), Tony Schneider TS (Committee Member)

MOVED: PC; 2nd: JD

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the DTC Committee Meeting held on Monday 4th October, 2021 Online Meeting as circulated to Councillors be taken as read and confirmed.

MOVED COMMITTEE MEMBERS: PC 2nd: KP

That the Minutes of the DTC Committee Meeting held on Monday 4th October, 2021 Online Meeting as circulated to Councillors be taken as read and confirmed.

Attachment: 1

4. DISCLOSURE BY COMMITTEE MEMBERS OR COUNCILLORS OR COUNCIL OFFICERS OF ANY INTEREST OR CONFLICTS OF INTEREST IN ANY ITEM ON THE AGENDA

- General conflict of interest; or
- Material conflict of interest.

Declaration of general or material conflict of interest must also be advised by Committee Members at the commencement of discussion of the specific item.

5. FINANCE REPORTS

The Finance Report that was issued to DTC was not complete and did not include \$2,000 Deposit from Caravan Park (for Stubby Cooler sales & Firewood sales.

It was discussed again that we require a Full Statement every month prior to the meeting, as requested & minuted in prior meetings. AH stated that we need to give sufficient notice, but KP requested the report at least 1 week prior. (KP to send email to AH)

MOVED COMMITTEE MEMBERS: n/a

6. DECISIONS TO BE MADE

- 8.10 Soundshell Decision & Budget
- 8.13 Dimboola Calendars

7. CORRESPONDENCE

7.1 GENERAL CORRESPONDENCE

Introduction:

The following correspondence is tabled for noting by the Committee,

Inwards:

- Email from Helen Thomson (Hindmarsh Shire) re new Advisory Committee Policy
- Email from Helen Thomson (Hindmarsh Shire) re new Process for Town Committee / Advisory Council Membership – including Link & Forms
- Information re latest “Stronger Communities Program Round 7 Grant

Outwards:

- Forwarded Email to DTC Members from Helen Thomson (Hindmarsh Shire) re new Advisory Committee Policy
- Forwarded Email from Helen Thomson (Hindmarsh Shire) to DTC Members re new Process for Town Committee / Advisory Council Membership – including Link & Forms
- Emailed Hindmarsh Shire Letter from Dimboola town Committee / Advisory Council re Recommendations for Hindmarsh Shire to be responsible for Major Infrastructure Projects within Dimboola (Soundshell / Shade Structures / Children’s Playgrounds)

RECOMMENDATION:

That the Committee notes the attached correspondence.

MOVED: JD 2nd: CO

That the Committee notes the attached correspondence.

8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR

8.1 Q&A with Helen Thomson (Hindmarsh Shire) re new structure / Policy of Town Committee / Advisory Council Policy, Membership & Selection

Structure will be Maximum 10 Community Members (minimum of 5) + 1 Shire Councillor. In the event of a totally new Committee being elected, there would be a Handover Report supplied by the Current Dimboola town Committee & a Handover Process. It was discussed that we would be looking for a more diverse mix of Community Members, ideally looking for representation from a younger demographic. (Maybe new residents to our town). It was also discussed that when the DTC was running as a S86, we had better accountability with our finances as everything was transparent due to the money being with the Bendigo Bank & having access to itemized statements on call, and also to take the \$’s away from a Community Bank. We also discussed what the other options are (Community Asset Committee, Delegated Committee, and Incorporating ourselves away from the Shire). It was

discussed that benefit of being with the Shire was Insurance & Event Insurance. It was discussed that this would be up to the incoming Committee to follow up.

Forms were distributed to everyone, & they were advised that an online form was also on the Shire Website & that Cut-off was 1st December 2021.

8.2 Update on “Town Xmas Decoration” project – Mary Mason

Mary Mason gave an update that they are looking at the installation of Xmas Decorations would be the weekend of 4th/5th December, & they are hoping that it will be a drawcard / talking point around town.

Prior to this they will be advertising the Project, & also running a Competition within the town, requesting members of the Community submit “What Xmas means to them”. A Prize has been donated by the group, for the Family that wins.

As they have had a very small window this year to prepare (with COVID Restrictions / Lockdowns), they are working with the Decorations from previous years, recycling them into a new theme, & using what they have at hand and from Nature. People have been very generous and donated various other items for the Project.

TS asked if they require any other volunteers for this year, for the decorations. JD to give TS Mary’s contact information.

They are hoping that next year & future years, it will become a tourist attraction – with something different each year, with people anticipating “What will it be this year?!”

KP mentioned that the DTC will be holding a Xmas Event at the Recreation Reserve (Date to be discussed) – but that we may need some decorations for the event. Amanda Ingeme to discuss with Mary Mason.

Mary stated that it would be helpful if they had access to an allocation of money for various items. Everyone was in agreeance that \$200 would be allocated to the Project, & Mary to produce Invoices for re-imbusement.

There was a motion that the DTC would allocate \$200 to the Group, and that the Sub Group would provide receipts to claim \$’s back. Moved KP, 2nd BE. All in favour.

8.3 Information from Ross Johns re proposed development “Wimmera River Heights”

Ross Johns distributed a plan of his proposed property Development on the Wimmera River. He explained that there were to be 5 stages, & the first 2 stages that he is working towards are each 25 mostly waterfrontage ½ Acre blocks. Further stages will include Recreation facilities and he is hoping a “Sidney Nolan Gallery”.

8.4 Budget Submissions for Next Year.

Budget Submissions for 2022/2023 will need to be submitted to the Hindmarsh Shire **before 14th January 2022**. It was discussed that any large project that we wish the Shire to complete for us, must be included in that year’s budget, or the Project cannot be planned for.

Some options that we have mentioned in prior meetings that we wish to be included in next year’s budget would be:

- The Dimboola Sound Shell
- Shade Structures at the Skate Park & also at popular Tourist spots on the River where there is currently Seating but limited Shade.
- Updates to the Children's' Playgrounds – to cater for younger children.
- Alternate Public Toilets that offer more privacy & are closer to the Bus Stop
- Extra Lighting along the River & Rec Reserve
- Footpath on Wimmera Street to the Bridge
- Extra Shelter for the Bus Shelter, & Luggage Storage facility.

It was requested that members have a think about any other Budget ideas, & that we would need to prioritize our ideas – but we would need to offer some specifics for each option, estimated cost & a summary of benefit to the Community. It would be very helpful if members could look into some of these options & offer any suggestions / information.

8.5 Seed Funding Suggestions

We have just had \$7,500 allocated into our Ledger for the Dimboola Town Committee Advisory Committee. \$6,500 is to be allocated towards a project (\$1,000 goes towards Admin costs).

If anyone has any ideas for a Project that these \$'s could be allocated this year, please let us know &/or bring to the next meeting.

DN mentioned that we should be using some of our \$'s that haven't been earmarked for other projects – a Possibility could be "Frisbee Golf" that KP had mentioned is very popular in other tourist areas. KP to look into specifics of what would be required to set this up & the \$ Value to set it up. Could be a possibility to get it installed for this Summer – being that our town is currently very popular with tourists & the popularity of our Caravan Park.

8.6 Update on Storage for DTC

No further update. KP to follow up again with Graincorp – other options?

Xmas Decorations have all been removed from various storage locations around town & are being worked on at the A&P building. After Xmas, we could possibly store them again in the A&P Building until we have an alternate Storage location. But it would only be short-term.

8.7 Working Bees

Main jobs around town that need to be done soon would be spreading the Scoria & possibly installing the seats / chairs etc. PC stated that he doesn't have the right equipment to distribute the Scoria – with only limited volunteers. Ross Johns suggested he may be able to help. PC & Ross Johns to discuss outside the meeting.

Solar lights on the Bridge seem to be working again.

8.8 Update on Old Pub Site Development

JD advised the Dimboola Arts Inc were successful with a Grant from Roadside Cropping Group for \$12,000 for the Paving under the Pergola's. Back Fence & back Pergola will be the next job done this year, we are hoping that the Pavers will be delivered this month, & that our contractor could start the paving & set up the watering

system this year – but as he has other commitments, it may have to hold off until early next year.

No plantings can be done for the gardens until the watering system is in place & the top soil has been installed at the correct levels.

JD explained that we only have limited volunteers & that we may need to hire local Contractors to complete the major works. JD explained that a Fund was to be set up through the Bendigo Bank – for people to donate \$'s towards the project. JD to follow up & advise.

8.9 Caravan Parking in Main street – options of viable locations?

It was mentioned that the parking areas would need to be in close proximity to the public toilets & IGA. Suggestions were:

- Outside the Masonic building on Lochiel Street,
- on Lloyd Street outside the Imaginarium where the bus used to stop (CO suggested this would not be detrimental to their business).
- Over the road from the Police Station on Lloyd Street
- Outside the Library on Lloyd Street (where the bus used to stop)

8.10 Soundshell Discussion

As discussed in last months' meeting, JD submitted a letter to the Shire addressing the fact that large Infrastructure projects such as the upgrade of the Dimboola Soundshell, need to fall under the Hindmarsh Shire's responsibility. AH advised that the letter needs to have more information – specifically what budget the DTC wish to go towards this project.

It was discussed that \$7,500 earmarked funds were allocated, but that \$1,000 of that Seed funding would have gone towards Admin for that year.

PC moved that the DTC allocate \$6,500 to the Hindmarsh Shire – for the Dimboola Soundshell Project and requesting that the Shire take over this project. 2nd by JD. All in Favour.

As the Dimboola Town Committee is contributing these funds to go towards the Soundshell, we would like it to be considered that the Hindmarsh Shire include us in the decision process for designs etc.

8.11 Xmas Event this Year

DTC is very keen to host a Xmas Event again this year, at the Rec Reserve / Soundshell again.

We are hoping to include the "Welcome New Residents" in this event, with the possibility of New Residents arriving earlier, receiving their "Welcome Pack" & possibly get a voucher for a free BBQ lunch at the Xmas Event.

AI, JD & KP will be involved in the event. TS expressed interest in helping also.

Further info to follow.

8.12 Request from Dimboola Lions Club looking for Volunteers

This is not really relevant to DTC as a group – but the Dimboola Lions Club is running very short of volunteers & are looking at what options they have to man the “Wayside Stop” at Locheal.

It is purely a request from them to individuals, if they wish to volunteer, please contact Kaylene Pietsch, as she has their details.

8.13 Dimboola Calendars

KP was approached earlier in the month to purchase “Dimboola” Calendars for the town businesses / Caravan Park to sell. KP, JD & AI had a discussion & it was concluded that at \$25 each with Free delivery, we would be able to make a profit on them. KP confirmed with Monica Revell at Hindmarsh Shire that we could go through with the order. Ordered 50 @ \$25.

8.14 Ski Club Memorial Event 18/19 Feb 2022 - Catering

KP was approached by Ski Club that they will be holding the Memorial Ski Event again next year on 18/19 Feb 2022. They asked if the DTC would be interested in having a BBQ again. It was agreed that we would. To be discussed more closer to the date.

8.15 Roadside Cropping Group

KP was in discussion with a member of the Roadside Cropping Group. They advised that they have had a restructure & that the old Committee has disbanded & they have a more effective committee now. They will be concentrating on distributing funding throughout our local community. They advised that we could have 2 representatives at their meetings & they would advise when their next meeting is.

8.16 Next Meeting

It was noted that the next meeting would be on Monday 6th December, 2021.

9. URGENT BUSINESS

Nil

10. MEETING CLOSE

There being no further business Chair declared the meeting closed at 9.25pm.

11. COUNCIL OFFICER AUTHORISATION



I accept the recommendations made by the Dimboola Town Committee in these minutes dated 8 November 2021.



18th October 2021

To Committee Members,
“as addressed”

NOTICE is hereby given that a Nhill Town Committee Meeting of the Hindmarsh Shire Council will be held via Zoom on Monday 18th October 2021 commencing at 7.30 pm.

AGENDA

1. Acknowledgement of the Indigenous Community

2. Apologies

3. Confirmation of minutes

4. Disclosure by Committee members or Councillors or Council Officers of any interest or conflicts of interest in any item on the agenda

5. Finance report

6. Decisions to be made

7. Correspondence

In:

- Quote for the remaining pressure washing at the truck stop
- Follow up email on the “Reconnecting Communities through Small Events in Hindmarsh Shire” project
- Advisory Committee Policy
- Majority committee approval for the new pressure washing expenditure
- Majority committee approval for the Eisteddfod rehearsals under the NTC banner
- Purchase orders for pressure washing and A&P Society water bill

Out:

- Follow up email to Mayor Ismay regarding the water tower project
- Purchase orders for various expenses

8. General business as notified to the Chair

- Update on Committee Nominations Process (Helen Thomson)

- AGM
- New Policy for Advisory Committees
- Small Events (February/March next year)
- The Water Tower
- Welcome to Nhill Information
- Christmas Carols
- Eisteddfod Concert
- Dog Park
- Youth Events
- Truck Stop Project

9. Urgent business

10. Meeting Closed

Present:

Committee members: Catherine Bates, Emily Graham, Pauline McCracken, Leith Dean, Darrell Hall

Council officer: Daniel Griffith

Councillor in attendance: Cr Melanie Albrecht

Also in attendance: Alana Storey

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Chairperson opened the meeting at 7.36 pm by acknowledging the Indigenous Community.

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.

2. APOLOGIES

N/A

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Nhill Town Committee Meeting held on 21st June at the Nhill Community Centre as circulated to Committee Members be taken as read and confirmed.

Moved: Catherine Bates

Seconded: Emily Graham

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

No conflicts declared.

5. FINANCE REPORT

Distributed before the meeting.

6. DECISIONS TO BE MADE

Combined with general business for this meeting.

7. CORRESPONDENCE

In:

- Quote for the remaining pressure washing at the truck stop
- Follow up email on the “Reconnecting Communities through Small Events in Hindmarsh Shire” project
- Advisory Committee Policy
- Majority committee approval for the new pressure washing expenditure
- Majority committee approval for the Eisteddfod rehearsals under the NTC banner
- Purchase orders for pressure washing and A&P Society water bill

Out:

- Follow up email to Mayor Ismay regarding the water tower project
- Purchase orders for various expenses

8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR

- Update on Committee Nominations Process (Helen Thomson)
 - o Short nomination form for applicants for Town Advisory Committees on the shire website, on the page for advisory committee, physical forms are also available from the shire offices. Due on the 1st of December.
 - o Goes to December council meeting, set membership for following year.
 - o These forms can be submitted throughout the year, just need to go to a council meeting. Replaces previous process by secretary to notify of new members, but these changes will still be minuted.
 - o This is an annual process, but no limit on reapplying.
 - o 11 member limit on committees.
 - o AGM occurs after council sets the committee, first meeting of the year, where office bearers can be elected, due to be February for us. Date of the AGM is no longer tied to end of the financial year because advisory committees no longer holds funds, the shire does this for us.
 - o No town committees have become advisory as of yet.
 - o Helen will liase with applicants, and will direct them to contact us where necessary
- New Policy for Advisory Committees
 - o Fundraising just needs to be approved by council and accounted for. Full details are in the Advisory Committee policy.
 - o Helen is taking feedback on the minute and agenda formats, as well as the policy.
- AGM
 - o Will occur on the 21st of February 2021.
 - o Roles of Chair, Assistant Chair, and Secretary. Treasurer is not required as shire handles as our funds.
- Small Events (February/March next year)
 - o Live music event suggested.
 - o Open mic event, 21st of November, **motion moved to get M. Leiske to do sound, majority of the committee approved.**
 - o Trivia event is still in the works, check funding, if the previous grant has fallen away could use this.
- The Water Tower
 - o Councillor Ismay has been emailed again, no response as yet.
 - o We can proceed.
 - o Ensure we have the community consultation done and then start looking into grants to fund the art. Start communicating with artists, possibly forming an

- idea of what would be painted or letting the artists bring an idea.
- GWM is currently undertaking safety tests on the tower to assess the viability of the project and will get back to us on the outcome when they're down.
- Welcome to Nhill Information
 - Melanie's working on the brochure.
 - Emily will send out some advertising options with this month's minutes to choose from for the art competition, **moved a motion for up to \$400 to place in the Nhill Free Press, majority of members approved.**
- Christmas Carols
 - 11th of December is being sought for the date, Nhill College and Lutheran school are good, waiting on St. Patricks, Sing Australia have said no this year.
 - Last year's Lions BBQ was free for attendees, do we want to do this again this year, do we want to go back to cost, or do we want to go to a token on admission? Last year it cost us \$655.
 - **Majority of the committee voted to approve paying Lions to provide the BBQ for free again, with an estimate of \$700-\$800.** Catherine will follow up with the Lions.
 - Catherine will meet with the Shire to get an idea of what's happening and how things will be run.
- Eisteddfod Concert
 - Was on the 17th of October. Well attended and well received and performers enjoyed it.
- Dog Park
 - Emily is finalising a draft. Expected to be emailed out with this meetings minutes.
 - Specific location suggestions have been intentionally left out, open to community suggestions.
 - Keep budget submissions in mind as a deadline.
- Youth Events
 - Trivia night etc. hold due to COVID. Possibility of moving trivia online so that we can hold something.
- Truck Stop Project
 - Water timer and fittings need to have a define price, defined as \$140
 - Bark chips haven't been dropped off as yet, council needed plan, this has been submitted previously.



Daniel Griffiths, Manager Capital Works

03/11/2021

9. URGENT BUSINESS

N/A

10. MEETING CLOSE

There being no further business, the Chair declared the meeting closed at 9.18 pm.

The next meeting will be held on Monday the 15th of November at 7.30 pm at the Nhill Community Centre.



**MINUTES OF THE JEPARIT TOWNSHIP ADVISORY COMMITTEE MEETING
HELD 11TH OCTOBER 2021 VIA VIRTUAL LINK COMMENCING 7.36PM.**

- 1. Acknowledgement of the Indigenous Community**
- 2. Apologies**
- 3. Disclosure by Committee members or Councillors or Council Officers of any interest or conflicts of interest in any item on the agenda**
- 4. Confirmation of Minutes**
- 5. Business Arising from the Minutes**
- 6. Correspondence**
- 7. Events**
- 8. General business as notified to the Chair**
- 9. Councillor Report**
- 10. Officer Report**
- 11. Urgent business**
- 12. Finance report**
- 13. Decisions to be made**
- 14. Meeting Closed**
- 15. Council Officer Authorisation**

Present:

Councillor in Attendance: Mr. B. Ireland, Ms. J. Fritsch (HSC), Jason Hutson (Chair-CM), Teresa. Smith (CM), Graham Blair (CM), Mel Wagener (CM), Bec Schultz (CM), Elizabeth Chivell (CM).

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.

2. APOLOGIES

Cheryl Quinn (Secretary-CM), Tony Simpson (CM), Wendy Werner (CM) unable to gain access link and Sharon Reilly (CM) an apology.

Moved: Mel Wagener

Seconded: Graham Blair

CARRIED

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

- General conflict of interest; or
- Material conflict of interest

Declaration of general or material conflict of interest must also be advised by Committee Members at the commencement of discussion of the specific item.

4. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the JTAC Committee Meeting held on 13th September 2021 via video link, as circulated to Committee Members be taken as read and confirmed.

Attachment: 1

Moved: Graham Blair

Seconded: Teresa Smith

CARRIED

5. BUSINESS ARISING FROM THE MINUTES

NIL

6. CORRESPONDENCE

INWARD:

6.1 Mr. J. Woodward 13/9/21 re Jeparit Tourist Brochure

6.2 Invitation to Public Members invitation to attend meetings (W.W)

6.3 Reconnecting Communities through Small Events 15/9/21 forwarded

- 6.4 Thank you for inclusion letter and Offer of assistance (L.S.)
- 6.5 Public Gathering restrictions (G.B.) 17/9/21 forwarded to members
- 6.6 Wimmera Catchment forwarded to members on 22/9/21
- 6.7 Grampians Tourism Industry News on 23//21 forwarded to members
- 6.8 HSC draft of JTAC Minutes 13/9/21
- 6.9 S86 confirmation of receipt of JTAC Minutes.1/10/21
- 6.10 Items of discussion to the table of the next meeting Agenda (W.W.) 4/10/21
- 6.11 Helen Tomson Re:Advisory Committee Policy 5/10/21 forwarded to members
- 6.12 Financial Statement received 6/10/21 forwarded to members.
- 6.13 Reminder to Finance Manager 5/10/21
- 6.14 Liz Chivell's comments regarding Advisory Committee Policy

OUTWARD:

- 6.15 Apology for missing future member in correspondence
- 6.16 Min of Meeting of 13/9/21 Draft Ms. J.Fritsch
- 6.17 Helen Tomson Re:Advisory Committee Policy to JTAC members 5/10/21
- 6.18 Agenda, P/Minutes, F/State and C/Sheet for 11/10/21 to JTAC members 6/10/21
- 6.19 Ms. J. Fritsch regarding email contact details for L. Chivell

RECOMMENDATION:

That the Outward Correspondence be approved and the Inward Correspondence noted.

Moved: Mel Wagener

Seconded:Graham Blair

CARRIED

7. EVENTS

NIL

Event:		Location:		Date	
<i>Relevant documents</i>					
	Responsibility	Due date	Status		
Risk assessment					
Food permit					
Local Law permit					

8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR

Jason (Chair) stated 16 items for General Business was exceptional and appreciated ideas of improving the community. Suggestion of 3 minutes for presentation and two minutes for discussion based on this many items would ensure a timely meeting, all members in favour of this suggestion.

8.1. Jeparit Hope Tents presentation (L. Chivell)

Previous pictures presented to CM noting the difficulties finding accommodation for visiting people in the past. Suggestion of tents for the river sites, beach box type of accommodation for 4 Mile Beach, provided disability access was available. Suggestion that this may be a good private business opportunity.

8.2 Heritage listing for the Jeparit Railway Bridge and Lake Hindmarsh (L. Chivell)

CM removed this item from the list on the Agenda Lake Albacutya was designated a Wetland of International Importance under the Ramsar Convention (in 1982) and she is investigating the ability to Lake Hindmarsh could also be listed. CM may seek a letter of

support from the JATC if this course of action was pursued.

8.3. River walk through Jeparit Golf Club fairway (L. Chivell)

Referred this item to W.Werner, (CM). Cr. Ireland advised that He along with Mr. J. Woodward have investigated possible sites for the walk the route is a long way from finalisation. Cr. Ireland and G. Blair (CM) both noted that the Jeparit Golf Club have provided a letter in support of the walk.

8.4 For any performing arts. L. Chivell has offered to use her contacts.

(CM) offered to organise visits (or virtual) participation for proposed family day/concerts. Suggestion of Artist for kids early evening, followed by an event for the adults may be appropriate. Concluded: a preferred date is unable to be organised at the moment.

8.5 Bird Aviary feature in Jeparit (M. Wagener)

Resident of Jeparit Mr. Fred. Lewis has offered rare birds including Regent Parrots to be displayed in a township aviary in a public space. (1) Mr. Lewis would retain the ownership of the birds and retain the licence. (2) The viability to release the birds after captivity is not possible, (3) Aviary sizing approximately 40feet (L) x 12feet (W) x 12feet (H) JTAC supported CM to seek pricing and submit design to the next meeting.

8.6. Re vamp of existing cabins in caravan park (T. Smith)

CM relayed comments of their stay in on site Cabin in Jeparit Caravan Park

Vinyl flooring is heavily scratched and very cold – Floor coverings needed

Shower silastic needs relining – tin lined showers not practical to clean but astatically looks good

Extremely low double bed (mattress only 12 months old) extremely uncomfortable (Box frame may need support or bed and base combination.

Commercial sofa bed is more comfortable.

ACTION: Cr. J. Fritsch to liaise with the Operations Team

8.7 Power point needed at the swimming hole gazebo (W. Werner)

Cr. Ireland noted that power points will be avail at the new camp kitchen.

8.8 Master plan Swimming hole/Caravan park (W. Werner)

J. Fritsch advised that HSC is keen to organise a community meeting to see the concept plans but Covid Restrictions has made this difficult. Concept plans provided by Mr. P. King to JTAC who favoured plan B (Shelter extended around to BBQ end) and plan D (similar to 4 Mile Beach Shelter). Natural light through end gables over BBQ area was pleasing and Green Lake Shelter is attractive and very serviceable.

ACTION: Cr. J. Fritsch to liaise with Mr. P. king passing on comments.

8.9 What is happening with the Ski Club (W. Werner)

Indications are that it is unsightly. Advice given that members of the club will form a working team once Covid restrictions allow.

8.10 1st Aid, resuscitation workshop (W. Werner)

Cr. J. Fritsch advised that JTAC may be eligible for a community grant application for such a workshop. Cr. Ireland will pass on information to W.W.

8.11 Broadway skate park/playground installation of W.C. facilities (W. Werner)

Discussion rotated around the number of WC facilities in the town of Jeparit. JTAC may consider this proposal for a grant submission for the 2022/2023 budget.

8.12 JTAC agenda/minutes for the Community How can they be obtained (W. W.)

HSC (Shauna) has set a website page dedicated to Town Committees and features Minutes of the current year. Available at Customer Service Centres for those without the internet.

8.13 Publication of events: eg: Jobs one on one at Library (W. Werner)

It was explained that the HSC do not have control over Melissa's timetable, however where possible Melissa will try to give more notification.

8.14 HSC Community 4 year plan now complete when will it be published. (W. W.)

J. Fritsch & Cr. B. Ireland explained that the Council Plan was advertised for comment

29th July in Customer Service Centre, Website, Facebook and local newspaper. Plan was adopted 22nd September. Now avail Customer Service Centres & Council Web.

8.15 New Residents Officer wishes for someone else to take over the role (W. W.)

Discussion decided to hold this over until CM is present.

8.16 Discussion of possible project inclusions in JTAC & HSC Budget (W. Werner)

Jason Chair asked that CM explore projects for discussion for the next meeting.

9. COUNCILLOR REPORT

9.1 Cr Ireland: Encouraged members to consider projects and costs of same for next year's budget.

Advised that the electric charging station had been installed at Menzies Square.

Advised Council's second submission for six cabins was unsuccessful.

Quotes for building projects are way over budget due to current circumstances.

Moved: Liz Chivell

Seconded: Mel Wagener

That Council Ireland's verbal report be received.

CARRIED

10. OFFICER REPORT

J. Fritsch explained the process for electing the 2022 Jeparit Advisory Committee:

October 2021 - Nominations called for interested Members.

November 2021 – Representative Councillor elected at Statutory meeting

December 2021 – Council to elect the Advisory Committee from Nominations received.

February 2022 – President Jason to provide the Chairperson's report for 2021, Chair and Secretary elected for the 2022 year.

ACTION - Members asked that Nomination Forms to be emailed to each Member which J. Fritsch is to organize.

11. URGENT BUSINESS

CM G. Blair advised a second purchase order is required up to \$1,000.00 to complete the painting and fund the posts, concrete and miscellaneous materials.

Moved: Graham Blair

Seconded: Mel Wagener

That J.. Fritsch raise a p/order of \$1,000.00 to R. Ismay of Rainbow

CARRIED

12. FINANCE REPORT

12.1 Summary of Balances in Finance Report.

Noted: No change to the previous months financial report.

RECOMMENDATION:

That the Financial Report as provided to 30th September 2021 with this Agenda be approved.

Moved: Graham Blair

Seconded: Liz Chivell

CARRIED

12.2 Purchase Orders to be raised - \$2,000 or less

RECOMMENDATION:

That the Council Officer raise the following purchase order, being a value of \$2,000.00 or less

Moved: Graham Blair

Seconded: Mel Wagener

CARRIED

Creditor	Value \$	Description of Goods or Services
Ron Ismay	1,000	Township entrance signs – Paint, posts, concrete and materials.

12.3 Purchase Orders to be raised – Greater than \$2,000 – NIL.

13. DECISIONS TO BE MADE

The following decisions are recommendations to Council for endorsement:

ITEM NO.	DESCRIPTION	DECISION
NIL		

14. MEETING CLOSED

The meeting closed at 9.20pm

15. COUNCIL OFFICER AUTHORISATION

*to be completed by the Council Officer

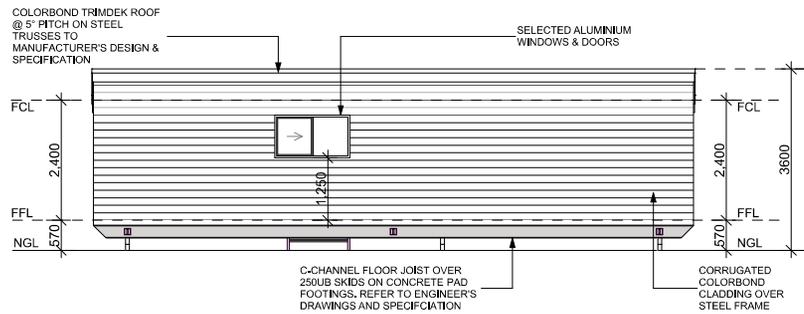
I Janette Fritsch accept the following recommendations made by the Jeparit Town Advisory Committee at this meeting held 11/10/2021.

ITEM NO.	DESCRIPTION	DECISION
4	Confirmation of Minutes	That the Minutes as read, be confirmed.
6	Correspondence	That the Outward Correspondence be approved and the Inward Correspondence noted.
12.1	Finance Report	That the Finance Report as provided with this Agenda be approved.
12.2	Raise purchase order for \$1,000	Raise purchase order for \$1,000 for R Ismay and Co to painting of township entrance signs, posts, concrete and other materials.

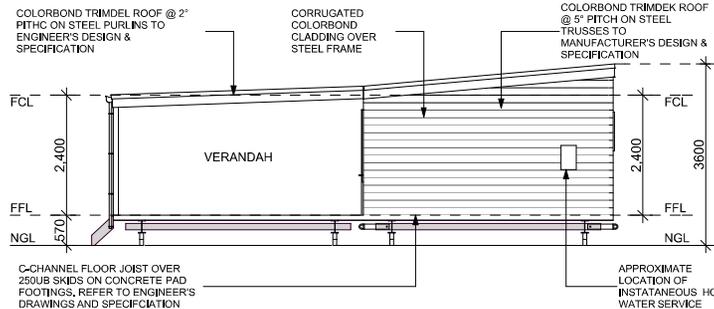
SIGNED: Council Officer



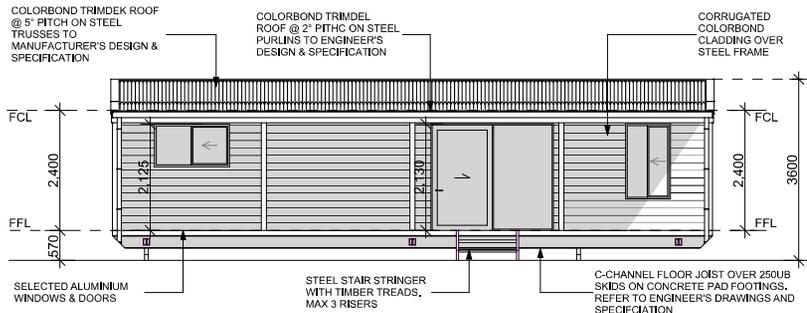
Dated: 14/10/2021



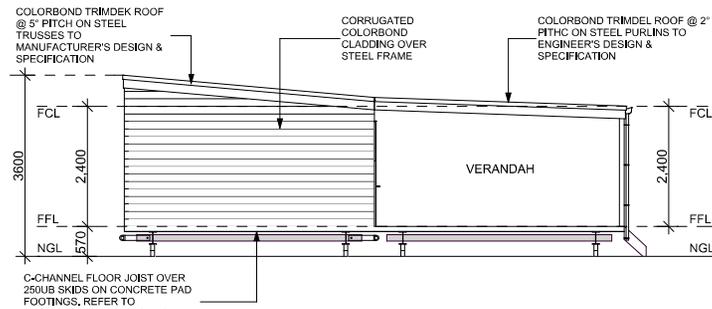
ELEVATION South
1:100



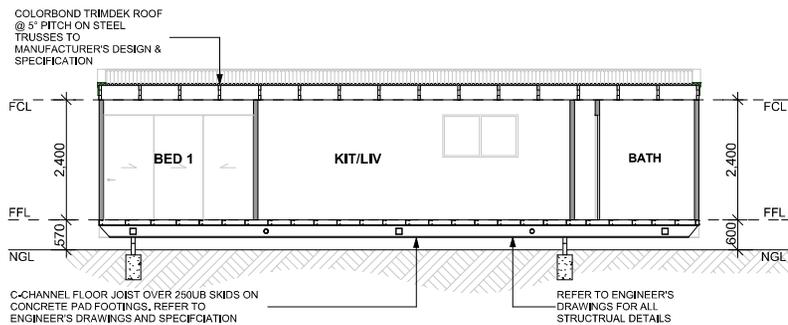
ELEVATION West
1:100



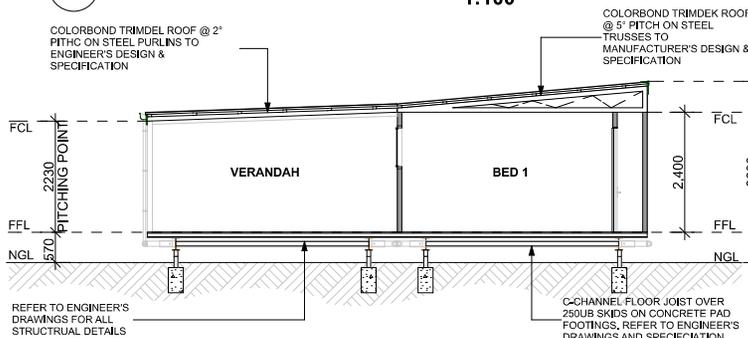
ELEVATION North
1:100



ELEVATION East
1:100



SECTION South
1:100



SECTION West
1:100

ELEVATION NOTES

- ALL SECOND STOREY EXTERNAL PLUMBING, DRAIN PIPES TO BE CONCEALED.
- LOCALLY FILL AROUND DOORWAYS TO AVOID THE NEED FOR STEPS.
- GRADE SOIL AWAY FROM HOUSE TOWARDS DRAINS.
- EXTENT & NUMBER OF STEPS, LANDINGS & HANDRAILS TO BE DETERMINED ONSITE BY CONTRACT VARIATION AS REQUIRED.
- QUOINING AS DRAWN IS FOR ILLUSTRATION PURPOSES ONLY AND MAY BE VARIED ONSITE TO WORK BRICK BOND. THE BUILDER RESERVES THE RIGHT TO ALTER BRICK QUOINING & BANDS AT HIS SOLE DISCRETION.
- ALL WINDOW SIZES ARE NOMINAL ONLY, HEIGHT & WIDTH DIMENSIONS ARE TO BE CONFIRMED PRIOR TO ORDERING WITH REGARD TO FRAME OPENING SIZES, CLEARANCE FOR WINDOW MOULDINGS, FLASHINGS TO LOWER ROOF ETC.
- ARTICULATION JOINTS ARE TO BE LOCATED IN ACCORDANCE WITH TECHNICAL NOTES, AND TO THE SATISFACTION OF THE GEOTECHNICAL, STRUCTURAL ENGINEER & BUILDING SURVEYOR.
- GARAGE DOORS NOMINAL SIZE. REFER TO SPECIFICATION FOR TYPE & STYLE. GARAGE DOORS SIZES ARE TO BE SITE MEASURED PRIOR TO INSTALLATION. REMOTE CONTROL UNITS U.N.O. ARE TO BE PROVIDED BY CONTRACT VARIATION.
- CEILING HEIGHTS ARE FLOOR TO CEILING FINISHED SURFACES. BUILDERS ARE TO ADJUST WALL HEIGHTS TO ALLOW FOR FLOOR COVERINGS & TOLERANCES.
- DO NOT SCALE OFF DRAWINGS. USE FIGURED DIMENSIONS ONLY. CONTRACTORS SHALL CHECK AND VERIFY ALL LEVELS & DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ALL FINISHED FLOOR & SURFACE LEVELS REFER TO SITE PLAN. ONLY TO BE VARIED AT BUILDERS DISCRETION.
- CAVITY FLASHING & WEEP HOLES ABOVE ALL OPENINGS IN BRICKWORK

CLIENT APPROVAL/SIGNATURE

PROJECT: **PROPOSED PORTABLE BUILDING**
 SITE LOCATION: **2657 DIMBOOLA RAINBOW ROAD TARRANYURK**
 CLIENTS: **SHARNIE JAESCHKE**



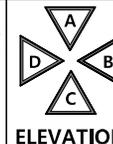
Portable Buildings
by Design



Design and Drafting

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ELEVATION

DRAWING TITLE: **WORKING DRAWINGS** SIZE **A3**
 DATE: **07/06/21** DRAWN: **MT** B.P.N: **DP-AD 44755**
 JOB REF: **21-39** ISSUE: **E** SHEET NO: **4**

REFER TO GENERAL NOTES FOR ALL STAIR, HANDRAIL & BALLUSTRADE DETAILS

WC NOTE: WC DOORS TO OPEN OUT OR TO HAVE REMOVABLE HINGES

WINDOW SIZES ARE APPROXIMATE, FOR EXACT SIZES REFER TO MANUFACTURER'S SPECS

MECHANICAL VENT/EXHAUST FAN TO BE DUCTED EXTERNALLY. REFER TO GENERAL NOTES

SMOKE ALARMS/DETECTOR TO BE HARDWIRED AND INTERCONNECTED WITH BATTERY BACK UP IN ACCORDANCE WITH AS 3786

ALL WET AREA TO BE WATERPROOFED WITH LIQUID MEMBRANE SIKA AQUA BLOK WPU IN ACCORDANCE WITH AS3740. REFER TO DETAIL

PROVIDE VISUAL INDICATORS TO FULL HEIGHT GLAZING AND ENSURE THAT A 20mm WIDE OPAQUE BAND IS PROVIDED FOR THE FULL WIDTH OF THE GLASS

ALL GUTTERS TO HAVE OVERFLOW PROVISION

ALL GLAZING TO BE IN ACCORDANCE WITH AS2047

FOR ALL STRUCTURAL DETAIL & SPECIFICATION REFER TO ENGINEER'S DRAWINGS

ALL EXPOSED STRUCTURAL STEEL ELEMENTS ARE TO BE GALVANISED

HYBRID "CLIK ON" FLOORING TO BE INSTALLED IN THE DWELLING. REFER TO MANUFACTURER'S DETAIL FOR COLOURS & STYLE

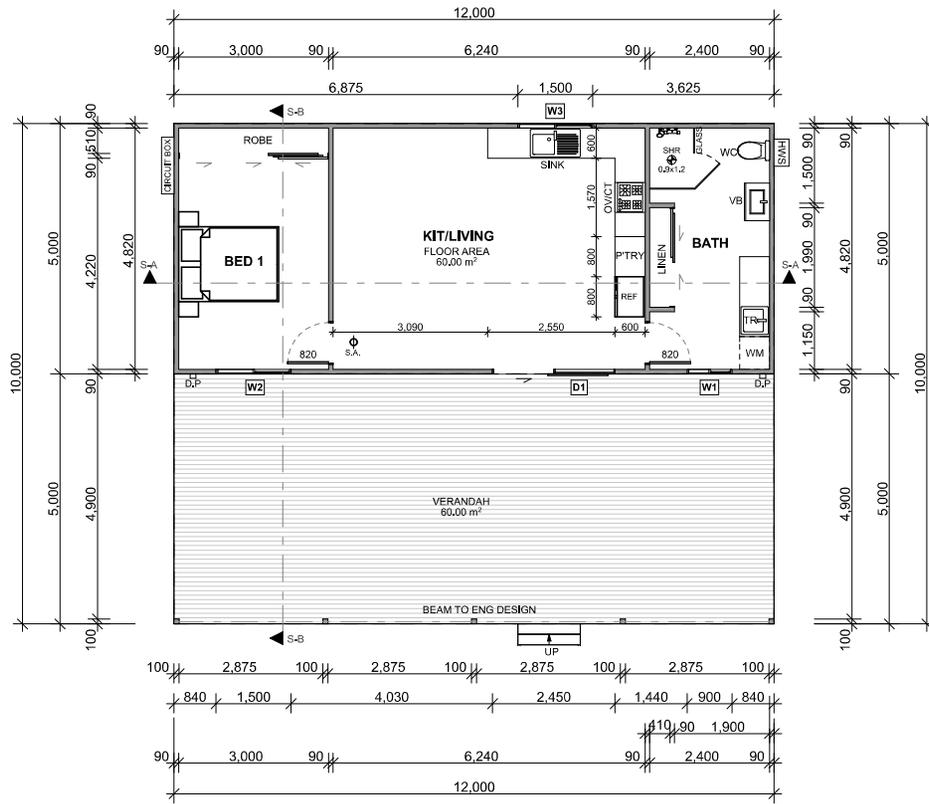
CORROSION PROTECTION OF BUILT-IN STRUCTURAL MEMBERS

PROVIDE CORROSION PROTECTION OF BUILT-IN STRUCTURAL STEEL MEMBERS SUCH AS STEEL LINTELS, SHELF ANGLES, CONNECTORS, ACCESSORIES (OTHER THAN WALL TIES) IN ACCORDANCE WITH TABLE 4.1 OF AS4773.1-2010 MASONRY IN SMALL BUILDINGS, PART 1: DESIGN SUITABLE FOR AN ENVIRONMENT CLASSIFICATION OF T.B.C

ROOF BLANKET: FLETCHER INSULATION PERMASTOP R1.3 55MM FOIL FACING

EXTERNAL WALL WRAP: THERMAKRAFT WATERGATE PLUS. COMPLIANT WITH NCC CLAUSE 3.8.7.

STAIRCASE TO HAVE TREAD SURFACE (DRY) P3 OR R10 OR NOSING STRIP P3 TO COMPLY WITH AS 4586 & SLIP RESISTANCE CLASSIFICATION AS PER TABLE 3.9.1.3 OF NCC 2019



TDD **FLOOR PLAN**
1:100

WINDOW SCHEDULE			
WINDOW NUMBER	W1	W2	W3
HEIGHT	1,500	850	850
WIDTH	900	1,500	1,500
OPENING TYPE	SLIDING	SLIDING	SLIDING
GLAZING			
ELEVATION			

DOOR SCHEDULE	
DOOR NUMBER	D1
HEIGHT	2,130
WIDTH	2,450
DOOR TYPE	SLIDING
GLAZING	
DOOR ELEVATION	

FLOOR PLAN NOTES

- GRADE SOIL AWAY FROM HOUSE TOWARDS DRAINS.
- BUILDER TO CONFIRM TO LOCALLY FILL AROUND DOORWAYS TO AVOID THE NEED OF LANDING. MAXIMUM 570mm FROM FFL TO NGL. BUILDER TO CONFIRM ALL LEVELS ONSITE
- ALL WINDOW SIZES ARE NOMINAL ONLY. HEIGHT & WIDTH DIMENSIONS ARE TO BE CONFIRMED PRIOR TO ORDERING WITH REGARD TO FRAME OPENING SIZES. CLEARANCE FOR WINDOW MOULDINGS, FLASHINGS TO LOWER ROOF ETC.
- ARTICULATION JOINTS ARE TO BE LOCATED IN ACCORDANCE WITH TECHNICAL NOTES, AND TO THE SATISFACTION OF THE GEOTECHNICAL, STRUCTURAL ENGINEER & BUILDING SURVEYOR.
- GARAGE DOORS NOMINAL SIZE. REFER TO SPECIFICATION FOR TYPE & STYLE. GARAGE DOORS SIZES ARE TO BE SITE MEASURED PRIOR TO INSTALLATION. REMOTE CONTROL UNITS UNLESS NOTED OTHERWISE ARE TO BE PROVIDED BY CONTRACT VARIATION.
- DO NOT SCALE OFF DRAWINGS., USE FIGURED DIMENSIONS ONLY. CONTRACTORS SHALL CHECK AND VERIFY ALL LEVELS & DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- W.C. NOTE: DOORS TO BE PROVIDED WITH REMOVABLE HINGES WHERE LESS THAN 1200MM CLEARANCE BETWEEN PAN & CLOSEST PART OF DOOR SWING.
- WALL TILING HEIGHTS TO SHOWERS MIN 1880H. ABOVE LIP OF SHOWER BASE. FRAME SIZES TO BE ADJUSTED IN SHOWER RECESS TO SUIT POLYMARBLE OR PRE-MADE SHOWER BASES.
- ALL FINISHED FLOOR & SURFACE LEVELS REFER TO SITE PLAN. ONLY TO BE VARIED AT BUILDERS DISCRETION.

LEGEND

- ⊕ SA SMOKE ALARM HARDWIRED & INTERCONNECTED
- ⊕ FAN EXHAUST FAN DUCTED TO EXTERNAL AIR 25l/s
- [HWS] HOT WATER SERVICE
- DP DOWN PIPE (SQUARE OR ROUND)

REFER TO PROJECT SPECIFICATION FOR:

- LIGHT SWITCHES COLOUR AND STYLE
- LIGHT FITTINGS DETAILS
- ELECTRIC/GAS HOT PLATE
- ELECTRIC/GAS UPRIGHT COOKING RANGE
- DISHWASHER PROVISION
- RANGEHOOD
- ELECTRIC/GAS HOT WATER SERVICE

CLIENT APPROVAL/SIGNATURE

PROJECT: **PROPOSED PORTABLE BUILDING**

SITE LOCATION: **2657 DIMBOOLA RAINBOW ROAD TARRANYURK**

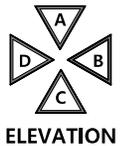
CLIENTS: **SHARNIE JAESCHKE**



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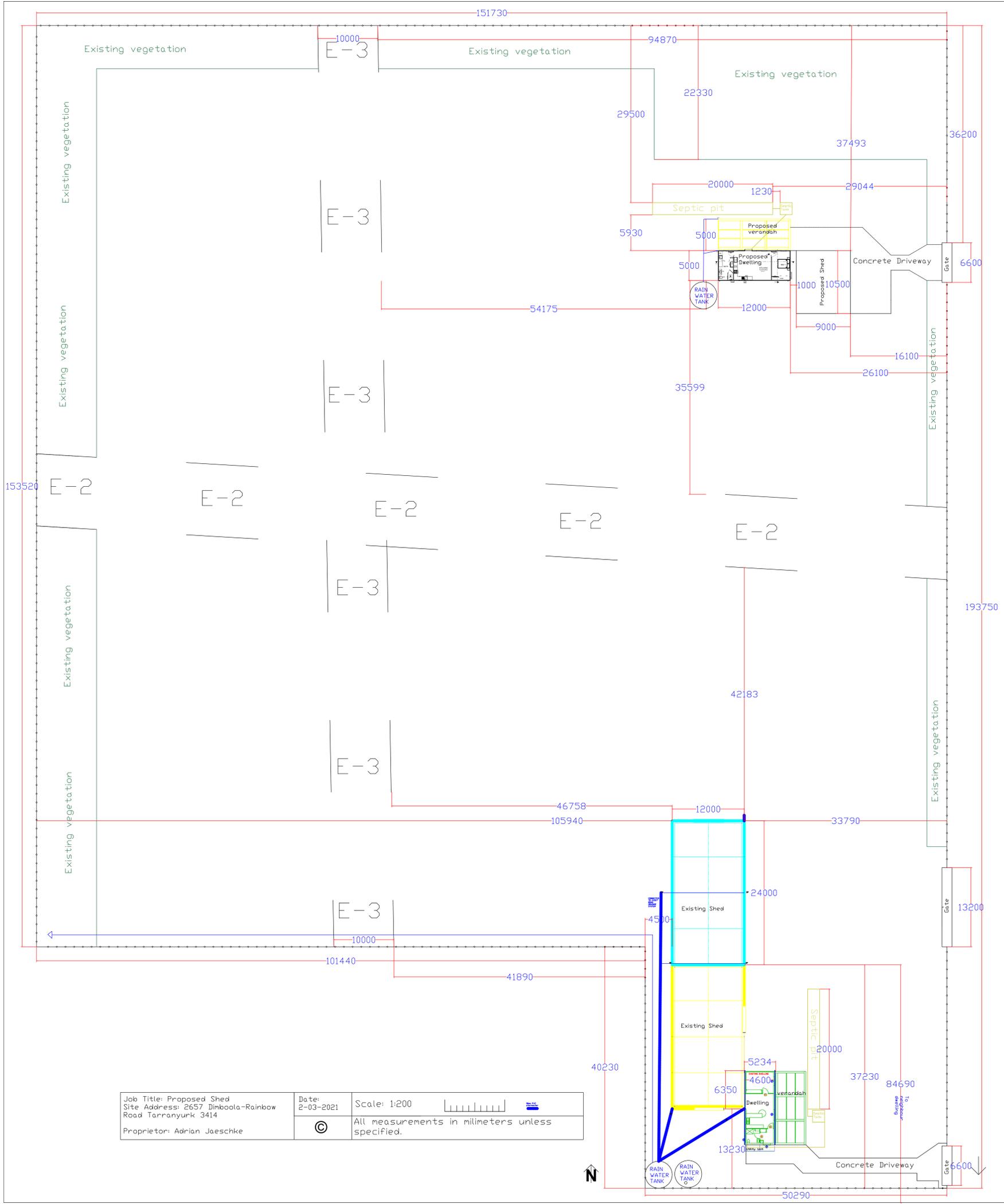
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DRAWING TITLE: **WORKING DRAWINGS** SIZE **A3**

DATE: **07/06/21** DRAWN: **MT** B.P.N: **DP-AD 44755**

JOB REF: **21-39** ISSUE: **E** SHEET NO: **2**



Job Title: Proposed Shed Site Address: 2657 Dimboola-Rainbow Road Tarranyurk 3414 Proprietor: Adrian Jaeschke	Date: 2-03-2021	Scale: 1:200
©	All measurements in millimeters unless specified.	

Tarranyurk West Road 300 Meters
Dimboola-Rainbow Road