



ATTACHMENTS

ITEM 4 CONFIRMATION OF MINUTES

- **Item 4 Attachment 1** – Minutes for Council Meeting 2 March 2022

ITEM 7 CORRESPONDENCE

- **Item 7.1 Attachment 2** – Email to Mayor from Liz Chivell
- **Item 7.1 Attachment 3** – Letter to Mayor from Carol Paech
- **Item 7.1 Attachment 4** – Letter from Council to Carol Paech

ITEM 8 PLANNING PERMITS

- **Item 8.1 Attachment 5** – PA1611-2018 Amended Site Plans and Elevations
- **Item 8.1 Attachment 6** – PA1611-2018 Amended Elevations

ITEM 9 REPORTS REQUIRING A DECISION

- **Item 9.1 Attachment 3** – Letter to Mayor from Carol Paech

ITEM 10 COUNCIL COMMITTEES

- **Item 10.1 Attachment 7** – Audit and Risk Committee Minutes 9 March 2022
- **Item 10.2 Attachment 8** – Rainbow Town Advisory Committee Annual General Meeting Minutes 21 February 2022
- **Item 10.2 Attachment 9** – Rainbow Town Advisory Committee General Meeting Minutes 21 February 2022
- **Item 10.2 Attachment 10** – Rainbow Town Advisory Committee General Meeting Minutes 21 March 2022
- **Item 10.3 Attachment 11** – Jeparit Town Advisory Committee Annual General Meeting Minutes 14 February 2022
- **Item 10.3 Attachment 12** – Jeparit Town Advisory Committee General Meeting

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- **Item 10.3 Attachment 13** – Jeparit Town Advisory Committee General Meeting Minutes 14 March 2022
 - **Item 10.4 Attachment 14** – Dimboola Town Advisory Committee Annual General Meeting Minutes 7 March 2022
 - **Item 10.5 Attachment 15** – Nhill Town Advisory Committee Annual General Meeting Minutes 21 February 2022
 - **Item 10.5 Attachment 16** – Nhill Town Committee Chairperson Report 2021
 - **Item 10.6 Attachment 17** – Yurunga Homestead Community Asset Committee Minutes 27 January 2022
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**MINUTES OF THE COUNCIL MEETING OF HINDMARSH SHIRE COUNCIL HELD
WEDNESDAY 2 MARCH 2022 AT THE NHILL MEMORIAL COMMUNITY CENTRE, 77-79
NELSON STREET NHILL, COMMENCING AT 3:00PM.**

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CRS M Albrecht (Mayor), B Ireland (Deputy Mayor), R Ismay, D Nelson, 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) and Ms Shauna Johnson (Executive Assistant).

1 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Cr M Albrecht 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 or Officer 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 and Officers at the commencement of discussion of the specific item.

Cr R Ismay declared a general conflict of interest in item 8.4 as he is a neighbour to the property.

Ms S Johnson declared a general conflict of interest in item 9.6 as she is a member of the Hindmarsh Ski Club committee.

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 2 February 2022 at the Nhill Memorial Community Centre Nhill, as circulated to Councillors be taken as read and confirmed.

MOVED: CRS R Gersch/R Ismay

That the Minutes of the Ordinary Council Meeting held on Wednesday 2 February 2022 at the Nhill Memorial Community Centre Nhill, 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:

Cr ALBRECHT, MAYOR

Date	Meeting	Location	Comments
2/02/2022	Australian Citizenship Ceremonies	Nhill Zoom	It was an honour to officially preside and welcome our newest citizens Armand von Benecke and Ruzica Savicin.
2/02/2022	Council Briefing	Nhill	
2/02/2022	Council Meeting	Nhill	
3/02/2022	Wimmera Development Association	Zoom	Formulation of action plan in accordance with Govern With.

	Individual Director Plan		
11/02/2022	Youth Council Presentation	Dimboola	Congratulations again to the Hindmarsh Shire Youth Council for 2022: Alissa Trenergy, Alexis Bone, Tarah Bond, Jandamurra Lauricella, Celie Fuller, Heidi Smith, Marcel Badua, Ethan Angel-Hands, Marrie Sellens and Jamie Clark. I look forward to seeing Youth Council thrive.
15/02/2022	Briefing with CEO	Nhill	Briefing with CEO between meetings to update on pertinent related Council matters.
21/02/2022	Nhill Town Committee Annual General Meeting	Nhill	It was pleasing to reflect on the achievements of Town Committee during 2021, noting that the COVID-19 impact, derailed many plans.
22/02/2022	Nhill Town Committee Meeting	Nhill	Welcome to the newest members of the town committee Jenny Dufty, Brock Stephens, Rhys Webb and Alana Storey. It is wonderful to have you on board.
22/02/2022	Wimmera Development Association Board Meeting	Zoom	Progression of the transformation continues with focus on a chair and additional directors.

Cr IRELAND, DEPUTY MAYOR

Date	Meeting	Location	Comments
26/01/2022	Australia Day ceremony	Rainbow	It was my pleasure to speak at all 4 events on behalf of the shire and to escort our Australia Day ambassador Wesa Chau for the day who presented an enlightening address to each gathering.
26/01/2022	Australia Day ceremony	Jeparit	
26/01/2022	Australia Day ceremony	Dimboola	
26/01/2022	Australia Day ceremony	Nhill	
27/01/2022	Yurunga Homestead meeting	Rainbow	
31/01/2022	Youth Council Interview	Jeparit	
02/02/2022	Council Briefing Meeting	Nhill	
02/02/2022	Council Meeting	Nhill	
11/02/2022	Councillor dinner/meeting	Dimboola	
12/02/2022	Youth Council Induction/awards dinner	Dimboola Visitor Node	
15/02/2022	Jeparit Town Committee		
16/02/2022	Wimmera Mallee Pioneer Museum meeting		

19/02/2022	Guest speaker at the Peter Taylor Barefoot Waterskiing Event	Dimboola	What a great event the ski club has created for its town and the shire. The venue was extremely crowded on the Saturday night and extremely well organised. I would have no hesitation to support the event from a shire perspective.
21/02/2022	Rainbow Town Committee		Substituted for Cr Ismay who was injured.

Cr BYWATERS

Date	Meeting	Location	Comments
26/01/2022	Rainbow Australia Day awards ceremony	MECCA Rainbow	Thanks to the Lions Club and wonderful people of Rainbow for welcoming us bright and early. Congratulations to Belinda Eckermann for her much deserved award, Rainbow Lions Club Citizen of the year.
26/01/2022	Jeparit Australia Day awards ceremony	Menzies Square Jeparit	
26/01/2022	Dimboola Australia Day awards ceremony	Dimboola Visitor Node/Library	
26/01/2022	Nhill Australia Day awards ceremony	Goldsworthy Park Nhill	
26/01/2022	Kiata Progress Association, locals and friends, sausage sizzle, good company, banter, games and flag lowering ceremony.	Kiata at the Pines	
28/01/2022	Volunteering at Hindmarsh Visitor Information Centre	Nhill	
29/01/2022	Sing a Song of Sixpence	Hindmarsh Hotel Jeparit	
02/02/2022	Australian Citizenship Ceremony for Armand	Nhill Memorial Community Centre	
02/02/2022	Australian Citizenship Ceremony for Ruzica	Online	
02/02/2022	Council Briefing and Council Meeting	Nhill Community Centre	

10/02/2022	Councillor Catch Up and dinner	Victoria Hotel Dimboola	
11/02/2022	Youth Council Presentation Ceremony	Visitor Node, behind the Dimboola Library	
12/02/2022	Nhill Parkrun 4 th Anniversary	Jaypex Park/Nhill Lake, Nhill	As well as Bev Rethus (founding member) last time as event director. Well done Bev and thank you for all you have done for Parkrun and the greater community.
17/02/2022	Nhill YMCA FReeZA Pool Party	Nhill Aquatic Centre	The FReeZA program is a youth development program that provides opportunities for young Victorians age 12-25 across metropolitan, regional and rural Victoria to access live music events, and other cultural, recreational and artistic events that are drug, alcohol and smoke free in supervised and safe venues. Pool parties have been held in each of the four Hindmarsh Outdoor Pools.
18/02/2022	Peter Taylor Barefoot Waterski Friday event	Dimboola	
19/02/2022	Peter Taylor Barefoot Waterski Saturday event	Dimboola	
22/02/2022	Homework Club, Volunteer	The Patch Nhill	
22/02/2022	Visit to the new look Nhill Library	Nhill	To inspect recent renovations.

Cr NELSON

Date	Meeting	Location	Comments
14/12/2021	DMSC Awards Night	Dimboola	
15/12/2021	Briefing Meeting	Online	
15/12/2021	Council Meeting	Online	
12/01/2022	Dimboola Town Committee Meeting	Online	
26/01/2022	Australia Day Event	Dimboola	
27/01/2022	Youth Council applicants interviews	Dimboola	
02/02/2022	Briefing Meeting	Nhill	
02/02/2022	Council Meeting	Nhill	
04/02/2022	Delivered Meals on		

	Wheels		
07/02/2022	Dimboola Town Committee meeting		
10/02/2022	Councillors informal Dinner		
11/02/2022	Delivered Meals on Wheels		
11/02/2022	Youth Council Presentation event	Dimboola	
18/02/2022	Delivered Meals on Wheels		
18/02/2022	Barefoot Ski event	Dimboola	
19/02/2022	Barefoot Ski event	Dimboola	

Cr GERSCH

Date	Meeting	Location	Comments
26/01/2022	Australia Day	Nhill	
28/01/2022	Wimmera Regional Roads Meeting	Zoom	
28/01/2022	RCV Board meeting	Zoom	
02/02/2022	Council Meeting	Nhill	
02/02/2022	Citizen Ceremony	Zoom	
10/02/2022	Informal Councillors dinner	Dimboola	
14/02/2022	Sign papers Council		

Cr ISMAY

Date	Meeting	Location	Comments
14/12/2021	WMT AGM	Minyip	
14/12/2021	WMT Meeting	Minyip	
15/12/2021	Council Briefing	Nhill	
15/12/2021	Council Meeting	Nhill	
15/12/2021	SMT Christmas Breakup	Nhill	
16/12/2021	Rainbow P12 Presentation Night	Rainbow	
04/01/2022	Meeting with Youth council Officer and various others for Business plan project	Rainbow	
11/01/2022	Meeting with Youth council Officer and various others for Business plan project	Rainbow	
22/01/2022	Meeting with Youth	Rainbow	

	council Officer and various others for Business plan project		
26/01/2022	Australia Day	Rainbow	
02/02/2022	Briefing Meeting	Nhill	
02/02/2022	Council Meeting	Nhill	
02/02/2022	Rainbow Rises Events meeting		
10/02/2022	Councillor get together	Dimboola	
12/02/2022	Rainbow 240 pre-race working bee		
16/02/2022	Rainbow Rises events meeting		
19/02/2022	Dimboola Barefoot Ski Event		

7 CORRESPONDENCE

7.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Attachment Number: 2

Introduction:

The following correspondence is attached for noting by Council.

Inwards:

- 16/02/2022 – Letter to Councillors from Anne Simms regarding Taverner Street Rainbow

Outwards:

- Nil

RECOMMENDATION:

That Council:

- *notes the attached correspondence; and*
- *notes that the letter from Anne Simms is referenced in item 9.2 of this meeting's agenda.*

MOVED: CRS B Ireland/D Nelson

That Council:

- *notes the attached correspondence; and*
- *notes that the letter from Anne Simms is referenced in item 9.2 of this meeting's agenda.*

CARRIED

Attachment Numbers: 2

8 PLANNING PERMITS

8.1 PLANNING PERMIT APPLICATION PA1753-2021 – TWO LOT SUBDIVISION (RESUBDIVISION) – 841 JEPARIT-WARRACKNABEAL ROAD JEPARIT VIC 3423

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 72380
Application Number: **PA1753-2021**
Application Received: 25 October 2021 (Fee paid 05 November 2021)
Applicant: Angela Plazzer - Ferguson Perry Surveying Pty Ltd
Owner: Susan and Gary Bell
Subject Land: 841 Jeparit-Warracknabeal Road Jeparit VIC 3423 (Lot 1 TP665983F and Lot 1 TP751945K, Parish of Batyik)
Proposal: Two lot subdivision (Resubdivision)
Zoning & Overlays: Farming Zone (FZ)
Attachment Number: 3

Summary:

This report recommends that Council approves Planning Permit PA1753-2021 for a two lot subdivision (Resubdivision) on the subject land known as 841 Jeparit-Warracknabeal Road, Jeparit VIC 3423 (Lot 1 TP665983F and Lot 1 TP751945K, Parish of Batyik).

Background:

On 25 October 2021, Ferguson Perry Surveying Pty Ltd on behalf of Susan and Gary Bell lodged a planning application to the Responsible Authority for the resubdivision of land into two (2) lots at 841 Jeparit-Warracknabeal Road Jeparit.

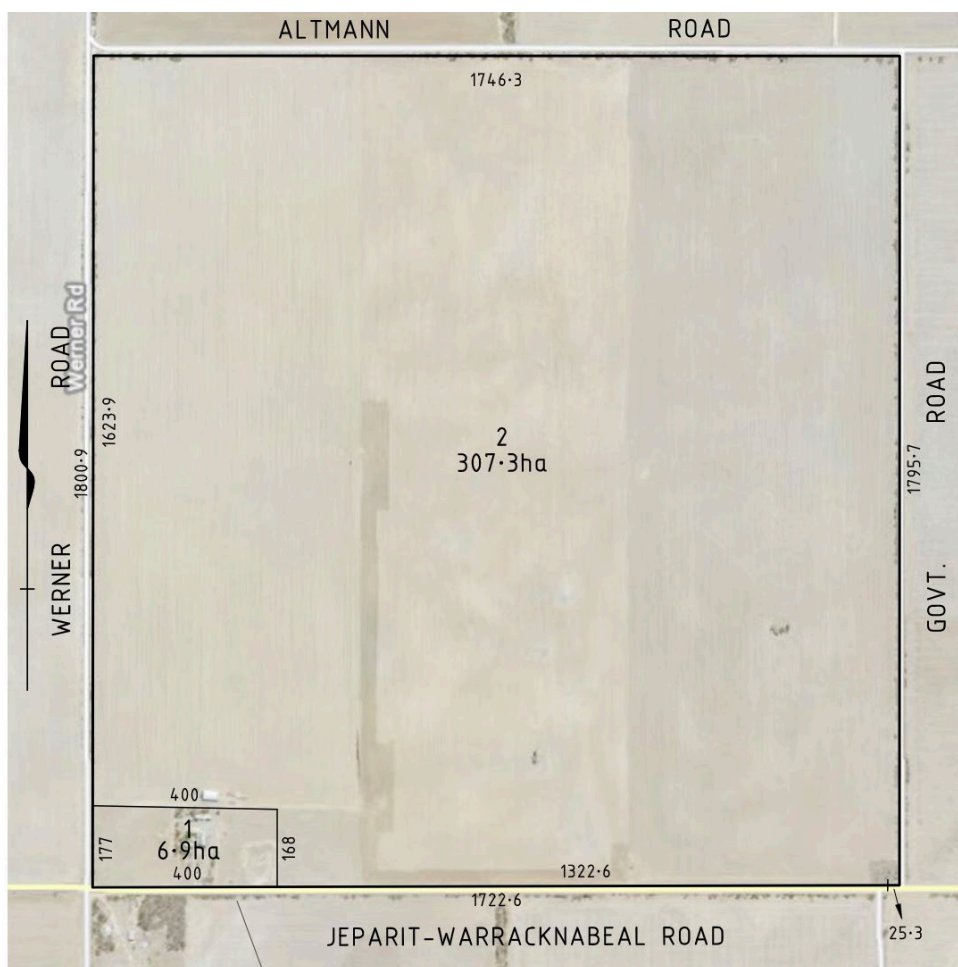
Proposal Details:

The permit applicant, Ferguson Perry Surveying Pty Ltd seeks approval for the resubdivision of land into two (2) lots on the subject land at 841 Jeparit-Warracknabeal Road, Jeparit. The subject land is currently improved by an existing residential dwelling proximate to the corner of Jeparit-Warracknabeal Road and Werner Road, with the balance of the land being cropped agricultural land.

It is noted that the two existing lots are approximately 0.4 hectares (Lot 1 TP665983F, previously the site of Peppers Plains Tennis Courts) and 313.8 hectares (Lot 1 TP751945K) in area.

It is proposed to excise the existing dwelling from the land, and retain an agricultural parcel. Proposed Lot 1 (the house lot) will be approximately 6.9ha in area, and contain the dwelling, domestic outbuildings and a dam. This lot will continue to be accessed from Jeparit-Warracknabeal Road. Proposed Lot 2 (the balance lot) will comprise agricultural outbuildings and cropping land, and be accessed from Werners Road.

Plans of the proposed re-subdivision are provided below:





Requirement for Permit:

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

- Clause 35.07-3 (Farming Zone) – A permit is required to subdivide land.

Definitions:

No relevant definitions are identified.

Restrictive Covenant or Section 173 Agreement:

The subject site is not affected by any Covenants or Section 173 Agreements.

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 and is an exempt activity under Regulation 9 of the Regulations.

Subject site & locality:

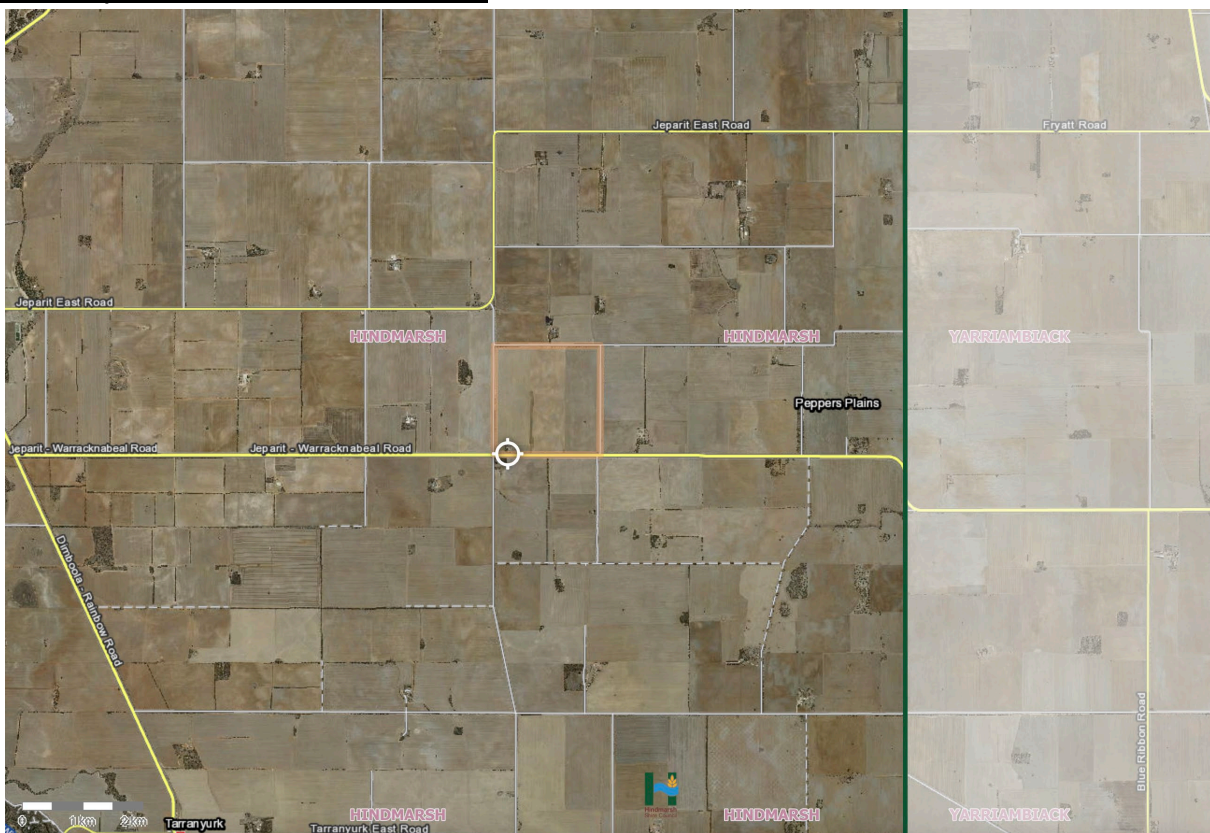
The subject site is known as 841 Jeparit-Warracknabeal Road, Jeparit and comprises two lots being Lot 1 TP665983F (approximately 0.4 hectares) and Lot 1 TP751945K (approximately 313.8 hectares), Parish of Batyik. The site therefore has a total area of approximately 314.2 hectares and is bounded by Jeparit-Warracknabeal Road (south), Werner Road (west), Altmann Road (north) and an unmade government road (east). The land is generally flat, with minimal fall across the site. The land is currently improved by an

existing dwelling in the south-western corner of the site, which is proposed to be excised onto a separate lot under this application.

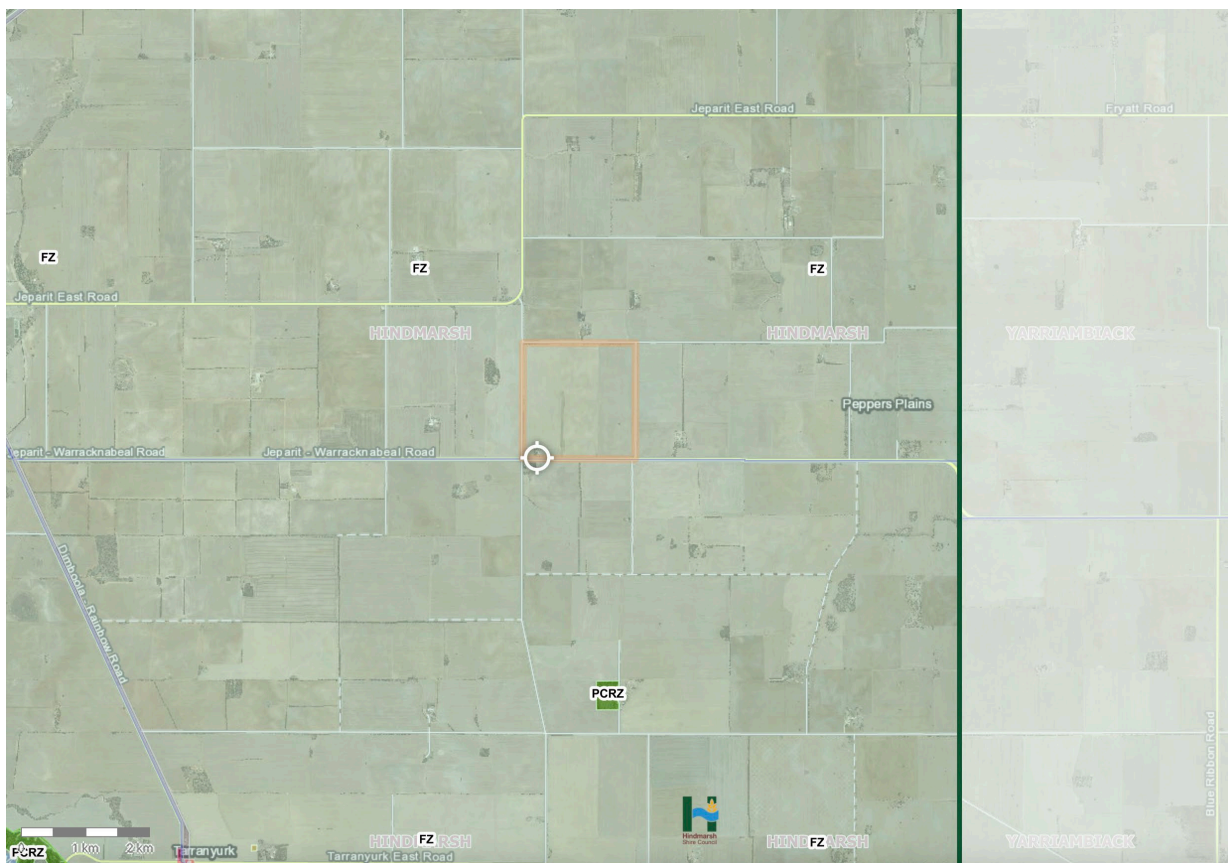
The subject site adjoins farming zoned land in all directions, and is approximately 9.5km east of the Jeparit Town Centre. Land in the surrounding area generally comprises broad acre farming activities, with minimal land fragmentation or rural lifestyle lots evident. Immediately adjoining the subject land are farming blocks of a similar size and configuration to the subject land.

The site appears to have access to reticulated power and telecommunications, but not water and sewer.

Aerial Map below – Hindmarsh POZI



Aerial Map with Zoning below – Hindmarsh POZI



Section 52 Notice of Application

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

- Letters to adjoining and nearby property owners.

No objections or submissions have been received to the proposal.

Referrals:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	
No Section 55 referrals were required for this application.	

Section 52 and Internal Notices	
Engineering	Conditional consent. Response received 24 January 2022.
Environmental Health	Conditional consent. Response received 25 January 2022.

Planning Assessment:

Planning Scheme Requirements:

Planning Policy Framework:

Clause 11.01-1L Settlement – Hindmarsh
Clause 14.01-1S Protection of agricultural land
Clause 14.01-2S Sustainable agricultural land use

Zoning Provisions:

Clause 35.07 – Farming Zone (FZ)

35.07-3 Subdivision

A permit is required to subdivide land.

35.07-6 Decision Guidelines

The following decision guidelines are relevant to the assessment of this application.

General issues

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

Agricultural issues and the impacts from non-agricultural uses

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*

Environmental issues

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

Planning Response:

The subject land is of such a size to accommodate the subdivision, with no notable encumbrances in terms of landscape features or incompatible land uses. The subdivision would not impact on the potential for the subject land to be used for agricultural purposes; rather the proposal has been designed to minimise any prospect of land use conflict by way of boundary siting while minimising the extent of land removed from agricultural use. The site will utilise existing services available to the land, with no new services required.

The proposed subdivision will support agricultural use of the subject land, by consolidating all viable agricultural land onto one balance parcel and removing the surplus dwelling to be on a separate parcel of land in separate ownership, with conflict between agricultural values and rural residential land use managed by the buffers provided as part of the subdivision.

The proposed subdivision will directly remove the land around the dwelling from theoretical agricultural production; however, this is the case with all such proposals to occur in the Farming Zone. The greater concern regarding the removal of land is the indirect removal of a parcel from agricultural production due to change in land use. The proposal allows for a suitable buffer to be provided to the excised dwelling, to minimise the potential for land use conflict between the excised lot and balance lot, and retain as much productive agricultural land as possible on the balance lot. Consequently, it is considered that the proposal does not raise concerns about limiting other agricultural land uses.

The proposal does not necessitate the removal of native vegetation or lead to consequential loss due to new boundary lines. Permit conditions will ensure that the resultant house lot will be able to treat and retain wastewater from the dwelling in accordance with relevant EPA and Council requirements; noting that there is a multitude of locations where an effluent field could be installed that meets the EPA Code of Practice without adversely affecting vegetation or waterways.

Based on the above, it is considered that the proposal is supported by the relevant decision guidelines of the Farming Zone and is an appropriate subdivision outcome for the subject land.

Overlay Provisions:

No overlays apply to the subject land.

Particular Provisions:

No relevant Particular Provisions are identified.

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, 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.

Clause 65.02– Approval of an application to subdivide land

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

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of anybody corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.

- If the land is not seweraged and no provision has been made for the land to be seweraged, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas

Planning Response:

As previously discussed, it is considered that the proposal is supported by the relevant provisions of the Municipal Planning Strategy and the Planning Policy Framework. As explored through this report, the re-subdivision provides for the excision of the existing house lot and the balance farm lot to be unencumbered by unnecessary infrastructure. No natural hazards issues are identified in relation to the site and no staging or common property is required. The application is therefore considered to be reflective of orderly planning.

Discussion:

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

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

Clause 35.07 Farming Zone

The proposal complies with the purpose and decision guidelines of Clause 35.07 for the reasons outlined in the planning response as discussed above.

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 Farming Zone of the Hindmarsh Planning Scheme.

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:

- 25/10/2021 The application was received.
- 05/11/2021 The fee was paid.
- 22/11/2021 Further information was requested from the applicant.
- 08/12/2021 Further information was received.
- 04/01/2022 The application was notified.
- 24/01/2022 Referral response received from Engineering.
- 25/01/2022 Referral response received from Environmental Health.

02/03/2022 The report is being presented to the Council at the meeting held on 02 March 2022 (85 days).

The statutory processing time requirements of the *Planning and Environment Act 1987* have not been satisfied in this instance.

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.

Link to Council Plan:

N/A

Financial Implications:

Nil

Risk Management Implications:

Nil

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 PA1753-2021 for a Two lot subdivision (Resubdivision) on the subject land known as 841 Jeparit-Warracknabeal Road Jeparit VIC 3423 (Lot 1 on Title Plan 751945K and Lot 1 on Title Plan 665983F, Parish of Batyik), subject to the following conditions:

Endorsed Plans

- 1. The subdivision 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.***

Subdivision Conditions

2. ***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.***
3. ***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.***
4. ***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.***

Environmental Health Conditions

5. ***Prior to the issue of a Statement of Compliance for the subdivision hereby approved, the permit holder must demonstrate that the wastewater system associated with the existing dwelling complies with the relevant EPA Code of Practice for On-site Wastewater Management.***

If the system is found to be non-compliant, a compliant system must be installed to the satisfaction of the Responsible Authority.

Engineering Conditions

6. ***Prior to the issue of a Statement of Compliance, each lot must be provided with vehicular access and crossovers in accordance with the Infrastructure Design Manual to the satisfaction of the Responsible Authority.***

Time Limit

7. ***The above-mentioned planning permit will expire if either of the following circumstances arise:***
 - (a) ***The plan of subdivision is not certified within two (2) years of the date of this permit; or***
 - (b) ***The subdivision is not completed within five (5) years of the date of certification.***

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

MOVED: CRS B Ireland/W Bywaters

That Council approves Planning Application PA1753-2021 for a Two lot subdivision (Resubdivision) on the subject land known as 841 Jeparit-Warracknabeal Road Jeparit VIC 3423 (Lot 1 on Title Plan 751945K and Lot 1 on Title Plan 665983F, Parish of Batyik), subject to the following conditions:

Endorsed Plans

1. ***The subdivision 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.

Subdivision Conditions

- 2. 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.***
- 3. 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.***
- 4. 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.***

Environmental Health Conditions

- 5. Prior to the issue of a Statement of Compliance for the subdivision hereby approved, the permit holder must demonstrate that the wastewater system associated with the existing dwelling complies with the relevant EPA Code of Practice for On-site Wastewater Management.***

If the system is found to be non-compliant, a compliant system must be installed to the satisfaction of the Responsible Authority.

Engineering Conditions

- 6. Prior to the issue of a Statement of Compliance, each lot must be provided with vehicular access and crossovers in accordance with the Infrastructure Design Manual to the satisfaction of the Responsible Authority.***

Time Limit

- 7. The above-mentioned planning permit will expire if either of the following circumstances arise:***
 - (a) The plan of subdivision is not certified within two (2) years of the date of this permit; or***
 - (b) The subdivision is not completed within five (5) years of the date of certification.***

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

CARRIED

Attachment Number: 3

8.2 APPLICATION FOR PLANNING PERMIT PA1757-2021 – TWO LOT SUBDIVISION – FULLER ROAD RAINBOW VIC 3424 (LOT 2 ON PS545680J)

Responsible Officer:	Director Infrastructure Services
File:	Planning – Applications
Assessment:	15560
Application No:	PA1757-2021
SPEAR Ref. No:	S179276S
Applicant:	Michael Andrew Parry, C/- Angela Perry, Ferguson Perry Surveying Pty Ltd
Owner:	Michael Andrew Parry
Subject Land:	Fuller Road Rainbow VIC 3424 (Lot 2 on PS545680J)
Proposal:	Two lot subdivision
Zoning & Overlays:	Farming Zone Environmental Significance Overlay Schedule 2 and Schedule 6 Land Subject to Inundation Overlay
Attachment Number:	4

Summary:

This report recommends that Council approves Planning Permit PA1757-2021 for a two lot subdivision at Fuller Road Rainbow VIC 3424 (Lot 2 on PS545680J), subject to standard conditions.

Background:

A previous Planning Permit 970/05 was issued on 12 September 2005 for a two lot subdivision to subdivide the adjacent GrainCorp grain storage facility on a lot of 11.37ha from the balance lot of 187ha, which is the subject land.

A telecommunications facility (tower and equipment building) has been located on the front south-eastern part of the land for some time. The balance of the land has been mostly cleared and has used for agricultural purposes including cropping for a long time. The owner is seeking to subdivide the land to create a lot of 5815m² where the telecommunications facility is situated.

Proposal Details:

The application proposes a two lot subdivision of the subject land, which will create two separate lots comprising proposed Lot 1 with an area 5815m² where the telecommunications facility is situated and proposed Lot 2 with an area of 186.4ha.

The application was submitted in SPEAR on 16/11/2021. The application form was amended on 13/12/2021 to refer to the proposal as a two lot subdivision only and remove reference to a re-subdivision pursuant to Section 50 of the *Planning and Environment Act 1987*.

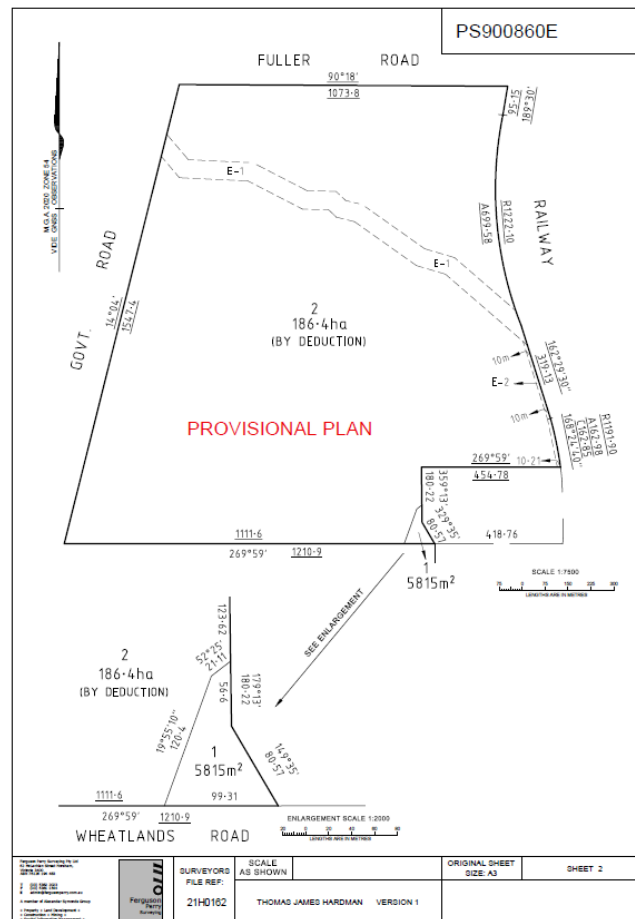
Vehicle access to proposed Lot 1 is proposed from the south on which will require a portion of the road to be upgraded to Council standards. Vehicle access to proposed Lot 2 will be from an existing crossover on Fuller Road to the north.

The applicant has stated the following about the proposal:

'The application proposes a 2-lot subdivision of the land in order to excise the Telstra telecommunications tower from the land. It is proposed that Lot 1 will have area of 5815m² and will contain the Telstra telecommunications tower. Access to proposed Lot 1 will be taken from the existing crossing to Wheatlands Road in the south.

Proposed Lot 2 has an area of 186.4ha and contains all of the productive agricultural land and a large shed. Access to proposed Lot 2 will be taken from the existing crossing to Fuller Road in the north.'

Proposed Plan for Endorsement below:



Requirement for Permit:

The subject land is located within the Farming Zone, the Environmental Significance Overlay Schedule 2 and Schedule 6 (part) and the Land Subject to Inundation Overlay (part).

A planning permit is required under Clause 35.07-3 Subdivision of the Farming Zone, Clause 42.01-2 of the Environmental Significance Overlay and Clause 44.04-3 of the Land Subject to Inundation Overlay, which state that a permit is required to subdivide land.

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 subject land is partly within an Aboriginal Cultural Heritage Sensitivity Area. However, the proposed two lot subdivision is not a high impact activity and does not require a CHMP pursuant to the *Aboriginal Heritage Regulations 2018*.

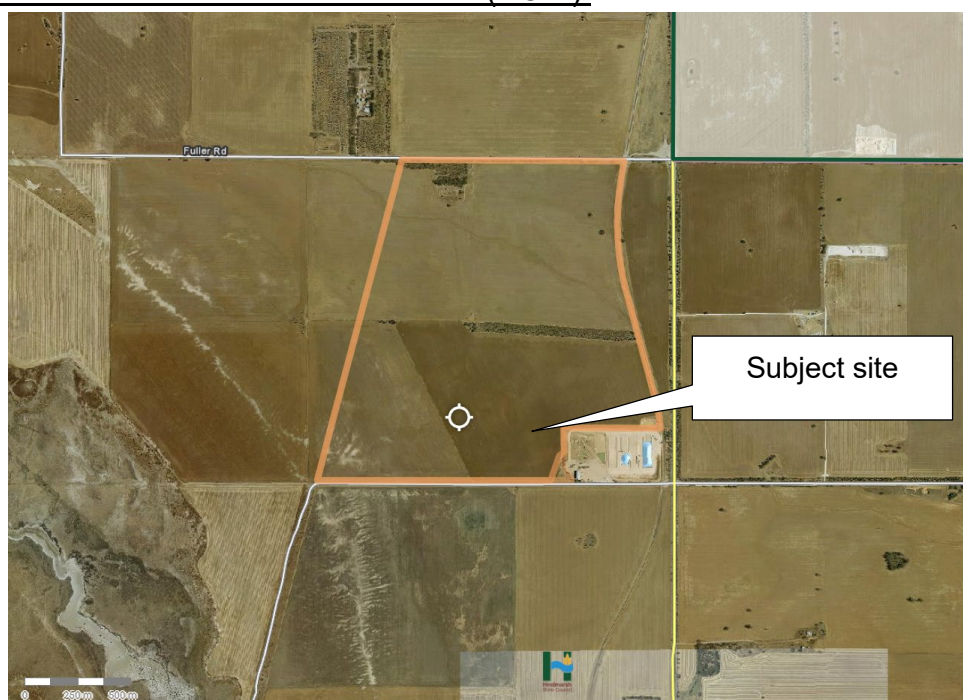
Subject site & locality:

The subject site has an area of approximately 187ha and contains cleared agricultural land that is used for cropping. The subject site is known as Lot 2 on PS545680J and fronts Fuller Road to the north and Wheatlands Road extension (Road 206 B03) to the south. There are some small areas of native vegetation and planted vegetation and existing buildings on the site includes small farm sheds and a small equipment building associated with the existing telecommunications facility.

Access to the site is from an existing crossover on Fuller Road to the north and from Wheatlands Road extension (Road 206 B03) to the south. A 60.35m wide water supply and drainage easement (E-1) extends across the northern part of site from east to west and a 10.0m wide water supply easement (E-2) extends along part of the eastern boundary adjoining a Railway Reserve. The site is surrounded by broad scale cropping farmland and an existing grain storage facility to the south-east. There are several dwellings on large farming lots in the surrounding area.

The site and the surrounding land are within the Farming Zone (FZ), and parts of the land are affected by the Environmental Significance Overlay Schedule 2 and Schedule 6 and the Land Subject to Inundation Overlay.

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



Consultation:

Consultation was undertaken and included:

- A request for further information was sent to the applicant via SPEAR on 10 December 2021.
- An amended application form was received in SPEAR on 13 December 2021 in response to the further information requested.
- Email correspondence with the applicant in relation to a timeframe for a decision.

Section 52 Notice of application:

The application has not been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*.

The subdivision application proposes to create a lot for a utility installation for a utility service provider and the subdivision layout will correspond with the existing uses of the land. The proposal will not cause material detriment to any person or property.

Referrals:

External Referrals/Notices were required by the Planning Scheme:

Section 55 Referrals

- Wimmera CMA – No objections and a note about flooding recommended on any permit.

Section 52 Referrals

- GWM Water - No objections.

Internal Referrals:

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

We have conducted a site visit on 22/12/2021 and 13/01/2022 at Fuller Road, Rainbow. The following conditions need to be applied to the permit.

Access:

The current location of access at the North side of Lot 2 on Fuller Rd, will need to be upgraded to the current standard, with a new 375mm drainage pipe and crossover is to be constructed as per IDM SD-255 standard to RA satisfaction and at applicant's cost.

The current location of access at the South side of the Lot 1 (telecommunications tower) on Wheatlands Rd extension (Road 206B03), will need to be upgraded to the current standard, and crossover is to be constructed as per IDM SD-255 standard to RA satisfaction and at applicant's cost.

https://www.designmanual.com.au/assets/files/documents/Standard_Drawings/IDM_STANDARD_DRGS_SET_2020-03-24.pdf

The vehicle crossing(s) must be constructed at the applicant's expense to provide ingress and egress to the site to the satisfaction of the Responsible Authority.

Note:

A consent to works within road reserve permission is required prior to construction of crossovers.

Road Access:

The unconstructed portion of Wheatlands Road extension (Road 206 B03) extension (Road 206 B03) from the GrainCorp site entrance to Lot 1 entrance, that services the telecommunications tower to be upgraded to a gravelled 5R all-weather access road to Council standard at the Applicant's cost.

Planning Scheme:

Municipal Planning Strategy (MPS)

Clause 02.02 Vision

Clause 02.03 Strategic Directions

Clause 02.03-1 Settlement and housing

Clause 02.03-2 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

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 11.03-6S 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 14.02-1S Catchment planning and management

Clause 14.02-2S Water quality

Clause 14.03-2S Protection of declared irrigation districts

Clause 19.03-2S Infrastructure design and provision

Planning Response:

The proposed subdivision will not result in the loss of any productive agricultural land and the existing cropping activities will be protected. The water supply easements will not be impacted by the subdivision. The proposal will therefore comply with the relevant provisions of the MPS including Clause 02.03-4 in regard to protecting agriculture, water supply and water quality and Clause 02.03-6 in regard to retaining agricultural activities and other activities that are economically sustainable.

The proposed subdivision will comply with the relevant objectives of the PPF by protecting and enhancing valuable agricultural land and excising only a smaller portion of the land that is used as a utility installation. The proposal will not impact on the water supply easements

that exist on the site. The proposal will therefore comply with the relevant policies of the PPF including Clauses 14.01-1S, 14.01-2S, 14.02-1S, 14.02-2S and 14.02-3S.

Zoning Provisions

Clause 35.07 Farming Zone (FZ)

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 if any of the following apply:

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

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 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 2021-2027.
- The subdivision will ensure sustainable land management by retaining the balance farming lot of 186.4ha on proposed Lot 2.
- The subdivision will allow the excision of proposed Lot 1 on 5815m² which is used for a utility installation. The proposal is compatible with the adjoining agricultural land uses.
- The proposal makes use of existing infrastructure and services. The two crossovers for vehicle access the two lots will need to be upgraded to Council standards. 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 subdivision will not have any impact on the existing agricultural activities on proposed Lot 2.
- The subdivision does not remove any land from agricultural production.
- The subdivision is will not limit the operation and expansion of adjoining and nearby agricultural uses as the existing agricultural use will not be altered.
- The retention of the agricultural land on the larger proposed Lot 2 being 186.4ha will sustain the productive agricultural use in conjunction with adjoining agricultural lots in common ownership.
- The subdivision will require the upgrade of existing road infrastructure including the upgrade of the road access along part of Wheatland Road extension (Road 206 B03) and the upgrade of the crossovers to access the two proposed lots.
- There is no applicable land management plan for the site.

Environmental issues

- The proposal will have no adverse impact on soil and water quality and any other natural physical features and resources.
- Most of the site and the surrounding land has long been largely cleared of native vegetation due to historical broad acre farming activities. The remaining area of native vegetation in the north-west corner of the site will not be affected by the proposal. The subdivision will not any have impacts on flora and fauna in the locality.

Overlay Provisions

Clause 42.01-2 Environmental Significance Overlay (ESO2 and ESO6)

42.01-2 Permit requirement

A permit is required to:

- Subdivide land.

**Schedule 2 to the Environmental Significance Overlay
Channel and Reservoir Protection**

2.0 Environmental objective to be achieved

- To maintain and enhance the quality and supply of irrigation and domestic water throughout the Wimmera region.
- To protect water reservoirs and channels from potential sources of pollution.
- To control the development of land in the vicinity of water supply reservoirs and supply channels.
- To prevent the unauthorised diversion of water into or from water channels.

5.0 Decision guidelines *(relevant to the application)*

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The comments of Wimmera Mallee Water or any other relevant authority;

- The need to protect water supply resources;

Schedule 6 to the Environmental Significance Overlay Catchments of Wetlands of Conservation Value

2.0 Environmental objective to be achieved (*relevant to application*)

- To protect, conserve and encourage the long term future of fauna and flora habitats in wetlands of conservation value.
- To protect threatened wetland flora and fauna within wetlands of conservation value
- To ensure that the natural alignment of waterways are not altered.

5.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- *The Incorporated Document titled Shire of Hindmarsh, Wetlands and Catchments of Conservation Value (WCMA 2007) Decision Guidelines.*

6.0 Referral of application

All applications made under this Schedule must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that Clause.

Planning Response:

The proposal complies with the relevant decision guidelines in the overlay for the following reasons:

- The proposal will not affect the two existing water supply easements that extend through the site. The two easements will be fully contained within proposed Lot 2.
- The proposal will not adversely affect the water supply for the Wimmera Mallee Pipeline and will satisfy the decision guidelines of the ESO2.
- The proposal will not impact on flora and fauna habitats in the wetlands of conservation value and will be consistent with the incorporated document to satisfy the decision guidelines of the ESO6.
- The comments of the Wimmera CMA have been reviewed and the note provided about flooding will be included on any permit issued.

Clause 44.04 Land Subject to Inundation Overlay

44.04-3 Subdivision

A permit is required to subdivide land.

44.04-8 Decision guidelines (*relevant to application*)

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.
- Any local floodplain development plan.

- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.

Schedule to the LSIO

There are no specific permit requirements to subdivide land in the Schedule to the LSIO.

Planning Response:

The proposal complies with the relevant decision guidelines in the overlay for the following reasons:

- The proposal is consistent with the MPS and PPF as discussed above.
- The proposal complies with the Wimmera Floodplain Management Strategy December 2017 for the Terminal Lakes System (Area 4).
- The Wimmera CMA has advised they have no objections to the subdivision and have recommended a note about flooding.
- The existing use and development of the land is not altered by the proposal.

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.

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 complies with the MPS and PPF as it will protect agricultural land, protect the existing water supply infrastructure and will not impact on the environment, human health and the amenity of the area. The proposal will enable the orderly planning of the area. The proposal therefore complies with Clause 65.

Discussion:

The proposed subdivision will allow a utility service provider to create a smaller lot of 5815m² for a utility installation to be contained within proposed Lot 1 and to retain and protect the agricultural use of the balance of the land in a 186.4ha parcel on proposed Lot 2. The proposed subdivision will satisfy the relevant planning policies in the MPS and PPF and the

relevant decision guidelines of the FZ, ESO2, ESO6, LSIO and Clause 65 as discussed above.

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, the Environmental Significance Overlay Schedule 2 and Schedule 6, the Land Subject to Inundation Overlay 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:

- 16/11/2021 Application submitted in SPEAR
- 01/12/2021 Application fee paid
- 10/12/2021 Further information requested in SPEAR
- 13/12/2021 Response to further information received and amended application form received in SPEAR pursuant to Section 50 of the *Planning and Environment Act 1987*
- 13/12/2021 Referrals sent in SPEAR
- 19/01/2022 Responses to external referrals and internal referral all received in SPEAR
- 02/03/2022 The report is being presented to Council at the meeting held 02 March 2022 (79 statutory days)

The statutory processing time requirements of the *Planning and Environment Act 1987* have not been satisfied in this instance.

Link to Council Plan:

Objective – Facilitating and supporting economic development.

Financial Implications:

N/A.

Risk Management Implications:

There are not likely to be any risks to be managed by Council if a Planning Permit is issued.

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 by Council.

RECOMMENDATION:

That Council approves planning application PA1757-2021 for a two lot subdivision on the subject land at Fuller Road Rainbow VIC 3424 (Lot 2 on PS545680J), subject to the following conditions:

Conditions:

Endorsed Plans

- 1. 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.***

Road Access

- 2. The unconstructed portion of the Wheatlands Road extension (Road 206 B03) extension (Road 206 B03) from the GrainCorp site entrance to proposed Lot 1 entrance that services the telecommunications tower must be upgraded to a gravelled 5R all-weather access road to Council standards at the cost of the permit holder/owner and to the satisfaction of the Responsible Authority.***

Lot Access

- 3. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the existing location of the crossovers for access to proposed Lot 1 from Wheatlands Road extension (Road 206 B03) extension and proposed Lot 2 from Fuller Road must be upgraded to current standards with new drainage pipes as required, to the satisfaction of the Responsible Authority.***
- 4. The vehicle crossovers must be constructed at the permit holder/owner's expense to provide ingress and egress to the site to the satisfaction of the Responsible Authority.***
- 5. The crossovers and access to the two lots must be constructed to current standards 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

- 6. 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.***
- 7. 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.***
- 8. 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.***

Subdivision Expiry

- 9. 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 current location of access at the North side of Lot 2 on Fuller Rd, will need to be upgraded to the current standard, with a new 375mm drainage pipe and crossover is to be constructed as per IDM SD-255 standard to RA satisfaction and at applicant's cost.***
- The current location of access at the South side of the Lot 1 (telecommunications tower) on Wheatlands Rd extension (Road 206B03), will need to be upgraded to the current standard, and crossover is to be constructed as per IDM SD-255 standard to RA satisfaction and at applicant's cost.***
- A Consent to Works Within Road Reserve Permit must be obtained from Council's Infrastructure Department (Phone: 03 5391 4444) before the construction or alteration/upgrade of any vehicle crossovers or any works conducted in the road reserve.***

Wimmera CMA

- 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.***

MOVED: CRS W Bywaters/D Nelson

That Council approves planning application PA1757-2021 for a two lot subdivision on the subject land at Fuller Road Rainbow VIC 3424 (Lot 2 on PS545680J), subject to the following conditions:

Conditions:

Endorsed Plans

- 1. 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.***

Road Access

- 2. The unconstructed portion of the Wheatlands Road extension (Road 206 B03) extension (Road 206 B03) from the GrainCorp site entrance to proposed Lot 1 entrance that services the telecommunications tower must be upgraded to a gravelled 5R all-weather access road to Council standards at the cost of the permit holder/owner and to the satisfaction of the Responsible Authority.***

Lot Access

- 3. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the existing location of the crossovers for access to proposed Lot 1 from Wheatlands Road extension (Road 206 B03) extension and proposed Lot 2 from Fuller Road must be upgraded to current standards with new drainage pipes as required, to the satisfaction of the Responsible Authority.***
- 4. The vehicle crossovers must be constructed at the permit holder/owner's expense to provide ingress and egress to the site to the satisfaction of the Responsible Authority.***
- 5. The crossovers and access to the two lots must be constructed to current standards 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

- 6. 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.***
- 7. 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.

- 8. 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.**

Subdivision Expiry

- 9. 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 current location of access at the North side of Lot 2 on Fuller Rd, will need to be upgraded to the current standard, with a new 375mm drainage pipe and crossover is to be constructed as per IDM SD-255 standard to RA satisfaction and at applicant's cost.***
- The current location of access at the South side of the Lot 1 (telecommunications tower) on Wheatlands Rd extension (Road 206B03), will need to be upgraded to the current standard, and crossover is to be constructed as per IDM SD-255 standard to RA satisfaction and at applicant's cost.***
- A Consent to Works Within Road Reserve Permit must be obtained from Council's Infrastructure Department (Phone: 03 5391 4444) before the construction or alteration/upgrade of any vehicle crossovers or any works conducted in the road reserve.***

Wimmera CMA

- 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.***

CARRIED

Attachment Number: 4

8.3 APPLICATION FOR PLANNING PERMIT 1758-2021 – SUBDIVISION OF LAND INTO TWO (2) LOTS – 7281 WESTERN HIGHWAY AND 29 GLENFERNESS STREET NHILL VIC 3418

Responsible Officer: Director Infrastructure Services

File:	Planning – Applications
Assessment:	131260 and 131620
Application Number:	PA1758-2021
Application Received:	25 November 2021 (Fee paid 8 December 2021)
Applicant:	Angela Plazzer - Ferguson Perry Surveying Pty Ltd for West Wimmera Baling Pty Ltd
Owner:	Ashley and Emma Dickinson & Gary and Peter Taylor
Subject Land:	7281 Western Highway and 29 Glenferness Street Nhill VIC 3418 (Lot 1 PS522695Y and Lot 2 PS449846L Parish of Balrootan)
Proposal:	Subdivision of land into two (2) lots
Zoning & Overlays:	Farming Zone (FZ) Commercial 1 Zone (C1Z) General Residential Zone – Schedule 1 (GRZ1) Environmental Significance Overlay – Schedule 5 (ESO5) Environmental Significance Overlay – Schedule 6 (ESO6) Land Subject to Inundation Overlay (LSIO) Bushfire Management Overlay (BMO)
Attachment Number:	5

Summary:

This report recommends that Council approves Planning Permit PA1758-2021 for the subdivision of land into two (2) lots on the subject land known as 7281 Western Highway and 29 Glenferness Street Nhill VIC 3418 (Lot 1 PS522695Y and Lot 2 PS449846L Parish of Balrootan).

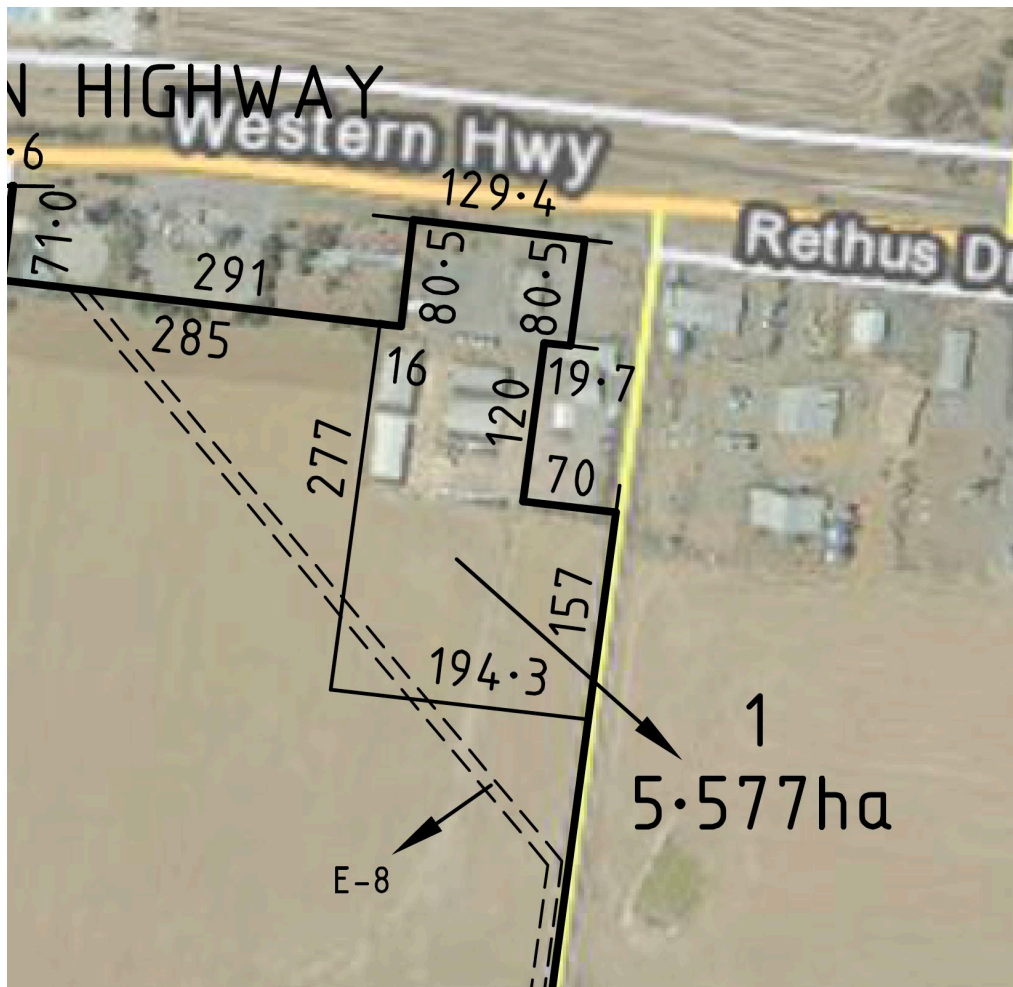
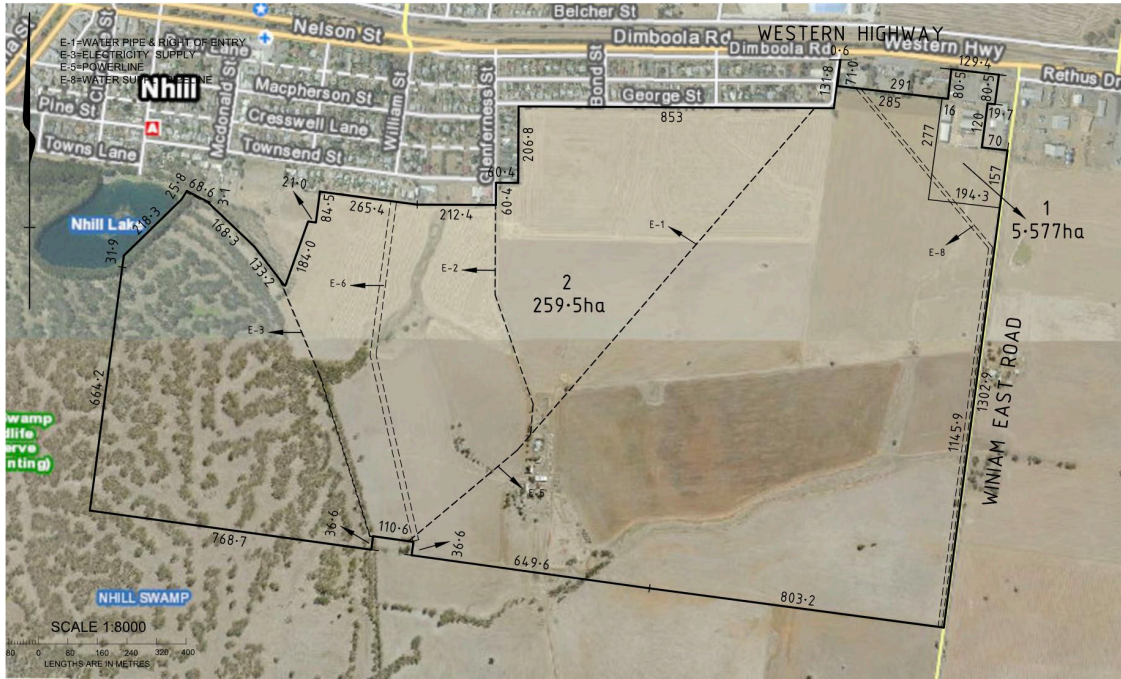
Background:

On 25 November 2021, Ferguson Perry Surveying Pty Ltd on behalf of West Wimmera Baling Pty Ltd lodged a planning application to the Responsible Authority for the subdivision of land into two (2) lots at 7281 Western Highway and 29 Glenferness Street Nhill.

Proposal Details:

The permit applicant, Ferguson Perry Surveying Pty Ltd seeks approval for the subdivision of land into two (2) lots on the subject land at 7281 Western Highway and 29 Glenferness Street, Nhill. The proposal seeks to resubdivide the existing land parcels, so as to increase the area of 7281 Western Highway by approximately 3.122 hectares, and reduce the area of 29 Glenferness Street by the same amount. No change to access arrangements or land use activities is proposed.

Plans of the proposed subdivision are provided below:



Requirement for Permit:

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

- Clause 32.08-3 (General Residential Zone) – A permit is required to subdivide land.

- Clause 34.01-3 (Commercial 1 Zone) – A permit is required to subdivide land.
- Clause 35.07-3 (Farming Zone) – A permit is required to subdivide land.
- Clause 42.01-2 (Environmental Significance Overlay Schedules 5 and 6) – A permit is required to subdivide land.
- Clause 44.04-3 (Land Subject to Inundation Overlay) – A permit is required to subdivide land.
- Clause 44.06-2 (Bushfire Management Overlay) – A permit is required to subdivide land.

Definitions:

No relevant definitions are identified.

Restrictive Covenant or Section 173 Agreement:

The subject site is not affected by any Covenants or Section 173 Agreements.

Cultural Heritage Management Plan (CHMP):

The proposal is exempt from requiring a CHMP pursuant to the *Aboriginal Heritage Regulations 2018*, as the proposal is an exempt activity under Regulation 9 of the Regulations.

Subject site & locality:

The subject site is known as 7281 Western Highway and 29 Glenferness Street, Nhill (Lot 1 PS522695Y and Lot 2 PS449846L Parish of Balrootan), which comprises two (2) titles with a combined area of approximately 265.08 hectares. The land is generally flat, with minimal fall across the site. 7281 Western Highway is currently occupied by West Wimmera Baling, with this parcel proposed to gain land under this application to allow for additional infrastructure to be developed (these works will also require a permit at the appropriate time). 29 Glenferness Street is a large agricultural property, comprising a dwelling, rural infrastructure and grazing land.

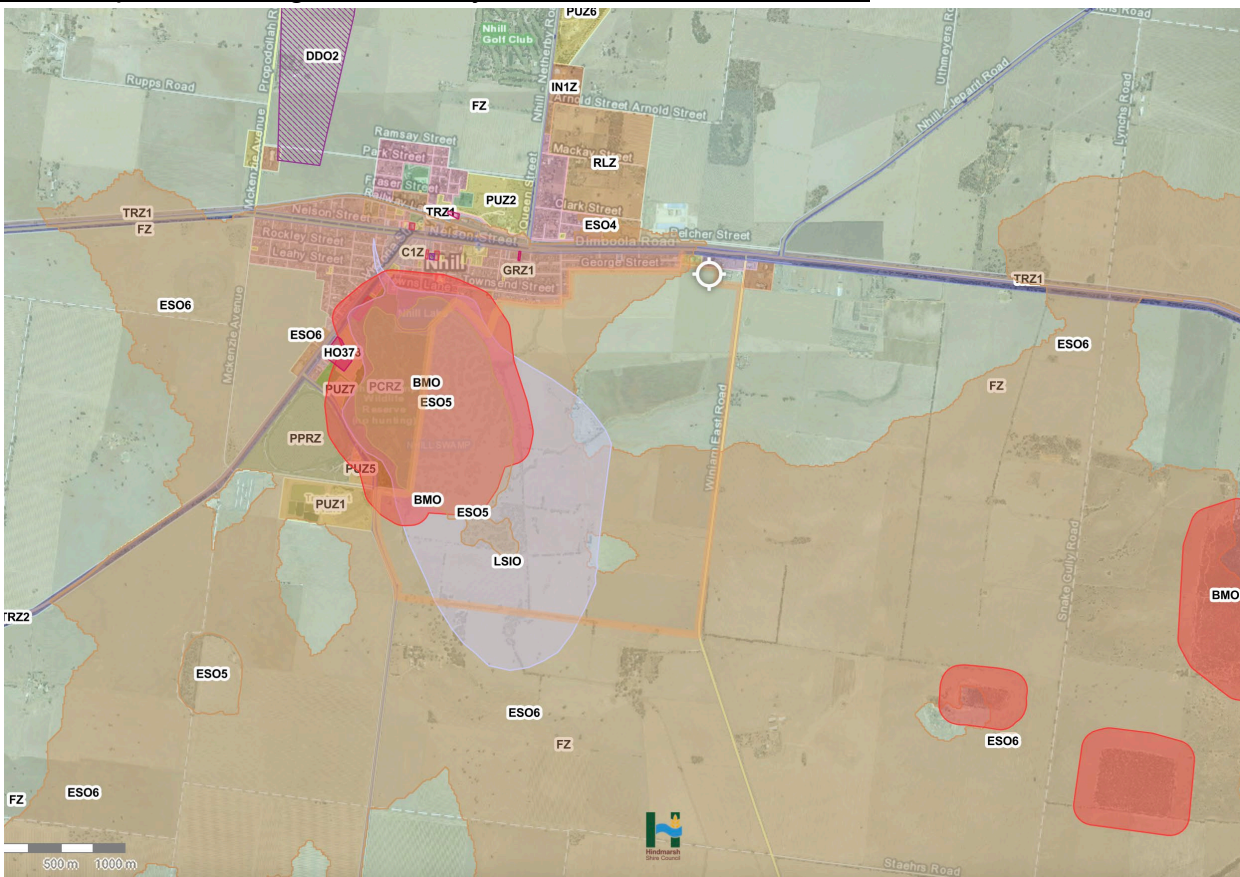
The subject land is on the periphery of the Nhill township, with interface to C1Z, GRZ, IN1Z, FZ, PCRZ and PPRZ land. Land to the south and east of the site is generally in the Farming Zone, and used/developed for such purposes. To the west is C1Z land on the eastern approach to Nhill, land in the GRZ and the Nhill Lake. To the north of the site is land in the GRZ and a rural store on the northern side of the Western Highway.

The site appears to have access to reticulated power, telecommunications and water, but not sewer.

Aerial Map below – Hindmarsh POZI



Aerial Map with Zoning and Overlays below – Hindmarsh POZI



Section 52 Notice of Application

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

- Letters to adjoining and nearby property owners.

No objections or submissions have been received to the proposal.

Referrals:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	
Country Fire Authority	Consent, no conditions. Response received 11 January 2022.
Powercor	Conditional consent. Response received 17 December 2021.
Wimmera Catchment Management Authority	Consent, no conditions. Response received 13 December 2021.

Section 52 and Internal Notices	
Department of Transport	No response received.
Engineering	Consent, no conditions. Response received 12 January 2022.
Grampians Wimmera Mallee Water	Conditional consent. Response received 20 December 2021.

Planning Assessment:

Planning Scheme Requirements:

Planning Policy Framework:

Clause 14.01-1S Protection of agricultural land
 Clause 14.01-2S Sustainable agricultural land use
 Clause 17.02-1S Business

Zoning Provisions:

Clause 32.08 – General Residential Zone – Schedule 1 (GRZ1)

32.08-3 Subdivision

A permit is required to subdivide land.

Planning Response:

This control is triggered due to a small sliver of GRZ land forming part of the balance lot, adjacent to the Nhill water supply, and is unaffected by this proposal. The proposal is not at odds with the purpose or decision guidelines of the GRZ.

Clause 34.01 – Commercial 1 Zone (C1Z)

34.01-3 Subdivision

A permit is required to subdivide land.

Planning Response:

The existing property at 7281 Western Highway Nhill is split zoned C1Z and FZ, with the proposal seeking to add additional FZ land to the lot. No change is proposed to the C1Z part of the site. The proposal is not at odds with the purpose or decision guidelines of the C1Z as a result.

Clause 35.07 – Farming Zone (FZ)

35.07-3 Subdivision

A permit is required to subdivide land.

35.07-6 Decision Guidelines

The following decision guidelines are relevant to the assessment of this application.

General issues

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

Agricultural issues and the impacts from non-agricultural uses

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*

Environmental issues

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

Planning Response:

The subject land is of such a size to accommodate the subdivision, with no notable encumbrances in terms of landscape features or incompatible land uses. The subdivision would not impact on the potential for the subject land to be used for agricultural purposes; rather the proposal has been designed to allow the expansion of an agricultural supporting business, while minimising the extent of land removed from agricultural use. The site will utilise existing services available to the land, with no new services required.

The proposed subdivision will support agricultural activities and employment in rural industries for the surrounding area, by providing land for the expansion of West Wimmera Baling, while retaining a suitably large balance lot that productive agriculture can continue without being impeded by the proposal.

The proposal does not necessitate the removal of native vegetation or lead to consequential loss due to new boundary lines.

Based on the above, it is considered that the proposal is supported by the relevant decision guidelines of the Farming Zone and is an appropriate subdivision outcome for the subject land.

Overlay Provisions:

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

42.01-2 Subdivision

A permit is required to subdivide land.

Clause 5.0 to Schedules 5 and 6 of Clause 42.01-2 Decision guidelines (relevant to the application)

Before deciding on an application, the Responsible Authority must consider, as appropriate:

- The Incorporated Document titled Shire of Hindmarsh, Wetlands and Catchments of Conservation Value (WCMA 2007) Decision Guidelines.

Planning Response:

It is considered that the proposed subdivision would not impact the objective of ESO5 or ESO6 which aims to protect the catchment area of significant wetlands. The proposal does not include any works elements; rather it alters a boundary line on the title plans. The proposal does not provide opportunity for additional as of right uses or developments that may undermine the effect of these controls. Any future works that trigger permits under these Clauses will be assessed on their merits at the appropriate time.

Clause 44.04 – Land Subject to Inundation Overlay (LSIO)

44.04-3 Subdivision

A permit is required to subdivide land.

Planning Response:

A portion of the subject land adjacent to the Nhill Lake is covered by the LSIO; the area of which is not changing as part of this proposal. The application was referred to the Wimmera CMA as the relevant floodplain management authority, who did not object to the grant of a permit or require any conditions to be imposed. The proposal is therefore considered to be consistent with the LSIO.

Clause 44.06 – Bushfire Management Overlay (BMO)

44.06-2 Subdivision

A permit is required to subdivide land.

Planning Response:

A portion of the subject land adjacent to the Nhill Lake is covered by the BMO; the area of which is not changing as part of this proposal. The application was referred to the CFA, who did not object to the grant of a permit or require any conditions to be imposed. The proposal is therefore considered to be consistent with the BMO.

Particular Provisions:

Clause 52.29 – Land Adjacent to the Principal Road Network

52.29-1 Application

This clause applies to land adjacent to a road in the Transport Zone 2 or land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority, and the purpose of the acquisition is for a road.

Clause 52.29-2 provides a permit is not required to subdivide land adjacent to a road in a Transport Zone 2 where it is a 2 lot subdivision that does not require new access.

Clause 53.02 – Bushfire Planning

53.02-1 Application

This clause applies to an application under Clause 44.06 - Bushfire Management Overlay.

Planning Response:

Given the assessment of the proposal against the BMO (specifically that the proposal is of no consequence to the BMO and the CFA have provided unconditional consent), detailed assessment against the approved measures of this clause is not considered warranted in this case.

General Provisions

Clause 64.03 – Subdivision of land in more than one zone

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone

Planning Response:

The subject properties are located across 3 zones, and Clause 64.03 must therefore be assessed. The proposal complies with the subdivision triggers in each of the applicable zones (GRZ, C1Z and FZ), as:

- There is no minimum lot size in the GRZ or C1Z; and
- The proposal is a resubdivision of existing lots, where no minimum lot size applies in the FZ.

Clause 64.03 exists to allow for subdivisions that would, but for this clause, be prohibited under the Scheme due to split zoning. As the proposal is already permissible under the zones, Clause 64.03 is satisfied and the proposal can be considered.

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, 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.

Clause 65.02– Approval of an application to subdivide land

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

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not seweraged and no provision has been made for the land to be seweraged, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas

Planning Response:

As previously discussed, it is considered that the proposal is supported by the relevant provisions of the Municipal Planning Strategy and the Planning Policy Framework. As explored through this report, the subdivision provides for the expansion of the West Wimmera Baling operations, without detriment to the balance land or surrounding land uses (noting that future development will trigger a Planning Permit and will be assessed against the scheme at that point). No natural hazards issues are identified in relation to the site and no staging or common property is required. The application is therefore considered to be reflective of orderly planning.

Discussion:

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

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

Clause 32.08 General Residential Zone

The proposal complies with the purpose and decision guidelines of Clause 32.08 for the reasons outlined in the planning response as discussed above.

Clause 34.01 Commercial 1 Zone

The proposal complies with the purpose and decision guidelines of Clause 34.01 for the reasons outlined in the planning response as discussed above.

Clause 35.07 Farming Zone

The proposal complies with the purpose and decision guidelines of Clause 35.07 for the reasons outlined in the planning response as discussed above.

Clause 42.01 Environmental Significance Overlay Schedules 5 and 6

The proposal complies with the purpose and decision guidelines of Clause 42.01 (Schedules 5 and 6) for the reasons outlined in the planning response as discussed above.

Clause 44.04 Land Subject to Inundation Overlay

The proposal complies with the purpose and decision guidelines of Clause 44.04 for the reasons outlined in the planning response as discussed above.

Clause 44.06 Bushfire Management Overlay

The proposal complies with the purpose and decision guidelines of Clause 44.06 for the reasons outlined in the planning response as discussed above.

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 General Residential Zone, Commercial 1 Zone, Farming Zone, Environmental Significance Overlay, Land Subject to Inundation Overlay and Bushfire Management Overlay of the Hindmarsh Planning Scheme.

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:

25/11/2021 The application was received.
08/12/2021 The fee was paid.
08/12/2021 The application was referred.
13/12/2021 Referral response received from Wimmera CMA.
17/12/2021 Referral response received from Powercor.
20/12/2021 Referral response received from GMW Water.
04/01/2022 Further information sought from CFA.
11/01/2022 Unconditional consent received from CFA.
12/01/2022 Referral response received from Engineering.
13/01/2022 The application was notified.
02/03/2022 The report is being presented to Council at the meeting held 02 March 2022 (65 statutory days).

The statutory processing time requirements of the *Planning and Environment Act 1987* have not been satisfied in this instance.

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.

Link to Council Plan:

Objective – Facilitating and supporting economic development.

Financial Implications:

Nil

Risk Management Implications:

Nil

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 PA1758-2021 for the subdivision of land into two (2) lots on the subject land known as 7281 Western Highway and 29 Glenferness Street Nhill VIC 3418 (Lot 1 on Plan of Subdivision 522695Y and Lot 2 on Plan of Subdivision 449846L Parish of Balrootan), subject to the following conditions:

Endorsed Plans

- 1. The subdivision 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.***

Subdivision Conditions

- 2. 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.***
- 3. 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.***
- 4. 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.***

GMW Water Conditions

- 5. The plan of subdivision submitted for certification must be referred to GMW Water in accordance with Section 8 of the Subdivision Act.***

Powercor Conditions

- 6. This letter shall be supplied to the applicant in its entirety.***
- 7. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.***
- 8. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).***
- 9. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new power lines to service the lots or adjust the positioning existing easements.***

Time Limit

- 10. The above-mentioned planning permit will expire if either of the following circumstances arise:***
 - (a) The plan of subdivision is not certified within two (2) years of the date of this permit; or***
 - (b) The subdivision is not completed within five (5) years of the date of certification.***

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

MOVED: CRS R Gersch/W Bywaters

That Council approves planning application PA1758-2021 for the subdivision of land into two (2) lots on the subject land known as 7281 Western Highway and 29 Glenferness Street Nhill VIC 3418 (Lot 1 on Plan of Subdivision 522695Y and Lot 2 on Plan of Subdivision 449846L Parish of Balrootan), subject to the following conditions:

Endorsed Plans

- 1. The subdivision 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.*

Subdivision Conditions

- 2. 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.*
- 3. 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.*
- 4. 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.*

GMW Water Conditions

- 5. The plan of subdivision submitted for certification must be referred to GMW Water in accordance with Section 8 of the Subdivision Act.*

Powercor Conditions

- 6. This letter shall be supplied to the applicant in its entirety.*
- 7. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.*
- 8. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).*
- 9. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new power lines to service the lots or adjust the positioning existing easements.*

Time Limit

10. The above-mentioned planning permit will expire if either of the following circumstances arise:

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

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

CARRIED

Attachment Number: 5

Cr R Ismay declared a general conflict of interest and left the room at 3:21pm.

8.4 PLANNING PERMIT APPLICATION PA1747-2021 – USE AND DEVELOPMENT FOR A DWELLING AND TRADE SUPPLIES WITH AN ASSOCIATED SHED, A REDUCTION IN CAR PARKING SPACES REQUIRED AND A TWO LOT SUBDIVISION (RE-SUBDIVISION OF TWO EXISTING LOTS) AT RAINBOW-NHILL ROAD RAINBOW VIC 3424

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 15920 & 16800
Application No: **PA1747-2021**
SPEAR Ref. No: S172122H
Applicant: Gregory John Heinrich, C/- Angela Plazzer, Ferguson Perry Pty Ltd
Owner: Gregory John Heinrich and Debra Kaye Heinrich
Subject Land: Rainbow-Nhill Road Rainbow VIC 3424 (Crown Allotment 25 Parish of Werrap Crown Allotment 5 Section B Township of Rainbow Parish of Werrap)
Proposal: Use and development for a Dwelling and Trade Supplies with an associated shed, a reduction in car parking spaces required and a Two Lot Subdivision (re-subdivision of two existing lots)
Zoning & Overlays: Farming Zone (FZ)
No Overlays
Attachment Numbers: 6 – 7

Summary:

This report recommends that Council approves Planning Permit PA1747-2021 for the Use and development for a Dwelling and Trade Supplies with an associated shed, a reduction in car parking spaces required and a Two Lot Subdivision (re-subdivision of two existing lots),

at Rainbow-Nhill Road Rainbow VIC 3424 (Crown Allotment 25 Parish of Werrap Crown Allotment 5 Section B Township of Rainbow Parish of Werrap), subject to standard conditions.

Background:

The two lots comprising the site have been largely cleared and used for agricultural purposes for a long time, namely for cropping purposes. The north-east part of the site contains scattered trees, several dams and an existing informal access track from Kruger Road, while there are several farm sheds and grain silos in the centre of the existing larger allotment (Crown Allotment 25, Parish of Werrap). The second lot being Crown Allotment 5 Section B Township of Rainbow Parish of Werrap is in common ownership with Crown Allotment 25, Parish of Werrap.

Proposal Details:

The application proposes the use and development for a Dwelling and Trade Supplies with an associated shed, a reduction in car parking spaces required and a Two Lot Subdivision (re-subdivision of two existing lots). It is noted that the two existing lots are approximately 165.8ha (CA25) and 0.85ha (CA5) in area.

The applicant has applied for the use and development for a Dwelling and Trade Supplies and has stated the following about the proposal:

'A two-lot subdivision of the land is proposed to consolidate the farmland on CA5 and CA25 into a single lot and provide a small lot for the use and development of a dwelling and shed which will be used for trade supplies, as defined under Clause 73.03.'

It is proposed that the trade supplies use will operate during the hours of 7am to 6pm on Monday to Friday and between 9am and 4pm on Saturday and Sunday. The proposed site is considered ideal for the proposed trade supplies use because it will allow for a separation distance of more than 250m between the shed and the nearest sensitive use (dwelling) in separate ownership.

The owner/operators of the proposed business also intend to live on-site in the proposed dwelling. The proposed dwelling will have 5 bedrooms and will be constructed from brick with a rendered front facade. It will also have an office (identified as "library" on the floor plan) where administration for the business will be carried out. It will have a hipped Colorbond roof with a 22.5° pitch.'

Proposed Lot 2 will have an area of 159.9ha and will continue to be used for agriculture.'

The plan of subdivision (Version 3) proposes the following:

- Proposed Lot 1 will have an area of 6.842ha that contains the scattered native trees, access tracks and an area of cropping land, which is where the proposed Dwelling and Trade Supplies use will be located.

- Proposed Lot 2 will have an area of 159.9ha that contains cropping land, several farm sheds, grain silos and several native trees.

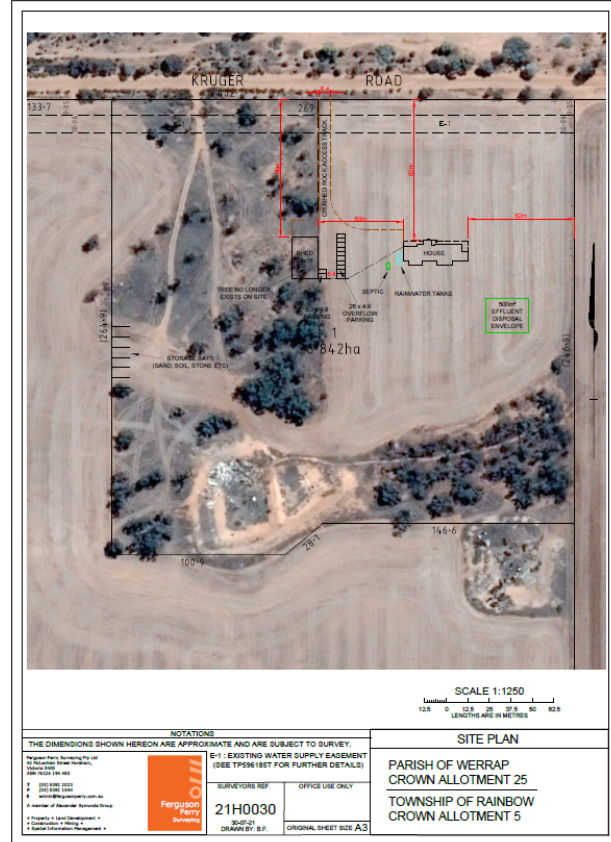
Vehicle access to proposed Lot 1 is proposed by the applicant from the existing crossover on Kruger Road for access to the storage bays for the trade supplies use and a new crossover on Kruger Road for access to the dwelling and the shed for the trade supplies use.

Vehicle access to proposed Lot 2 is proposed by the applicant from the existing crossover on Rainbow-Nhill Road.

The Engineering Team have requested that proposed vehicle access to Lot 1 will need to be via an all-weather access road from Kruger Road to Rainbow-Nhill Road to the two entrances to Lot 1 and that the road access to Lot 1 is required to be upgraded to current standards.

A Planning Report and a Land Capability Assessment were submitted in support of the proposal.

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



Requirement for Permit:

The subject land is located within the Farming Zone and is not affected by any Overlays.

A planning permit is required for use for a Dwelling and Trade Supplies under Clause 35.07-1 and to construct buildings and works (development) under Clause 35.07-4 of the Farming Zone.

A planning permit is also required to subdivide land under Clause 35.07-3 of the Farming Zone.

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 area of the site for activities is not within an Aboriginal Cultural Heritage Sensitivity Area, and a two lot subdivision (a low impact activity) is not a high impact activity.

Subject site & locality:

The subject site is located on the southern side of Kruger Road and the eastern side of Rainbow-Nhill Road in Rainbow and consists of Crown Allotment 25, Parish of Werrap (CA25) and Crown Allotment 5 Section B Township of Rainbow Parish of Werrap (CA5). The site has a total area of approximately 166.7ha and is irregular in shape. The north-east part of the site contains scattered trees, several dams and an existing informal access track from Kruger Road, while there are several farm sheds and grain silos in the centre of the existing larger allotment (Crown Allotment 25, Parish of Werrap).

Access to CA25 is from Kruger Road to the north. Access to CA5 is via undesignated crown land that connects to the intersection of Kruger Road and Rainbow-Nhill Road. The two subject lots are in common ownership. The adjoining land to the east of CA5 and west of CA25 is Crown Land that is leased by the same owners as part of the same farming enterprise. The surrounding farming land comprises predominantly medium to large sized lots ranging from approximately 80ha to 250ha in area. The Rainbow Golf Club and the Rainbow Airport are located to the north of the site adjacent to Rainbow-Nhill Road.

The site and all the surrounding land are within the Farming Zone (FZ) and there are no Overlays.

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 4 October 2021.
- A revised request for further information was sent to the applicant via SPEAR on 22 October 2021.
- The response to the further information including an amended plans and an amended Planning Report V2 were received in SPEAR on 1 December 2021.
- A subsequent request for further information was sent to the applicant via SPEAR on 20 December 2021.
- The remaining further information including an amended site plan was received in SPEAR on 23 December 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 public notices on the site including one notice fronting Kruger Road and one notice fronting Rainbow-Nhill Road.
- 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

GWM Water – No objection subject to a condition.

Powercor – No objection subject to conditions.

Wimmera CMA – No objections and note about flood levels.

Internal Referrals:

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

We have conducted a site visit on 13/01/2022 at Rainbow - Nhill Road.

The following conditions need to be applied to the permit.

Property Access:

The access to proposed Lot 1 on Kruger Road, will need to be upgraded to the current standard, with a new 375mm drainage pipe and crossover is to be constructed as per IDM SD-255 standard to RA satisfaction and at applicants cost.

The access to proposed Lot 2 on Rainbow - Nhill Road, will need to be upgraded to the current standard, with a 375mm drainage pipe and crossover is to be constructed as per IDM SD-255 standard to RA satisfaction and at applicants cost.

The vehicle crossing(s) must be constructed at the applicant's expense to provide ingress and egress to the site to the satisfaction of the Responsible Authority.

Road Access:

The section of Kruger Road from Rainbow - Nhill Road to the entrance of proposed Lot 1, must be upgraded to a gravelled 5R all - weather Road to Council Standard at the applicant's cost.

The intersection of Rainbow - Nhill Road and Kruger Road to be upgraded and sealed, to allow a better turn in of vehicles into Kruger Road to Council Standard at the applicants cost.

Traffic Management:

The operator of the proposed business must ensure that customers and contractors are informed that the all-weather route to and from the site must be used and this is via the Rainbow-Nhill Road direct to Kruger Road and they should refrain from utilising Kruger Road to the east of the property, which is not all-weather and classified a paper road only.

Note:

A consent to works within road reserve permission is required prior to construction of crossovers.

<https://www.hindmarsh.vic.gov.au/register-for-permits>

Drainage:

a. The LPD is to be made away from any structure and Storm water should be collected from the house / shed and harvested into the rainwater tanks with overflow directed, downhill and away from the structure.

b. LPD can be applied with the house building permit application.

Vegetation:

This permit does not permit the removal of any native vegetation.

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

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.*
- *Protect and enhance the integrity, security of supply and water quality in the catchment area.*

Clause 02.03-6 Economic Development

Council's strategic directions for economic development include to:

- *Retain and develop agricultural activities.*
- *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 11.01-1S 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 14.01-2S Sustainable agricultural land use
Clause 14.01-2R Agricultural productivity – Wimmera Southern Mallee
Clause 15.01-2S Building design
Clause 15.01-3S Subdivision design
Clause 17.01-1S Diversified economy
Clause 17.01-1S Diversified economy – Wimmera Southern Mallee
Clause 18.01-1S Land use and transport integration
Clause 18.02-4S Roads
Clause 19.03-2S Infrastructure design and provision

Planning Response:

The proposal will protect and enhance valuable agricultural land and sustainable agricultural uses by re-subdividing two lots to allow a separate 0.85ha parcel of land to become part of the balance proposed Lot 2 for agriculture and creating a 6.84ha proposed Lot 1 for a Dwelling and Trade Supplies that will support the surrounding and nearby agricultural activities near Rainbow and further away. The proposal is unlikely to create any conflicts with surrounding agricultural uses due to the separation distances of the dwelling and trade supplies activities from the proposed lot boundaries and the closest agricultural activities not in common ownership. The proposal is also unlikely to impact on the water supply pipeline within the E-1 easement that extends across the front part of proposed Lot 1.

The proposal will result in the loss of approximately 3.0ha of productive cropping land in the north-east corner of the site, but this area of land is separated from the majority of the farming land by areas of native vegetation. In addition, there is about 3.0ha of land containing native vegetation and access tracks that is not used for cropping and will be located on proposed Lot 1. The loss of some agricultural land will be partially offset by the gaining of a separate 0.85ha lot as part of the balance of the land on proposed Lot 2. The proposal will enhance employment opportunities for trade supplies activities in the region that will support associated agricultural activities that are likely to be economically viable. There will also be increased opportunities to protect and enhance the cropping activities carried out on the 159.9ha of proposed Lot 2 as part of an existing farming enterprise comprising multiple allotments within the area.

The provision of all-weather access to the proposed Lot 1 from Kruger Road via Rainbow-Nhill Road is the key issue to be addressed. Kruger Road will need to be upgraded to provide an all-weather access road frontage for the proposed dwelling and trade supplies uses on this lot. The access to proposed Lot 1 will need to be upgraded and constructed to current Council standards to provide an all-weather access road via the required upgrade of Kruger Road via Rainbow-Nhill Road to the two entrances to the lot where the trade supplies and dwelling will be located. The access to proposed Lot 2 from Rainbow-Nhill Road will also need to be upgraded to current Council standards.

The reduction of car parking for the trade supplies use will not impact on availability of car parking for customers and staff as there will be adequate car parking spaces provided adjacent to the proposed trade supplies building.

The proposed dwelling and trade supplies uses and development, the reduction of car parking and the re-subdivision of two lots will comply with the relevant provisions of the MPS and PPF listed above 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 Dwelling and Trade Supplies which are both Section 2 Uses (Permit Required) 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 the re-subdivision of existing lots and the number of lots is not increased.

35.07-4 Buildings and works

A permit is required to construct or carry out the following:

- A building or works associated with a use in Section 2 of Clause 35.07-1.

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, trade supplies 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 2021-2027.
- The proposal will not unreasonably impact on sustainable land management by enabling a smaller 0.85ha parcel of land to form part of the balance farming lot for cropping but will remove approximately 3.0ha of cropping areas from the balance lot to create the smaller lot of 6.84ha for the proposed trade supplies and dwelling.
- The subdivision will result in the proposed dwelling, trade supplies and associated sheds and scattered trees being located on a smaller lot and most of the cropping land and shed will be 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 is required to be upgraded to ensure the crossovers, drainage pipes and access are located and constructed to Council standards and provide of all-weather access along Kruger Road via Rainbow-Nhill Road to proposed Lot 1 for the trade supplies and 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 unreasonable adverse impact on the existing cropping activities on the land. Although there will be a net loss of about 6.0ha from current cropping activities, most of the cropping land will be retained on the balance lot of 159.9ha as part of an existing farming enterprise.
- The proposal is unlikely to have in any adverse effect on soil quality. Although the proposal does remove some land from agricultural production, this is offset by the addition of a trade supplies use to support to agricultural activities within the area around Rainbow and the surrounding region.
- 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 on the balance of the land on proposed Lot 2.
- The proposal is unlikely to adversely impact on the current agricultural activities and most of the infrastructure except for the road access and lot access, which is required to be upgraded and constructed to current Council standards.
- There is no applicable land management plan for the site.

Dwelling issues

- The proposed dwelling will result in the loss of approximately 3.0ha productive agricultural land in the north-east corner of the site. However, this loss will be partly offset by the addition of 0.85ha of productive agricultural land within the same balance farming lot.
- 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 due to the separation distances to the lot boundaries and other agricultural uses not in common ownership.
- The dwelling will support a trade supplies business that in turn will support agricultural activities in the area. The dwelling is unlikely to adversely affect the operation and expansion of adjoining and nearby agricultural uses due to the separation distances to the lot boundaries.
- The proposal will result in a marginal increase in dwellings but will not lead to a concentration or proliferation of dwellings in the area and will not adversely impact on the use of much of the subject land and the surrounding land for agricultural purposes.

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 inclusion of the two areas of native vegetation on the site within proposed Lot 1 containing the dwelling should assist to protect and enable this vegetation from agricultural activities to allow the trees to be retained and not be affected by the proposal.
- The proposal is unlikely to have adverse impacts on flora and fauna in the locality.

Design and siting issues

- The proposed buildings will be in one area on proposed Lot 1 away from the lot boundaries to minimise any adverse impacts on the existing vegetation and the surrounding agricultural uses.
- The proposed dwelling will be single storey and have a front setback 82m from the northern boundary and the proposed shed for the trade supplies will be setback 80m from Kruger Road. The location of the dwelling closer to the frontage would have been preferred, however, the occupants of the dwelling will support the trade supplies use and there may be opportunities for smaller scale agricultural activities to occur to the north and east of the dwelling due to the substantial setbacks to the lot boundaries. There are no design, height or bulk issues. The development of the dwelling, shed, all-weather access and car parking areas are unlikely to impact on the natural environment, major roads, vistas and water features and are well separated from existing trees to minimise any adverse impacts on the native vegetation on proposed Lot 1.
- The proposed dwelling and trade supplies shed will not adversely impact on the rural character and appearance of the area.
- The proposed dwelling will need to be connected to the required infrastructure to comply with current standards. The access to the dwelling and trade supplies on

proposed Lot 1 will need to be constructed as an all-weather access road to comply with the minimum requirements of Clause 35.07-2. The Land Capability Assessment submitted indicates that there is adequate space for a conventional septic treatment system for the dwelling. A condition is required to ensure that the septic system complies with the *Environment Protection Act 2017* and the relevant regulations. A potable water supply will be required for the dwelling on proposed Lot 1. Conditions will be included to ensure the necessary infrastructure for the dwelling, trade supplies and subdivision is provided.

- The use for the dwelling and trade supplies on proposed Lot 1 and development will require some traffic management measures including the construction of an all-weather access on Kruger Road to the lot via Rainbow-Nhill Road and the upgraded access for two crossovers and access driveways to provide all-weather access to the lot. There are also traffic management measures required to direct customers and contractors in trucks and other vehicles to access the trade supplies business from Rainbow-Nhill Road to the west to Kruger Road and to not access the site from the eastern end of Kruger Road. Conditions are required for access to be constructed to current Council standards and the required traffic management measures.

Overlay Provisions

Nil

Particular Provisions

Clause 52.06 Car Parking

52.06-3 Permit requirement

A permit is required to:

- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5.

52.06-5 Number of carparking spaces required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to the increase of the floor area of an existing use listed in the Table.

Table 1: Carparking requirement

Dwelling – 2 car spaces to each three or more bedroom dwelling

Trade Supplies – 10 per cent of site area

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 proposed dwelling will have five (5) bedrooms and a double garage under the one roof form. The provision of two car spaces within the garage complies with the car parking required for a dwelling in Clause 52.06-5.

The proposed building for the Trade Supplies business will have a floor area of 360m². Given the site area for proposed Lot 1 will be 6.84ha, there would need to be 10% of that lot area, which is 0.684ha set aside for car parking which is excessive for the location. A car parking area for the provision of 14 car spaces has been detailed in front of the proposed building has been designated on the amended plans submitted on 23 December 2021. This car parking area will provide a sufficient number of car spaces on the site to cater for the likely demand from customers and contractors that may visit the site.

Therefore, a reduction of car parking on the site is acceptable and the proposal satisfies the decision guidelines in Clause 52.06-10.

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.

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 generally 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 resubdivision of two existing lots used for agriculture to combine a smaller 0.85ha parcel with a balance lot with a total area of 159.9ha that will continue to be used for farming purposes and to create a dwelling and trade supplies lot of 6.84ha. The proposal is unlikely to adversely impact on the environment and the amenity of the area. The proposal will enable the orderly planning of the area. The proposal therefore complies with Clause 65.

Discussion:

The proposed re-subdivision of the two lots will enable a separate lot of 0.85ha to be combined with a balance farming lot to protect the balance of the existing agricultural use of the land. There will be net loss of approximately 3.0ha of cropping land to create the dwelling and trade supplies lot, but this is acceptable on balance as the trade supplies use will create economic benefits and will support the agricultural activities on the balance lot and the farming enterprises on the surrounding land within the broader region.

The proposed use of part of proposed Lot 1 for a dwelling will support the trade supplies use and the proposed buildings and sheds will be located in one area. The proposed dwelling

will result in a small loss of agricultural land, but this is offset by the addition of 0.85ha to proposed Lot 2 that will enhance the cropping activities on the balance of this agricultural land. The road access on Kruger Road and the property access to proposed Lot 1 will need to be upgraded and constructed to all-weather access and current Council standards, which will be addressed as conditions. Furthermore, the operation of the trade supplies use will be managed by conditions to restrict the hours of operation and minimise potential noise impacts, and to protect the environment and the amenity of this rural area.

The proposal will, on balance, satisfy the relevant planning policies in the MPS and PPF and will generally comply with the relevant decision guidelines of the FZ and Clause 65 subject to conditions.

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:

10/09/2021 Application submitted
22/09/2021 Fee paid
04/10/2021 Further information letter issued
22/10/2021 Revised further information letter issued
01/12/2021 First response to further information received and amended plans and amended planning report received
20/12/2021 Subsequent request for further information
23/12/2021 Second response to further information received and amended plans received
12/01/2022 External Section 52 Referrals sent to GWM Water and Powercor and Internal Referral sent to Infrastructure
13/01/2022 Wimmera CMA Referral Response received
20/01/2022 GWM Water Referral Response received
24/01/2022 Wimmera CMA Referral Response updated
27/01/2022 Advertising directions and letters sent
30/01/2022 Public notices erected on site
04/02/2022 Powercor Referral Response received
12/02/2022 Notification period ended
15/02/2022 Response received from Infrastructure
18/02/2022 Updated response received from Infrastructure
22/02/2022 Statutory declaration form received
02/03/2022 The report is being presented to Council at the meeting held 2 March 2022 (43 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 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 PA1747-2021 for the use and development for a Dwelling and Trade Supplies with an associated shed, a reduction in car parking spaces required and a Two Lot Subdivision (re-subdivision of two existing lots) at Rainbow-Nhill Road Rainbow VIC 3424 (Crown Allotment 25 Parish of Werrap Crown Allotment 5 Section B Township of Rainbow Parish of Werrap), 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.**
- 4. Care must be taken to ensure that the construction of the development and any ancillary works does not cause erosion or degradation of the subject site or surrounding land to the satisfaction of the Responsible Authority.**

Use for Dwelling and Trade Supplies

- 5. The use for Trade Supplies must not operate outside the following hours:**

- Monday to Friday: between 7.00am-6.00pm.**
- Saturday and Sunday: between 9.00am-4.00pm.**
- Good Friday: between 12.00noon-6.00pm.**
- ANZAC Day (not being a Saturday or Sunday): between 12.00noon-6.00pm.**

Unless otherwise approved in writing by 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 relevant EPA Protocols or Code of Practice for On-site Wastewater Management 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 firefighting purposes.**
- 8. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.**
- 9. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:**
 - (a) Transport of materials, goods or commodities to or from the land.**
 - (b) Appearance of any building, works or materials.**
 - (c) Artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.**

(d) Presence of vermin.

Road Access

- 10. Before the commencement of the uses approved by this permit, the section of Kruger Road from Rainbow-Nhill Road to the entrance of proposed Lot 1, must be upgraded to a gravelled 5R all-weather Road to Council Standard at the permit holder/owner's cost to the satisfaction of the Responsible Authority.**
- 11. Before the commencement of the uses approved by this permit, the intersection of Rainbow-Nhill Road and Kruger Road must be upgraded and sealed, to allow a better turn in of vehicles into Kruger Road to Council Standard at the permit holder/owner's cost, to the satisfaction of the Responsible Authority.**

Traffic Management

- 12. The operator of the proposed business for the trade supplies use must ensure that customers and contractors are informed that the all-weather route to and from the site must be used and this must be via the Rainbow-Nhill Road direct to Kruger Road and they must refrain from utilising Kruger Road to the east of the property, which is not an all-weather access and is classified a paper road only, to the satisfaction of the Responsible Authority.**

Property Access

- 13. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the existing location of access to proposed Lot 1 must be upgraded with new 375mm drainage pipes and crossover to be constructed as per IDM SD-25 and the new crossover and new drainage pipes must be constructed with a new 375mm drainage pipe and crossover to be constructed as per IDM SD-255 all at the permit holder/owner's cost, to the satisfaction of the Responsible Authority.**
- 14. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the access to proposed Lot 2 on Rainbow-Nhill Road must be upgraded to the current Council Standard with a new 375mm drainage pipe and crossover to be constructed as per IDM SD-255 at the permit holder/owner's cost, to the satisfaction of the Responsible Authority.**
- 15. The vehicle crossings must be constructed at the permit holder/owner's expense to provide ingress and egress to the site, to the satisfaction of the Responsible Authority.**

Car Parking

- 16. Before the use for Trade Supplies commences, the car parking spaces must be constructed on site in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.**
- 17. Car spaces and parking areas and associated access lanes and driveways must be maintained in a good condition and must remain unobstructed and available for their intended use at all times, to the satisfaction of the Responsible Authority.**

Subdivision Conditions in Clause 66.01

- 18. 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.**
- 19. 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.**
- 20. 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.**

GWM Water Condition

- 21. The plan of subdivision submitted for certification must be referred to GWMWater in accordance with Section 8 of the Subdivision Act.**

Powercor Conditions

- 22. The letter (dated 4 February 2022) shall be supplied to the applicant in its entirety.**
- 23. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.**
- 24. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributors requirements and standards.**

Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

- 25. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).**

Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

- 26. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.**

Notes:

- Existing easements may need to be amended to meet the Distributor's requirements**
- Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:**

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Powerline		Section 88 – Electricity Industry Act 2000	Powercor Australia Ltd

Use and Development Expiry

27. 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

28. 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

A consent to works within road reserve permission is required prior to construction of crossovers.

<https://www.hindmarsh.vic.gov.au/register-for-permits>

Drainage:

- a. The LPD is to be made away from any structure and Storm water should be collected from the house / shed and harvested into the rainwater tanks with overflow directed, downhill and away from the structure.**
- b. LPD can be applied with the house building permit application.**

Vegetation:

This permit does not permit the removal of any native vegetation. Further planning approval is required to remove or destroy any native vegetation on the site or road reserve.

Environmental Health

A Septic Tank Permit is required from Council before commencement of any development for the dwelling and required septic system.

Powercor

It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that the precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributor's web portal, "mySupply" which can be accessed via the following link: <https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator>

Queries about this subdivision may be directed to the Customer Requests Team on 1800 771 434 or crr@powercor.com.au

Wimmera CMA

Please Note:

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-2022-00008 in your correspondence with us.

MOVED: CRS B Ireland/W Bywaters

That Council approves Planning Application PA1747-2021 for the use and development for a Dwelling and Trade Supplies with an associated shed, a reduction in car parking spaces required and a Two Lot Subdivision (re-subdivision of two existing lots) at Rainbow-Nhill Road Rainbow VIC 3424 (Crown Allotment 25 Parish of Werrap Crown Allotment 5 Section B Township of Rainbow Parish of Werrap), 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.***
4. ***Care must be taken to ensure that the construction of the development and any ancillary works does not cause erosion or degradation of the subject site or surrounding land to the satisfaction of the Responsible Authority.***

Use for Dwelling and Trade Supplies

5. ***The use for Trade Supplies must not operate outside the following hours:***

- ***Monday to Friday: between 7.00am-6.00pm.***
- ***Saturday and Sunday: between 9.00am-4.00pm.***
- ***Good Friday: between 12.00noon-6.00pm.***
- ***ANZAC Day (not being a Saturday or Sunday): between 12.00noon-6.00pm.***

Unless otherwise approved in writing by 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 relevant EPA Protocols or Code of Practice for On-site Wastewater Management 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 firefighting purposes.***
8. ***The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.***
9. ***The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:***
- (a) Transport of materials, goods or commodities to or from the land.***
 - (b) Appearance of any building, works or materials.***
 - (c) Artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.***
 - (d) Presence of vermin.***

Road Access

10. ***Before the commencement of the uses approved by this permit, the section of Kruger Road from Rainbow-Nhill Road to the entrance of proposed Lot 1, must be***

upgraded to a gravelled 5R all-weather Road to Council Standard at the permit holder/owner's cost to the satisfaction of the Responsible Authority.

- 11. Before the commencement of the uses approved by this permit, the intersection of Rainbow-Nhill Road and Kruger Road must be upgraded and sealed, to allow a better turn in of vehicles into Kruger Road to Council Standard at the permit holder/owner's cost, to the satisfaction of the Responsible Authority.**

Traffic Management

- 12. The operator of the proposed business for the trade supplies use must ensure that customers and contractors are informed that the all-weather route to and from the site must be used and this must be via the Rainbow-Nhill Road direct to Kruger Road and they must refrain from utilising Kruger Road to the east of the property, which is not an all-weather access and is classified a paper road only, to the satisfaction of the Responsible Authority.**

Property Access

- 13. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the existing location of access to proposed Lot 1 must be upgraded with new 375mm drainage pipes and crossover to be constructed as per IDM SD-25 and the new crossover and new drainage pipes must be constructed with a new 375mm drainage pipe and crossover to be constructed as per IDM SD-255 all at the permit holder/owner's cost, to the satisfaction of the Responsible Authority.**
- 14. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the access to proposed Lot 2 on Rainbow-Nhill Road must be upgraded to the current Council Standard with a new 375mm drainage pipe and crossover to be constructed as per IDM SD-255 at the permit holder/owner's cost, to the satisfaction of the Responsible Authority.**
- 15. The vehicle crossings must be constructed at the permit holder/owner's expense to provide ingress and egress to the site, to the satisfaction of the Responsible Authority.**

Car Parking

- 16. Before the use for Trade Supplies commences, the car parking spaces must be constructed on site in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.**
- 17. Car spaces and parking areas and associated access lanes and driveways must be maintained in a good condition and must remain unobstructed and available for their intended use at all times, to the satisfaction of the Responsible Authority.**

Subdivision Conditions in Clause 66.01

- 18. 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.**

19. *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.*
20. *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.*

GWM Water Condition

21. *The plan of subdivision submitted for certification must be referred to GWMWater in accordance with Section 8 of the Subdivision Act.*

Powercor Conditions

22. *The letter (dated 4 February 2022) shall be supplied to the applicant in its entirety.*
23. *The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.*
24. *The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributors requirements and standards.*

Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

25. *The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).*

Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

26. *The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.*

Notes:

- *Existing easements may need to be amended to meet the Distributor's requirements*
- *Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:*

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	<i>Powerline</i>		<i>Section 88 – Electricity Industry Act 2000</i>	<i>Powercor Australia Ltd</i>

Use and Development Expiry

27. 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

28. 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

A consent to works within road reserve permission is required prior to construction of crossovers.

<https://www.hindmarsh.vic.gov.au/register-for-permits>

Drainage:

a. The LPD is to be made away from any structure and Storm water should be collected from the house / shed and harvested into the rainwater tanks with overflow directed, downhill and away from the structure.

b. LPD can be applied with the house building permit application.

Vegetation:

This permit does not permit the removal of any native vegetation. Further planning approval is required to remove or destroy any native vegetation on the site or road reserve.

Environmental Health

A Septic Tank Permit is required from Council before commencement of any development for the dwelling and required septic system.

Powercor

It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that the precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributor's web portal, "mySupply" which can be accessed via the following link: <https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator>

Queries about this subdivision may be directed to the Customer Requests Team on 1800 771 434 or crr@powercor.com.au

Wimmera CMA

Please Note:

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-2022-00008 in your correspondence with us.

CARRIED

Attachment Numbers: 6 – 7

Cr R Ismay returned to the room at 3:25pm.

9 REPORTS REQUIRING A DECISION

9.1 NHILL TRANSMITTER STATION NAVIGATION FACILITY

Responsible Officer: Director Infrastructure Services

Introduction:

This report recommends that Council approves the request from the Nhill Aviation Heritage Centre Inc. for Council to take ownership of the Nhill Transmitter Station navigation facility and the Very High Frequency Omni-Directional Range (VOR) and that Council enters into a user agreement with the Nhill Aviation Heritage Centre Inc. in the event the land transfer is successful for the above-mentioned facilities and grounds.

Discussion:

At the Council Meeting held on Wednesday 15 December 2021 Council requested officers to review the Nhill Aviation Heritage Centre Incorporated request for Council to take ownership of the Nhill Transmitter Station Navigation Facility following determination of costs associated with the transfer of ownership. A report was to be prepared for the 2 February 2022 Council meeting. An extension to the timeline was granted by Council on 2 February

2022 as requested by officers to allow for further discussions with Air Services Australia.

Officers contacted Air Services on numerous occasions (via email and phone calls) requesting they contact Council in regard to the above matters. Officers received correspondence dated 14 February 2022 from the Senior Property Manager Air Services Australia advising they are currently undertaking internal processes for approval to transfer of the site.

It should be noted that there is no guarantee that Air Services internal processes will result in the transfer of ownership.

Subsequent to Council's decision on 2 February 2022 Air services have also advised that they would consider transferring ownership of the VOR which is an important part of history together with the Nhill Transmitter Station.

Should council approve the transfer of ownership it should be noted that Council does not intend to make any improvements to the buildings/structures and any improvements would be the responsibility of the Nhill Aviation Heritage Centre Inc. A user agreement will be prepared between Council and Nhill Aviation Heritage Centre Inc.

Councillors and Officers attended a site meeting with the Nhill Aviation Heritage Centre members on Thursday 24 February 2022 to view the above mentioned facilities.

Options:

1. Can approve the request from the Nhill Aviation Heritage Centre Inc. to take ownership of the Nhill Transmitter Station navigation facility and the VOR and enter into a user agreement with the Nhill Aviation Heritage Centre Committee outlining Council's responsibilities and the club's responsibilities to be determined by the CEO; or
2. Not approve the request from the Nhill Aviation Heritage Centre Inc. to take ownership of the Nhill Transmitter Station navigation facility and the VOR.

Link to Council Plan:

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

Promote Hindmarsh as a tourism destination to stop, stay and play.

Long-term financial sustainability.

Financial Implications:

The full financial implications are unknown at this time, however legal costs for transfer of land/buildings could be up to \$2,000. Insurance costs are estimated at approximately \$500 per year for both facilities. There will be no maintenance costs associated with the ownership as this will be the responsibility of the club by way of a user agreement.

Risk Management Implications:

Should Council choose not to accept the offer of transfer of ownership of the Nhill Transmitter Station navigation facility and the VOR then Air Services may demolish the

buildings and structures removing a significant part of Nhill's aviation heritage history.

Should the Nhill Aviation Heritage Centre Inc. cease to operate then Council may become responsible for ongoing maintenance of the land and buildings. Should this occur costs will need to be budgeted for in future Council budgets.

Relevant legislation:

Local Government Act 2020

Transfer of Land Act 1958

Community engagement:

Discussions have taken place with the Nhill Aviation Heritage Centre Inc.

Council officers, and Councillors have inspected the above named facilities/structures on the 24 February 2022.

Gender equality implications:

N/A

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 – Angela Hoy, Director Infrastructure Services

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

Author – Michael Henderson, Acting Manager Operations

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

Communications Strategy:

Officers will continue to make contact with Air Services and will advise Council of the outcome of their discussions.

Next Steps:

Interested parties will be informed of the Officers progress with regards to this matter, and if approved appropriate legal work and user agreements will be undertaken

RECOMMENDATION:

That Council:

- 1. continues to liaise with Air Services and agrees to transfer ownership of the Nhill Transmitter Station navigation facility and the Very High Frequency Omni-**

- Directional Range (VOR) from Air Services to Council; and*
- 2. following the transfer enter into a user agreement with the Nhill Aviation Heritage Centre Inc. for the above-mentioned facilities and grounds.*

MOVED: CRS R Ismay/W Bywaters

That Council:

- 1. continues to liaise with Air Services and agrees to transfer ownership of the Nhill Transmitter Station navigation facility and the Very High Frequency Omni-Directional Range (VOR) from Air Services to Council; and*
- 2. following the transfer enter into a user agreement with the Nhill Aviation Heritage Centre Inc. for the above-mentioned facilities and grounds.*

CARRIED

9.2 RESIDENT CONCERN TAVERNER STREET, RAINBOW

Responsible Officer: Director Infrastructure Services

Attachment Number: 2

Introduction:

This report provides Council with information addressing the correspondence received from Anne Simms regarding Taverner Street, Rainbow.

Discussion:

Correspondence via letter was received from Anne Simms on 12 February 2022 requesting that the letter be tabled at the next Council Meeting to be read and fully discussed. The letter has been included as an attachment to this agenda.

The letter raises a number of concerns which have been addressed below.

Excerpt 1 from Letter

“The last four letters sent to the Council on this subject, and that have never appeared in the minutes of the Shire’s meetings, and if were discussed, it must have been behind closed doors”.

All letters received from Ms Simms have been presented to Council. The following three items of correspondence were noted as Inward Correspondence in the following Council Meetings:

1. Letter received by Council on 14 May 2021 was presented to Council on Wednesday 9 June 2021 under item 7.1 Inwards Correspondence (page 8).
The letter was available for public viewing under ‘Attachments’ (page 76), and noted as received in the ‘Minutes’ as incoming correspondence (page 8).
2. Letter received by Council on 12 July 2021 was presented to Council on Wednesday

4 August 2021 under item 7.1 Inwards Correspondence (page 8).

The letter was available for public viewing under 'Attachments' (page 37), and noted as received in the 'Minutes' as incoming correspondence (page 8), and

3. Letter received by Council on 30 August 2021 was presented to Council on Wednesday 8 September 2021 under item 8.1 Inwards Correspondence (page 12).

The letter was available for public viewing under 'Attachments' (page 142), and noted as received in the 'Minutes' as incoming correspondence (page 13).

Council meeting agendas, attachments and minutes are available on the Hindmarsh Shire website at www.hindmarsh.vic.gov.au/council-meetings.

Excerpt 2 from letter

"Municipal Local Law 2", Section B, C, D, H"

Council has no control over roads that are not Council Owned and operated. This includes emissions and noise. The Environmental Protection Authority (EPA) holds this responsibility as does the Road Owner. Taverner Street Rainbow is a Vic Roads road.

With respect to other issues raised in the letter, Council can advocate for changes to Regional Roads Victoria (RRV) speed limits and request no engine breaking signs be erected within town limits. Officers have advocated to RRV with limited success.

Excerpt 3 from letter

"Heavy Vehicles ignoring speed restrictions and unsafe actions"

The Victorian Police are responsible for such matters. Data collected as shown below trends towards light vehicles speeding rather than heavy vehicles.

Recent traffic data compiled over a three (3) week period from 6 October 2021 onwards by Council Officers found the following:

Taverner Street North (100km speed limit)

- There were a total of 7,940 vehicles recorded from the traffic count during a 3-week period from 6 October onwards. This was an average of 498 vehicles per day, of which 125 were Heavy vehicles (25.2%).
- The maximum speed recorded was 126.5 km/h and the average speed was 83.2 km/h.
- 70 vehicles were recorded speeding of which only 2 were heavy vehicles.

Taverner Street South (100km speed limit)

- There was a total of 7,352 vehicles recorded from the traffic count during a 3-week period from 6 October onwards. This was an average of 434 vehicles per day, of which 93 were Heavy vehicles (21.6%).
- The maximum speed recorded was 131.1km/h and the average speed was 75.1 km/h.
- 15 vehicles were recorded speeding and none were heavy vehicles.

Excerpt 4 from letter

“Alternative Route – 3 x Chain Road etc “.

We advise that Ms Simms suggested alternative route in its current form is not suitable for heavy vehicle truck movements. Whilst it may be earth and somewhat similar to other Shire roads, it is not considered suitable for wet weather. Council is still investigating other alternative routes that VicRoads may wish to take into consideration if a bypass is considered to be appropriate by them. Council will not be undertaking any bypass works as they would be the responsibility of VicRoads not the Hindmarsh Shire Council.

Excerpt 5 from letter

“Mr Ireland would be contacting me to discuss the situation”

Council Officers have spoken to Cr Ireland with regards to the meeting. Unfortunately due to the COVID-19 pandemic restrictions Cr Ireland has been unable to meet with Ms Simms. A meeting will be scheduled now that restrictions are easing.

Excerpt 6 from letter

“damage to our homes”

With regards to the allegation of property damage, Council again recommends that Ms Simms contact Regional Roads Victoria (RRV) with regards to property damage as Council is not the responsible road authority for Taverner Street, Rainbow.

Options:

1. Council can note the correspondence and officers responses with no further Action.
2. Council can further request that the CEO write to Ms Simms advising her that the letter has been tabled and discussed as requested.

Link to Council Plan:

Strong governance practices – Provide range of engagement and communication methods to ensure open, easily available and transparent communication between Council and the community

Financial Implications:

N/A

Risk Management Implications:

N/A

Relevant legislation:

Local Government Act 2020

Road Management Act 2004

Community engagement:

Discussions have taken place by various Councillors direct with Ms Simms

Gender equality implications:

N/A

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/Author – Angela Hoy-Director Infrastructure Services

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

Communications Strategy:

Officers will continue discussions with the road owners, Vic Roads, in regards to the matters that Ms Simms has raised.

Next Steps:

Interested Parties will be advised of Council's decision in regards to this matter.

RECOMMENDATION:

That Council:

- 1. notes the correspondence received by Anne Simms dated 12 February 2022 with regards to Taverner St, Rainbow and notes the Officers response in this report to questions raised in the letter;***
- 2. requests officers notify Anne Simms in writing that her letter has been tabled and discussed as requested.***

MOVED: CRS B Ireland/W Bywaters

That Council:

- 1. notes the correspondence received by Anne Simms dated 12 February 2022 with regards to Taverner St, Rainbow and notes the Officers response in this report to questions raised in the letter;***
- 2. requests officers notify Anne Simms in writing that her letter has been tabled and discussed as requested.***

CARRIED

Attachment Number: 2

9.3 HEAVY VEHICLE SAFETY AND PRODUCTIVITY PROGRAM GRANT APPLICATION

Responsible Officer: Director Infrastructure Services

Introduction:

This report seeks Council's approval for the submission of a grant application for Woorak-Ni Ni-Lorquon Road sealed road reconstruction works through the Heavy Vehicle Safety and Productivity Program (HVSPP).

Discussion:

In November 2021 the Heavy Vehicle Safety and Productivity Program (HVSPP) and the Bridges Renewal Program (BRP) was announced open to new applications.

Council officers have assessed the guidelines and recommend that an application for the sealed road reconstruction of a section of Woorak-Ni Ni-Lorquon Road be submitted. The section is from the Nhill Jeparit Road intersection heading North for 3.8km.

The basis of this reasoning is due to its important classification, being a class S/3R (transport/link route) that provides residential access and important heavy vehicle commercial links at a regional level. It is a direct heavy vehicle link to the arterial network and provides a link from district to district (Rainbow to Nhill).

The section of road intended to be reconstructed is in poor condition, with significant areas of patching due to pavement failure, roughness and poor formation. The section of road would likely need significant Council investment in the near future regardless of whether the grant application is successful or not.

Council officers have undertaken a cost estimate which found a \$1,303,580 budget would be required to complete the works. The grant guidelines stipulate a 1:4 Council to grant contribution. The breakdown therefore would be required at a \$260,716 Council contribution, and a \$1,042,864 grant contribution.

The Council contribution of \$260,716 has been referred to the draft 2022/23 Capital Works budget, but should the grant application be unsuccessful this money would be able to be utilised to reconstruct a shorter length of the road.

The guidelines also outline that Council would have two years to complete the project should an application be approved.

Options:

1. Council can authorise a grant application to be submitted for the to Upgrade Woorak-Ni Ni-Lorquon Road through the HVSPP for a total project cost of \$1,303,580, committing to a \$260,716 Council funded contribution.
2. Alternatively, Council can authorise officers to submit an application through the

HVSPP for an alternative road project for a total project cost of \$1,303,580, committing to a \$260,716 Council funded contribution.

Link to Council Plan:

Well maintained physical assets and infrastructure to meet community and organisational needs.

Long-term financial sustainability.

Financial Implications:

A required contribution of \$260,716 from Council and \$1,042,864 from HVSPP will result from a successful application.

Risk Management Implications:

If Council elects not to submit an application, there is a risk that future grant opportunities of this scale may not be available in the near future.

By submitting a thorough grant application Council will reduce the risk of not being successful and missing this opportunity to renew and upgrade a significant strategic road on Council's road network.

Relevant legislation:

Local Government Act 2020

Road Management Act 2004

Community Engagement:

Discussions have taken place with various interested parties with regards to the freight network, which have identified Woorak-Ni Ni-Lorquon road as a strategic freight route.

Gender equality implications:

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 – Angela Hoy, Director Infrastructure Services

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

Author – Daniel Griffiths, Manager Capital Works

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

Communications Strategy:

Interested parties will be informed of Councils decision.

Next Steps:

If approved Council Officers will submit a grant application to the HVSP.

RECOMMENDATION:

That Council submits a grant application for Woorak-Ni Ni-Lorquon Road sealed road reconstruction works through the Heavy Vehicle Safety and Productivity Program (HVSP) and to refer the Council contribution of \$260,716 to the 2022/2023 draft budget.

MOVED: CRS R Ismay/D Nelson

That Council submits a grant application for Woorak-Ni Ni-Lorquon Road sealed road reconstruction works through the Heavy Vehicle Safety and Productivity Program (HVSP) and to refer the Council contribution of \$260,716 to the 2022/2023 draft budget.

CARRIED

9.4 AUDIT AND RISK COMMITTEE REPORT

Responsible Officer: Director Corporate and Community Services

Attachment Number: 8

Introduction:

This report presents to Council the Audit and Risk Committee report for the period ending 28 February 2022.

Discussion:

Under section 54(5) of the *Local Government Act 2020* an Audit and Risk Committee must prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations. The report is provided to the Chief Executive Officer for tabling at the next Council meeting.

The report has been prepared and is attached for Council information.

Link to Council Plan:

Good Governance & Financial Sustainability: Long-term financial sustainability.

Financial Implications:

Nil

Risk Management Implications:

The Audit and Risk Committee is an independent advisory committee of Council and assist

to strengthen Council to ensure Council's commitment to good governance, public transparency, and accountability.

Relevant legislation:

Local Government Act 2020

Gender equality implications:

Not applicable

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.

Communications Strategy:

Not applicable

RECOMMENDATION:

That Council notes the Audit and Risk Committee report to 28 February 2022.

MOVED: CRS R Gersch/D Nelson

That Council notes the Audit and Risk Committee report to 28 February 2022.

CARRIED

Attachment Number: 8

9.5 HINDMARSH SHIRE COUNCIL BUSINESS ASSISTANCE GRANTS PROGRAM 2021 – 2022 ROUND 2

Responsible Officer: Director Corporate and Community Services

Attachment Number: 9

Introduction:

This report seeks approval from Council to provide funding through Round 2 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 from the 2021/22 annual budget and, categorised into two tiers:

- Tier One
- Tier Two

Funding of \$27,936.20 was granted in Round 1 of the program leaving a balance of \$12,063.80 for Round 2.

Category	Number of Applicants	Funding Available	Total Amount Requested
Tier One	0	Round 2 \$12,063.80	\$0
Tier Two	2		\$6,000
TOTAL	2		\$6,000

Criteria for Round 2 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 2 of the Business Assistance Grants Program closed at 5.00pm on Friday 11 February 2022 with two (2) applications received for funding totalling \$6,000.

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:

There were no applications for Tier One in this round of Business Assistance Grants.

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. **Andrew Berteluit Photography** seeks funding of \$3,000 for a drone. The drone will be used to take aerial photographs for a book the business is producing, which promotes Hindmarsh Shire's unique landscape and points of interest. Based on the application, the recommendation is to grant funding of \$3,000.

2. **BP Roadhouse Nhill** seeks funding of \$3,000 towards the repair of their walk in freezer. Based on the application, the recommendation is to grant funds of \$3,000.

Applicant	Amount Requested	Total Project Cost	Recommended Allocation
<i>Tier Two</i>			
Andrew Berteluit Photography	\$3,000	\$4,200	\$3,000
BP Roadhouse Nhill	\$3,000	\$6,000	\$3,000
TOTAL	\$3,000	\$10,200	\$6,000

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.

Available funding for Round 2 is \$12,063.80.

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.

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 – 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 based on the eligibility and assessment criteria Council:

a) approves the following successful round 2 Business Assistance Grants:

Tier One

1. No applications

Tier Two

1. \$3,000 to Andrew Berteluit Photography
2. \$3,000 to BP Roadhouse Nhill

b) allocates the balance of funding available through the Business Assistance Grants of \$6,063.80 to fund the over subscription of round 2 applications through the 2021/2022 Community Assistance Grants program.

TOTAL RECOMMENDED FUNDING ALLOCATED ROUND TWO: \$6,000.00.

MOVED: CRS W Bywaters/R Ismay

That based on the eligibility and assessment criteria Council:

a) approves the following successful round 2 Business Assistance Grants:

Tier One

1. No applications

Tier Two

1. \$3,000 to Andrew Berteluit Photography
2. \$3,000 to BP Roadhouse Nhill

b) allocates the balance of funding available through the Business Assistance Grants of \$6,063.80 to fund the over subscription of round 2 applications through the 2021/2022 Community Assistance Grants program.

TOTAL RECOMMENDED FUNDING ALLOCATED ROUND TWO: \$6,000.00.

CARRIED

Attachment Number: 9

Ms S Johnson declared a general conflict of interest and left the room at 4:00pm.

9.6 HINDMARSH SHIRE COUNCIL COMMUNITY ACTION GRANTS 2021 – 2022 ROUND 2

Responsible Officer: Director Corporate and Community Services
Attachment Number: 10

Introduction:

This report seeks approval from Council to provide funding through round 2 of the 2021/2022 Community Action Grants Program to eligible community organisation's/groups.

Discussion:

The Community Action Grants Program was established to support communities with funds to provide services, self-help and assist with community development, social action, and connectedness.

Total annual funding of \$20,000 has been allocated to the program and categorised into three areas:

- Community Assistance
- Event Sponsorship
- Small Equipment

Round two of the 2021/2022 Community Action Grants Program was promoted through direct emailing to community groups; media releases on Council’s website and local media; advertisements in local media as well as Facebook promotions on Council’s Facebook page.

A total of \$13,956.85 was granted in Round 1 of the 2021/2022 Community Action Grants Program, leaving \$6,043.15 for Round 2.

At the time of closing on Friday 18 February 2022, fifteen (15) applications were received requesting funds totaling **\$14,585.02**.

Category	Number of Applications	Funding Available	Total Amount Requested
Community Assistance	Three (3)	Round 2 \$6,043.15	\$3,000.00
Event Sponsorship	One (1)		\$500.00
Small Equipment	Eleven (11)		\$11,085.02
TOTAL	Fifteen (15)		\$14,585.02

As Round 2 of 2021/2022 Business Assistance Grants Program was under subscribed, this report recommends that the \$6,063.80 balance of funds from the Business Assistance Grants program be reallocated to Round 2 of the 2021/2022 Community Action Grants to assist in funding eligible initiatives.

Funding applications have been assessed against the following eligibility criteria:

All applications must:

- Demonstrate direct economic and social benefit to the community;
- Not already receive substantial support from Hindmarsh Shire Council;
- Be made by an incorporated community group or not-for-profit organisation or auspiced by such a group;
- Apply for one category per funding round; and
- Obtain any/all relevant permits required to host an event within Hindmarsh Shire Council.

Ineligible Applications:

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

- Community organisations who do not provide direct benefit to the Hindmarsh Shire community;
- Individuals;
- Applicants who have successfully obtained funding of \$500.00 or more for Community Assistance, Small Equipment and Minor Facility grant through the Community Action Grants Program in the current or previous financial year (organisations can only apply for funding every *two* years) are ineligible to apply. The exception is for community groups and organisations seeking Event Sponsorship for annual events (given they have acquitted any pervious funding);
- Capital works on major facility maintenance;
- Funding to groups for purposes already significantly supported by Hindmarsh Shire Council (e.g. groups that use a Council facility free of charge and pay no utility or operating costs);
- Programs considered the major responsibility of the State or Federal Government;
- Schools;
- Projects that are clearly a duplication of an existing service;
- Retrospective funding (projects that have commenced or have been completed will not be funded); and
- Clubs / organisations that have received funds from a sucessful application through a sub-committee of the club / organisation.

Assessment Criteria

Applications will be assessed against a set of Assesment Criteria.

Applications scoring highly against the criteria detailed below are more likely to receive funding.

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

	<ul style="list-style-type: none"> - Provide details on how your event's success will be measured? - Provide a copy of public liability insurance (events only). - Applicants must have obtained any/all relevant permits required to host an event within the shire.
Finally	<ul style="list-style-type: none"> - Complete eligibility and submissions checklist.

Community Assistance

The **Community Assistance** Program offers grants of up to a **\$1,000.00** to assist with valuable projects that do not fit under the two other categories of the Community Action Grants Program.

There were three (**3**) applications in this category for this round, requesting a total of \$3,000. As Round 2 of the Community Assistance Grants was over-subscribed this report will recommend funding to a maximum of \$900.00 per eligible applicant in lieu of the requested maximum amount of \$1,000.

Applicants:

1. **RSL Nhill** seeks funding of \$1,000 towards the cost of a display cabinet for their Anzac Day Poppy Mannequin. The display case will be built by the local Men’s Shed group at a total cost of \$2,400.00. The Mannequin is an impressive work of collaborative art and will be displayed over the Anzac Day and Remembrance Day periods. Based on the application, the recommendation is to grant funding of \$900.

2. **Dimboola Bowling Club** seeks funding of \$1,000 towards the purchase of new bench seating for the club. The bench seating will provide extra seating alongside the greens and will be of particular benefit to aging members of the club. Based on the application, the recommendation is to grant funding of \$900.

3. **Winiam Hall Inc.** seeks funding of \$1,000 towards the cost of painting the main hall room of Winiam Hall. The hall will be painted professionally by a local painting business. The painting is much needed as paint is currently peeling off the ceiling and causing OH&S issues for hirers. Based on the application, the recommendation is to grant funding of \$900.

Event Sponsorship

Event sponsorships offer grants of up to **\$500.00** to assist with an event within Hindmarsh Shire which demonstrates social and economic benefit. For events with a regional impact, Council may allocate an increased sponsorship amount.

There was one (**1**) application with a total funding request of \$500.

Applicants:

1. **Milk Blossom** seeks funding of \$500 to assist in overheads for a family fun day at Jaypex Park which will raise money for the Leukemia Foundation. The event is part

of the Foundation's World's Greatest Shave initiative.

Milk Blossom is not an incorporated association, therefore based on the eligibility requirements, the recommendation is **not** to grant funding.

Small Equipment

Small Equipment grants provide funding assistance of up to **\$1,000.00** towards the purchase of small equipment items.

There were eleven (**11**) applications with funding requests totaling \$11,085.02.

As Round 2 of the Community Assistance Grants was over-subscribed this report will recommend funding to a maximum of \$900.00 per eligible applicant in lieu of the requested maximum amount of \$1,000.

Applicants:

1. **Gallery Central** seeks funding of \$1,000 towards a laptop computer for staff administrative use and for the promotion of the gallery on websites and social media. Based on the application, the recommendation is to grant funding of \$900.
2. **Rainbow Rises Events Association Inc.** seeks funding of \$1,000 towards the purchase of a laptop and printer for members of the association to use. Currently members are using their own equipment in the running of the association and would like the association to have its own equipment for members to share. Based on the application, the recommendation is to grant funding of \$900.
3. **St. John's Lutheran Church Pella** seeks funding of \$1,000 towards the purchase of a new public address system. The old system was installed over twenty years ago and no longer works. Based on the application, the recommendation is to grant funding of \$900.
4. **Nhill and District Historical Society** seeks funding of \$500 towards a multifunction printer. The society is not eligible for funding however, due to receiving funding in Round One of the current Community Action Grants Program. Based on the application, the recommendation is to **not** grant funding.
5. **Nhill Urban Fire Brigade** seeks funding of \$1,000 towards the purchase of driving lights for their 4.4C Tanker and Brigade Support Vehicle. Based on the application, the recommendation is to grant funding of \$900.
6. **Rainbow Men's Shed** seeks funding of \$1,000 towards the purchase of a table saw which will be very useful in the completion of a number of community projects the club has planned. Based on the application, the recommendation is to grant funding of \$900.
7. **Nhill Bowling Club** seeks funding of \$1,000 towards the replacement of rink numbers and the purchase of ditch markers for the club facility. Based on the application, the recommendation is to grant funding of \$900.

8. **Rainbow Recreation Reserve Committee** seeks funding of \$1,882.21 to purchase crockery and cutlery for the facility. Although the requested amount is above the \$1000 limit, the facility is used by multiple community groups in Rainbow and all of these groups would be making use of the purchased items. Therefore, the recommendation is to grant funding of \$900.
9. **Rainbow Innovation Centre** Seeks funding of \$1,000 for materials needed to build pipe instruments which will be used for therapeutic workshops at the centre. Based on the application, the recommendation is to grant funding of \$900.
10. **St. Stephen's Lutheran Church Rainbow** seeks funding of \$894.01 to purchase two soup kettles and mugs. Based on the application, the recommendation is to grant funding of \$894.01
11. **Hindmarsh Ski Club** seeks funding of \$808.80 for portable shade cloths. Based on the application the recommendation is to grant funding of \$808.80.

Application summary:

Applicant	Amount Requested	Total Project Cost	Recommended Allocation
Community Assistance - \$1000			
RSL Nhill	\$1,000.00	\$2,400.00	\$900.00
Dimboola Bowling Club	\$1,000.00	\$1,757.00	\$900.00
Winiam Hall Inc.	\$1,000.00	\$6,780.00	\$900.00
TOTAL	\$3,000.00	\$10,937.00	\$2,700.00
Event Sponsorship - \$500			
Milk Blossom	\$500.00	\$3,456.00	\$0.00
TOTAL	\$500.00	\$3,456.00	\$0.00
Small Equipment - \$1,000			
Gallery Central	\$1,000.00	\$1,186.85	\$900.00
Rainbow Rises Events Association	\$1,000.00	\$1,459.00	\$900.00
St. John's Lutheran Church Pella	\$1,000.00	\$1,200.00	\$900.00
Nhill & District Historical Society	\$500.00	\$1,066.50	\$0.00
Rainbow Men's Shed	\$1,000.00	\$1,539.23	\$900.00
Nhill Urban Fire Brigade	\$1,000.00	\$985.00	\$900.00
Nhill Bowling Club	\$1,000.00	\$1,672.00	\$900.00
Rainbow Recreation Reserve	\$1,882.21	\$1,882.21	\$900.00

Rainbow Innovation Centre	\$1,000.00	\$5,600.00	\$900.00
St. Stephen's Lutheran Church Rainbow	\$894.01	\$1,194.01	\$894.01
Hindmarsh Ski Club	\$808.80	\$808.80	\$808.80
TOTAL	\$11,085.02	\$16,771.39	\$8,902.81
FULL TOTAL	\$14,585.02	\$31,104.39	\$11,602.81

Options

Council can choose to support some or all, partly or in full, or none of the applications to Round Two of the Hindmarsh Shire Council Community Action Grants 2021/2022.

Link to Council & Community Plans:

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

Strategic Objectives:

Theme One - Our Community

- A community well informed and engaged
- Communities that feel safe and are resilient
- Provide arts and cultural activities that strengthen social connection
- 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.
- Assist our Community to recover from COVID-19
- Digital connectivity to support learning and work

Theme Two – Built and Natural Environment

- Well-maintained physical assets and infrastructure to meet community and organisational needs

Theme Three – Competitive and Innovative Economy

- Develop and promote local tourism opportunities that attract visitation

Financial Implications:

Council allocated \$20,000 to the Community Action Grants Program for the 2021/2022 financial year.

As Round 2 of 2021/2022 Community Assistance Grants has been over-subscribed, this report recommends the balance of funds from the Business Assistance Grants Round 2 be re-allocated to the Community Assistance Grants program.

Community Assistance Grants – available funds	\$6,043.15
Business Assistance Grants – available funds	\$6,063.80

Total available funds **\$12,106.95**

Conflict of Interest:

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, 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 – Phil King, Economic and Community Development Manager
In providing this advice as the Author, I have no disclosable interest in this report.

Risk Management Implications:

Risks are to be managed by the successful applicants.

Communications Strategy

Successful and unsuccessful applicants will be notified of Council's decision by phone and via letter correspondence regarding application outcomes.

RECOMMENDATION:

- a) ***That Council re-allocates the balance of funds - \$6,063.80 available from the 2021/2022 Business Assistance Grants program to the 2021/2022 Community Assistance Grants program.***
- b) ***That based on the eligibility and assessment criteria, Council approves the following funding allocations:***

Community Assistance

1. ***A grant of \$900 – RSL Nhill***
2. ***A grant of \$900 – Dimboola Bowling Club***
3. ***A grant of \$900 – Winiam Hall Inc.***

Small Equipment

1. ***A grant of \$900 – Gallery Central***
2. ***A grant of \$900 – Rainbow Rises Events Association***
3. ***A grant of \$900 – St. John's Lutheran Church Pella***
4. ***A grant of \$900 – Nhill Urban Fire Brigade***
5. ***A grant of \$900 – Rainbow Men's Shed***
6. ***A grant of \$900 – Nhill Bowling Club***
7. ***A grant of \$900 – Rainbow Recreation Reserve***
8. ***A grant of \$900 – Rainbow Innovation Centre***
9. ***A grant of \$894.01 – St. Stephen's Lutheran Church Rainbow***
10. ***A grant of \$808.80 – Hindmarsh Ski Club***

- c) *That based on the eligibility and assessments criteria, Council do not approve the following funding allocations:*

Small Equipment

1. *A grant of \$500 – Nhill and District Historical Society*

Event Sponsorship

1. *A grant of \$500 – Milk Blossom*

TOTAL RECOMMENDED FUNDING ALLOCATED: \$11,602.81

MOVED: CRS R Ismay/W Bywaters

- a) *That Council re-allocates the balance of funds - \$6,063.80 available from the 2021/2022 Business Assistance Grants program to the 2021/2022 Community Assistance Grants program.*
- b) *That based on the eligibility and assessment criteria, Council approves the following funding allocations:*

Community Assistance

1. *A grant of \$900 – RSL Nhill*
2. *A grant of \$900 – Dimboola Bowling Club*
3. *A grant of \$900 – Winiam Hall Inc.*

Small Equipment

1. *A grant of \$900 – Gallery Central*
2. *A grant of \$900 – Rainbow Rises Events Association*
3. *A grant of \$900 – St. John's Lutheran Church Pella*
4. *A grant of \$900 – Nhill Urban Fire Brigade*
5. *A grant of \$900 – Rainbow Men's Shed*
6. *A grant of \$900 – Nhill Bowling Club*
7. *A grant of \$900 – Rainbow Recreation Reserve*
8. *A grant of \$900 – Rainbow Innovation Centre*
9. *A grant of \$894.01 – St. Stephen's Lutheran Church Rainbow*
10. *A grant of \$808.80 – Hindmarsh Ski Club*

- c) *That based on the eligibility and assessments criteria, Council do not approve the following funding allocations:*

Small Equipment

1. *A grant of \$500 – Nhill and District Historical Society*

Event Sponsorship

1. *A grant of \$500 – Milk Blossom*

TOTAL RECOMMENDED FUNDING ALLOCATED: \$11,602.81

CARRIED

Attachment Number: 10

Ms S Johnson returned to the room at 4:10pm.

10 COUNCIL COMMITTEES

10.1 NHILL TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Number: 11

Introduction:

The Nhill Town Committee held a meeting on 21 February 2022. 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:

- (a) notes the minutes of the Nhill Town Committee meeting held on 21 February 2022;**
- (b) endorses new committee members:**
 - **Pauline McCracken;**
 - **Vicki Natt; and**
- (c) notes the resignation of Leith Dean from the committee and thank Leith for her service.**

MOVED: CRS W Bywaters/R Gersch

That Council:

- (a) notes the minutes of the Nhill Town Committee meeting held on 21 February 2022;**
- (b) endorses new committee members:**
 - **Pauline McCracken;**
 - **Vicki Natt; and**
- (c) notes the resignation of Leith Dean from the committee and thank Leith for her service.**

CARRIED

Attachment Number: 11

10.2 DIMBOOLA TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment Number: 12

Introduction:

The Dimboola Town Committee held a meeting on 7 February 2022. 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 7 February 2022.

MOVED: CRS D Nelson/W Bywaters

That Council notes the minutes of the Dimboola Town Committee meeting held on 7 February 2022.

CARRIED

Attachment Number: 12

10.3 YURUNGA COMMITTEE OF MANAGEMENT

Responsible Officer: Director Corporate and Community Services
Attachment Number: 13

Introduction:

The Yurunga Committee of Management held a meeting on 28 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 Yurunga Committee of Management meeting held on 28 October 2021.

MOVED: CRS B Ireland/R Ismay

That Council notes the minutes of the Yurunga Committee of Management meeting held on 28 October 2021.

CARRIED

Attachment Number: 13

11 LATE REPORTS

No late reports.

12 NOTICES OF MOTION

No notices of motion.

13 OTHER BUSINESS

No other business.

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 2022 YOUTH COUNCIL NOMINATIONS – this report contains “personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs” insofar as it pertains to personal information; and**
- 14.2 TENDER FOR CONTRACT 2021-2022-13 CONSTRUCTION OF NHILL TENNIS CLUB 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.**

MOVED: CRS R Ismay/R Gersch

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 2022 YOUTH COUNCIL NOMINATIONS – this report contains “personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs” insofar as it pertains to personal information; and**
- 14.2 TENDER FOR CONTRACT 2021-2022-13 CONSTRUCTION OF NHILL TENNIS CLUB 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.**

CARRIED

15 MEETING CLOSE

There being no further business, Cr M Albrecht declared the meeting closed at 4:37pm.

From: Liz Chivell [REDACTED]
Sent: Friday, March 18, 2022 3:16 PM
To: Cr Melanie Albrecht <MALbrecht@hindmarsh.vic.gov.au>
Subject: Ramsar application for Lake Hindmarsh and Wimmera River

Hi Melanie,

I have just received a response from Emma Kealy about submitting a request for Lake Hindmarsh and The Wimmera River to be Ramsar Listed.

Emma stated to contact Hindmarsh Shire Council, she can supply letters of support for an application by Council.

On the Ramsar website it states any citizen can request for a Ramsar listing etc etc.

Lake Albucutya is dependent on the Wimmera River, Lake Hindmarsh and Outlet Creek tributary for water.

Lake Hindmarsh and the Wimmera River have heaps of documentation and studies that clearly show that it meets the guidelines for a Ramsar listing.

It is easier today to prepare an application than it was when Lake Albucutya listing was applied for. Catchment Authority, DWELP etc have massive amounts of documents and data readily available and this enables it to be cost effective because no new studies would be needed. Also heaps of expensive Cultural Heritage assessments have been paid for that can be supporting documentation for Lake Hindmarsh and the Wimmera River in Hindmarsh area.

I requested this via Emma's office a while ago.

Could you please present this request at the next Council meeting.

Respectfully
Liz Chivell

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<https://www.mailguard.com.au/mg>

[Report this message as spam](#)

23rd February 2022

Dear Melanie Albrecht,
Mayor of Hindmarsh Shire.

I wish to convey how appreciative I was of your phone call, apologising for my letter not being published as requested.

Ms Angela Hoy, from Hindmarsh Shire Infrastructure has replied with updates on the bypass.

However- Western Beach Road is still excluded from Council communications.

I feel I am being ignored and treated poorly when only asking for basic answers for my situation. Numerous replies from Angela Hoy, decline to fully address my dust and noise/vibration issues that is my right under the provisions of the *Public Health & Wellbeing Act 2008* (Vic).

The council approved Albacutya Gypsum a transport route for their customers to use Western Beach Road – when it did not own the road and still does not. How can council issue a transport route permit, on a road it does not own?

Chief Parks Ranger Rainbow informed me in mid-2020 the council had ownership of Western Beach Road and that is why the mine was starting production in early 2021. This clearly is not the case.

The council permit for Albacutya Gypsum was for the mine to have an estimated 30 semi-trucks per week.

The 2021 season had 40 times this per week, averaged out over the year, it is 10 times greater than permitted.

At what point does a permit become meaningless in relation to all the parameters that should be in place?

At what point does the permit need to be reviewed - to ensure that the environment and local amenities are not being damaged with the increase in traffic above the original permit?

Dust, noise, and vibration remain an issue for me, all created by a council decision. What right do you have to destroy my amenity so that one family – a mine lease holder, is benefited? For clients to save a few kilometres.

The mine permit stated there would be no material damage to any amenity, this is no longer the case. A council decision has created this situation, which is worsening every day.

When is the council going to take responsibility for the damage created?

The council permit is for the use of semi-trailer trucks only. This usage permission has been flouted. Angela Hoy has stated, and the shire road management plan indicates – Western Beach Road is not gazetted for B-Doubles or road train use, and yet they use it. How and why does the council grant permits and then have no follow up or responsibility to ensure the permit is adhered to?

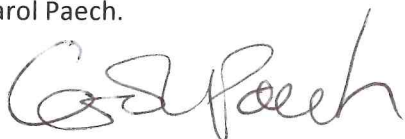
When is the alternative route going to be considered? Not all stake holders were consulted; the owner of block 3, that leases the alternative road reserve, has verbally stated willingness to allow the reserve to be used as a transport route.

It is my request that this letter be made available to the public – to be published with the minutes.

These questions are important to me, and I want them answered.

I look forward to your prompt reply,

Carol Paech.





9 March 2022

**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

Carol Paech
15 Western Beach Road
RAINBOW VIC 3424

Dear Carol,

Re: Correspondence

As requested in your correspondence, please be advised that your letter was tabled and discussed by Council at its Ordinary Council Meeting held on Wednesday 2 March 2022.

Yours sincerely

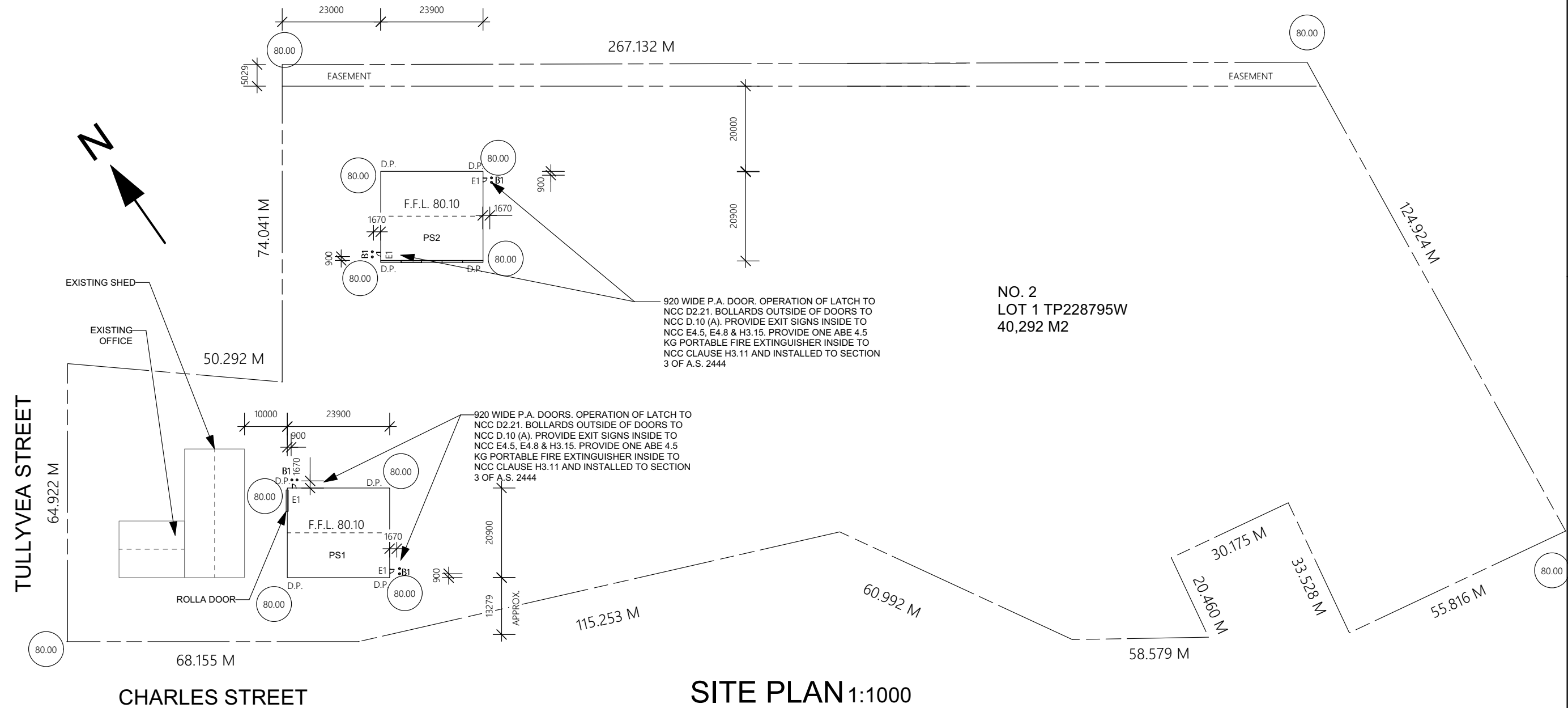
Angela Hoy
Director Infrastructure Services

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING OR PREPARING ANY SHOP DRAWINGS. DRAWINGS ARE NOT TO BE SCALED - FIGURED DIMENSIONS ONLY SHALL BE REFERENCED. ANY DISCREPANCIES ARE IMMEDIATELY TO BE REPORTED TO THE OWNER OR HIS/HER AGENT. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL RELEVANT DOCUMENTS, INCLUDING THE SPECIFICATIONS AND ALL RELEVANT CONSULTANT'S DRAWINGS, SPECIFICATIONS & COMPUTATIONS. THE CONTRACTOR IS TO OBTAIN ALL RELEVANT PERMITS AND ALL WORK SHALL COMPLY TO THE CURRENT CODES AND REGULATIONS INCLUDING THE BUILDING REGULATIONS, THE AUSTRALIAN STANDARDS AND THE NATIONAL CONSTRUCTION CODE.

NOTE: ALTITUDES AND F.F.L. ARE APPROXIMATE ONLY AND SHALL NOT BE RELIED ON FOR FLOOD OR INUNDATION CONSIDERATIONS. SUCH ADVICE, IF RELEVANT, SHALL BE SOUGHT INDEPENDENTLY.

CONNECT S.W. TO EXISTING LEGAL POINT OF DISCHARGE, TO A.S. / N.Z.S. 3500.3
 B1 PROVIDE BOLLARDS TO ALL REQUIRED EXITS.
 E1 PROVIDE EXIT SIGNS.
 WALL HEIGHTS OF BOTH PROPOSED SHEDS ~6M

PS1 & PS2: PROPOSED SHEDS (BY OTHERS) BOTH HAVING THE FOLLOWING REQUIREMENTS:
 A) PROVIDE PORTABLE FIRE EXTINGUISHERS TO COVER CLASS B FIRE RISKS IN LOCATIONS WHERE FLAMMABLE LIQUIDS IN EXCESS OF 50 LITRES ARE STORED OR USED AND ALSO TO COVER CLASS A FIRE RISKS, NCC TABLE E1.6; AND
 B) PORTABLE FIRE EXTINGUISHERS MUST BE SELECTED, LOCATED AND DISTRIBUTED TO NCC E1.6 & A.S. 2444; AND
 C) ADDITIONAL PORTABLE FIRE EXTINGUISHERS MAY BE REQUIRED AND SUITABLE ADDITIONAL PROVISIONS MUST BE MADE DUE TO THE NATURE AND QUANTITY OF MATERIALS USED AND STORED WITHIN THE BUILDING, NCC E1.10; AND
 C) PROVIDE EMERGENCY LIGHTING TO ENTIRE BUILDING TO NCC E4.2



SITE PLAN 1:1000

scale		1 : 1000
project no.		20201201A
sheet no.		1 of 2
Site plan only		
sheet title	December 2021	
date		
Proposed Storage Sheds for EJBI Pty. Ltd., 2 Tullyvea St., Jeparit, 3423		
project		
Design Ease Drafting Services 77 Lloyd Street, Dimboola 3414 Mob: 0418 338679 Reg. Prac. Iise Aschenbrenner Ph: 5389 2080 Reg. Prac. No. DP-AD 2332 email: iise@designease.com.au		

General Notes (NCC 2019 BCA Vol 1)

All materials and work practices shall comply with, but not limited to the Building Regulations 2028, the National Construction Code Series 2019 Building Code of Australia Volume 1 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 1.

All materials and construction practice shall meet the Performance Requirements of the Building Code of Australia. Where an alternative 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 Building Code of Australia.

Step sizes (other than for spiral stairs) to be: Risers (R) 190mm maximum and 115mm minimum Going (G) 355mm maximum and 250mm minimum for Public stairways and 355mm maximum and 240mm minimum for Private stairways 2R + 1G = 700mm maximum and 550mm minimum Constructed with a less than 125mm gap to 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 barriers) to be:

- 1000mm minimum above finished surface level of balconies, landings or the like, and 865mm minimum above finished surface level of stair nosing or ramp, and;

- Vertical with a less than 125mm gap between, and;

- Any horizontal element within the barrier 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.

Top of hand rails to be minimum 865mm vertically 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.

Waterproofing of wet areas to comply with BCA Part F1.7.

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 AS3700-2018 Masonry structures. All storm water to be taken to the legal point of discharge to the relevant authorities approval.

These drawings shall be read in conjunction with all architectural specifications, relevant structural and all other consultants drawings/details and specifications and with any other written instructions issued in the course of the contract.

All measurements and levels 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 and all essential services to be maintained 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.

The builder and subcontractor shall ensure that all storm water 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, dampness, weakening and undermining of any building and its footing system.

These plans have been prepared for the exclusive use by the client of Design Ease Drafting Services (the Designer) for the purpose expressly notified to the Designer. Any other person who uses or relies on these plans without the Designers written consent does so at their own risk and no responsibility is accepted by the Designer for such use and/or reliance.

The Client and/or the Clients Builder shall not modify or amend the plans without the knowledge and consent of Design Ease Drafting Services 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 Design Ease Drafting Services.

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.

Refer to Civil Engineers design and details for all storm water, car parking and driveway construction requirements.

Refer to fire services design for all hydrant, hose reels and extinguisher details.

Electrical switchboards located in the path of travel to exits to be enclosed in a metal or other non combustible cabinet with smoke proof doors. Significant switchboards shall be provided with a 5kg carbon dioxide extinguisher or another type of extinguisher with a minimum classification of 1A:E and fitted with a hose complete with extinguisher identification signage and shall be located between 2m and 20m from the significant switchboard.

Fire hazard properties of materials and assemblies to comply with BCA Specification C1.10.

Mechanical ventilation or air-conditioning of rooms to be provided with a system complying with AS1668.2 and AS / NZS 3666.1 as amended. Exhaust outlets to be located no closer than 6.0m to fresh air inlets.

Sediment pollution control: A site management plan is to be implemented during construction to control sediment run-off in accordance with EPA Victoria publication #275 construction techniques for sediment pollution control. Provide propex or written approved equivalent silt fences to the low side of the allotment and around all soil stockpiles and storm water inlet pits / sumps and install silt stop filter bags over all storm water entry pits during construction works. Supergro or written approved equivalent erosion control fabric to be placed over garden beds to prevent surface erosion during re vegetation period.

Design Ease Drafting Services

77 Lloyd Street, Dimboola 3414
Mob: 0418 338679 Reg. Prac. Ilse Aschenbrenner
Ph: 5389 2080 Reg. Prac. No. DP-AD 2332
email: ilse@designease.com.au

Proposed Storage Sheds
for
EJBI Pty. Ltd.,
2 Tullyvea St.,
Jeparit, 3423

project

Notes

sheet title

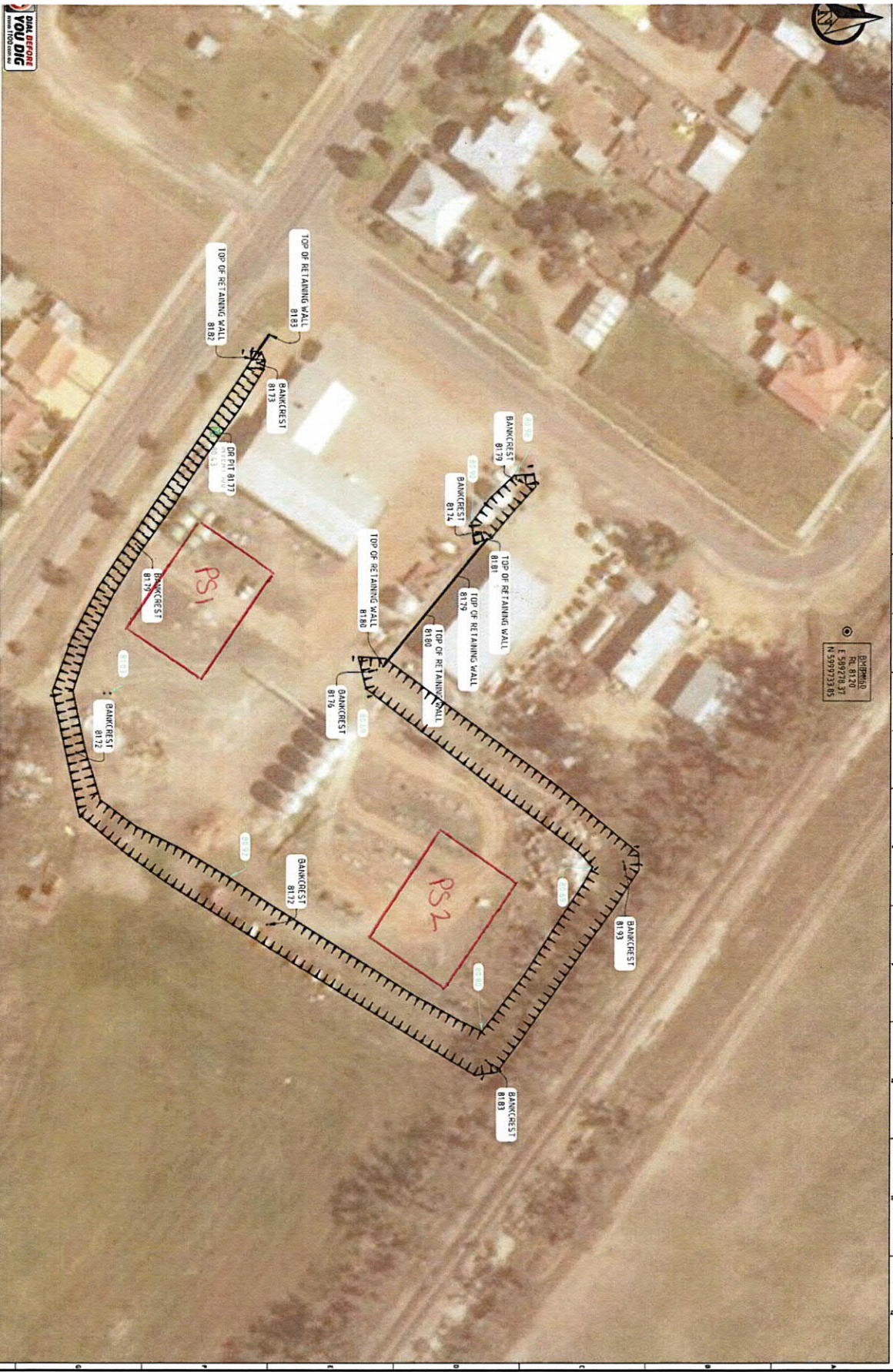
December 2021

date

scale

project no.
20201201A

sheet no.
2 of 2



DATA RESORT
Top Dig
Topographic Survey

DATE: 21/09/23
DRAWN BY: JEP
CHECKED BY: JEP
SCALE: 1:750

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priceeneriff
CONSULTING

Keenon
2179 St. James St.
Winnipeg, MB R2X 1S8
Tel: 204.786.1234
www.priceeneriff.com

SCALE OF METERS
3.75 0 7.5 15.0

CLIENT: SAR ENGINEERING

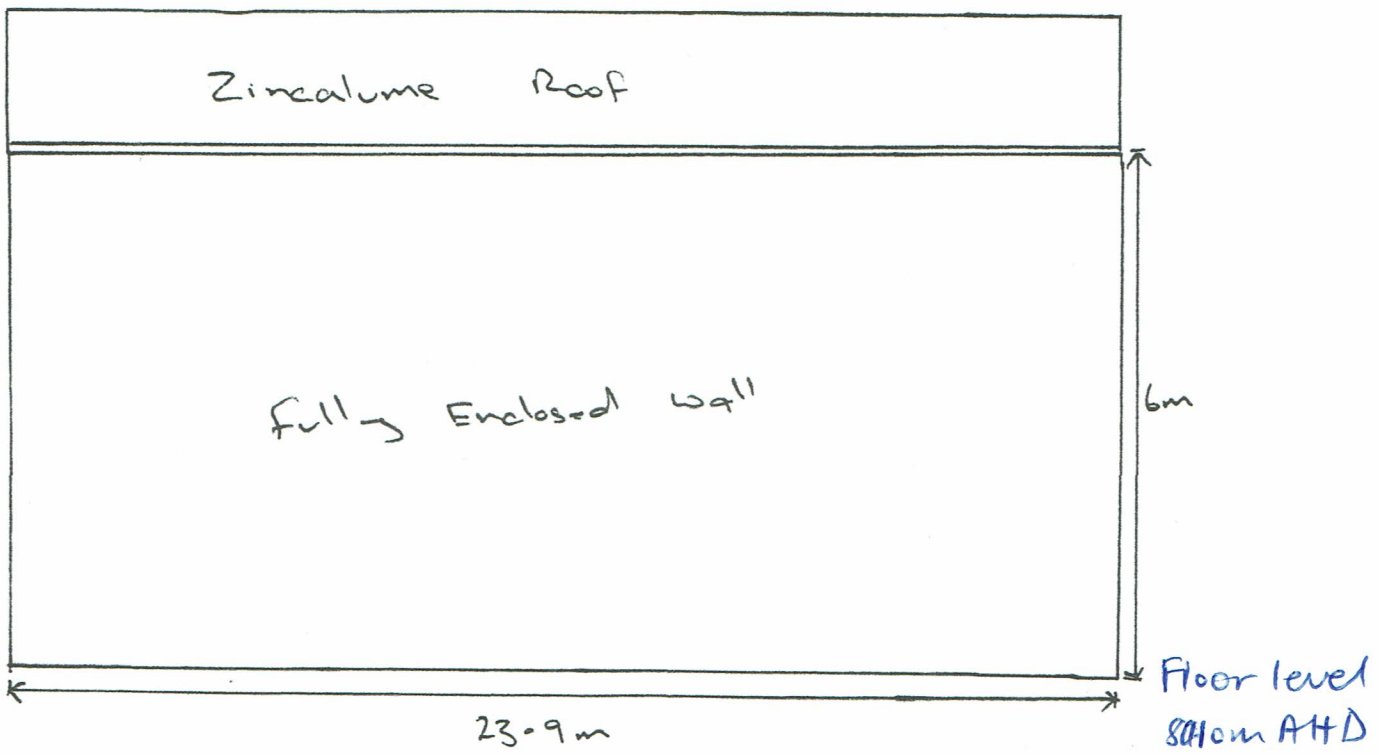
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LOCATION: JEPARIT
SHEET TITLE: AS CONSTRUCTED NO DESIGN

FILE NO: DRW-2023-01
SHEET NO: 1
REVISION: 1
SHEET SIZE: A3

Not to Scale

PS1

Not to Scale



Amended with
consent 19/01/2022
KJZC

PS 1

Not to Scale.



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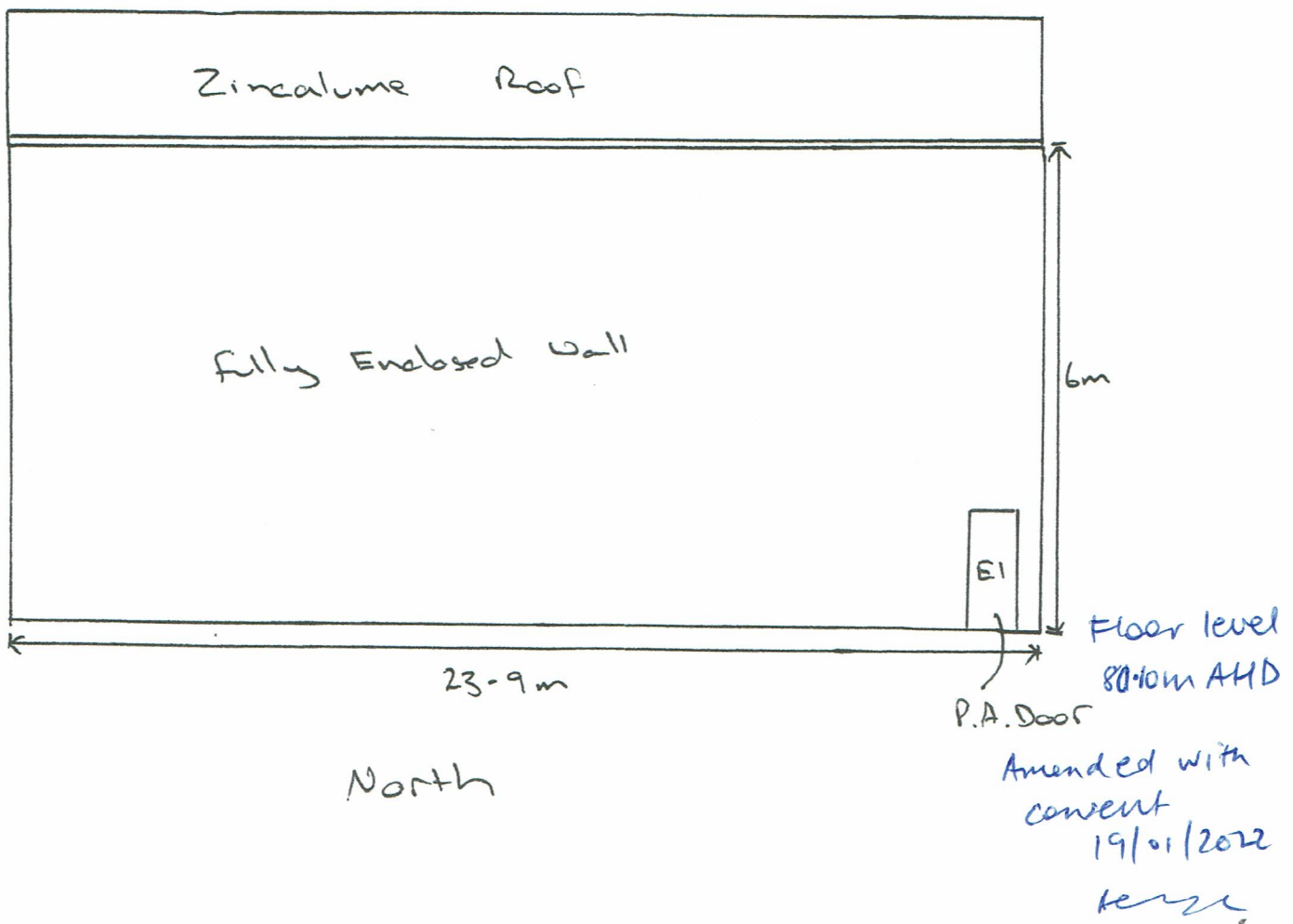
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Amended with
consent 19/01/2022

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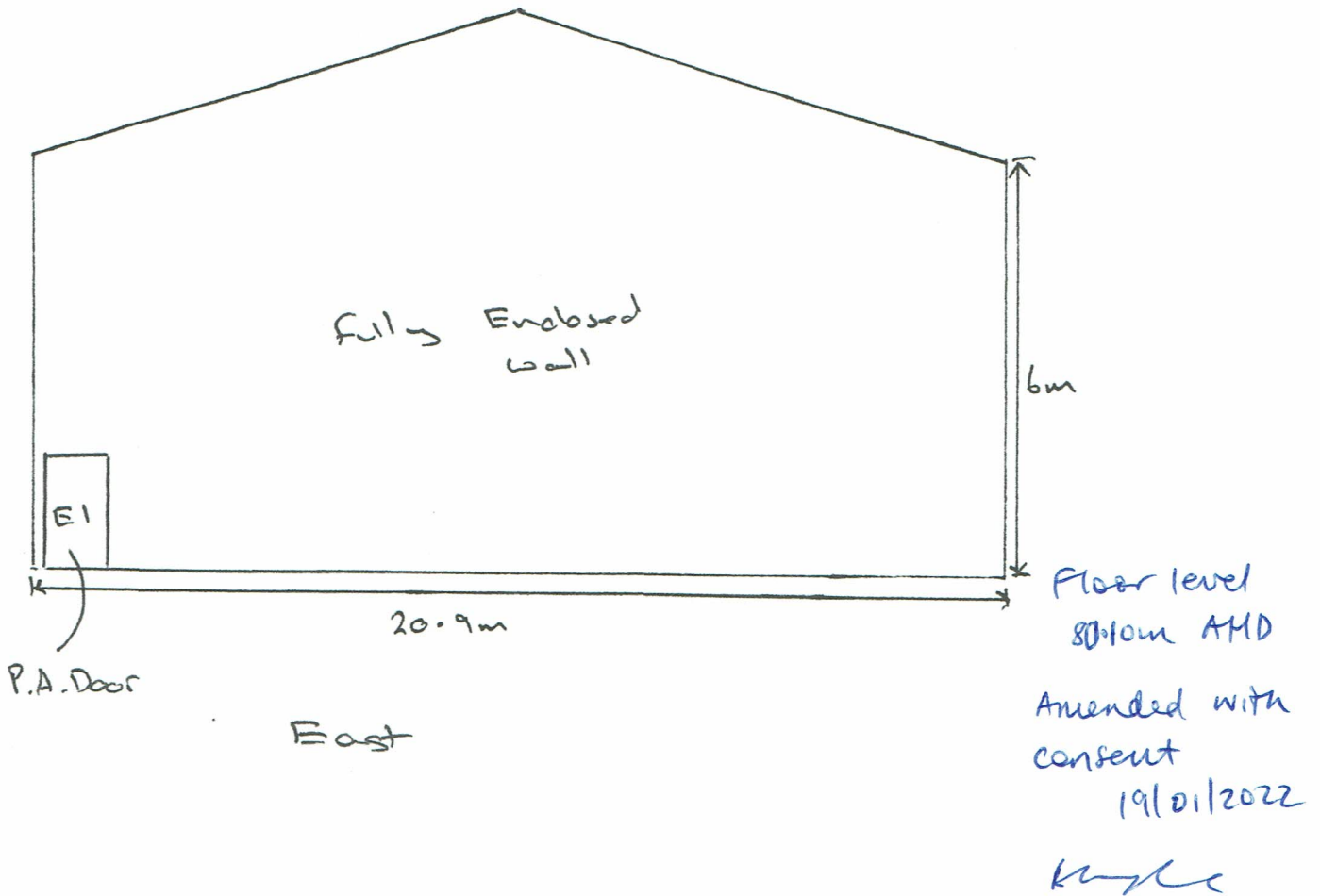
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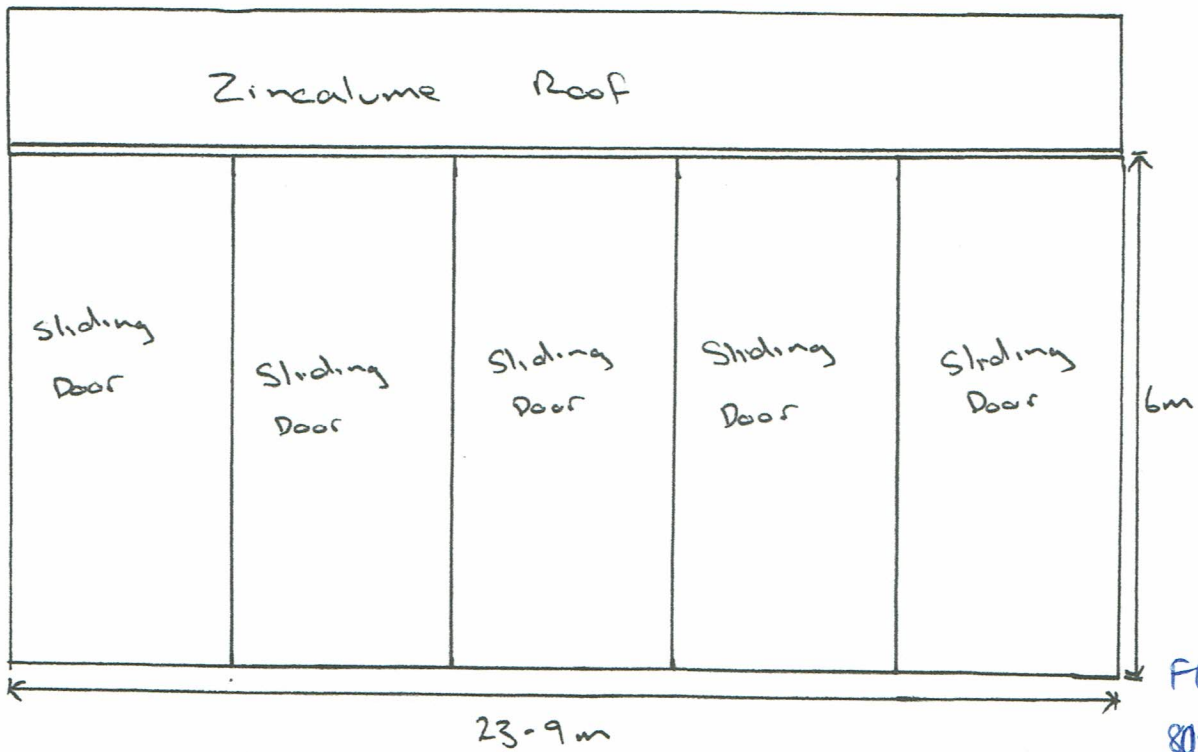
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Not to Scale



PS 2

Not to Scale

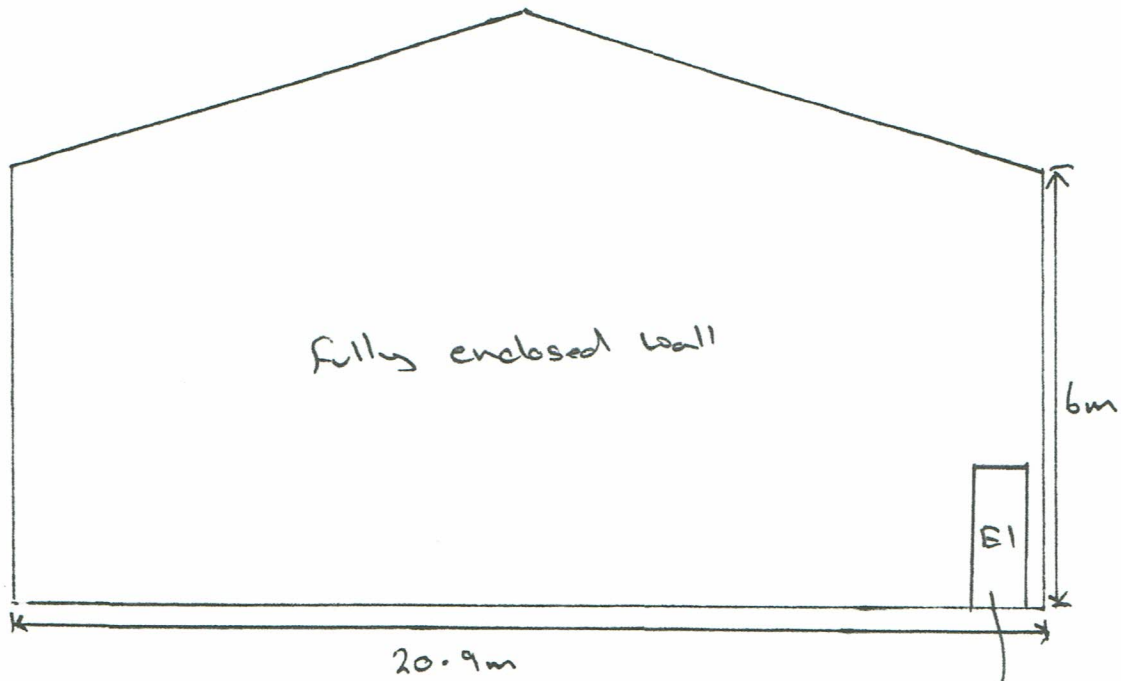


South

Floor level
8010m AHD
Amended with
consent
19/01/2022
msc.

PS 2

Not to Scale

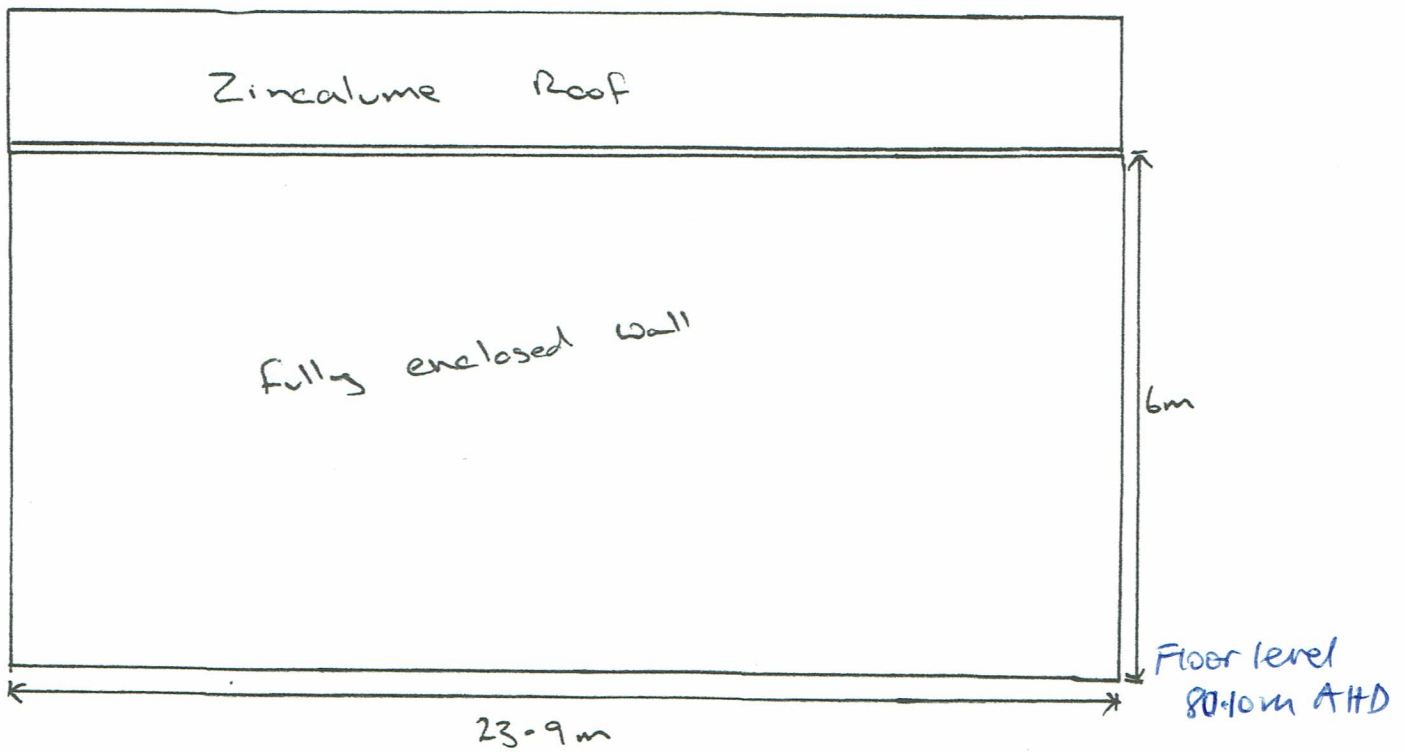


West

Floor level
8010m AHD
Amended with
consent 19/01/2022
[Signature]

PS 2

Not to Scale

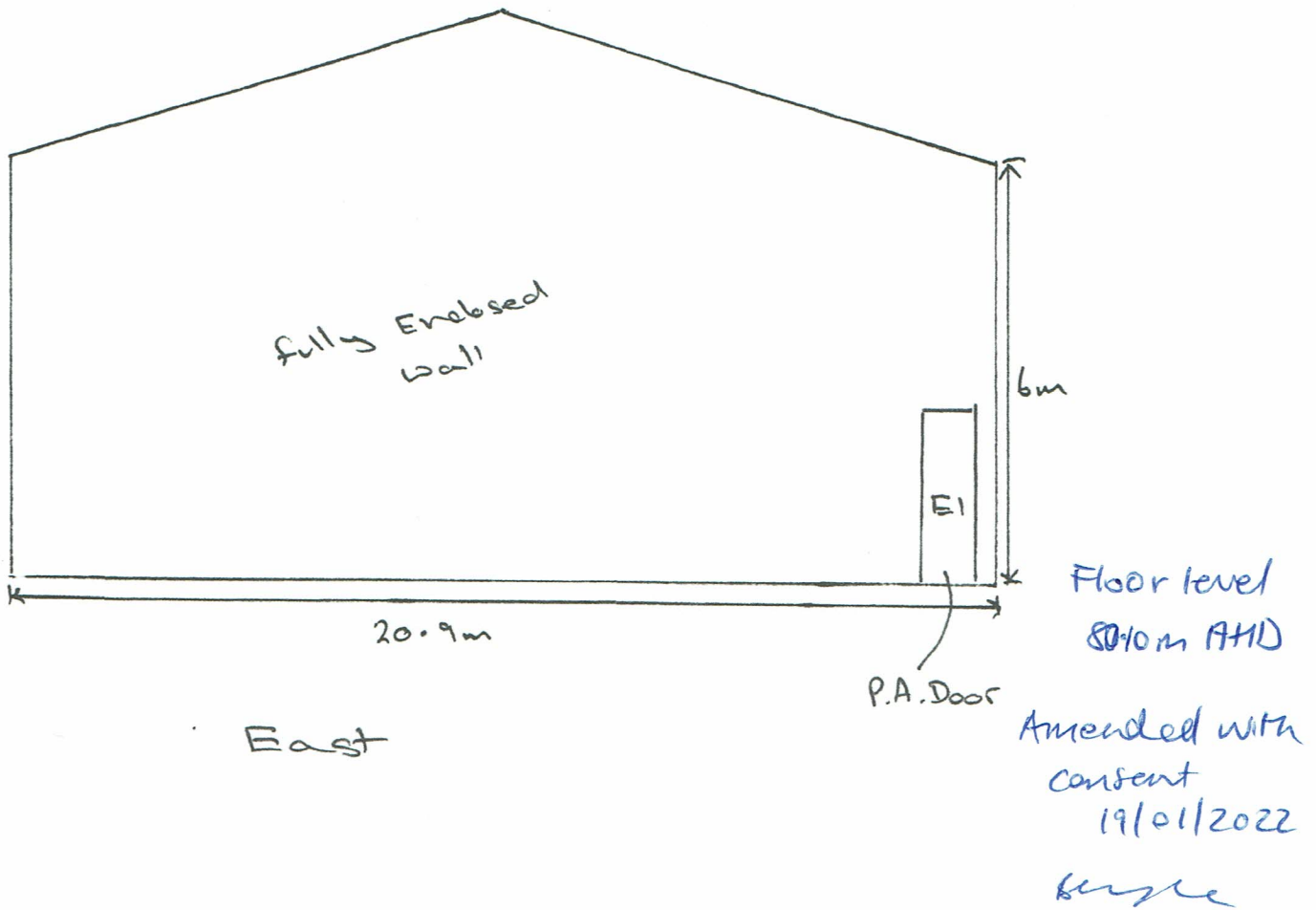


North

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19/01/2022
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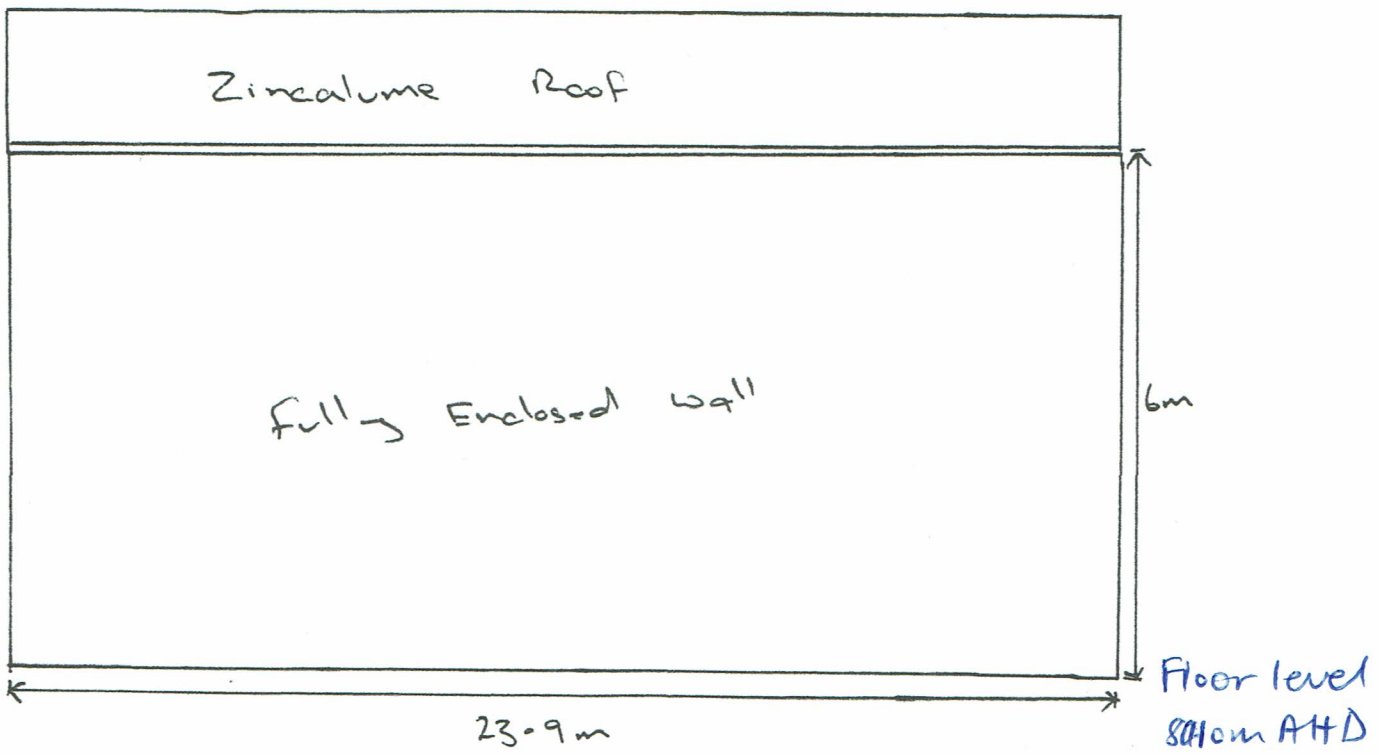
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PS1

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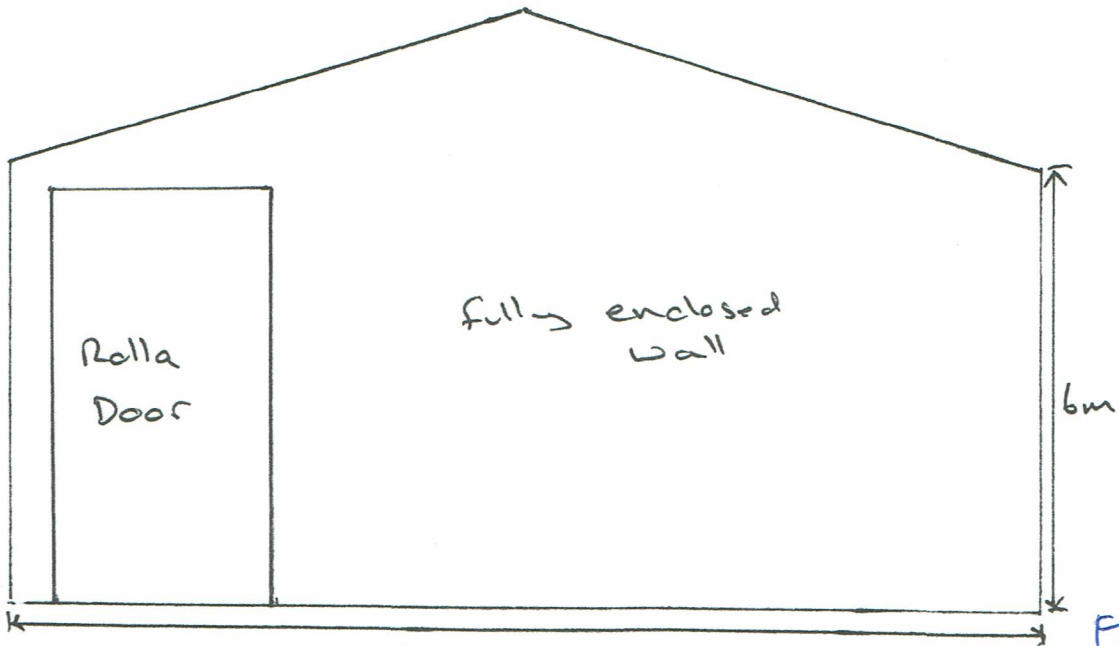


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consent 19/01/2022
RUC

PS 1

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West

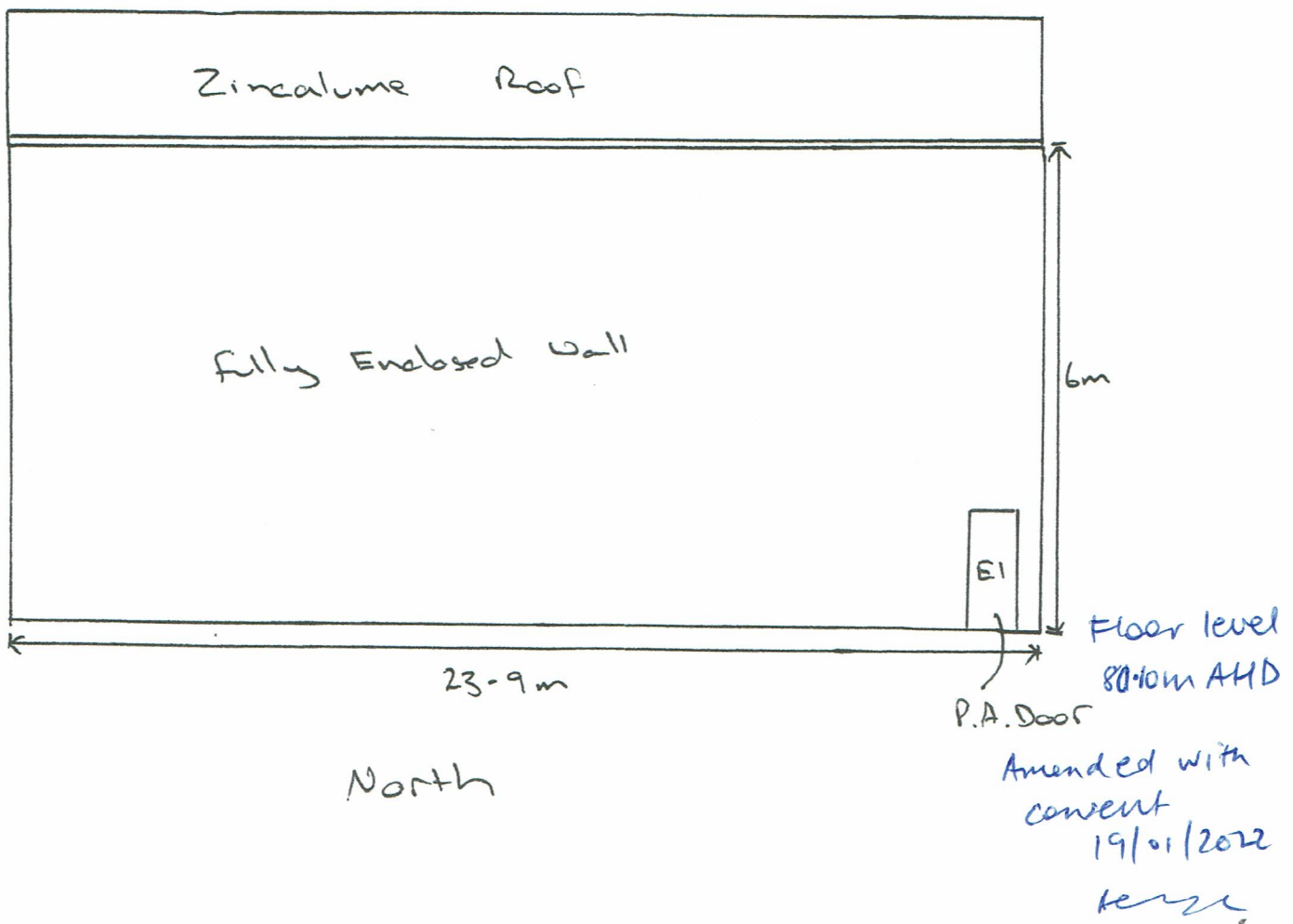
Floor level
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Amended with
consent 19/01/2022

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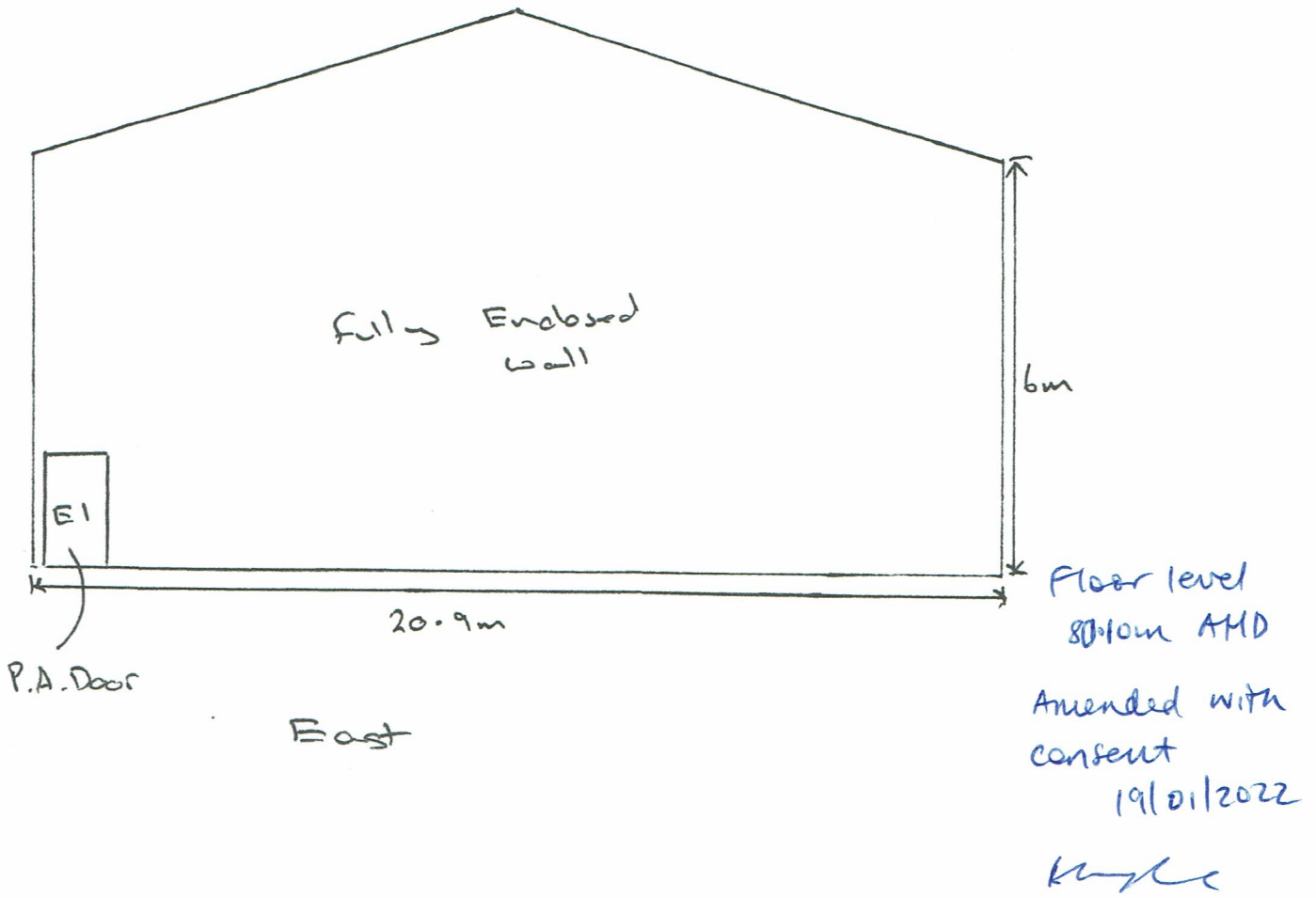
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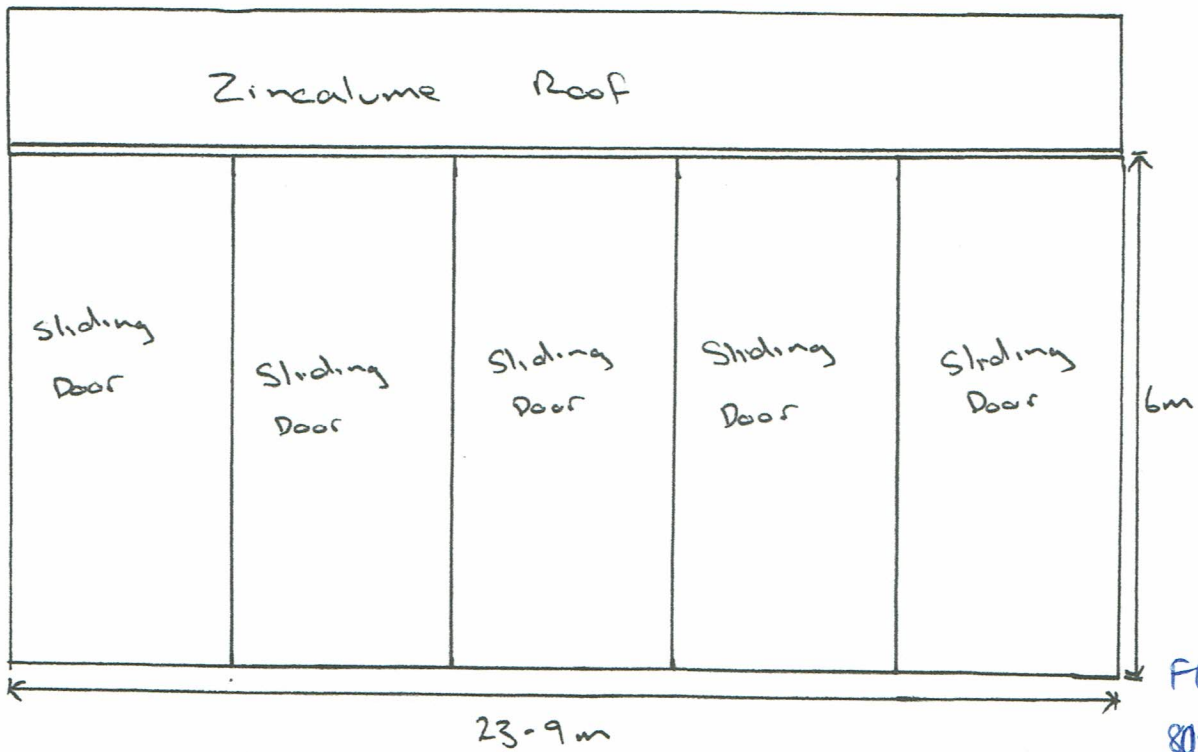
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PS 2

Not to Scale

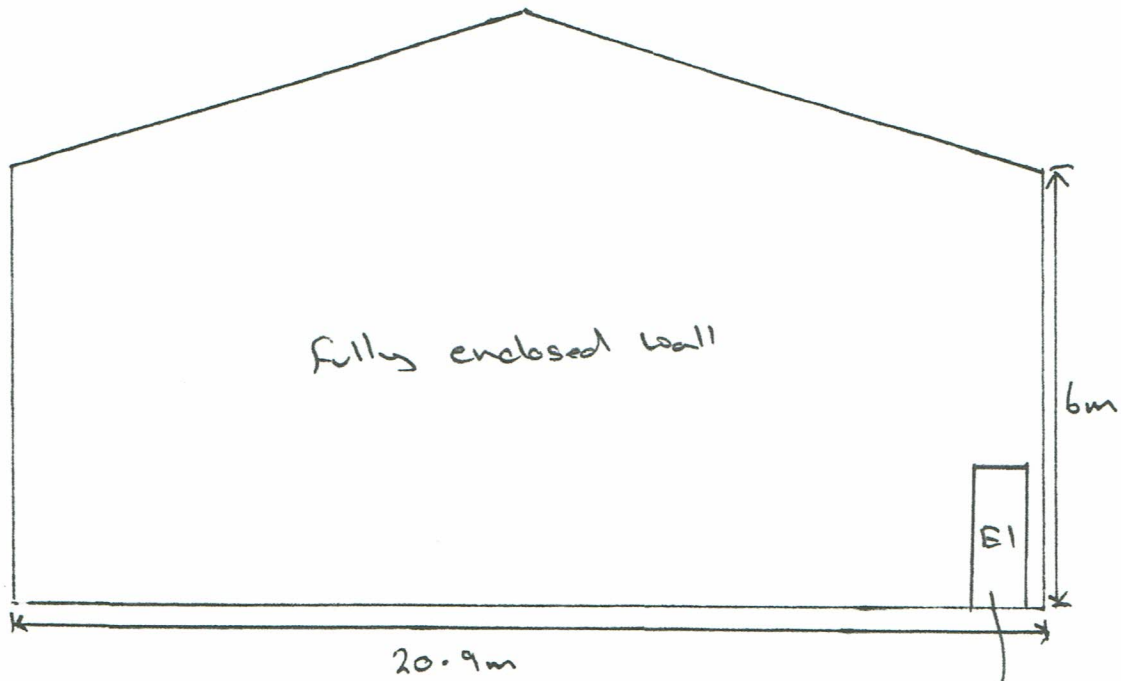


South

Floor level
80.10m AHD
Amended with
consent
19/01/2022
msc.

PS 2

Not to Scale



West

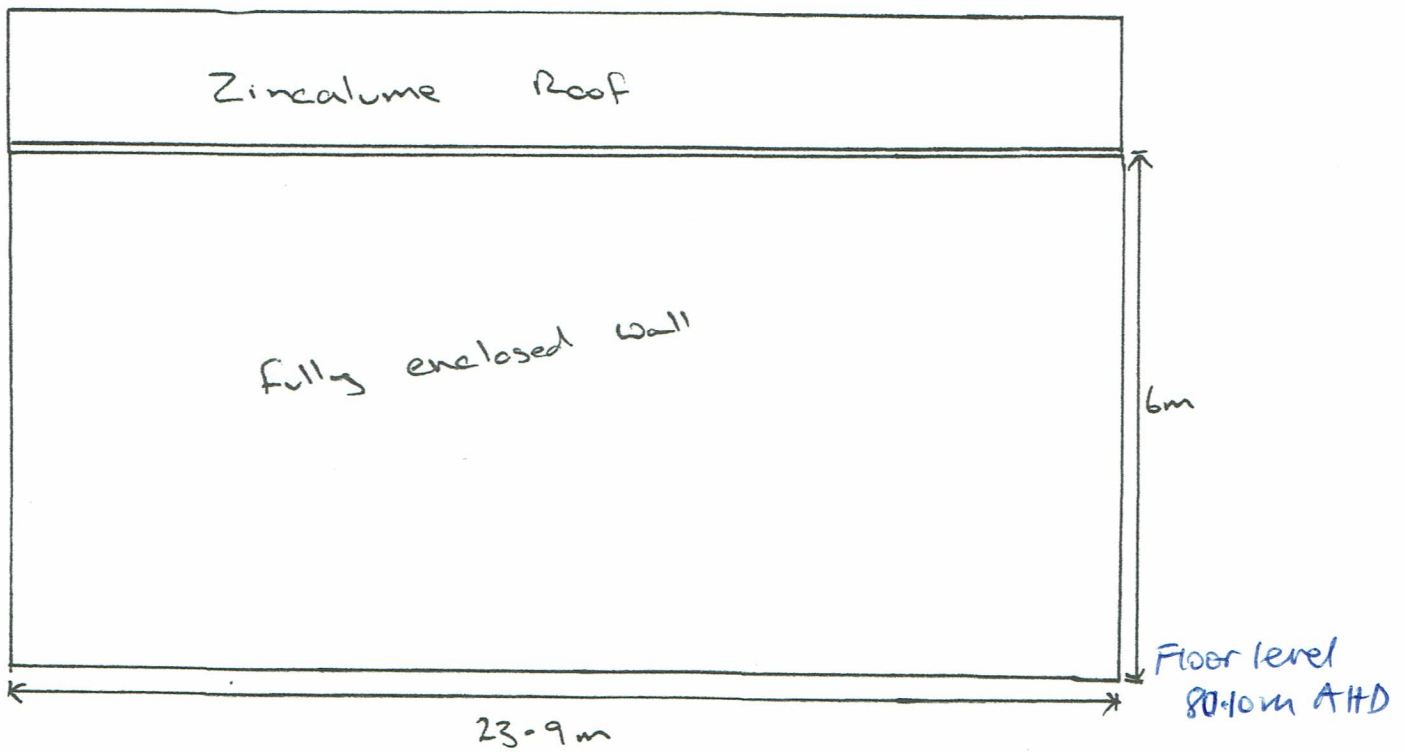
P.A. Door
Floor level
8010m AHD

Amended with
consent 19/01/2022

[Signature]

PS 2

Not to Scale

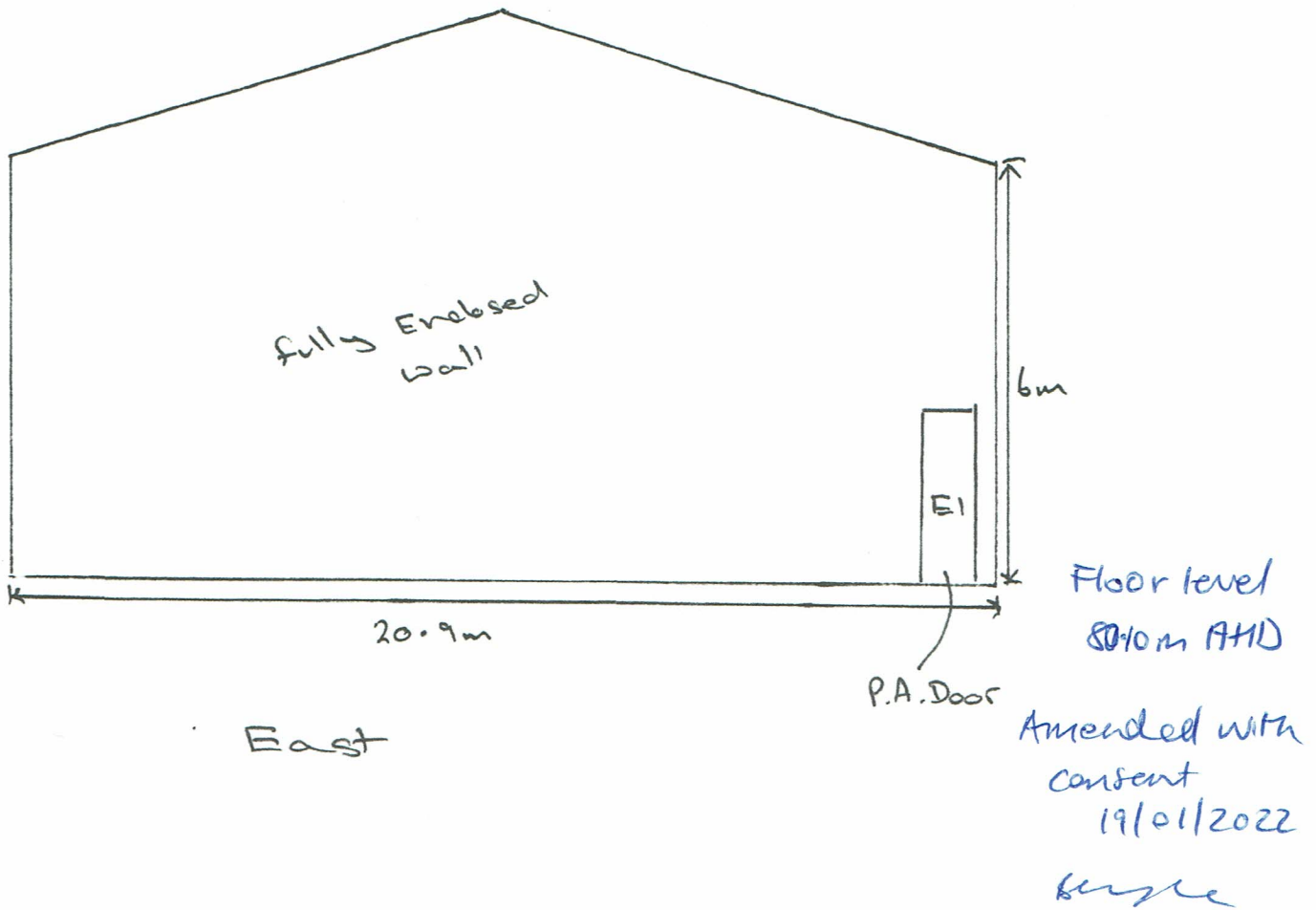


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Amended with
consent
19/01/2022
[Signature]

PS 2

Not to Scale





MINUTES OF THE HINDMARSH SHIRE AUDIT & RISK COMMITTEE HELD VIA MICROSOFT TEAMS, ON WEDNESDAY 9 MARCH 2022, COMMENCING AT 11:00AM

PRESENT:

Mr B Young (Chairperson), Mr D Welsh (Member), Mr A Roberts (Member), Ms K Thiele (Member), Cr D Nelson (Councillor Delegate), Cr M Albrecht (Councillor Delegate), Ms M Revell (Director Corporate & Community Services), Ms H Boyd (Manager Finance & Customer Services), Ms T Arbuckle (IT Administrator) items 1 to 11, Mr Paul Harrison (Internal Auditor), Mr M Thompson (External Auditor)

1. Welcome and Acknowledgement of the Indigenous Community

Welcome and acknowledgement of the indigenous community by the Chairperson.

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

Mr G Wood (Chief Executive Officer), Ms Kathie Teasdale (Internal Auditor)

MOVED: D WELSH / M ALBRECHT

That the apologies be accepted.

3. Declaration of Interests

Committee Members to declare any known interests in relation to any item published on the agenda for this meeting, either:

- Material; or
- General.

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

4. Internal & External Auditor Assurance

Assurance from the internal and external auditors that there have been no obstructions to work undertaken.

Nil obstructions noted.

5. Confirmation of Minutes of Previous Meeting

MOVED: D NELSON / M ALBRECHT

That the Minutes of the Audit & Risk Committee meeting held on Tuesday 21 September 2021 via Zoom, as circulated to members be taken as read and confirmed.

Refer attachment 5.1

6. Election of Chairperson

Director Corporate & Community Services will assume the role of temporary chair and call for nominations of Chairperson.

Chairperson: Bernard Young

Nominated by: Darren Welsh accepted: Yes

New Chairperson to assume the Chair.

MOVED: D WELSH / M ALBRECHT

That the Audit & Risk Committee recommend, that Council appoints Bernard Young as the Chairperson of the Audit & Risk Committee until March 2023.

7. Audit & Risk Committee Annual Work Plan

Responsible Officer: Director Corporate & Community Services
Attachment Number: Audit & Risk Committee Annual Work Plan

Introduction:

The purpose of this report is to review the Audit & Risk Committee Annual Work Plan.

Discussion:

Section 54(3) of the *Local Government Act 2020* provides that the Audit & Risk Committee must adopt an annual work plan.

The plan was adopted in June 2020 and was developed based on the Audit & Risk Committee charter committee functions.

The plan has been reviewed and an addition made to include the election of the Audit & Risk Committee Chair in March 2023.

Link to Council Plan:

Long-term financial sustainability.

Financial Implications:

This decision has no financial implications.

Risk Management Implications:

An effective Audit & Risk Committee will assist with Council's risk management through independent advice and assurance on internal corporate governance, risk management, internal control and compliance.

Conflict of Interest:

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

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

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

MOVED: D WELSH / K THIELE

That the

- 1. Audit & Risk Committee adopt the Annual Work Plan for 2022/2023.**
- 2. An online survey be created and link sent to members for completion**

Refer attachment 7.1

8. Audit & Risk Committee Performance
--

Responsible Officer: Director Corporate & Community Services

Attachment Number: 8.1 Audit and Risk Committee Self-Assessment

Introduction:

The purpose of this report for the members of the Audit and Risk Committee to undertake a Self-assessment.

Discussion:

Under the section 54 of the *Local Government Act 2020* the Audit and Risk Committee must undertake an annual assessment of their performance with the assessment to be tabled at the next meeting of Council.

The self-assessment provides guidance to the Council on the effectiveness of the committee and ensures that the Committee members have the necessary experience to enable the committee to make informed recommendations to the Council. The document also informs the management of any changes that need to be made to reports tabled to the Committee to ensure they are able to make informed recommendations.

Included in the assessment whether the committee has reviewed the internal audit plan and actions taken to address issues identified in the audits of Council.

Link to Council Plan:

Strategic Objective 4.6: An organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation.

Financial Implications:

This decision has no financial implications.

Risk Management Implications:

Section 54 Audit and Risk Committee Charter

- (4) An Audit and Risk Committee must—
 - (a) undertake an annual assessment of its performance against the Audit and Risk Committee Charter;

Conflict of Interest:

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

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

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

MOVED: D WELSH / K THIELE

That the Audit and Risk Committee accept the requirement to undertake the annual Self-Assessment of the Committee.

Refer attachment 8.1

9. IT Disaster Recovery Report

Responsible Officer: IT Administrator
Attachment Number: 9.1 Hindmarsh – DR Process
9.2 Hindmarsh – DR Test Feb 2022

Introduction:

The purpose of this report is to inform the Audit and Risk Committee of Council's Disaster Recovery (DR) Process and the results of the Disaster recovery test.

Discussion:

Hindmarsh has one physical server that hosts all our servers which are also known as Virtual Machines (VM). These virtual machines are software based which makes it easier to backup and restore as there are no physical components. This means with the right infrastructure they can be copied and restored onto an existing device. Council uses Datto to backup, restore and work as a Disaster Recovery environment. Servers are backed up daily (sometimes more often depending on the importance of the data stored) to a local Datto appliance located in the server room.

This then sends the backups to a secure cloud location. Servers can then be run from the appliance or from the cloud.

Otto IT has been engaged to test the processes of recovery and document the Disaster Recovery Process. The testing process was used to inform the steps documented in the DR process. Full details of the Processes and test results can be found in the documents attached.

The DR Recovery Process goes through 5 different processes to restore data/servers. Which process is required will depend of the type of outage/failure and may require more than one. The processes include:

1. Cloud Disaster Recovery Process. This process involves restoring a Virtual Machine (VM) to the cloud. This also requires process 5 so users can access the server once up and running. This would be used in a situation where the server room has been compromised.
2. Local Disaster Recovery Process. This covers details of restoring VM's to the locally stored Datto appliance in the case of the host server being inaccessible.
3. File Restore Process. This process is to restore a single or multiple files. Common reason to restore a file is user has deleted or over written a file by mistake.
4. Image Export Process. An Image is a file that stores the VM. So this process is used to copy the server from the Datto appliance so that it can be restored back to a host either in the cloud or on premise (locally).
5. VPN setup to Datto Cloud Process. A Virtual Private Network is required to securely access a server that has been restored to the cloud.

The above processes were tested to ensure the steps outlined are accurate and there were no fail points. All processes successfully ran without any issues with the exclusion of the VPN setup. This could not be tested as it would have affected our live environment.

Link to Council Plan:

Ensure responsible risk management principles.

Financial Implications:

Council budget's annually for Information Technology resources and equipment. There are potential financial implications if recovery processes are not in place and a disaster occurs.

Risk Management Implications:

Documenting the DR process will reduce downtime in the event of a disaster as the process can be followed for any given event

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: Tracey Arbuckle, IT Administrator

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

Officer Responsible: Monica Revell, Director Corporate & Community Services

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

MOVED: A ROBERTS / D NELSON

It is recommended the Audit & Risk Committee note the Disaster Recovery Process and results of the Disaster Recovery Testing.

Refer attachment 9.1 & 9.2

10. Internal Audit Update

Responsible Officer: Director Corporate & Community Services
Attachment Number: 10.1 Internal Audit Findings Action List
10.2 Internal Audit – Cyber Security
10.3 Internal Audit Scope – Building Applications
10.4 Internal Audit Status Report
10.5 Internal Audit Update Report

Verbal report to be given during the meeting by RSD Audit on the recent internal audit publications, internal audit plan, internal audit status and project scope for the upcoming Cyber Security audit.

Discussion to be held on progress on internal audit findings action list.

MOVED: D WELSH / M ALBRECHT

That the Audit & Risk Committee

- 1. Receives the internal audit recent publications and audit status report;***
- 2. Notes the completed internal audit on Cyber Security;***
- 3. Notes the progress on internal audit findings; and***
- 4. Following reviewing the project scope for the Building Applications audit recommend Council undertake the audit.***
- 5. Cyber Security Risk added to Risk Register.***

Refer attachment 10.1, 10.2, 10.3, 10.4 & 10.5

11. VAGO Audit Update

Responsible Officer: Director Corporate & Community Services
Attachment Number: 11.1 VAGO Audit Findings Action List
11.2 VAGO Audit Strategy

Verbal report to be given during the meeting by Mr Martin Thompson, Crowe on the 2021/2022 VAGO Audit strategy.

MOVED: D WELSH / K THIELE

That the Audit & Risk Committee receives the verbal audit update.

Refer attachment 11.1 & 11.2

12. Risk Management Report

Responsible Officer: Director Corporate & Community Services
Attachment Number: 12.1 Risk Actions Report

12.2 Detailed Risk Report

Introduction:

The purpose of this report is to inform the Audit and Risk Committee of Council's current risk portfolio.

Discussion

The attached Risk Actions Report outlines actions associated with Council's identified risks. A detailed copy of all risks entered into the Risk Register is attached, which shows number of risks identified sorted by business function.

The Risk Register is a formal record of all identified potential risks and treatment plans across the organisation. The Risk Register is reviewed frequently working in consultation with management and officers to update the current records and identify any new risks to be included. Risks review dates are scheduled based on the risk rating; higher rated risks are reviewed more frequently and lower rated risks are reviewed less frequently.

The Risk Register will continue to be updated and reviewed regularly with department officers and management.

The future focus of the Risk Management process will be –

- Regular review of individual risks with consideration of current controls and possible improvements to further reduce the risk;
- Assessing the risk from the identified hazard – both the significance of the risk and the likelihood that the risk will occur;
- Identifying any foreseeable hazard that has the potential to cause harm or damage to persons or property within the Shire;
- Elimination of the hazard or where this is not possible minimising either the likelihood of the risk occurring, or in the event that the risk occurs, its impact;
- Ensuring the treatment plan listed includes achievable treatments to address risks faced by Council;
- Regular discussion with Senior Management Team about high risks faced by Council;
- Provide ongoing Risk Management awareness training for all staff.

Link to Council Plan:

Ensure responsible risk management principles: Further develop and implement Council's Risk Management Framework and ensure all key risks have been measured and adequately controlled.

Financial Implications:

Nil.

Risk Management Implications:

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

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 interests to disclose.

MOVED: D WELSH / M ALBRECHT

That the Audit & Risk Committee receives the Risk Management update.

Refer attachment 12.1 & 12.2

13. Rural Council Transformation Program

Responsible Officer: Manager Finance & Customer Services

Attachment Number:

Verbal report to be given during the meeting by Heather Boyd, Manager Finance & Customer Services on the current status of the Rural Council Transformation Program.

MOVED: D WELSH / M ALBRECHT

That the Audit & Risk Committee receives the verbal audit update on the Rural Councils Transformation Program.

14. Reimbursements

Responsible Officer: Director Corporate & Community Services

Attachment Number: 14.1 Reimbursement Listing

Introduction:

This report provides the Audit & Risk Committee with a list of reimbursements made to the CEO and Councillors for the period 01 September 2021 to 28 February 2022.

Discussion:

A listing is provided for review by the Audit & Risk Committee of payments made to the CEO and Councillors (excluding Councillor Allowances).

Link to Council Plan:

Strong governance practices

Financial Implications:

This decision has no financial implications.

Risk Management Implications:

Reimbursement will not be made where the transaction cannot be supported with a tax invoice.

Conflict of Interest:

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

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

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

MOVED: D WELSH / A ROBERTS

That the Audit & Risk Committee receives the reimbursement listing for the CEO and Councillors for the period 01 September 2021 to 28 February 2022.

Refer attachment 14.1

15. Governance Compliance Report

Responsible Officer: Director Corporate & Community Services

Attachment Number:

Introduction:

The purpose of this report is to inform Audit Committee of:

- Councils progress with the implementation of the *Local Government Act (Vic) 2020 (Local Government Act)*;
- Council's progress with the implementation of the *Gender Equality Act (Vic) 2020 (Gender Equality Act)*.

Discussion

Local Government Act 2020

The Act is a principles based Act, and contains less prescription in comparison with its predecessor, the *Local Government Act (Vic) 1989*, as a result, Council is required to develop its own various policies, strategies and plans while having regard to the overarching governance principles.

The following table contains a summary of Council's progress with the implementation of the new Act:

Document	Due date	Status
Governance Rules	1 September 2020	Complete
Councillor Expenses Policy	1 September 2020	Complete
Establishment of Delegated Committees	1 September 2020	N/A
Establishment of Asset Committees	1 September 2020	Completed
Establishment of Audit and Risk Committee	1 September 2020	Completed
Public Transparency Policy	1 September 2020	Completed
Councillor Code of Conduct	24 February 2021	Completed
Community Engagement Policy	1 March 2021	Completed
Gift Policy	24 April 2021	Completed
Annual budget	30 June 2021	Completed
Revenue and rating plan	30 June 2021	Completed
Financial Plan	31 October 2021	Completed
Council Plan	31 October 2021	Completed
Community Vision	31 October 2021	Completed
CEO Employment and Remuneration Policy	31 December 2021	Completed

Workforce plan	31 December 2021	Completed
Recruitment policy	31 December 2021	Completed
Staff Code of Conduct	31 December 2021	Completed
Complaints Policy	31 December 2021	Completed
Procurement Policy	31 December 2021	Completed
Gender Equality Action Plan	31 March 2022	Underway
Asset management plans	30 June 2022	Not complete

Link to Council Plan:

Strong Governance Practices: Ensure compliance with the *Local Government Act 2020*.

Gender Equity respect and leadership: Demonstrate leadership on gender equity and promote respectful relationships through partnerships, programs, activities, spaces and education and Council's implementation of the *Gender Equality Act 2020*.

Financial Implications:

Nil.

Risk Management Implications:

Keeping up to date with the implementation of the *Local Government Act 2020*, and *Gender Quality Act 2020* helps to ensure Council is meeting its legislative requirements.

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 interests to disclose.

MOVED: K THIELE / D NELSON

That the Audit & Risk Committee receives the Governance compliance update.

16. Hindmarsh Shire Council Quarterly Financials

Responsible Officer: Director Corporate & Community Services

Attachment Number: 16.1 Quarterly Finance report ending 31 December 2021

Introduction:

The purpose of this report is to provide the Audit & Risk Committee the quarterly finance report to 31 December 2021.

Discussion:

The quarterly finance report for the period ending 31 December 2021 was presented to Council on 2 February 2022.

The report includes a comprehensive income statement, balance sheet, cash flow and capital works statement, along with a dashboard providing information on various financial and non-financial elements of councils business, and the half yearly Local Government Performance Reporting data.

As at 31 December 2021 the Comprehensive Income Statement reports a year to date surplus of \$8,064,185 against a budgeted surplus of \$7,578,985. Cash at 31 December 2021 was \$15,023,318, with capital works expenditure \$5,006,151 against a year to date budget of \$6,400,836.

Link to Council Plan:

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

Financial Implications:

This decision has no financial implications.

Risk Management Implications:

The preparation of the quarterly statement is a statutory requirement.

Conflict of Interest:

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

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

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

MOVED: D WELSH / A ROBERTS

That the Audit & Risk Committee receives the quarterly finance report for the period ending 31 December 2021.

Refer attachment 16.1

17. Incident and Hazing Report

Responsible Officer: Director Corporate & Community Services

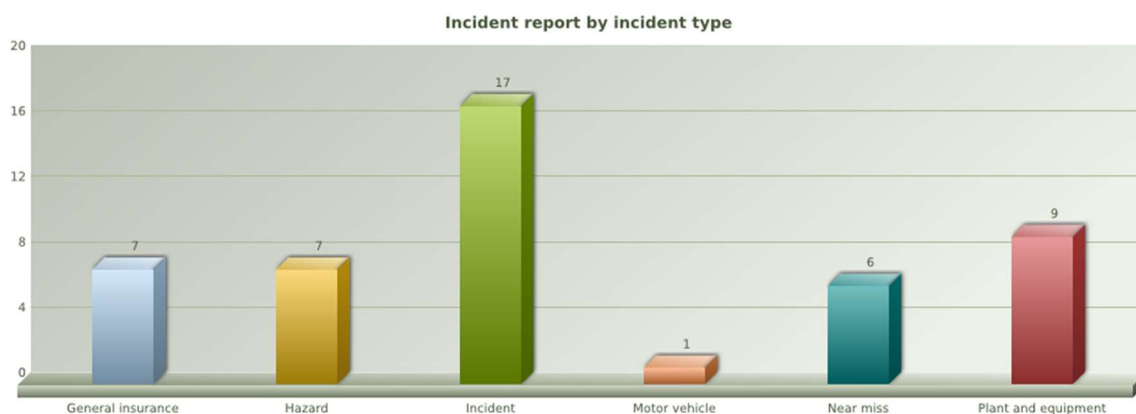
Attachment Number:

Introduction

The purpose of this report is to provide the Audit Committee with an update on the Hazard, Incident and Injury Reports from 1 September 2021 – 28 February 2022

Discussion

47 reports were received in the period 1 September 2021 – 28 February 2022.



1 September 2021 – 28 February 2022

Incidents:

Of the 17 Incident reports received included four reports of harassment or aggressive/abusive customers. Three resulted in lost time injuries.

Notifiable Incidents under the OHS Act:

No reportable incidents to WorkSafe during this period

General Insurance:

Reports include theft of council equipment, accidental property damage and damage to water infrastructure.

Hazards:

7 hazards reported during this period. Staff will be encouraged in 2022 to report hazards to enable safety improvements prior to any incidents occurring.

Near Misses:

6 near misses reported.

Motor Vehicle and Plant and Equipment:

9 reports received regarding minor damage to items of plant.

Worker's Compensation:

3 new WorkCover Claims have been submitted and accepted during this reporting period.

Link to Council Plan:

Ensure responsible risk management principles.
A skilled Council and workforce capable of meeting community needs.

Financial Implications:

Nil.

Risk Management Implications:

Managing incident and hazard reports is a key aspect of Council's Risk Management Framework. The reporting of hazards and near misses allows hazards to be identified and controlled to mitigate further incidents.

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: Angela Veitch, HR and Safety Officer

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

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

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

MOVED: K THIELE / A ROBERTS

That the Audit & Risk Committee

- 1. receives the Incident Report update.*
- 2. request future reports contain a trend graph comparing reported incidents against prior years.*

18. Late Reports

19. General Business

20. Next Meeting

The next meeting will be held on Wednesday 15 June 2022, commencing at 11am.

Meeting closed at 12:06pm



MINUTES of the Rainbow Town Advisory Committee Annual General Meeting held at the Rainbow Mecca Supper Room on Monday 21 February 2022, commencing at 7.30pm

Chairperson Leonie Clarke: declared the Annual Meeting open and welcomed Cr Brett Ireland, Janette Fritsch (HSC), Welcomed new members and members from the previous committee.

Present: Maxwell Clarke, Michael Sullivan, Graham Nuske, Alison Ey, Colleen Petschel, Allira Roberts, Belinda Eckermann, Greg Roberts, Callum Bull, Bill Hutson
Visiting: Cr Brett Ireland, Janette Fritsch (HSC)

AGENDA

1 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

Cr Ron Ismay

Motion: to except apologies

Moved: Alison Ey **Seconded:** Greg Roberts - **CARRIED**

3 CONFLICT OF INTERESTS - Nil recorded

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Rainbow Town Committee Last Annual Meeting held on 23rd September 2019 at the Royal Hotel Rainbow circulated to Committee Members be taken as read and confirmed.

Moved: Alison Ey **Seconded:** Callum Bull - **CARRIED**

5 2021 CHAIR HANDOVER REPORT: Leonie Clarke (see report below)

Quote: I think you always need to try your best but at the same time you can only do what you can do. Don't beat yourself up about it (Heidi Klum).

I have been on the town committee for many years and at the Annual meeting in 2019 was elected as chairperson. Everything was going smoothly and we were discussing projects that have been in planning and the future direction of the town committee but then we met the biggest challenge, as did the world, with the arrival of COVID 19.

Continual lockdowns, people not being able to access technology for zoom meetings along with a myriad of things have prevented continual progress.

The change to section 86 committees in the local government structure, losing our local treasurer with our funds now administered in Nhill and the lack of voice and power and red tape has made life very difficult to effectively run a town committee to its full capacity.

My ideal town committee would consist of representatives from the following areas: town traders, progress association, interested community members, sporting groups, education etc. Our community has so many meetings with more than often the same people attending most of them and I think we need to work smarter and not harder.

Of course there are always people to thank in a chairpersons report and these are the people who I wish to acknowledge.

Secretary Bill Hutson. Tireless, dedicated, efficient, outstanding are just the start of so many words I could use for Bill. But most of all a person who shows the true Aussie spirit through adversity both on a personal and community level.

Treasurer Adrian Bennett who up until our funding went back to the Shire efficiently carried out his role.

Wayne Schulze as representative of the Shire. It's hard to work all day, drive to another town, attend a meeting then travel back to your place of residence but you have been an excellent person to have as our representative. You always took on board questions asked by members and if you did not have the answers you made sure we did, either before the next meeting or at the meetings.

To my fellow Town Committee members, thank you for your support, friendship attendance at meetings and your contributions to our town.

Thank you also to Cr Ron Ismay for his support over the many years that I have been involved with the RTC.

As this is my last meeting being a member of the RTC I wish the new office bearers and committee well for 2022 and beyond.

Motion: to Receive Chair Handover report.

Moved: Alison Ey **Seconded:** Graham Nuske - **CARRIED**

Chairperson requested Cr Brett Ireland to officiate election of office bearers, declaring all positions vacant.

6 ELECTION OF OFFICER BEARERS:

6.1 Chairperson

Michael Sullivan nominated Graham Nuske who declined.

Belinda Eckermann **nominated Greg Roberts: Seconded** by Graham Nuske. Greg Roberts accepted the nomination.

CARRIED

Deputy Chairperson: Allira Roberts **nominated Graham Nuske: Seconded** by Colleen Petschel.

Graham Nuske accepted the nomination.

CARRIED

6.2 Secretary:

Alison Ey was nominated but declined.

Graham Nuske **nominated Colleen Petschel as Secretary and Allira Roberts as Assistant Secretary.**

Seconded by Callum Bull.

Both ladies accepted their nominations.

CARRIED

Advisory Committee members:

Maxwell Clarke

Michael Sullivan

Graham Nuske

Alison Ey

Colleen Petschel

Allira Roberts

Belinda Eckermann

Greg Roberts

Callum Bull

Bill Hutson

Specialist Working Group to be under Rainbow Town Advisory Committee:

Town Traders Working Group

- *Amanda Sluggett*
- *Michael Parry*
- *Mark Cocks*

- Casey Stasinowsky
- Caroline Cocks
- Ian Turner
- Renee Clugston
- Jacinta Cocks
- Stuart Cocks

Motion: to approve the nominations of Town Traders to become a Working Group of the Rainbow Town Advisory Committee.

Moved: Greg Roberts **Seconded:** Belinda Eckermann

CARRIED

Cr Brett Ireland then handed over to new Chairperson Greg Roberts who thanked Brett for officiating.

7 CORRESPONDENCE

Inward

7.1 Email financial report from Wayne Schulze (HMSC)

7.2 Email: from Barbara Young advising RTBWG have chosen to go under a different Group

Outward

7.3 Emailed: minutes from 2019 annual meeting 2021 – 2022 annual, agenda & general agenda.

RECOMMENDATION

That the Outward Correspondence is approved and the Inward Correspondence noted.

Moved: Alison Ey **Seconded:** Callum Bull

CARRIED

8 GENERAL BUSINESS

9 EVENTS

10 FINANCE REPORT

10.1 Summary of balances in finance report

RECOMMENDATION:

That the 2020 / 2022 Finance Report as provided with this Agenda be approved.

Moved: Alison Ey **Second:** Colleen Petschel

CARRIED

11 MEETING CLOSED Annual meeting closed at 8.05 pm with the Monthly General meeting to follow.

12 COUNCIL OFFICER AUTHORISATION

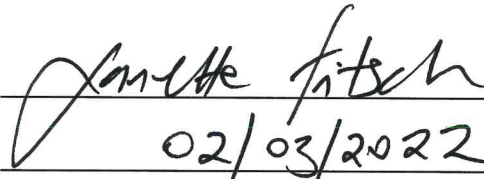
*to be completed by the Council Officer

I Janette Fritsch accept the following recommendations made by the Rainbow Town Advisory Committee at the AGM held 21 February 2022.

ITEM NO.	DESCRIPTION	DECISION
4	Minutes	Confirmation of the Minutes
7	Correspondence	Approving the Outward Correspondence and Noting the Inward.
10.1	Finance Report	That the Finance Report as provided with the Agenda be approved.

SIGNED: Council Officer

Dated:


02/03/2022

Chairperson Report 2019: Ross Heinrich

I would like to especially thank my executive committee for their assistance throughout the year.

1. Treasurer Adrian Bennett who competently manages our finances.
2. Secretary Bill Hutson who continues to keep us well informed.
3. Assistant Secretary Leonie Clarke for taking the Chair while was unable to attend.

Projects:

- Town entrance structures still an ongoing work in progress.
- Rainbow Town Committee conducted a very well attended New Residents BBQ in November 2018.

I would like to take the opportunity to also thank,

- Members of the Rainbow Town Committee for their support and efforts in attending to their duties for this last year.
- Hindmarsh Shire Council for their continued support throughout the year.
- Rainbow P 12 College HOL students for their work repainting Federal Street fences & various Bollards around town recently.
- Liaison Officer Wayne Schulze for his service, guidance and help through the year, it is very much appreciated by members of Rainbow Town Committee.
- Ben Gosling for his tireless voluntary efforts in our website management.
- Trish of Rainbow 50's Cafe for managing our visitor information, brochure cabinets and display TV in a voluntary capacity.

That concludes my chairperson report:

Motion: that the Chairperson report be received

Moved: Adrian Bennett / Greg Roberts – carried

Chairperson then declared: all positions vacant and invited Mayor Cr Ron Ismay to officiate for the election of new office bearers, members and working groups.

Election of Office bearers:

Chairperson: Ross Heinrich nominated by Michael Sullivan.

Chairperson: Leonie Clarke nominated by Peta Bennett as there was two nominations a vote by show of hands was undertaken resulting in **Leonie Clarke being elected as Chairperson of the Rainbow Town Committee 2019.**

Vice Chairperson: Ross Heinrich nominated by Julie McLean elected.

Secretary: Bill Hutson nominated by Greg Roberts elected.

Treasurer: Adrian Bennett nominated by Greg Roberts who accepted declared elected.

Assistant Secretary no nominations:

Committee member nominations, selected from previous committee.

- Greg Roberts
- Peta Bennett
- Michael Sullivan
- Julie McLean
- Roger Aitken

Call for further nominations from community/general public if interested in becoming a member of RTC

Motion: that the names listed be recommended nominations for RTC membership.

Moved: Greg Roberts / Michael Sullivan – carried

Motion: to except the retirement of Leeanne Cox from the Town Committee and to thank Leeanne for her contribution to RTC:

Moved: Roger Aitken / Leonie Clark – carried

Bank Signatories:

- Peta Bennett
- Bill Hutson
- Adrian Bennett
- Leonie Clarke

Motion: that the above members be appointed as bank signatories, able to sign cheques which must be signed by any two signatories.

Moved: Michael Sullivan / Greg Roberts - carried

Working Groups: currently under the Town Committee as follows –

Town Traders Working Group:

- Michael Parry
- Casey Stasinowsky
- Caroline Ampt – Cocks (main contact person)
- Amanda Sluggett
- Stuart Cocks
- Renee Clugston
- Ian Turner
- Jacinta Cocks
- Mark Cocks

Rainbow Desert Enduro working Group:

Heather Davidson
Christopher Zadow
Leonie Clarke
Julie Mc Lean
Bill Hutson
Dean Petschel
Russell Eckermann
Elissa Keller
Ronald Ismay
Graeme Nuske
Adrian Bennett

Ashley Eckermann
Roger Aitken
Chanelle Petschel
Norelle Eckermann
Neville Sleep
Alison Ey
Bronte Eckermann
Josh McPhee
Trevor Drendel

***Motion:** that the names recorded be approved to be on the Town Traders and Rainbow Desert Enduro Working Groups under the Rainbow Town Committee.*

Moved: Greg Roberts / Peta Bennet – carried

Greg Wood CEO

Greg Wood stated that the Rainbow Town Committee was a good committee, that council didn't have to worry about it as they were very compliant with regulations and ran very smoothly saying that he congratulated the town committee acknowledging Ross Heinrich for his very long service to the committee.

Greg spoke about the Nhill Rainbow Road 4-meter Seal and new Bridge going well but rain delayed finishing on time.

Major footpath and curbing reconstruction work around Rainbow P12 school.

We are applying for a grant for female change rooms at the Recreation reserve am hopeful of getting that through.

Greg also wanted to touch on the new Library as he believed there was a fair amount of miss information getting around, the library extended opening about twelve hours per week where as currently is open two and a half per fortnight, which is a significant extension of availability for the community.

The new Library would provide a Capacity internet service and a meeting place.

Mayor Cr Ron Ismay spoke stating he was very proud of the Rainbow Town Committee and he felt that we have a good healthy committee and a lot of things get done they are very committed to projects in our town, Mayor Cr Ron Ismay felt that the committee was very well run, he then handed over to the newly elected Chairperson Leonie Clarke who thanked all for their attendance.

AGM 2019 Meeting closed @ 7.40 pm with the general meeting to follow.

Chairperson Leonie Clarke.

RAINBOW TOWN COMMITTEE

BALANCE SHEET

25/9/2018 - 23/9/2019

NB: This Balance sheet incorporates both the main cheque account and the petty cash account.

INCOME

OPENING BALANCE	\$ 38,354.94
Admin Grant 2018/19	\$ 1,000.00
Admin Grant 2019/20	\$ 1,000.00
Grants & Funding 2018/19	\$ 13,500.00
<i>\$6,500.00 HSC 18/19 Grant (unallocated)</i>	
<i>\$500.00 HSC New Res Day</i>	
<i>\$6,500.00 HSC 19/20 Grant (unallocated)</i>	
Rainbow Desert Enduro	\$ 17,186.15

EXPENDITURE

Rainbow Desert Enduro	\$ 15,324.95
New Res Day	\$ 642.63
Town entrance	\$ 495.00
Dare Telecom (Web hoasting)	\$ 144.00
PO Box Rent	\$ 130.00
Printing & Stationery	\$ 178.99
Rbw Civic Cent (Hall Rent)	\$ 50.00

Closing Bank Balance \$ 54,075.52

\$ 71,041.09

\$ 71,041.09

Bank & Petty Cash balance as of 23/9/2019

Cheque Account	\$ 54,051.62
Petty Cash Account	\$ 23.90
Total Balance	<u><u>\$ 54,075.52</u></u>

Adrian Bennett



Treasurer
Rainbow Town Committee



MINUTES OF THE RAINBOW TOWN ADVISORY COMMITTEE GENERAL MEETING HELD MONDAY 21 FEBRUARY 2022 AT THE CIVIC SUPPER ROOM, 15 FEDERAL STREET RAINBOW, COMMENCING AT 8.05PM

- 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: Maxwell Clarke, Michael Sullivan, Graham Nuske, Alison Ey, Colleen Petschel, Allira Roberts, Belinda Eckermann, Greg Roberts, Callum Bull, Bill Hutson
Visiting: Cr Brett Ireland and Janette Fritsch (HSC)

Chairperson: Greg Roberts declared the meeting open @ 8:05 pm.

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Chairperson opened the meeting at by acknowledging 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

Cr Ron Ismay

Moved: Allison Ey **Seconded:** Greg Roberts – **CARRIED**

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the RTAC Meeting held 25th November 2021 as circulated to RTAC members be taken as read and confirmed.

Moved: Belinda Eckermann **Second:** Callum Bull – **CARRIED**

4. DISCLOSURE BY COMMITTEE MEMBERS OR COUNCILLORS OR COUNCIL OFFICERS OF ANY INTEREST OR CONFLICTS OF INTEREST IN ANY ITEM ON THE AGENDA

- General; or
- Material

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

Secretary Colleen Petschel tabled a document outlining all her potential conflict of interests.

5. FINANCE REPORTS

Wayne Schulze (HSC) had provided the financial report for the period ending 31 January 2022 and this was distributed by the Secretary to members on 11/02/2022.

Motion: to receive the financial report

Moved: Allison Ey **Second:** Callum Bull - **CARRIED**

6. DECISIONS TO BE MADE

6.1

6.2

7. CORRESPONDENCE

Outwards:

7.1 - Letter of support provided for digitising town and district tours.

7.2 - Community Groups Pre-Budget submission 2022 priority list (fw)

7.3 - November minutes (fw)

7.4 - Letter of request for trailblazers to be a working group under the town committee (fw).

Inwards:

7.5 - Letters received from Mrs Anne Simms Re trucks using Taverner Street (fw)

7.6 - Letter of support requested for digitising town and district tours (Alison Ey)

7.7 Invitation to local government conference (fw)

Motion: That the Outward Correspondence be approved and the Inward Correspondence noted.

Moved: Callum Bull **Second:** Allira Roberts – **CARRIED**

8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR

8.1 Discuss the prospect of authorising a **replacement lap top** with necessary programs and possibly a printer with scanning capabilities for new secretary.

Janette Fritsch (HSC) had made inquiries to see if council had available a more modern lap top and it was decided that council would liaise with member Alison Ey as to our requirements.

8.2 As town committee organize the **Federal street closures** for the Enduro An additional Off Road Race (ARB Big Desert 480) is to be held on 01/04/2022. An executive decision had to be made over the Christmas/New year period. The Executive are looking for a motion to ratify this decision as there was no meetings taking place and applications needed to be in 6 – 8 weeks before the event.

Motion: To approve Advisory committee organizing Federal Street closure for ARB 480 Friday on the 01/04/2022.

Moved: Allira Roberts **Seconded:** Callum Bull - **CARRIED**

8.3 Looking for volunteers to man six **Covid check points** in Federal Street on the 01/04/2022.

It was decided to wait a little longer: as we may not require Covid check points subject to the regulations at the time.

8.4 Advisory Committee to obtain **QR Code** for Federal /partial Railway Street.

It appears that QR Code may be not required - check closer to the event.

8.5 Advisory Committee to organise Federal Street food vendors for Friday 01- 04 - 2022

Basically, this is organized.

8.6 Discuss action re **Simms letters.**

After discussion it was decided that the Advisory committee write a letter to Anne Simms suggesting that letters of support be obtained from other residents of Taverner Street verifying the problems of gypsum trucks travelling though.

Motion: That Secretary sends a letter to Anne Simms.

Moved: Belinda Eckermann **Seconded:** Maxwell Clarke - **CARRIED**

8.7 Christmas Decorations: (Alison Ey)

Allison Ey enquired what the procedure was for those that supplied Christmas decorations for Federal Street

It was pointed out that before they wanted them a motion had to go through the committee and small amounts could be approved at the meeting by Wayne Schulze at the time, **take home message is any expenditure must be recommended at a meeting by motion.**

8.8 Advisory committee Logo: (Alison Ey)

Allison Ey displayed a logo for the advisory committee which was accepted by the committee.

Motion: That the displayed and forwarded logo be accepted.

Moved: Graham Nuske **Seconded:** Colleen Petschel - **CARRIED**

8.9 Notice board for things happening in rainbow. (Belinda Eckermann)

Belinda suggested a notice board be purchased / erected in Rainbow for upcoming events. Several options were discussed from digital to a notice board. The idea was well received but it was suggested that we go home and research and gather more information to bring back to the next meeting.

9. Urgent business

Nil.

10. Meeting Closed

As there was no further business Chairperson Greg Roberts declared the meeting closed at 8.47pm.

The next meeting will be held Monday 21 March 2022.

11. Council Officer Authorisation


*to be completed by the Council Officer

I Janette Fritsch accept the following recommendations made by the Rainbow Town Advisory Committee at the meeting held 21 February 2022.

ITEM NO.	DESCRIPTION	DECISION
4	Minutes	Confirmation of the Minutes
5	Finance Report	Receive the Finance Report to 31 January 2022.
7	Correspondence	Approving the Outward Correspondence and Noting the Inward.
8.2	Federal St closure	Approve Advisory Committee organising Federal St closure for ARB 480 on 01/04/2022.
8.6	Simms letters	That Secretary sends reply to Anne Simms.
8.8	Advisory Committee Logo	Logo to be accepted.

SIGNED:

Council Officer



02/03/2022

Dated:



NOTICE is hereby given that a Rainbow Township Advisory Committee Meeting of the Hindmarsh Shire Council will be held at the Civic Centre Small meeting room on **Monday March 21st 2022** commencing at 7.30pm.

MINUTES

Meeting opened : 19:35pm

1. Acknowledgement of the Indigenous Community

Chairperson opened the meeting by acknowledging the Indigenous community

We acknowledge the Shire's indigenous community as 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. Attendance & Apologies

Attendance

Alison Ey, Allira Roberts, Graeme Nuske, Bill Hutson, Greg (ILarry) Roberts, Wayne (Butch) Schulze, Colleen Petschel, Mike Sullivan*, Peter Ralph#

Apologies

Belinda Eckermann, Callum Bull, Max Clark* (may not have received agenda)

Moved Graeme Nuske/Bill Hutson AiF C

3. Disclosure by Committee members or Councillors or Council Officers of any interest or conflicts of interest in any item on the agenda

NA

4. Confirmation of Minutes

The minutes of the last meeting be confirmed as a true & correct account of proceedings

Moved Alison Ey/Allira Roberts AiF C

5. Business Arising from the Minutes

NA

6. Correspondence

- *Harvey Norman laptop quote* 4/03/22
- *Total Computer laptop quote* 4/03/22
- *Post Office Box renewal notice* 10/02/22

All correspondence be read & accepted

Moved Graeme Nuske/Alison Ey AiF C

7. Events

NA

8. General business as notified to the Chair

a. COVID update for Federal Street

- Bill provided a summary of the COVID requirements for Federal Street for the Enduro Street Party on Friday 1st April
- His summary is attached to this email

b. Volunteer requirements for Federal Street

- Bill has asked for some assistance to organise the tables to go out on the street on the Friday at approximately 10am
- Larry will organise some assistance at this time

c. Update on status of Town Trader volunteer sheets

- Not many have come back to Bill
- Colleen to catch up with Caroline Cocks about this

d. Quotes for Town Committee laptop update

- Alison Ey provided two quote for the purchase of a laptop for the RTC
- After some discussion it was decided to follow Alison's recommendation for the Harvey Norman quote on the proviso that it was stated in the motion that the quoted price may increase.
- *The RTC recommends the Shire accept the Harvey Norman quote to purchase a laptop as it provides a better outcome, noting that the price may increase due to the date of the existing quote*
Moved Alison Ey /Allira Roberts AiF C

e. Town Entrance Project

- Bill gave the committee an historical summary of the project
- He outlined the money set aside for it & the difficulties and barriers experienced
- After further discussion it was decided to keep persisting with the project
- *The RTC moved that Alison Ey & Allira Roberts will take over the operation of this project*
Moved Graeme Nuske/Bill Hutson AiF C

f. Taverner Street update

- Butch mentioned that the 40KM for Taverner Street application to VicRoads was refused
- Larry provided a summary of progress on this issue
- Discussed the possibility of a pedestrian crossing
- Encouraging residence of Taverner Street to write letters of support
- Counters still out and collecting data.

g. Albacutya Bridge plaque (Peter Ralph in attendance to speak to this)

- Colleen read through the letter
- Larry gave a summary of work on the bridge
- RTC believes this is a great idea that needs support (in principle)
- Questions asked:
 - Will there be an official opening?
 - Who owns the land?
- Butch will look into this further, he will catch up with Daniel and report back to the next meeting.

h. Bollard/Charging station

- Graeme emailed all councillors about this issue but only received response from two.
- He mentioned his objections to the site of the charging station and the bollards and there is no room for expansion
- Graeme asked who was responsible for the location?
- Not much foresight or public consultation
- He has had a discussion with the Mayor who mentioned “*That it appears that we may have got this wrong and that we need to fix it*”
- Butch to take this back to the Shire

i. Mike Sullivan’s resignation

- At the start of the meeting Mike Sullivan tendered his resignation
- *RTC moved a motion to recommend to the Shire that Mike Sullivan’s resignation be accepted*
Moved Colleen Petschel/Allira Roberts AiF C

9. Councillor Report NA
--

10. Officer Report

- | |
|--|
| <ul style="list-style-type: none">- Community consultation in rainbow next Monday 28th March 17:00-18:30- encourages all RTC members to attend- good chance to provide a voice
- Swimming pools closed now- Shire not overly happy with the performance of th YMCA- Lack of communication/ staff- Shire in discussions with YMCA about their performance- noted the ageing infrastructure of the pools in the shire
- Caravan park looking good- need a major clean up of vacant block as footings for cabin in April- Mick Frazier is doing a great job
- Netball sheds construction starting very soon- Landscaping at the Library commencing in April- Shire in discussion with Enduro committee in regards to signage- Butch to retire in July |
|--|

11. Urgent business

NA

12. Finance report

- Sent out with agenda
- Bill queried the amount for the Town Entrance Project
- Butch to follow up on this

13. Decisions to be made

NA

14. Meeting Closed

20:38

15. Council Officer Authorisation

I Wayne Schulze_ accept the recommendations made by the RTA Committee in these minutes dated 21st March 2022 apart from the following items which [require more information / do not align with the Hindmarsh Shire Council Plan / need to be referred to a Council meeting for a decision]:

- Item 8.i
-



21st Feb 2022

MINUTES of the **AGM** of Jeparit Advisory Committee Meeting of the Hindmarsh Shire Council held at the Jeparit Football Pavilion Recreation Centre on 14th February 2022 commencing at 7.30pm.

IN ATTENDANCE:

Councillor in Attendance: Mr. B. Ireland (HSC), Mr. M. Henderson (HSC), Jason Hutson (Chair-CM), Cheryl Quinn (Secretary-CM), Teresa Smith (VC), Craige Proctor (CM), Mel Wagener (CM), Bec Schultz (CM), Alan Hewitt (CM) and Tony Simpson.

1 ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY

2 APOLOGIES

Ms. Janette Fritsch (HSC), Ms. S. Reilly (CM) and Ms. L Dillon

3 CONFLICT OF INTERESTS

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the AGM Minutes of the Jeparit Committee Meeting held on 9th September 2019 Jeparit Football Pavilion Recreation Centre circulated to Committee Members be taken as read and confirmed.

Moved: Mel Wagener

Seconded: Teresa Smith

Carried

5 2021 CHAIR HANDOVER REPORT

5.1 Jason Hutson (Chair) welcomed everybody tonight to the JTAC AGM and presented his report as follows.

The last few years have been pretty challenging to say the least, zoom meetings more frequent than ever before, face masks, lock downs and home schooling are just a few things we have had to endure over the last 2 years.

Firstly I would like to thank Cheryl for taking on the role of Secretary over the last couple of terms and also doing a great job. I would like to thank the JTAC members for all their time and effort during the past couple of years attending face to face and zoom meetings, however with new members coming on board for this year we look forward to some great ideas for Jeparit.

The Christmas lights competition was run once again with great support from local businesses and plenty of lights in the streets of Jeparit.

Australia day once again was held in Menzies Square with only a small attendance and a beautiful day was enjoyed by all. Bacon and eggs for breakfast and our Australia Day Ambassador Wesa Chau visiting the Hindmarsh Shire. We also had a JTAC award to present to Mr. Col Clee. (due to circumstances this award is to be presented at a later date).

Thanks to W. Werner a tree planting day was organised and planted at Lwr Roy Stret with about 16 workers for the day.

Other projects currently being worked on are, Township entrance signs looking forwqrd to the Heritage River Discovery Trail and Jeparit's node and swimming hole,, caravan park, tennis court precinct area and the completion of the mural in Menzies Square which is already well underway and looking fantastic.,

I would like to thank the Hindmarsh Shire for their continued and valued support, councillor Brett Ireland and now Deputy Mayor for his reports each month and finally thank you Janette Fritsch (HSC) for her time and contributions during the year.

Moved: Mel Wagener (CM) **Seconded:** Bec Schultz (CM)

Carried

6 ELECTION OF OFFICER BEARERS

: Mr. B. Ireland (HSC) declared that the positions of Chair, Vice Chair and Secretary were now Vacant for the year 2022 to 2023.

6.1 Chairperson

Nominee: Jason Hutson

Nominated: Bec Schultz

Seconded: Mel Wagener

Accepted:

In the absence of other nominees, **Jason Hutson** was appointed to the position of Chair.

6.2 Vice Chairperson

Nominee: Teresa (Floss) Smith

Nominated: Bec Schultz

Seconded: Mel Wagener

Accepted:

In the absence of other nominees, **Teresa Smith** was appointed to the position of Vice Chair.

6.3 Secretary

Nominee: Cheryl Quinn
Nominated: Teresa Smith
Seconded: Mel Wagener

Accepted:

In the absence of other nominees, **Cheryl Quinn** was appointed to the position of Secretary.

6.4 General Committee

Craige Proctor, Alan Hewitt, Louise Dillon, Mel Wagener, Bec Schultz, Sharron Reilly

7 GENERAL BUSINESS

8 MEETING CLOSED

8.1 8.00pm


9 COUNCIL OFFICER AUTHORISATION

*to be completed by the Council Officer

I MICHAEL HENDERSON accept the following recommendations made by the Jeparit Town Advisory Committee at this meeting held on 14th February 2022.

ITEM NO.	DESCRIPTION	DECISION
4	Minutes	Confirmation of the Minutes
6.1	Committee Members	That JTAC membership of Louise Dillon be approved
6.2,6.3,6.4	Election of office bearers	Election of Chairperson, Asst. Chair and Secretary

SIGNED: Council Officer



28/2/22.

Dated:



19th Feb 2022

**MINUTES OF THE JEPARIT TOWNSHIP ADVISORY COMMITTEE AGM MEETING
OF THE HINDMARSH SHIRE COUNCIL HELD ON 14TH FEBRUARY 2022 AT THE
JEPARIT FOOTBALL PAVILION RECREATION CENTRE COMMENCING AT 8.00PM.**

Present: Councillor in Attendance: Mr. B. Ireland (HSC), Mr. M. Henderson (HSC), Jason Hutson (Chair-CM), Cheryl Quinn (Secretary-CM), Teresa Smith (VC), Craige Proctor (CM), Mel Wagener (CM), Bec Schultz (CM), Alan Hewitt (CM) and Tony Simpson.

1 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

Ms. J. Fritsch (HSC), Sharon Reilly (CM) and Louise Dillon (CM)

3 CONFLICT OF INTERESTS

- 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.

NIL.

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Jeparit Committee Meeting held on 8th November 2021 Jeparit Football Pavilion Recreation Centre circulated to Committee Members be taken as read and confirmed. (Attachment 1)

Moved: Mel Wagener

Seconded: Teresa Smith

Carried

5 CORRESPONDENCE

5.1 Inward

JTAC Re F/F meeting and vaccination 8/11
HSC J. Fritsch Re Aviary Proposal Museum 8/11
CM - L. Chivell late communication forwarded to CM 8/11
Nomination Form for membership C. Quinn CM 9/11
HSC H. Boyd – Budget request forwarded CM 9/11
HSC J. Fritsch updates forwarded CM 9/11
HSC J. Fritsch updates Jeparit Pool forwarded 9/11
Wimmera River Discovery Trail Notification Approval W.W., J.H., Sec., 9/11
Grampians Tourism Industry - forwarded 12/11
J. Hutson (Chair) Maps re Road surfaces – budget submission 15/11
J. Hutson (Chair) Australia Day Awards 17 & 18/11
Greg Wood (CEO – HSC) Re; Australia Day Co-ordination & Volunteering 19/11
J. Fritsch (HSC) Draft Minutes for final approval 19/11
Australia Day Nominations from HSC 22/11
HSC J. Fritsch Final Draft of November Minutes forwarded 22/11
S. Johnson - HSC appointment of Cr. B. Ireland forwarded 22/11
HSC Nomination Forms and notification for CM Jeparit forwarded 29/11
Confirmation of approval for shed painting in Menzies Square M. Parry 29/11
J. Fritsch (HSC) Mural requirements of artist 7/12
J. Fritsch (HSC) Christmas Lights 3 x Vouchers 10/12
J. Hutson (Chair) Approval letter for usage of Mural wall. 11/12
J. Fritsch (HSC) Budget Submission due 14th January 14/12
B. Schultz (CM) Expression of Interest 21/12
J. Wood (CEO – HSC) Jeparit Accommodation, Food & Shopping update 22/12
H. Thomson (HSC) New Committee Members 10/1/22
W. Werner (CM) Support Letter Museum 12/1/22
S.86 Invitation to Rainbow Local Government 12/1/22
C. Proctor (CM) acceptance 12/1/22
S. Johnson (HSC) – Australia Day Events 13/1/22
J. Hutson (Chair) Australia Day Events 19/1/22
P. King (HSC) Letter of support assistance 19/1/22
JTAC 2021 Motion regarding Mural (Meeting 8/11/21) 19/1/22
Motion 6.1 acceptance (Meeting 8/11/21) received from BS, JH, GB, SR, TS, CQ, TS, LC.
J. Hutson (Chair) Information re Road Repairs for Submission 19/1/22
J Fritsch (HSC) Advisory Committee Dates for Meeting 28/1/22
J. Hutson (Chair) Master plan Community facilities 31/1/22
J. Fritsch (HSC) Thank you in receipt for responses to communication letters 1/2/22
J. Fritsch (HSC) Financial Statement 2/2/22

5.2 Outward

CM - L. Chivell late communication forwarded to CM 8/11
JTAC meeting details face to face forwarded to CM 8/11
JTAC meeting details face to face to Cr. B. Ireland & HSC J. Fritsch
HSC J. Fritsch Draft of Minutes of Meeting 8/11/21
Response Nomination Form for membership C. Quinn CM 9/11
Wimmera River Discovery Trail Notification 9/11
HSC H. Boyd – Budget request forwarded CM 9/11
HSC J. Fritsch updates forwarded CM 9/11

HSC J. Fritsch updates Jeparit Pool forwarded 9/11
Grampians Tourism Industry - forwarded 12/11
J. Hudson (Chair) Budget submission information and maps 15 /11
HSC J. Fritsch additions to Draft Minutes of meeting 15/11
HSC Australia Day Awards - J. Hudson (Chair) 17/11
HSC Australia Day Awards - J. S. Reilly 17/11
JTAC members re nominations 17/11/
Australia Day Nominations from HSC 22/11
HSC J. Fritsch Final Draft of November Minutes forwarded 22/11
Final Minutes circulated to members and HSC & S86 22/11
HSC appointment of Cr. B. Ireland forwarded 22/11
HSC Nomination Forms and notification for CM Jeparit 29/11
Confirmation letter received re Mural Painting wall use 29/11
Grampian Tourism News Letter 30/11
HSC J. Fritsch RE Mural Requirements 7/12
HSC J. Fritsch RE Mural Mock Up Template 7/12
CM – B. Schultz – Expression of Interest 20/12
JTAC RE Jeparit Accommodation, Food and Shopping update 22/12
JTAC Grampian Tourism December 26/12
H. Thompson (HSC) new JTAC Members List 10/1/22
W. Werner – Support Letter Museum 12/1/22
JTAC Rainbow Local Gov. Invitation 12/1/22
S.86 Local Govt Invitation 12/1/22
CM-T. Smith information regarding Mural 12/1/22
HSC -H. Boyd Re: Submission Budget 14/1/22
J. Hudson (Chair) Australia Day Event 14/1/22
J. Hudson (Chair) Australia Day Programme 18/1/22
HSC - P. King Letter of Support re Tennis courts – 19/1/22
HSC – P. King Master plan support response 19/1/22
JTAC Thank you letters for response 21/1/22
JTAC – Change of venue/virtual for Rainbow Local Govt Meeting 21/1/22
HSC J. Fritsch – Thank you for Feb Meeting dates. 1/2/22
HSC J. Fritsch – Information to record Mural Motion at next meeting 1/2/22
JTAC Grampians Tourism Industry 1/2/22
HSC J. Fritsch Financial Statement 2/2/22

RECOMMENDATION

That the Outward Correspondence be approved and the Inward Correspondence noted.

Moved: Bec Schultz

Seconded: Mel Wagener

Carried

6 GENERAL BUSINESS c.

- 6.1 Motion Moved** by Teresa Smith (CM) at Meeting 8/11/2021 and **Seconded** by Cheryl Quinn (Sec) - (8.4) Menzies Square Art Work Design, Costing and Estimation of completion. **Acceptance** by CM – G. Blair, S. Reilly, B. Schultz, T. Simpson, and L. Schivell.
- 6.2** Swimming Hole – Camp Kitchen update and Cabin Revamps - Update
- 6.3** Dimboola Steampunk Festival – 23rd April 2022 (Street market & Community garden, book launch.) JTAC to investigate sharing with W. W. Museum a table promoting Jeparit's facilities. CM/C attending Museum meeting this week showing JTAC interest and will report back at next JTAC meeting.
- 6.4 CM Teresa Smith Moved:** That as Dimboola High School have a portrait wall painting of Sir Robert Menzies and are looking to re-home this item they have approached JTAC asking if they would like to have this as a gift. **Seconded:** Alan Hewitt (CM) **Carried:**
- 6.5 New Residence BBQ** – to be organised for Sunday 20th March – Mr. Col Clee's family to be approached for presentation and confirmation of availability from Bowling Club to be obtained. (CM) Teresa Smith. Secretary to design letter drop invitation. Finalisation next JTAC meeting.
- 6.6 Pool Party:** Jeparit Outdoor Pool is providing a BBQ at 6.00pm on Thursday 24th February 2022. CM Mel Wagener has offered with the cooking, members are asked to attend where possible. Letter drop would be beneficial – Secretary to investigate.

7 EVENTS

Event:		Location:		Date	
<i>Relevant documents</i>					
	Responsibility	Due date	Status		
Risk assessment					
Food permit					
Local Law permit					

8 FINANCE REPORT

8.1 Summary of balances in finance report

RECOMMENDATION:

*That the Finance Report as provided 31/01/2022 with the Agenda be approved.
(Attachment 2)*

Moved: Alan Hewitt

Seconded: Mel Wagener

8.2 Purchase orders to be raised - \$2,000.00 or less

RECOMMENDATION:

That the Council Officer raise the following Purchase Orders, being a value of \$2,000 or less.

Moved:

Seconded:

Creditor	Value \$	Description of Goods or Services

8.3 Purchase orders to be raised – more than \$2,000

RECOMMENDATION:

That the Council Officer, following approval by Council or the CEO, raise the following Purchase Orders greater than \$2,000.

Moved

Seconded

Creditor	Value \$ (> \$2,000)	Description of Goods or Services

9 COUNCILLOR REPORT:

Mr. B. Ireland (C) discussed the following items in his report.

Explanation of adopting a 4 to 10 year plan for budget submissions, annual funding and being an advisory to the HSC for the involvement and betterment of the township.

CM: Alan Hewitt asked the question of councillor who makes the decision of what a silo art work entail. Cr B. Ireland will inquire as to whom makes this decision. (Arkona due to commence April).

Ratepayers to incur extra glass receptacle (coloured lid) which will be collected fortnightly opposite day to recycle bin.

Discussion in regard to obtaining the HSC fortnightly e-letter from the web site to ensure members are up to date with events.

Jeparit Pool due to minimal usage, staff shortage this the first pool to close, pool is in need of refurbishment and struggles to meet the needs of the Community.

10 MEETING CLOSED

The meeting closed at 8.44pm

11 COUNCIL OFFICER AUTHORISATION

*to be completed by the Council Officer

I MICHAEL HENDERSON accept the following recommendations made by the JTAC Committee at this meeting held on 14th February 2022.

ITEM NO.	DESCRIPTION	DECISION
4	Minutes	Confirmation of the Minutes
5	Correspondence	Approving the Outward Correspondence and Noting the Inward.
6	General Business	
7	Events	
8.1	Finance Report	That the Finance Report as provided with the Agenda be approved.
8.2	Purchase Orders to be Raised (\$2,000 or less)	That the Council Officer raise the Purchase Orders listed.

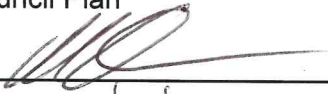
I MICHAEL HENDERSON advise that the following items:

ITEM NO.	DESCRIPTION	DECISION
8.3	Purchase Orders to be Raised (above \$2,000)	That the Council Officer, following approval by Council or the CEO, raise the following Purchase Orders listed which are greater than \$2,000.

- Need to be referred to a Council Meeting / CEO for a decision
- Require more Information
- Do No align with the Hindmarsh Shire Council Plan

SIGNED: Council Officer

Dated:



28/2/22



14th March 2022

MINUTES OF THE JEPARIT TOWNSHIP ADVISORY COMMITTEE MEETING OF THE HINDMARSH SHIRE COUNCIL HELD ON 14TH MARCH 2022 AT THE JEPARIT FOOTBALL PAVILION RECREATION CENTRE COMMENCING AT 7.30PM.

Present: Councillor in Attendance: Mr. B. Ireland (HSC), Ms. J. Fritsch (HSC), Jason Hutson (Chair-CM), Cheryl Quinn (Secretary-CM), Teresa Smith (VC), Craige Proctor (CM), Mel Wagener (CM), Bec Schultz (CM) and Sharon Reilly (CM)

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

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

Alan Hewitt (CM) and Louise Dillon (CM)

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.

NIL.

4. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Jeparit Committee General Meeting held on 14th February 2022 Jeparit Football Pavilion Recreation Centre circulated to Committee Members be taken as read and confirmed subject to the word General replacing AGM in the Title. (Attachment 1)

Moved: Bec Schultz

Seconded: Teresa Smith

Carried

5. BUSINESS ARISING FROM THE MINUTES

5.1 Funding expenditure spent for Township signage and is HSC able to continue the project. Update: One of the five JTAC's 22/23 budget submissions includes a request that HSC take over this project. Budget proposals will be presented to Council at the April meeting for consideration.

5.2 Township Mural project in Menzies Square update. Progressing nicely.

5.3 Dimboola consultation evening for Arkona Silo Art work update. Commencement due next month, planning permit not required, art works unknown.

5.4 New Resident BBQ, Australia Day presentation & Letter box drop (sample) 20/03/22 Date changed to 3rd April, 2022, (Sunday lunch). Flyers to reflect new date. CM's scheduled to organise food. Col Clee's family to be contacted and confirmation that Australia Day Recipient can attend.

5.5 Sir Robert Menzies' picture is now in storage ready for installation in the main hall.

5.6 Minutes (14/2/2022) circulated reflected the words AGM and should be changed to read Jeparit Township Advisory Committee General Meeting Minutes of 14th February 2022.

6. CORRESPONDENCE

INWARD:

6.1.B. Ireland (HSC) regarding availability of Co – Ed Room Jeparit. 15/02/22

6.2 Draft Minutes Ms. J. Fritsch (HSC) & Mr. M. Henderson (HSC) 24/02/22

6.3 Repeat Minutes Ms. Janette Fritsch (HSC) 24/02/22

6.4 Grampians Tourism Industry News on 28/02/22

6.5 C Proctor (CM) letter of thanks. 1/03/22

6.6 B. Ireland (HSC) re silos information night – 1/03/22

6.7 j. Fritsch (HSC) Financial Statement 7/03/22

OUTWARD:

6. 8 Agenda, Min& Finance to (CM) 8/02/22

6. 9 Agenda, Min & Finance to (HSC) R. Ismay (M), B. Ireland (HSC) 8/02/22

6.10 Ms. J.Fritsch (HSC) & Mr. M. Henderson (HSC) 8/02/22 & 10/02/22

6.11 JTAC DRAFT Minutes of Meeting 14/02/22 to HSC 19/02/22

6.12 JTAC 2nd DRAFT Minutes of Meeting 14/02/22 to HSC 24/02/22

6.13 Grampians Tourism Industry News 01/03/22

6.14 Information regarding Silo consultation passed to CM 1/03/22

6.15 Agenda, P/Minutes, F/State R. Ismay (M), B. Ireland (HSC) J> Fritsch (HSC) 7/03/22

6.16 Agenda, P/Minutes, F/State for 14/03/22 to JTAC members 7/03/22

RECOMMENDATION

That the Outward Correspondence be approved and the Inward Correspondence noted.

Moved: Bec Schultz

Seconded: Mel Wagener

Carried

7. EVENTS

Event:	Location:	Date	
<i>Relevant documents</i>			
	Responsibility	Due date	Status
Risk assessment			
Food permit			

Local permit	Law			
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8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR

8.1. Sharron Reilly (CM) mentioned that she was close to obtaining a quote for three sized drums painted to reflect mini silo's for our streetscape – costing and mock draft for our consultation.

8.2 Jeparit Garden Club have moved a motion at their meeting 14/3/2022 as follows “Jeparit Garden Club request that the Jeparit Township Advisory Committee give permission for the Jeparit Garden Club to use and call the Men Shed facilities their home for an indefinite period of time.”

Members of the Jeparit Garden Club voted unanimously to this motion.

Retiring President of the Men's Shed had no objection to this proposal when approached.

This concept was supported by CM's of the JTAC

Moved by Sharon Reilly

Seconded: Teresa Smith

Carried

9. COUNCILLOR REPORT

9.1 Councillor in Attendance: Mr. B. Ireland (HSC) mentioned that future grants to clubs should be acted upon and that he will ensure clubs are made aware of fundings available.

Future money has been allocated to tourism projects soon to be announced.

9.2 Community Consultation for Jeparit has been organised for next Monday 21 March, commencing at 5.00pm

10. OFFICER REPORT

10.1 Community Consultation session to be held Monday 21 March, commencing 5pm at the Jeparit Memorial Hall. The updated Riverbank Precinct design will be presented at this session.

10.2 Cabin footings for Jeparit Caravan Park begin next month.

11. URGENT BUSINESS

12. FINANCE REPORT

12.1 Summary of Balances in Finance Report.

RECOMMENDATION:

That the Finance Report as provided 28th February 2022 with this Agenda be approved. (Attachment 2)

Moved: Mel Wagener

Seconded: Craige Proctor

Carried

12.2 Purchase Orders to be raised - \$2,000 or less

Nil.

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

14. MEETING CLOSED

The meeting closed at 8.28pm

15. COUNCIL OFFICER AUTHORISATION


*to be completed by the Council Officer

I Janette Fritsch accept the following recommendations made by the JTAC Committee at this meeting held on 14th March 2022:

ITEM NO.	DESCRIPTION	DECISION
4	Minutes	Confirmation of Minutes.
6	Correspondence	Approval of Outwards and Noting of Inward.
8.2	Jeparit Garden Club	JTAC supported the use by the Jeparit Garden Club of the Jeparit Men's Shed building.
12.1	Finance Report	Approval of the financial report for period ending 28 February 2022.

SIGNED: Council Officer

Dated:



16/03/2022



Minutes of Dimboola Township Advisory Committee Meeting of the Hindmarsh Shire Council held at the Dimboola Library on 7th March 2022 commencing at 7pm.

MINUTES

Present:

Kaylene Pietsch (committee member), Chan Uoy (Guest Speaker), Pru Cook (committee member), Heidi Bruce (committee member), Wayne Hoare, Dale Conway, Karen Bennett (committee member), Lou Catania (committee member), Amanda Ingeme, Angela Hoy (Director of Infrastructure), Deb Nelson (Councillor in attendance) Owen Pietsch (committee member)

1. Acknowledgement of the Indigenous Community

Chairperson opened the meeting at 7 pm by acknowledging the indigenous community.

2. Apologies

Apologies for the meeting were received from Sharyn Cook, Tony Schneider and Jo Donnelly.

3. Disclosure by Committee members or Councillors or Council Officers of any interest or conflicts of interest in any item on the agenda

Nil

4. Confirmation of Minutes from Previous AGM

Minutes of the previous AGM were moved as a true and correct record by Kaylene Pietsch and seconded by Amanda Ingeme and carried.

5. Chairperson Handover Report – Kaylene Pietsch

Chairperson report was distributed to members prior to the meeting and read out by Kaylene.

6. Election of Office Bearers

Temporary chairperson Deb Nelson conducted the election of office bearers.

Chairperson Karen nominated Kaylene. No further nominations were received and Kaylene accepted and was appointed to the position.

Secretary Kaylene nominated Heidi and Pru who both declined the position. Karen nominated Owen who accepted and was appointed to the position.

7. Finance Report (Annual Report)

As provided by council.

8. Business Arising from the Previous Meeting Minutes

Nil

9. Correspondence

Letter of resignation from committee member Mary Mason was received since the last meeting. Words of thanks were expressed for the time and energy that Mary had put in whilst part of the committee.

10. Events

11. General business as notified to the Chair

Guest Speaker Chan Uoy spoke with enthusiasm to update the committee on the progress of the Steampunk event scheduled for April 23, 2022.
Other agenda items as listed will be dealt with at the next meeting.

12. Councillor Report

Cr Nelson spoke about the successful Barefoot Skiing competition and Peter Taylor Memorial Jump and thanked those who volunteered their time to help with catering and raise funds for the committee.

13. Officer Report

14. Urgent business

15. Decisions to be made

16. Meeting Closed – Next Meeting

Meeting Closed at 7:59 pm

17. Council Officer Authorisation

I _____Angela Hoy_____accept the recommendations made by the Dimboola Town Committee in these minutes dated 7th March 2022.

Signed:

Council Officer



Dated:

22/03/2022



28th February 2022

To Committee Members,
"as addressed"

Minutes

1 ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY

Chairperson opened the meeting at 7.40 pm by acknowledging 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

Darrell Hall, Vicki Natt, Rhys Webb, Leith Dean.

3 CONFLICT OF INTERESTS

None disclosed.

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Nhill Town Committee Annual General Meeting held on 15th March, 2021, at the dining room of The Farmer's Arms, Nhill, circulated to Committee Members, be taken as read and confirmed.

Moved: Catherine Bates

Seconded: Pauline McCracken

5 2021 REPORTS

5.1 Chairperson

Attached.

5.2 Assistant Chair

N/A

5.3 Secretary

N/A

5.4 Finance

Current funds available: \$15,325.04. Hindmarsh Shire Council works off financial years so no dedicated AGM financial report. Please see the February report as discussed in the February OGM.

Moved: Pauline McCracken

Seconded: Brock Stephens

6 MEMBERSHIP AND ELECTION OF OFFICER BEARERS

6.1 Committee members

As approved by Hindmarsh Shire Council: Darrell Hall, Brock Stephens, Jenny Dufty, Rhys Webb and Alana Storey.

- Council representative: Melanie Albrecht
- Shire representative: Daniel Griffiths
- Leith Dean has resigned.
- Vicki Natt would like to be a part of the committee, and **this was approved by the majority of the committee.**

Moved: Melanie Albrecht

Seconded: Alana Storey

6.2 Chairperson election

Nominee: Alana Storey

Nominated by: Catherine Bates

Seconded by: Melanie Albrecht

Nomination accepted

As there were no other nominees for the position of chairperson, Alana was elected unopposed.

6.3 Assistant Chair election

Nominee: Brock Stephens

Self-nominated

Seconded by: Catherine Bates

Nomination accepted

As there were no other nominees for the position of assistant chairperson, Brock was elected unopposed.

6.4 Secretary election

As there were no nominees for the position of secretary, this position has been left vacant for the time being and will be revisited at the next meeting.

7 GENERAL BUSINESS

N/A, please see February OGM.

8 MEETING CLOSED

Meeting closed at 8.08 pm.

9 COUNCIL OFFICER AUTHORISATION

*to be completed by the Council Officer

I Daniel Griffiths accept the following recommendations made by the Nhill Town Committee at this meeting held on 21st February, 2022:

ITEM NO.	DESCRIPTION	DECISION
4	Minutes	Confirmation of the Minutes
5.4	2021 Reports: Finance	That the Finance Report as presented at the meeting be approved
6.1	Committee members	That NTC membership of Vicki Natt be approved
6.2, 6.3, 6.4	Election of office bearers	Election of Chairperson, Assistant Chair and Secretary

SIGNED: Council Officer 

Dated: 01/03/2022

2021 Nhill Town Committee Chairperson Report

2021 was another interrupted year for Nhill Town Committee. There were many plans afoot, and the year started off brightly and full of promise. NTC had a presence at two of the three Lions markets this year, reaching out to more people than previously done, interacting with the community, and getting input and feedback on various areas. The survey done at the first market indicated NTC was on the right track with its ideas and projects, with suggestions such as a dog park, activities for young adults, community directories and more celebrations of culture all coming up.

Unfortunately, the first of our activities we organised for young adults, a trivia night, was cancelled when we went into a lockdown the day before we were due to hold it. This event was unfortunately unable to be rescheduled. This was the same for the planned cultural celebration nights. Not all events and activities were cancelled, however, and NTC was still able to partake in a number of these. The annual Easter Egg Hunt was this year organised by the Nhill Early Learning Centre PAC, with support from NTC. This format seemed to work quite well, and certainly won favourable reviews. In light of the Wimmera Eisteddfod being cancelled in July, NTC put on a concert at the soundshell and invited all local performers who were due to participate in the eisteddfod to perform, with most taking up the opportunity. Christmas was on us before we knew it, and time for the Nhill Carols, which returned largely to the format of two years ago and, despite some major issues in the lead-up to the event, was a success overall. NTC also ran the Christmas lights competition for the second year. Many thanks to those who entered the competition and/or voted, as well as the local businesses and individuals who supported the competition through donating prizes.

Work has continued throughout the year on the truck stop garden beds. Many thanks to Pauline and her various helpers with weeding, planting, mulching, painting, watering, cleaning, trimming and everything else that has gone into this project. It has had lots of positive feedback and community buy-in, which is fantastic to see. The Christmas decorations in the rotunda and street looked great once again, and thank-you to all who helped with this too. Unfortunately, not much progress has been made on the dog park, welcome to Nhill packs or the water tower painting, but there has still been work going into these projects, and we look forward to hopefully seeing them come to fruition in the future, if the new NTC chooses to continue down these paths.

2021 also saw the relationship between NTC and Hindmarsh Shire Council becoming closer due to changes in legislation in late 2020. Whilst there have been some teething issues, especially in terms of financial management, and some of the general processes which are in place for the shire needing to be adapted for town committees, we look forward to this relationship continuing to become stronger and working well.

2022 signals a huge change over in terms of personnel for NTC. At the AGM today, we say good-bye to four of our members: Pauline McCracken, Emily Graham, Leith Dean and myself, Catherine Bates. In their place, we welcome Alana Storey (who, although she has attended meetings throughout 2021, has not been an official member until now), Rhys Webb, Jenny Dufty, Brock Stephens and Vicki Natt. Our single returning member of the general committee is Darrell Hall, but we are also fortunate to have Mayor Melanie Albrecht continuing on as our council rep, and Daniel Griffiths as shire rep. Although we are losing some heavy-weights, the future of NTC is certainly looking bright with such a fantastic group of members for 2022 who bring a wide range of experiences and passions, as well as ages, to the table.

Thank-you to all NTC members and supporters for 2021, and all the best for 2022 and beyond!

Yurunga Homestead Community Asset Committee

General Meeting, Thursday, January 27, 2022, Yurunga dining room, 7:30pm

Minutes

Welcome and Opening at 7:35pm

Members present: Jenny Solly (Chair), Peter Solly (Secretary/Treasurer), Lou Ravenhorst, Col Drendel

Visitors: Cr Brett Ireland (Hindmarsh Shire) arrived late due to a prior engagement.

Apologies: Jeff Woodward (Hindmarsh Shire)

Moved. Lou Ravenhorst, Col Drendel – That the apologies be accepted. c/d

Additional items for General Business (to be accepted at Chairperson's discretion)

- Roll family reunion – weekend of June 4th and 5th this year.
- Robyn and Lou's availability

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: Col Drendel, Lou Ravenhorst - That the minutes of the meeting held on November 9th 2021 as circulated be accepted as a true and accurate record. c/d

Business arising:

- Nov 10, 2022: Monica Revell gave permission for our Committee to start Internet banking with Commbank on a trial basis
- Nov 15: Thanks Peter for mowing tall grass with tractor and some whipper snipping
- Nov 16: Thanks Lou for heaps of whipper snipping before our first Melbourne tour group arrived
- Nov 16: Spirit Travel and Tours (Tony Balcombe), Doreen Probus, 21 ppl. Thanks to tour guides Robyn Ravenhorst, Peter and Jenny
- Nov 22: Three hour mediation meeting was attended by Monica Revell and Helen Thomson from Council, Jenny Solly, Peter Solly, Helen Fisher and Debbie Funcke. Helen Heinrich's phone connection was not sustainable
- Nov 22: Spirit Travel and Tours, 22ppl. Tour guides Peter and Jenny
- Nov 24: Helen Heinrich resigned from the Yurunga Committee

- Nov 25: Helen Fisher resigned from the Yurunga Committee
- Dec 1: Thank you to Robyn for picking the cherries and bagging them for sale
- Dec 9: Dr Gary Hill rang re conservation works. Quotes increasing, difficult to get painter, preferred builder booked up, need bricks for drain and measuring walls
- Dec 10: Goroke Senior Ladies visit. Thanks to tour guide Robyn R.
- Dec 29: Stuart, a renderer/plasterer from Bendigo, checked his job at Yurunga for the grant works
- Jan 3: Jenny cleaned the house
- Jan 6: Debbie Funcke resigned from the Yurunga Committee. Letter forwarded by Helen Thomson on Jan 10
- Jan 15: Big thank yous to Lou, Col and Peter for the great work they did chipping/tidying weeds and cutting back overgrowth. It has made a huge difference
- Jan 19: Dr Gary Hill rang. Still difficult getting tradesmen and costs increasing. Peter to measure wall area for painting
- Jan 19: A new contact for organizing group Silo Art tours to this area rang Peter. Lee Stinson, tour wholesaler, "Expanding Horizons", Adelaide based. He indicated that a tour including catering would probably visit in May (Probus club)
- Jan 25th: Phone call and email to Peter from Arron Scholz, Department of Justice re COVID compliance remote inspection. Documentation and photographs requested were returned by email.

Correspondence In (Emails)

- Nov 8: Helen Thomson to Peter re date/time for mediation meeting
- Nov 10x2: Helen Thomson to Peter re mediation meeting
- Nov 10x2: Brittany Lanyon, Trade Travel Qld to Peter re tour and lunch booking March 20,2022
- Nov 10: Monica Revell to Peter re questions about Commbank Internet banking
- Nov 10: Monica Revell to Peter re suggest a trial for Internet banking
- Nov 11: Jeff Woodward to Peter re \$3,000 heritage grant
- Nov 11: Helen Thomson to Committee members re mediation meeting
- Nov 12: Jeff to Peter re Visit Victoria's Travel Kind campaign and posters
- Nov 15: Commbank to Peter re cheque book with new Committee name
- Nov 16: Shauna Johnson (HSC Executive Assistant) to Peter re omission in AGM Minutes
- Nov 18: Jeff to Peter re changes to settings for fully vaccinated visitors
- Nov 19: Jeff to Peter re amendments to our updated guide for volunteers
- Nov 22: Shauna Johnson to Peter re Cr Brett Ireland reappointed as delegate to Yurunga Committee
- Nov 23: Helen Thomson to Committee members re feedback from mediation meeting
- Nov 23: Ally McGlashan, Trade Travel Qld to Peter re tour and lunch booking on March 14, 2022

- Nov 24: Ally McGlashan to Peter re menu
- Nov 24: Helen Thomson to Jenny & Peter re copy of Helen Heinrich's resignation
- Nov 25: Helen Thomson to Peter & Jenny re copy of Helen Fisher's resignation
- Dec 1: Helen Thomson to Jenny re a draft manual for Community Asset Committees will be available for our January meeting
- Dec 13x2: Jeff to Jenny & Peter re writing a script about the new mural
- Dec 13: Jeff to Jenny & Peter re posting a mural media release on our Facebook page
- Dec 22: Jeff to Yurunga volunteers re Thank you, tourism report and Christmas/New Year greetings
- Jan 10: Helen Thomson to Jenny & Peter re copy of Debbie Funcke's resignation
- Jan 13: Heather Boyd (HSC Manager Finance and Customer Services) to Peter re Thanks for budget requests
- Jan 19: Lee Stinson, tour wholesaler "Expanding Horizons" to Peter re Silo Art tours and Yurunga bookings
- Jan 19: Ruby James ("Beevo") to Jenny re managing utilities costs
- Jan 19: Charlee, The Argus to Peter re thanks, received

Late Correspondence In (Emails)

- Jan 24th: Jeff Woodward to Peter re meeting apology and report.
- Jan 25th: Arron Scholz, Department of Justice re COVID remote inspection.

Correspondence Out (Emails)

- Nov 9: Peter to Helen Thomson re date/time for mediation meeting
- Nov 10: Peter to Helen Thomson re not all wish to attend mediation
- Nov 10: Peter to Helen Thomson re suggest Nov 16 for meeting & list of members' email addresses for Helen to contact all members
- Nov 10: Peter to Helen Thomson re Nov 22 better for meeting & please notify all members
- Nov 10: Peter to Council Managers re Committee decision to use Internet banking with Council approval
- Nov 10: Peter to Brittany Lanyon re confirming March 20 booking & increased entry charge
- Nov 10x2: Peter to Monica Revell re details of Commbank Internet banking setup
- Nov 12: Jenny to Jeff Woodward re suggestion for \$3,000 heritage grant
- Nov 12: Peter to Helen Thomson re accepting our invitation to mediation meeting
- Nov 12: Jenny to Council re copy of September '21 Minutes
- Nov 12: Jenny to Jeff re Travel Kind campaign and posters
- Nov 15: Jenny to Helen Thomson re recent accusations, their impact on us and requests about the mediation meeting
- Nov 16: Peter to Shauna Johnson re correcting omission in AGM Minutes

- Nov 18: Peter to Jeff re Covid changes
- Nov 19x2 : Peter to Jeff re draft of updated guide for Yurunga volunteers
- Nov 19: Peter to Yurunga volunteers re changes to Covid regulations & copy of updated guidelines for volunteers
- Nov 22: Peter to Shauna re thanks
- Nov 23: Peter to Ally McGlashan re confirming March 14 booking & increased entry charge
- Nov 24: Peter to Ally re menu
- Nov 29: Jenny to Helen Thomson re thanks for mediation feedback & need for Council handbook covering good governance
- Dec 13x2: Jenny to Jeff re script for mural & protective coating to be done
- Dec 13: Jenny to Jeff re support sharing of post
- Dec 15: Peter to Jeff re copy of invoice from Ismays for mural frame
- Jan 11: Peter & Jenny to Helen Thomson, Monica, Jeff and Brett re our response to Debbie Funcke's resignation letter
- Jan 13: Peter to Heather Boyd re copy of completed template for Yurunga 2022/2023 budget requests
- Jan 19: Peter to Lee Stinson, tour wholesaler re Yurunga tours, catering & payment details
- Jan 19: Peter to Jeff re copies of emails with Lee Stinson
- Jan 19: Peter to Charlee at The Argus re copy of Yurunga Sunday duty roster until start of April '22

Late Correspondence Out
(Email)

- Jan 25th: Peter to Jeff Woodward re apology and report
- Jan 25th: Peter to Arron Scholz, Department of Justice with Documents and Photos for remote COVID inspection.

Moved: Lou Ravenhorst, Col Drendel - That the incoming correspondence be received and the outgoing endorsed. c/d

Reports
~ Financial

Yurunga Homestead Community Asset Committee

Financial Report

November 1st 2021 to November 30th 2021

Opening Balance per statement at 1st November \$11,634.27

Plus Income:

Entries	\$210.00
Merchandise	\$18.00
Donation	\$62.00

Total Income	\$290.00
Less Expenses:	
Origin Electricity	\$157.71
Civic Centre Hall Hire	\$10.00
Paechy's Elec Switch	\$97.41
Total Expenses	\$265.12

Closing Balance per statement at 30th November \$11,659.15

Term Deposit reinvested October 7th 2021
at 0.08% interest pa for 3 months \$5,041.34

Outstanding liabilities:

Hindmarsh Shire – Ismay Mural frame	\$ 1,412.13
Balance of Belinda's fee for Mural	\$ 1,000.00

Peter Solly Secretary/Treasurer, Yurunga Homestead Community Asset Committee

Yurunga Homestead Community Asset Committee

Financial Report

December 1st 2021 to December 31st 2021

Opening Balance per statement at 1st December \$11,659.15

Plus Income:

Entries	\$85.00
Produce	\$183.00
Spirit Tours X2	\$215.00

Total Income	\$483.00
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Less Expenses:

Total Expenses	\$0.00
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Closing Balance per statement at 31st December \$12,142.15

Term Deposit reinvested with interest on January 6th 2022
at 0.07% interest pa for 3 months \$5,042.36

Outstanding liabilities:

Hindmarsh Shire – Ismay Mural frame	\$ 1,412.13
Balance of Belinda's fee for Mural	\$ 1,000.00

Account from Origin Energy due 7th Feb \$172.04

Peter Solly Secretary/Treasurer, Yurunga Homestead Community Asset Committee

Moved Peter Solly, Lou Ravenhorst - That the financial reports for November and December be received. c/d

~ Deputy Mayor, Cr Brett

Discussion about our priority list and the need to submit it.

~ Jeff Woodward - emailed report

I will be an apology for this Thursday's meeting. Should be right for next months.

I think a small committee can function well (perhaps even better than a large one) so long as you have enough volunteers to support.

Here is a report you can share to the committee:

I hope you have all enjoyed Christmas and New Year, and looking forward to a busy 2022. The year started off exciting for Rainbow with the instalment of a 3m high model of Albacutya Silo at Federation Square in Melbourne. The model is joined by Sheep Hills and one other and will be on display till the end of March. Perfect timing for the Australian Open crowds. Also pleased to say that the video created about the artwork and Rainbow is on the Fed Square website (<https://fedsquare.com/events/urban-silo-art-trail>) and will be being played on the big screen at the square. So fantastic marketing for Rainbow and the region! In other news; Paul Matthews, who has been a strong supporter of Rainbow whilst at Visit Victoria, has just been awarded the Independent Director position at Grampians Tourism. Paul has also been engaged to develop a marketing strategy for Wimmera Mallee Tourism. His job at Grampians Tourism is very exciting news and is likely to help continue to strengthen the connection between GT and WMT leading to better and more collaborative support for our region at the Regional Tourism Board level.

Moved: Col Drendel, Lou Ravenhorst - That the Hindmarsh Shire reports from Cr Brett Ireland and Jeff Woodward be received. c/d

General Business

- Curtains - Jenny will organise
- Master bedroom manhole repair – Lou will get it done.
- Thank you cards to former Committee members. Moved Lou Ravenhorst, Col Drendel - That the secretary sent thank cards to committee members that have resigned recently, Sam Smith, Helen Heinrich, Helen Fisher and Debbie Funcke. c/d

- Appointing a new third banking signatory (so we can start Internet banking trial). Moved Lou Ravenhorst, Peter Solly - That Col Drendel replace Helen Fisher as the third signatory for our accounts at the Commonwealth Bank. c/d
- New Sunday duty roster coordinator. Jenny agreed to take this on.
- Small native tree beside toilet shed has gradually fallen forwards. We will watch
- Beevo, managers of utilities costs. Do we need them? No.
- Roll family reunion – weekend of June 4th and 5th this year.

Could we open in blocks to fit between their itinerary Sat 10 – 1:30, Sun 9 – 10 then normal 2 – 4 pm. Extra volunteers will be required. Jenny will be in touch with Greg.

- Lou and Robyn Ravenhorst will be away intermittently. The purse for Sunday volunteers will move to the Solly residence 5 Taverner St when they are away. Robyn will remain our food safety representative. Extra help from volunteers will be sought.

Bookings

Friday, Feb 11, 2022, Edenhope Day Centre, maximum 12ppl, 10am arrival
Bringing own morning tea, we put chairs out
Contact: Kirily [REDACTED]

Saturday, Feb 26, 2022, Renault Car Club, 22ppl, lunch and tour
Contact: Kay [REDACTED]

Monday, March 14, 2022, Trade Travel Qld, Combined Cherrybrook Probus Club, 30ppl & 2 crew, lunch and tour, 11:45am arrival
Contact: Ally McGlashan [REDACTED]

Sunday, March 20, 2022, Trade Travel, Qld, 25ppl & 2 crew, lunch and tour, 12:30pm arrival
Contact: Brittany Lanyon [REDACTED]

Saturday, June 4, 2022, Roll family reunion tour

Next Meeting: Thursday, February 24, 2022

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 on the night.

Meeting Close. 9:15 pm