



ATTACHMENTS

ITEM 4 CONFIRMATION OF MINUTES

- Item 4 Attachment 1 – Minutes Council Meeting 1 June 2022

ITEM 7 CORRESPONDENCE

- Item 7.1 Attachment 2 – Letter from Moorabool Shire Council
- Item 7.1 Attachment 3 – Letter of Congratulations to Dr Anne Webster MP
- Item 7.1 Attachment 4 – Letter of Congratulations to Hon Catherine King MP
- Item 7.1 Attachment 5 – Letter to Minister for Small Business
- Item 7.1 Attachment 6 – Letter to Jeparit Town Advisory Committee

ITEM 8 PLANNING PERMITS

- Item 8.1 Attachment 7 – PA1769-2022 Site Plan
- Item 8.2 Attachment 8 – PA1780-2022 Site Plan
- Item 8.3 Attachment 9 – PA1756-2021 Site Plan
- Item 8.3 Attachment 10 – PA1756-2021 Elevations and Floor Plan

ITEM 9 REPORTS REQUIRING A DECISION

- Item 9.1 Attachment 11 – 2022/2023 Council Plan Action Plan
- Item 9.1 Attachment 12 – Council Action Plan Submissions (late attachment)
- Item 9.2 Attachment 13 – 2022/2023 Council Budget (attached separately)
- Item 9.2 Attachment 14 – Budget Submissions (late attachment)

ITEM 10 COUNCIL COMMITTEES

- Item 10.1 Attachment 15 – Audit and Risk Committee Minutes
- Item 10.2 Attachment 16 – Wimmera Mallee Pioneer Museum Report



MINUTES OF THE COUNCIL MEETING OF HINDMARSH SHIRE COUNCIL HELD WEDNESDAY 1 JUNE 2022 AT THE NHILL MEMORIAL COMMUNITY CENTRE, 77-79 NELSON STREET NHILL, COMMENCING AT 3:10PM.

AGENDA

1	ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER	3
2	APOLOGIES	3
3	DECLARATION OF INTERESTS	3
4	CONFIRMATION OF MINUTES	3
5	PUBLIC QUESTION AND SUBMISSION TIME	4
6	ACTIVITY REPORTS	4
7	CORRESPONDENCE	9
7.1	GENERAL CORRESPONDENCE	9
8	PLANNING PERMITS	9
8.1	VICSMART REPORT AND PLANNING APPLICATIONS APPROVED UNDER CEO DELEGATION	9
8.2	APPLICATION FOR PLANNING PERMIT 1754-2021 – SUBDIVISION OF LAND INTO TWO (2) LOTS, USE OF LAND FOR A MUSEUM AND REDUCTION IN CAR PARKING REQUIREMENTS – 36-38 VICTORIA STREET DIMBOOLA VIC 3414	14
8.3	APPLICATION FOR PLANNING PERMIT 1772-2022 – SUBDIVISION OF LAND INTO TWO (2) LOTS – 16-18 HINDMARSH STREET DIMBOOLA VIC 3414	29

9	REPORTS REQUIRING A DECISION	55
9.1	COUNCIL PLAN 2021-2025 AND HEALTH AND WELLBEING PLAN 2021-2025 ACTION PLAN 2022/2023	55
9.2	ASSET PLAN 2022-2032	58
9.3	HINDMARSH SHIRE COUNCIL STAFF DELEGATIONS	60
9.4	MANAGEMENT AND OPERATION OF HINDMARSH SHIRE COUNCIL SWIMMING POOLS 2021/2022 SEASON	63
9.5	DRAFT 2022/2023 BUDGET INCLUDING DRAFT REVENUE AND RATING PLAN AND LONG TERM FINANCIAL PLAN	68
9.6	CROWN LAND LICENCE – RAINBOW RV DUMP POINT	72
9.7	MELBOURNE CUP DAY PUBLIC HOLIDAY 2022	74
10	COUNCIL COMMITTEES	77
10.1	JEPARIT TOWN ADVISORY COMMITTEE	77
10.2	YURUNGA HOMESTEAD COMMITTEE OF MANAGEMENT	78
10.3	WIMMERA MALLEE PIONEER MUSEUM COMMITTEE	79
11	LATE REPORTS	79
12	NOTICES OF MOTION	79
13	OTHER BUSINESS	80
14	CONFIDENTIAL REPORTS	80
14.1	CONTRACT AWARD 2021-2022-18 PROVISION OF HOME MAINTENANCE SERVICES	
14.2	CONTRACT AWARD 2021-2022-19 PROVISION OF MEALS ON WHEELS	
14.3	EXTENSION OF CONTRACT BITUMINOUS SURFACING	
15	MEETING CLOSE	81

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/Acting 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 3:10pm 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 M Albrecht declared a material conflict of interest in item 14.2.

Cr D Nelson declared a material conflict of interest in item 14.2.

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 4 May 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 4 May 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: 27 April – 24 May 2022

Cr ALBRECHT, MAYOR

Date	Meeting	Location	Comments
27/04/2022	Mayoral education with Ruth McGowan	Zoom	
28/04/2022	Meeting with CEO	Nhill	
28/04/2022	Wimmera Development Association Board Meeting	Zoom	
4/05/2022	Council Briefing	Nhill	
4/05/2022	Council Meeting	Nhill	
17/05/2022	IDAHOBIT Event	Dimboola	Zevo Zisin's presentation sharing their story of

	Nevo Zisin Talk		their journey from a small child to an adult, discovering themselves along the way was extremely powerful and insightful. Nevo shared how we can all be good allies.
18/05/2022	Meeting with CEO	Tele-meeting	
18/05/2022	Meeting with CEO Remuneration & Employment Committee Independent Chair	Online	
20/05/2022	Rainbow Local Government Conference	Online	

Cr IRELAND, DEPUTY MAYOR

Date	Meeting	Location	Comments
28/04/2022	Meeting with Melbourne university regarding possible partnership and grant opportunities for Wimmera Mallee Pioneer Museum	Zoom	Very positive outcome with visit expected 30/6/2022
28/04/2022	Meeting with lions club district co-ordination regarding starting new lions club chapter in Jeparit	Zoom	
28/04/2022	Yurunga Homestead Meeting		
04/05/2022	Council Briefing meeting		
04/05/2022	Council meeting		
05/05/2022	Meeting with Federal MP Dr. Anne Webster for election promise	Nhill District Sporting Club	
05/05/2022	Inspected new cabin and camp kitchen site under construction	Jeparit	
06/05/2022	Meeting with lions district Wimmera co-ordinator	Zoom	
09/05/2022	Jeparit Town Meeting		
17/05/2022	Wimmera Pioneer Museum Meeting		

18/05/2022	Volunteers Morning Tea	Jeparit	
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Cr BYWATERS

Date	Meeting	Location	Comments
29/04/2022	Hindmarsh Visitors Information Centre	Nhill	
03/05/2022	Nhill Homework Club	The Patch	Run by the WDA's settlement services this worthwhile volunteering experience is looking for more volunteers. Homework club meets every Tuesday after school until 5 pm. A working with children check is essential.
03/05/2022	Wimmera Mallee Pioneer Museum Rally meeting	Jeparit	WMPM Queens birthday. Vintage Rally is the 11th and 12th of June. The museum committee are excited to bring back the event this year with the theme of "Sharing memories". People are invited to get into the spirit of the event by dressing up in period costume.
04/05/2022	Council briefing meeting and Council meeting	Nhill Community Centre	
05/05/2022	Meeting at the Nhill and district sporting club	Davis Park Nhill	The LNP election promise
07/05/2022	Nhill Community Garden, 'Karen food' luncheon	Nhill Community Garden	I had the honour of attending lunch at the Nhill Community Garden. It was wonderful to see the work that the gardeners do in their plots, and to taste the produce of their labour.
07/05/2022	Hindmarsh Live	Hindmarsh Hotel Jeparit	Live music, Melbourne artist Craig Johnston, also known as Delsinki, brought his uncategorizable sound and band including a trombone and saxophone player. Hotel owner Gary Smith has a love for music and bringing it to Jeparit, which is why he opened the Hindmarsh Hotel as a live music venue. Operating under the name "Hindmarsh Live", an additional experience to dine in the Spanish-style hotel was offered pre-concert, with drinks served at the bar.
10/05/2022	Nhill Homework Club	The Patch	
11/05/2022	Meeting with several Nhill, Karen Australian families, Dr Amy Williamson, the new RCH pediatric fellow servicing the Wimmera, Cara	The Patch Nhill	The meeting was to catch up and discuss my interactions to date with some of the Nhill children of families with a refugee background, and if/how we can work together to support local professionals, and families and children through early intervention. Also talked about, were the extra struggles, discrimination, language barriers, and other disadvantages residents

	Miller, WDA, project manager, By Five.		encounter when coming from a refugee background.
13/05/2022	Rainbow Organic Market Garden	Rainbow	
15/05/2022	Nhill Community Market	Jaypex Park	
15/05/2022	ABC TV's Heather Ewart and the Back Roads film crew in Nhill.	Nhill	Back Roads is a series that gives a great insight into our magnificent land and its people. Paw Po, the Nhill Community Garden, Hindmarsh Landcare, and Nhill's Karen Australian residents are set to feature on ABC Melbourne Back Roads later this year.
17/05/2022	IDAHOBIT event Nevo Zisin talk	Dimboola Library	For more information, the event was streamed live on Hindmarsh Shire's Facebook page. I joined because I want to learn how to be a better ally. We all have a part to play in combatting discrimination, and continuing to activate, educate and improve – not just today, but every day. #IDAHOBIT2022
17/05/2022	Wimmera Mallee Pioneer Museum, general Meeting	Jeparit	Planning, and discussions around the Queen's Birthday long weekend, Rally.
18/05/2022	Volunteer appreciation day	Jeparit Library	
18/05/2022	Wimmera Mallee Pioneer Museum	Jeparit	
18/05/2022	Arkona Silo	Arkona	
19/05/2022	Volunteer appreciation day	Nhill Library	
19/05/2022	WSMLLEN Annual General meeting	Horsham	20 years of supporting young people.
24/05/2022	Homework club	The Patch Nhill	

Cr NELSON

Date	Meeting	Location	Comments
28/04/2022	Local author talk	Dimboola Library	
29/04/2022	Meals on Wheels delivery		
02/05/2022	Dimboola Town Committee meeting		
04/05/2022	Council briefing and meeting		
17/05/2022	IDAHOBIT Day	Dimboola Library	
19/05/2022	Volunteers Cuppa	Dimboola	

		Library	
19/05/2022	WSMLLEN AGM	Horsham	
21/05/2022	Dimboola Town Committee working bee		

Cr GERSCH

Date	Meeting	Location	Comments
29/04/2022	NWMA Regional Meeting		
04/05/2022	Council meeting		
05/05/2022	Anne Webster meeting with Nhill Sporting Club		
15/05/2022	Chair Friends of Boyeo meeting		
19/05/2022	Nhill Volunteers acknowledgement		

Cr ISMAY

Date	Meeting	Location	Comments
27/04/2022	RREC meeting Rainbow		
04/05/2022	Council briefing meeting	Nhill	
04/05/2022	Council meeting	Nhill	
05/05/2022	Davis Park meeting with Dr Anne Webster		
12/05/2022	Onsite meeting with Craig Cocrane	GrainCorp	
16/05/2022	Rainbow Town committee meeting		
17/05/2022	Onsite meeting with Bernard Young, Simon Landrigan	Rear of Rainbow Library	
18/05/2022	Volunteer afternoon tea/ thank you	Rainbow Library	
23/05/2022	Open Albacutya Bridge to traffic with CEO	Albacutya	

MOVED: CRS R Gersch/R Ismay

That Council:

- **write returning politician Dr Anne Webster and congratulate her on retaining her**

seat of Mallee; and

- *write to the Hon Catherine King, Minister for Infrastructure, Transport and Regional Development and Local Government, and congratulate her on her return to parliament and her appointment to those portfolios and invite her to visit Hindmarsh Shire.*

CARRIED

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:

No inwards correspondence.

Outwards:

- 12/05/2022 – Letter to Wimmera Mallee Pioneer Museum Endorsing New Members of Committee

RECOMMENDATION:

That Council notes the attached correspondence.

MOVED: CRS D Nelson/W Bywaters

That Council notes the attached correspondence.

CARRIED

Attachment Number: 2

8 PLANNING PERMITS

8.1 VICSMART REPORT AND PLANNING APPLICATIONS APPROVED UNDER CEO DELEGATION

Responsible Officer: Acting Director Infrastructure Services

Introduction:

This report provides an update on VicSmart permits processed by Council for the period 01 January 2022 to 31 March 2022.

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

Discussion:

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

Key features of VicSmart include:

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

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

Permit No.	Address	Proposal	Date Lodged	Trigger	Date approved	Statutory Days
NIL.						

The following Planning Permit Applications were approved under delegation by the Chief Executive Officer.

Permit No.	Address	Proposal	Date Lodged	Trigger	Date Approved	Statutory Days
PA1718-2021	1 Dimboola Rd Nhill VIC 3418	Development of Two dwellings at the rear of existing dwelling, vegetation removal, construction of fences and a three lot subdivision of two existing lots.	04/05/2021	Clause 32.08 – (General Residential Zone) 32.08-3 – subdivide land. 32.08-6 – construct 2 dwellings on a lot Clause 42.01-2 (Environmental	11/01/2021 See note 1.	N/A

				Significance Overlay Schedule 6) Remove vegetation and construct fences.		
PA1759-2021	92 Taverner St Rainbow VIC 3424	Alterations of Access to a Road in a Road Zone Category 1 for new dwelling	01/12/2021	Clause 52.29-2 (Land Adjacent to a Road zone, Category 1) – A permit is required to create or alter access.	17/01/2022	25
PA1763-2022	4 William St Dimboola VIC 3414	Removal of Vegetation	07/01/2022	Clause 42.01-2 (Environmental Significance Overlay – Schedule 6) – A permit is required for vegetation removal, including planted vegetation.	14/02/2022	12
PA1764-2022	140 Propodollah Extension Rd Nhill VIC 3418	Development of earthworks associated with the construction of an agricultural outbuilding	11/01/2022	Clause 42.01-2 - (Environmental Significance Overlay Schedule 6) A permit is required to undertake earthworks.	14/02/2022	31

PA1672-2020	145 Lloyd St Dimboola VIC 3414	Amendment Application – Buildings and Works to construct a carport (instead of shed) & endorse amended plans	13/12/2021	Clause 44.04-2 (Land Subject to Inundation Overlay) – A permit is required to construct a building in the LSIO.	09/03/2022	40
PA1761-2021	51 Rainbow Rises Rd, Rainbow VIC 3424	Use for a Place of Assembly (car racing event)	12/12/2021	Clause 35.0-7-1 (Farming Zone) - - Use as a POA is Section 2 use (in the FZ) for the car parking and competitor pit area, access and the amenities and facilities areas	10/03/2021	6
PA1767-2022	30 Queen Street Nhill VIC 3418	Alteration of Access to a Road in a Transport Zone 2	01/02/2022	Clause 52.29-2 (Land Adjacent to a Principal Road Network) – A permit is required to create or alter access.	16/03/2022	30

Note 1: A Notice of Decision to Grant a Permit was issued 24/11/2021. Following no Appeal lodged at VCAT the Permit was issued on 11/01/2022.

Options

N/A

Link to Council Plan:

Facilitating and supporting economic development.

Financial Implications:

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

Risk Management Implications:

Risk is managed appropriately by adhering to the VicSmart process.

Conflict of Interest:

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

Author – Janette Fritsch, Manager Development

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

Officer Responsible – Monica Revell, Acting Director Infrastructure

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

Communications Strategy:

Nil

Next Steps:

Next Report to be provided July 2022.

RECOMMENDATION:

That Council notes the Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 01 January 2022 to 31 March 2022.

MOVED: CRS R Gersch/R Ismay

That Council notes the Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 01 January 2022 to 31 March 2022.

CARRIED

8.2 APPLICATION FOR PLANNING PERMIT 1754-2021 – SUBDIVISION OF LAND INTO TWO (2) LOTS, USE OF LAND FOR A MUSEUM AND REDUCTION IN CAR PARKING REQUIREMENTS – 36-38 VICTORIA STREET DIMBOOLA VIC 3414

Responsible Officer:	Director Infrastructure Services
File:	Planning – Applications
Assessment:	29400
Application Number:	PA1754-2021
Application Received:	26 October 2021 (Fee paid 5 November 2021)
Applicant:	Ferguson Perry Surveying
Owner:	Mr Ian Lehmann and Mrs Maureen Lehmann
Subject Land:	36-38 Victoria Street Dimboola VIC 3414 (Lot 1 TP402647T Township and Parish of Dimboola)
Proposal:	Subdivision of land into two (2) lots, use of land for a museum and reduction in car parking requirements
Zoning & Overlays:	General Residential Zone – Schedule 1 (GRZ1) Environmental Significance Overlay – Schedule 6 (ESO6)
Attachment Number:	3

Summary:

This report recommends that Council approve Planning Permit PA1754-2021 for the subdivision of land into two (2) lots, use of land for a museum and reduction in car parking requirements on the subject land known as 36-38 Victoria Street, Dimboola VIC 3414 (Lot 1 TP402647T Township and Parish of Dimboola).

Background:

On 26 October 2021, Ferguson Perry Surveying on behalf of Ian and Maureen Lehmann lodged a planning application to the Responsible Authority for the subdivision of land into two (2) lots, use of land for a museum and reduction of car parking requirements at 36-38 Victoria Street, Dimboola.

Planning Permit PA1452-2014 was issued by Council on 9 October 2014 for the construction of a dwelling and use of land for a museum, with the museum part of this permit having now expired as the use did not commence.

Proposal Details:

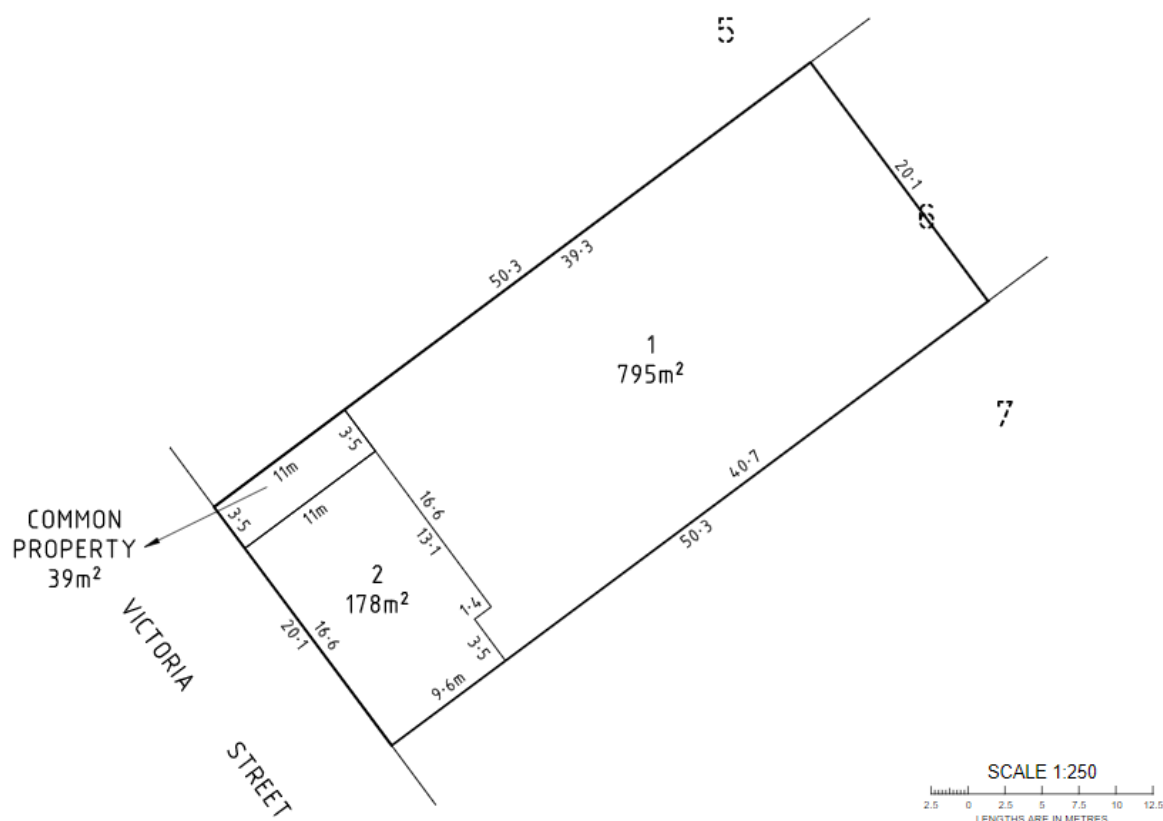
The permit applicant, Ferguson Perry Surveying on behalf of Ian and Maureen Lehmann seeks approval for the subdivision of land into two (2) lots, use of land for a Museum and reduction of car parking requirements. The subject land is currently improved by an existing dwelling pursuant to Planning Permit PA1452-2014, and the former café (coffee house) building at the front of the site.

The museum is proposed in the former coffee house building, with no works proposed to this structure. A maximum of 20 persons are expected at any one time in the museum, with varying operating hours based on demand. The museum is proposed to focus on musical

history of the area. As no on site car parking is proposed for the use (with 6 spaces required under the Scheme), a reduction of this requirement is sought.

The subdivision proposes to separate the dwelling from the museum building in a 'battleaxe' configuration, with each building to be divided onto separate titles. Proposed Lot 1 containing the dwelling would be 795m² in area, with proposed Lot 2 containing the museum to be 178m² in area. Access is proposed by a 39m² common property along the northern boundary to Victoria Street.

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 32.08-2 (General Residential Zone) – A permit is required to use land for a place of assembly (museum)
- Clause 32.08-3 (General Residential Zone) – A permit is required to subdivide land.
- Clause 42.01-2 (Environmental Significance Overlay – Schedule 6) – A permit is required to subdivide land.
- Clause 52.06-3 (Car Parking) – A permit is required to reduce the number of car parking spaces required under Clause 52.06-5 of the Scheme for a new use.

Definitions:

Museum - Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.

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.

Subject site & locality:

The subject site is known as 36-38 Victoria Street Dimboola, which comprises a single title with an area of approximately 1,012m². The land is generally flat, with minimal fall across the site. The land is currently improved by an existing dwelling (to be contained on proposed Lot 1), and a former café building which is proposed to be used as a museum (proposed Lot 2). Access to each lot is proposed by a common property accessway on the northern boundary to Victoria Street.

The subject site adjoins residential zoned land to the north, south and east, with land in the Commercial 1 Zone to the west. Land within the General Residential Zone generally comprises lots of between 500-1,000m² allotments, generally improved by single residential dwellings or vacant blocks capable of development with dwellings. Land in the Commercial 1 Zone comprises varying commercial activities, dwellings and vacant land.

Immediately adjoining the subject land to the north is 40 Victoria Street, comprising a lot with dwelling under construction in the General Residential Zone. South of the site is 32 Victoria Street, comprising a single dwelling in the General Residential Zone. At the rear of the site to the east is 41 Church Street, comprising a single residential dwelling in the General Residential Zone. Opposite the site to the west is 37 Victoria Street, comprising a single dwelling in the Commercial 1 Zone.

The site appears to have access to reticulated power, telecommunications, water and sewer.

Site photos:

Front of subject site from Victoria Street



Existing access and dwelling from Victoria Street



Abutting property at 40 Victoria Street (house under construction now)



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; and
- Erection of a sign on site;

No objections or submissions have been received to the application.

Referrals:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	
Wimmera CMA	Consent, no conditions. Response received 24 February 2022.

Section 52 and Internal Notices	
GMW Water	Conditional consent. Response received 6 April 2022.
Engineering	Consent, no conditions. Response received 7 March 2022.

Planning Assessment:

Planning Scheme Requirements:

Planning Policy Framework:

Clause 11.01-1L Settlement – Hindmarsh
Clause 15.01-1S Urban design
Clause 15.01-3S Subdivision design
Clause 15.01-5S Neighbourhood character
Clause 16.01-1S Housing supply

Zoning Provisions:

Clause 32.08 – General Residential Zone (GRZ)

Clause 32.08-2 Use of Land

A permit is required to use land for a place of assembly (museum).

32.08-3 Subdivision

A permit is required to subdivide land.

Clause 32.08-13 Decision Guidelines

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

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of this zone.*
- *The objectives set out in a schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*

Subdivision

- *The pattern of subdivision and its effect on the spacing of buildings.*
- *For subdivision of land for residential development, the objectives and standards of Clause 56.*

Non-residential use and development

- *Whether the use or development is compatible with residential use.*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*
- *The design, height, setback and appearance of the proposed buildings and works.*
- *The proposed landscaping.*
- *The provision of car and bicycle parking and associated accessways.*
- *Any proposed loading and refuse collection facilities.*
- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

Planning Response:

The key considerations applying to this application and the application of policy relate to the level of intensity of development in the GRZ and non-residential land use in the zone, with the overwhelming policy direction being to intensify residential development in such areas in close proximity to jobs, transport and services.

The subject land was formerly a café (coffee house), with the existing built form and siting of works on the land reflective of this history. There is limited opportunity to change the built form, with the existing development form and past use creating opportunity for low intensity non-residential uses to be compatible with residential land use and development in the surrounding area. The proposed museum is considered low intensity, with a maximum patronage of 20 persons, sited opposite a Commercial Zone and with ample on-street car parking in the area.

As each building is existing, no impacts to rooftop solar systems will result and the proposal is generally consistent with Clause 56, noting that no assessment is required for a subdivision that subdivides land into lots each containing a dwelling or car parking space. While Lot 2 is not a dwelling structure, as the building is existing and to be used for non-residential purposes, compliance with ResCode for this lot does not inform the assessment of this proposal in any meaningful way.

Overlay Provisions:

Clause 42.01 – Environmental Significance Overlay – Schedule 6 (ESO6)

42.01-2 Subdivision

A permit is required to subdivide land.

Clause 5.0 to Schedule 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:

Given that no development is proposed under this application, it is considered that the proposed subdivision would not impact the objective of ESO6 which aims to protect the catchment area of significant wetlands in Hindmarsh Shire.

In addition, the application was referred to the Wimmera CMA as required by the ESO6, which did not object to the grant of a permit nor require any conditions to be imposed as part of the subdivision.

Particular Provisions:

Clause 52.06 – Car Parking

A permit is required to:

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

Planning Response:

Clause 52.06-5 provides that 0.3 car parking spaces per patron is required for a Place of Assembly use. As a maximum of 20 persons are proposed to attend the site at any one time, six (6) car parking spaces would be required. A reduction of this number to 0 is sought.

The existing built form coverage of the site prevents any meaningful opportunity to provide car parking spaces on site, which would occupy a disproportionate site area for no discernible benefit. Ample on-street car parking is provided on Victoria Street, both in front of the former coffee house building and on the road reserve nearby that could readily accommodate the required car parking demands of the use. As such, the reduction is considered appropriate in this instance.

Given the small number of spaces involved and characteristics of the area, no independent Car Park Demand Assessment has been required to be provided by the applicant, and it is noted that Council's Engineering Department have not raised any concerns in relation to the proposal.

Clause 53.01 – Public Open Space Contribution and Subdivision

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

53.01-1 – Exemption from public open space requirement specified in the scheme *A subdivision is exempt from a public open space requirement specified in this scheme if:*

- *It is one of the following classes of subdivision:*
 - *Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.*
 - *Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building. It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.*
- *It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.*

Planning Response:

The proposed subdivision is a two (2) lot subdivision and given the size of the lots and development form, it is considered unlikely that either lot will be further subdivided. Given this, no public open space contribution is required.

Clause 56 – Residential Subdivision

Provisions in this clause apply to an application to subdivide land in a General Residential Zone. However, no assessment is required for an application to subdivide land into lots each containing an existing dwelling or car parking space.

As noted above, the proposal subdivides an existing dwelling and non-residential building (which would not be required to meet ResCode as it is not a residential development/use) into separate lots. Given this, no ResCode assessment has been undertaken. It is noted that any proposal to re-develop Lot 2 containing the museum for residential purposes, would require a Planning Permit and a ResCode assessment at that stage (as the lot is less than 300m² in area).

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.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- 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.
- The impact the use or development will have on the current and future development and operation of the transport system.

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 sewered and no provision has been made for the land to be sewered, 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.
- The impact the development will have on the current and future development and operation of the transport system.

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 a diversity in lot sizes reflecting existing buildings on the land, and housing/non-residential use options in an area well connected to private and public services. No natural hazards issues are identified in relation to the site and no staging 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 to the overlay as discussed above.

Clause 52.06 Car Parking

The proposal complies with the relevant objectives and decision guidelines of Clause 52.06 for the reasons outlined in the planning response to this clause 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, Environmental Significance Overlay – Schedule 6 and Clause 52.06 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:

26/10/2021 The application was received.
05/11/2021 The fee was paid.
22/11/2021 Further information was requested
17/12/2021 Further information response provided
18/01/2022 Additional fee required for amended application (in further information response)
25/01/2022 Additional fee paid
07/02/2022 Additional further information was requested
15/02/2022 Further information response provided
22/02/2022 Application referred to WCMA, GWM and Engineering
24/02/2022 WCMA referral response provided.
28/02/2022 Additional information provided relating to lot areas.
01/03/2022 The application was notified
07/03/2022 Engineering response received
23/03/2022 Notice Statutory Declaration received
06/04/2022 GWM referral response received.
01/06/2022 The report is being presented to Council at the meeting held 01 June 2022 (71 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: Monica Revell, Acting 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 PA1754-2021 for the subdivision of land into two (2) lots, use of land for a museum and reduction of car parking requirements on the subject land known as 36-38 Victoria Street Dimboola VIC 3414 (Lot 1 TP402647T Township and Parish of Dimboola), subject to the following conditions:

Endorsed Plans

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

Use Conditions

5. *The use must not detrimentally affect the amenity of the neighbourhood, including through the:
 - (a) *Transport of materials, goods or commodities to or from the land.*
 - (b) *Appearance of any building, works or materials.*
 - (c) *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.**
6. *No more than 20 persons may attend the museum at any one time, except with the written consent of the Responsible Authority.*
7. *Except with the written consent of the Responsible Authority, the museum must only operate between the following hours:
 - (a) *Monday – Sunday: 8am to 6pm**

GWM Water Conditions

8. *The owner/applicant must provide individual sewer services to each lot in accordance with GWMWater's requirements.*
9. *The owner/applicant must provide three metre wide easements in favour of GWMWater over the existing sewer main located at the rear of proposed Lot 1.*
10. *The owner/applicant must provide individual sewer services to each lot in accordance with GWMWater's requirements or provide an owners corporation to manage all common sewer property services.*
11. *The plan of subdivision submitted for certification must be referred to GWMWater in accordance with Section 8 of the Subdivision Act.*

Time Limit

12. *The above-mentioned planning permit as it relates to use will expire if either of the following circumstances arise:
 - (a) *The use does not commence within two (2) years of the date of issue of this permit.*
 - (b) *The use is discontinued for a period of two (2) or more years.**

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

13. *The above-mentioned planning permit as it relates to subdivision 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 D Nelson/W Bywaters

That Council approves planning application PA1754-2021 for the subdivision of land into two (2) lots, use of land for a museum and reduction of car parking requirements on the subject land known as 36-38 Victoria Street Dimboola VIC 3414 (Lot 1 TP402647T Township and Parish of Dimboola), subject to the following conditions:

Endorsed Plans

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

Use Conditions

- 5. The use must not detrimentally affect the amenity of the neighbourhood, including through the:
 - (a) Transport of materials, goods or commodities to or from the land.*
 - (b) Appearance of any building, works or materials.*
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.**
- 6. No more than 20 persons may attend the museum at any one time, except with the written consent of the Responsible Authority.*
- 7. Except with the written consent of the Responsible Authority, the museum must only operate between the following hours:
 - (a) Monday – Sunday: 8am to 6pm**

GWM Water Conditions

8. *The owner/applicant must provide individual sewer services to each lot in accordance with GWMWater's requirements.*
9. *The owner/applicant must provide three metre wide easements in favour of GWMWater over the existing sewer main located at the rear of proposed Lot 1.*
10. *The owner/applicant must provide individual sewer services to each lot in accordance with GWMWater's requirements or provide an owners corporation to manage all common sewer property services.*
11. *The plan of subdivision submitted for certification must be referred to GWMWater in accordance with Section 8 of the Subdivision Act.*

Time Limit

12. *The above-mentioned planning permit as it relates to use will expire if either of the following circumstances arise:*

- (a) *The use does not commence within two (2) years of the date of issue of this permit.*
- (b) *The use is discontinued for a period of two (2) or more years.*

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

13. *The above-mentioned planning permit as it relates to subdivision 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

8.3 APPLICATION FOR PLANNING PERMIT 1772-2022 – SUBDIVISION OF LAND INTO TWO (2) LOTS – 16-18 HINDMARSH STREET DIMBOOLA VIC 3414

Responsible Officer: Acting Director Infrastructure Services
File: Planning – Applications
Assessment: 23760
Application Number: **PA1772-2022**
Application Received: 16 March 2022 (Fee paid 24 March 2022)
Applicant: Mrs Julie Lee

Owner:	Mr Ivan Berry and Mrs Julie Lee
Subject Land:	16-18 Hindmarsh Street Dimboola VIC 3414 (Lot 1 TP821905K and Lot 1 TP821906H Township and Parish of Dimboola)
Proposal:	Subdivision of land into two (2) lots
Zoning & Overlays:	General Residential Zone – Schedule 1 (GRZ1) Environmental Significance Overlay – Schedule 6 (ESO6)
Attachment Number:	4

Summary:

This report recommends that Council approve Planning Permit PA1772-2022 for the subdivision of land into two (2) lots on the subject land known as 16-18 Hindmarsh Street, Dimboola VIC 3414 (Lot 1 TP821905K and Lot 1 TP821906H Township and Parish of Dimboola).

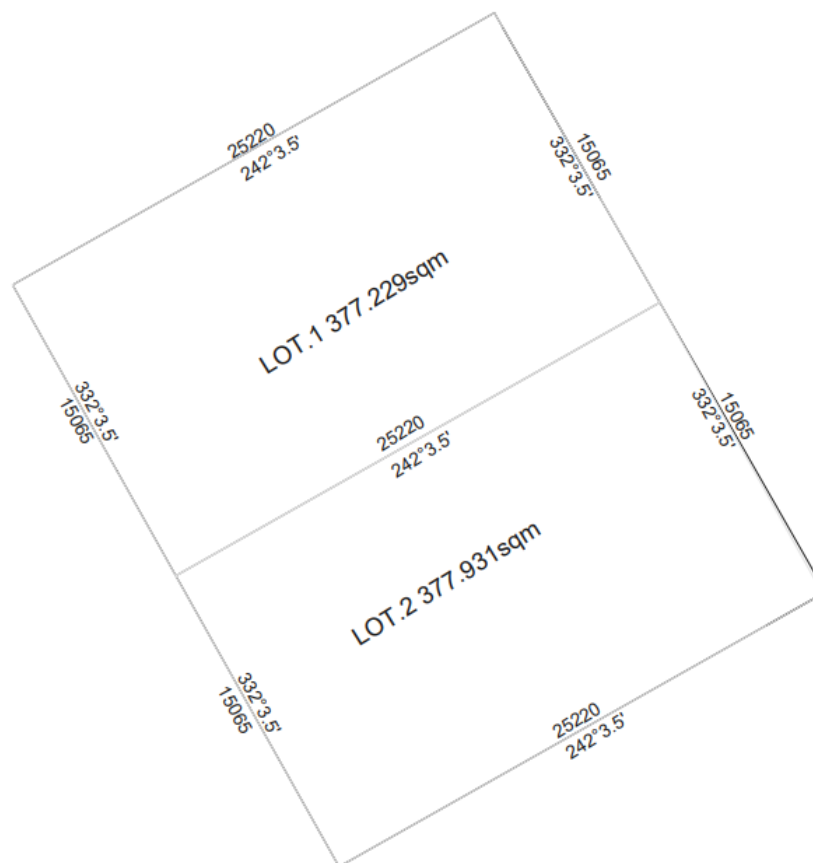
Background:

On 16 March 2022, Mrs Julie Lee lodged a planning application to the Responsible Authority for the subdivision of land into two (2) lots at 16-18 Hindmarsh Street, Dimboola.

Proposal Details:

The permit applicant, Mrs Julie Lee seeks approval for the subdivision of land into two (2) lots. The subject land is currently vacant residential land in 2 titles, which is proposed to be subdivided (re-subdivided) in a side by side configuration. Each proposed lot will have an area of 377m² and be accessed from Hindmarsh Street.

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 42.01-2 (Environmental Significance Overlay – Schedule 6) – A permit is required to subdivide land.

Definitions:

No relevant definitions apply.

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 16-18 Hindmarsh Street, Dimboola, which comprises two (2) titles with a combined area of approximately 755m². The land is generally flat, with minimal

fall across the site. The land is currently vacant and has been so for an extended period of time.

The subject site adjoins residential zoned land to the north, south and west, with land in the Transport Zone 1 to the east. Land within the General Residential Zone generally comprises lots of between 750-1,000m² allotments, with some larger land holdings evident.

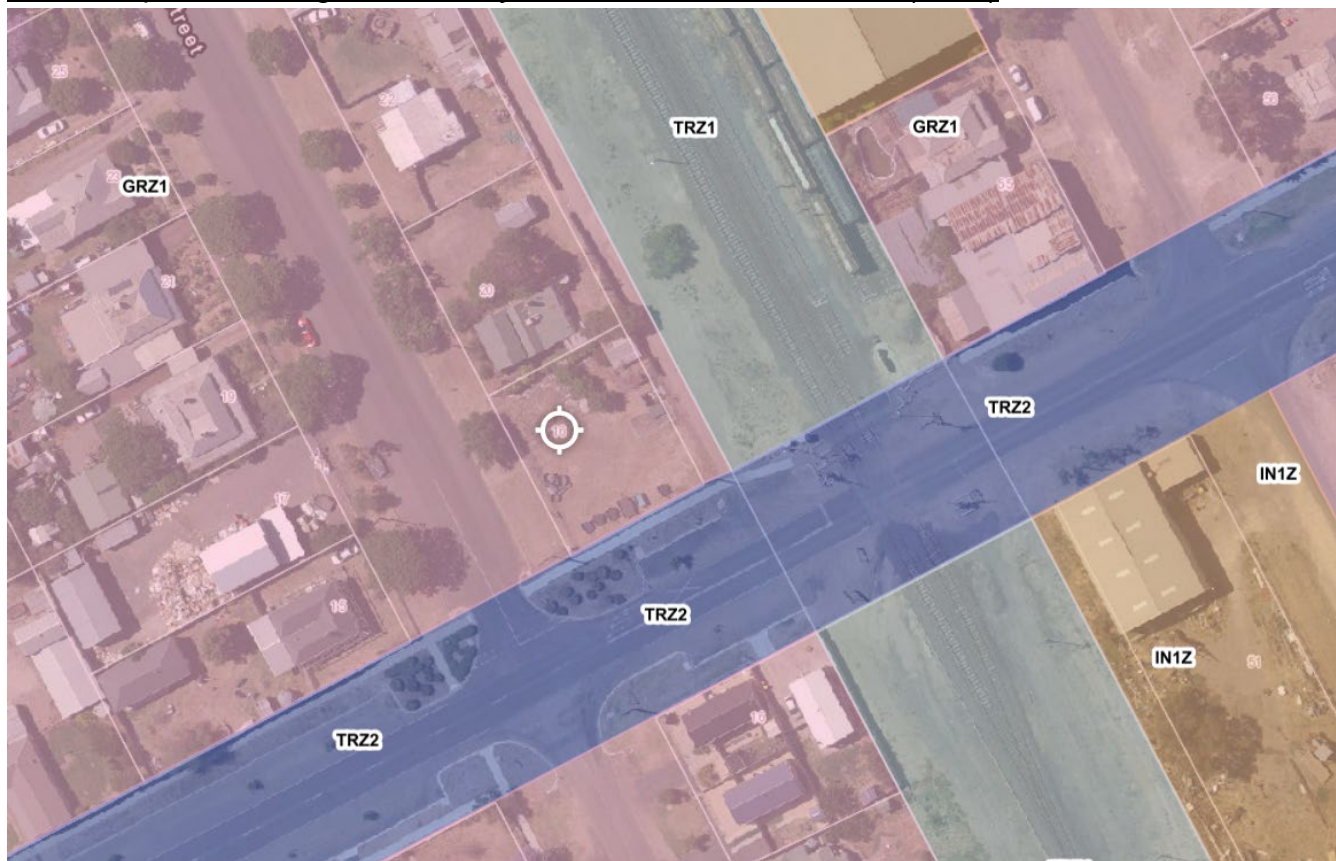
Immediately adjoining the subject land to the north is 20 Hindmarsh Street, comprising a single dwelling. Opposite the site to the west is 15 and 17 Hindmarsh Street, each 1,000m² lots comprising a single dwelling. To the east is the railway corridor, while to the south of the land is High Street.

The site appears to have access to reticulated power, telecommunications, water and sewer.

Aerial Map below – Hindmarsh POZI (2016)



Aerial Map with Zoning and Overlays below – Hindmarsh POZI (2016)



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;
- Erection of a sign on site; and
- A notice in the ‘Dimboola Banner’

No objections or submissions have been received to the application.

Referrals:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	
Wimmera CMA	Consent, no conditions. Response received 08 April 2022.

Section 52 and Internal Notices	
Department of Transport	No response received.
GMW Water	Conditional consent. Response received 12 April 2022.
VicTrack	Conditional consent.

	Response received 24 May 2022.
Engineering	Conditional consent. Response received 9 May 2022.

Planning Assessment:

Planning Scheme Requirements:

Planning Policy Framework:

- Clause 11.01-1L Settlement – Hindmarsh
- Clause 15.01-1S Urban design
- Clause 15.01-3S Subdivision design
- Clause 15.01-5S Neighbourhood character
- Clause 16.01-1S Housing supply

Zoning Provisions:

Clause 32.08 – General Residential Zone (GRZ)

32.08-3 Subdivision

A permit is required to subdivide land.

Clause 32.08-13 Decision Guidelines

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

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of this zone.*
- *The objectives set out in a schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*
- *The pattern of subdivision and its effect on the spacing of buildings.*
- *For subdivision of land for residential development, the objectives and standards of Clause 56.*

Planning Response:

The key considerations applying to this application and the application of policy relate to the level of intensity of development in the GRZ and ResCode compliance, with the overwhelming policy direction being to intensity residential development in such areas in close proximity to jobs, transport and services.

When assessing the application against the state policies in the PPF, there is clear support for the proposed increase in density on the site as the site is well serviced by infrastructure and community services. This ensures efficient use of infrastructure and supports the usual preference that established residential areas experience residual increase in population and density. State policy also encourages new housing to respect neighbourhood character, to

which the proposal responds satisfactorily, encouraging housing diversity in established areas with access to services.

In accordance with requirements to ensure garden area is provided on subdivided lots less than 400m², a Section 173 Agreement will be required as a condition of approval to ensure that any future development of each lot provides a minimum of 25% garden area as defined in the Hindmarsh Planning Scheme.

The proposal will not affect rooftop solar systems and meets the relevant objectives of Clause 56 as applicable to this proposal. An assessment against the relevant provisions of Clause 56 is provided further in this report.

Overlay Provisions:

Clause 42.01 – Environmental Significance Overlay – Schedule 6 (ESO6)

42.01-2 Subdivision

A permit is required to subdivide land.

Clause 5.0 to Schedule 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:

Given that no development is proposed under this application, it is considered that the proposed subdivision would not impact the objective of ESO6 which aims to protect the catchment area of significant wetlands in Hindmarsh Shire.

In addition, the application was referred to the Wimmera CMA as required by the ESO6, which did not object to the grant of a permit nor require any conditions to be imposed as part of the subdivision.

Particular Provisions:

Clause 53.01 – Public Open Space Contribution and Subdivision

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

53.01-1 – Exemption from public open space requirement specified in the scheme A subdivision is exempt from a public open space requirement specified in this scheme if:

- *It is one of the following classes of subdivision:*

- *Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.*
- *Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building. It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.*
- *It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.*

Planning Response:

The proposed subdivision is a two (2) lot subdivision and given the size of the lots and development form, it is considered unlikely that either lot will be further subdivided. Given this, no public open space contribution is required.

Clause 56 – Residential Subdivision

Provisions in this clause apply to an application to subdivide land in a General Residential Zone.

An assessment against the relevant objectives and standards of Clause 56 is provided below.

LIVEABLE AND SUSTAINABLE COMMUNITIES				
56.03-5 Neighbourhood Character	Met ?	Standard C6	Met ?	Comments
<i>To design subdivisions that respond to neighbourhood character</i>	Yes	<i>Subdivision should</i> <ul style="list-style-type: none"> ● <i>Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.</i> ● <i>Respond to and integrate with the surrounding urban environment.</i> ● <i>Protect significant vegetation and site features</i> 	Yes	As discussed earlier in this report, the proposed subdivision is consistent with the character of the area; typically comprising a combination of single dwellings on allotments of 750-1,000m ² . The proposal supports planning policy relating to infill development, with the subdivision appropriately responding to the site characteristics of the

				land and providing integration with the surrounding urban environment.
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LOT DESIGN				
56.04-2 Lot Area and Building Envelopes	Met ?	Standard C8	Met ?	Comments
<i>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</i>	Yes	<p><i>An application to subdivide land that creates lots of less than 300sqm should be accompanied by information that shows:</i></p> <ul style="list-style-type: none"> <i>That the lots are consistent or contain a building envelope that is consistent with a development approved under this scheme, or</i> <i>That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.</i> 	N/A	N/A
		<p><i>Lots of between 300sqm and 500sqm should:</i></p> <ul style="list-style-type: none"> <i>Contain a building envelope that is consistent with a development of the lot approved under this scheme, or</i> <i>If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10m x 15m, or 9m x15m if a boundary wall is nominated as part of the building envelope</i> 	Yes	Each lot can contain the requisite building envelope.

	<p><i>If lots of between 300sqm and 500sqm are proposed to contain buildings that are built to the boundary, the long axis of the lots should be within 30°E and 20°W of N unless there are significant physical constraints that make this difficult to achieve.</i></p>	N/A	No development on boundaries proposed.
	<p><i>Lots greater than 500sqm in area should be able to contain a rectangle measuring 10m x 15m, and may contain a building envelope.</i></p>	N/A	No lots over 500m ² proposed.
	<p><i>A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:</i></p> <ul style="list-style-type: none"> <i>• The objectives of the relevant standard are met, and</i> <i>• The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.</i> 	N/A	N/A
	<p><i>Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:</i></p> <ul style="list-style-type: none"> <i>• The building envelope must meet Standards A10 and A11 and Clause 54 in relation to the adjoining lot, and</i> 	N/A	N/A

		<ul style="list-style-type: none"> The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement. 		
		<p>Lot dimensions and building envelopes should protect:</p> <ul style="list-style-type: none"> Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations. Existing or proposed easements on lots. Significant vegetation and site features. 	Yes	Lot dimensions and existing building forms ensure that future dwelling development will not unreasonably inhibit solar access. No significant vegetation is provided on the land.
56.04-3 Solar Orientation	Met ?	Standard C9	Met ?	Comments
<i>To provide good solar orientation of lots and solar access for future dwellings</i>	Yes	<i>Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.</i>	Yes	Appropriate solar orientation is provided.
		<p><i>Lots have appropriate solar orientation when:</i></p> <ul style="list-style-type: none"> <i>The long axes of lots are within the range N20°W to N30°E, or E20°N to E30°S.</i> <i>Lots between 300sqm and 500sqm are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within N20°W to N30°E.</i> <i>Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.</i> 	Yes	Complies.

56.04-5 Common Area	Met ?	Standard C11	Met ?	Comments
<i>To identify common areas and the purpose for which the area is commonly held.</i>	N/A	<i>An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</i> <ul style="list-style-type: none"> • <i>The common area to be owned by the body corporate, including any streets and open space;</i> • <i>The reasons why the area should be commonly held;</i> • <i>Lots participating in the body corporate</i> • <i>The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.</i> 	N/A	No common property is proposed.
<i>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</i>				
<i>To maintain direct public access throughout the neighbourhood street network</i>				

ACCESS AND MOBILITY MANAGEMENT				
56.06-8 Lot Access	Met ?	Standard C21	Met ?	Comments
<i>To provide for safe vehicle access between roads and lots.</i>	Yes	<i>Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.</i>	Yes	Access to be provided via new crossovers from Hindmarsh Street to the satisfaction of the Responsible Authority.
		<i>Vehicle access to lots of 300sqm or less in area and lots with frontage of 7.5m or less should be provided via rear or side access lanes, places or streets.</i>	N/A	Lots >300sqm
		<i>The design and construction of a crossover should meet the requirements of the relevant road authority.</i>	Yes	Crossovers will be constructed to the satisfaction of the Responsible Authority.

INTEGRATED WATER MANAGEMENT				
56.07-1 Drinking Water Supply	Met ?	Standard C22	Met ?	Comments
<i>To reduce the use of drinking water</i>	Yes	<i>The supply of drinking water must be:</i> <ul style="list-style-type: none"> • <i>Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.</i> • <i>Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority</i> 	Yes	Will comply with GMW Water requirements
<i>To provide adequate, cost-effective supply of drinking water</i>	Yes			
56.07-2 Reused and Recycled Water	Met ?	Standard C23	Met ?	Comments
<i>To provide for the substitution of drinking water for non-drinking water purposes with reused and recycled water,</i>	Yes	<i>Reused and recycled water supply systems must be:</i> <ul style="list-style-type: none"> • <i>Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.</i> • <i>Provided to the boundary of all lots in the subdivision where required by the relevant water authority.</i> 	Yes	As above.
56.07-3 Waste Water Management	Met ?	Standard C24	Met ?	Comments
<i>To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an</i>	Yes	<i>Waste water systems must be:</i> <ul style="list-style-type: none"> • <i>Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environmental Protection Authority.</i> 	Yes	As above.

<p><i>environmentally friendly manner.</i></p>		<ul style="list-style-type: none"> <i>Consistent with any relevant approved domestic waste water management plan.</i> 		
		<p><i>Reticulated waste water must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.</i></p>	<p>Yes</p>	<p>As above.</p>
<p>56.07-4 Urban Run-Off Management</p>	<p>Met ?</p>	<p>Standard C25</p>	<p>Met ?</p>	<p>Comments</p>
<p><i>To minimise damage to properties and inconvenience to residents from urban run-off.</i></p>	<p>Yes</p>	<p><i>The urban stormwater management system must be:</i></p> <ul style="list-style-type: none"> <i>Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.</i> <i>Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of urban run-off is proposed.</i> <i>Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.</i> <i>Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.</i> 	<p>Yes</p>	<p>Will comply with Council requirements.</p>

<p><i>To ensure that the street operates adequately during major storm events and provides for public safety.</i></p>	<p>Yes</p>	<p><i>The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.</i></p>	<p>Yes</p>	<p>As above.</p>
<p><i>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</i></p>	<p>Yes</p>	<p><i>For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:</i></p> <ul style="list-style-type: none"> • <i>Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.</i> • <i>Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.</i> 	<p>Yes</p>	<p>As above.</p>
		<p><i>For storm events greater than 20% AEP and up to and including 1% AEP standard:</i></p> <ul style="list-style-type: none"> • <i>Provision must be made for the safe and effective passage of stormwater flows.</i> • <i>All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.</i> • <i>Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35m^2/s$ (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second).</i> 	<p>Yes</p>	<p>As above.</p>
		<p><i>The design of the local drainage network should:</i></p> <ul style="list-style-type: none"> • <i>Ensure run-off is retarded to a standard required by the</i> 	<p>Yes</p>	<p>As above.</p>

		<p><i>responsible drainage authority.</i></p> <ul style="list-style-type: none"> • <i>Ensure that every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Where possible, run-off should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.</i> • <i>Ensure that inlet and outlet structures take account of the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overload flow in a safe and predetermined manner.</i> • <i>Include water sensitive urban design features to manage run-off in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.</i> 		
		<p><i>Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.</i></p>	N/A	As above.

SITE MANAGEMENT					
56.08-1	Site	Met	Standard C26	Met	Comments
	Management	?		?	

<p><i>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</i></p>	<p>Yes</p>	<p><i>A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:</i></p> <ul style="list-style-type: none"> • <i>Erosion and sedimentation.</i> • <i>Dust</i> • <i>Run-off</i> • <i>Litter, concrete and other construction wastes.</i> • <i>Chemical contamination.</i> • <i>Vegetation and natural features planned for retention.</i> 	<p>Yes</p>	<p>Limited amenity impacts can be expected from a 2 lot vacant subdivision. No special requirements (such as a CMP) are considered warranted in this instance.</p>
<p><i>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</i></p>	<p>N/A</p>	<p><i>Recycled materials should be used for the construction of streets, shared paths and other infrastructure where practicable.</i></p>	<p>N/A</p>	<p>Street network and associated infrastructure is existing.</p>
<p><i>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</i></p>	<p>N/A</p>			

UTILITIES

<p>56.09-1 Shared Trenching</p>	<p>Met ?</p>	<p>Standard C27</p>	<p>Met ?</p>	<p>Comments</p>
<p><i>To maximise the opportunities for shared trenching.</i></p>	<p>N/A</p>	<p><i>Reticulated services for water, gas, electricity and telecommunications should be</i></p>	<p>N/A</p>	<p>Will be installed as per service authority requirements.</p>

<i>To minimise constraints on landscaping within street reserves.</i>	N/A	<i>provided in shared trenching to minimise construction costs and land allocation for underground services.</i>		
56.09-2 Electricity, Telecommunications and Gas	Met ?	Standard C28	Met ?	Comments
<i>To provide public utilities to each lot in a timely, efficient and cost effective manner.</i> <i>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</i>	Yes	<i>The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.</i>	Yes	Will comply with service authority requirements.
	Yes	<i>Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.</i>	N/A	None shown
		<i>The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant</i>	Yes	Will comply with service authority requirements.

		<i>telecommunications servicing authority.</i>		
		<i>Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.</i>	Yes	Will comply with service authority requirements.

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.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- 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.
- The impact the use or development will have on the current and future development and operation of the transport system

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 sewered and no provision has been made for the land to be sewered, 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
- The impact the development will have on the current and future development and operation of the transport system.

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 a diversity in lot sizes and housing options in an area well connected to private and public services. 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 to the overlay as discussed above.

Clause 56 Residential Subdivision

The proposal complies with the relevant objectives and decision guidelines of Clause 56 for the reasons outlined in the planning response to this clause 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, Environmental Significance Overlay – Schedule 6 and Clause 56 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:

16/03/2022 The application was received.

24/03/2022 The fee was paid.

07/04/2022 The application was referred.

07/04/2022 The application was notified (last notice given 20/4/2022).

01/06/2022 The report is being presented to Council at the meeting held 1 June 2022 (55 Days)

The statutory processing time requirements of the *Planning and Environment Act 1987* have 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: Monica Revell, Acting 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 PA1772-2022 for the subdivision of land into two (2) lots on the subject land known as 16-18 Hindmarsh Street Dimboola VIC 3414 (Lot 1 TP821905K and Lot 1 TP821906H Township and Parish of Dimboola), 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. Before the issue of Statement of Compliance under the Subdivision Act 1988, the holder of this permit must enter into an agreement with the Responsible Authority, made pursuant to Section 173 of the Planning and Environment Act 1987, to the effect that:
 - i. Each lot must provide a minimum of 25% garden area (as defined in the Hindmarsh Planning Scheme) as part of any development of the land for a dwelling or residential building.***The owner/operator must pay the reasonable costs of preparation, execution and registration of the Section 173 Agreement.***

- 3. 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.***
- 4. 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.***
- 5. 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.***
- 6. The owner of the land must enter into an agreement with:
 - (a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in******

accordance with the provider's requirements and relevant legislation at the time; and

- (b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.*

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- (a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and*
- (b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.*

Engineering Conditions

- 7. Before the issue of a Statement of Compliance, a new crossover must be constructed to each lot from Hindmarsh Street to the satisfaction of the Responsible Authority.*

The crossovers must be constructed as per IDM-240 standard and at a location and of a size to the satisfaction of the Responsible Authority at the full cost of the permit holder.

- 8. Any redundant vehicle crossovers must be removed and reinstated with kerb, channel and nature strip prior to the issue of a Statement of Compliance.*

GWM Water Conditions

- 9. The owner/applicant must provide individual sewer services to each lot in accordance with GWMWater's requirements.*
- 10. The owner/applicant is responsible for verifying the condition of any existing sewer connection point/s to determine their suitability for use.*
- 11. The plan of subdivision submitted for certification must be referred to GWM Water in accordance with Section 8 of the Subdivision Act.*

VicTrack Conditions

- 12. Prior to the issue of a Statement of Compliance for any stage abutting the railway reserve, or other time agreed in writing with VicTrack, the permit holder must*

install a visually transparent 1.8 metre high black coated chain mesh fence along the boundary abutting the rail reserve, to the satisfaction of VicTrack and the rail operators, at the full cost to the permit holder.

13. *VicTrack and the rail operator will not be responsible for the maintenance of any fencing constructed along the railway boundary.*
14. *No drainage or effluent must enter VicTrack land and must be collected and directed to the legal point of discharge.*

Time Limit

15. *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

Note:

Engineering

A Consent to Works Within Road Reserve Permit must be obtained from Council's Infrastructure Department (Phone: 03 5391 444) before the construction, alteration or upgrade of any vehicle crossovers or any works conducted in the road reserve.

VicTrack

VicTrack request only the referral of the relevant stages of this subdivision that abut the rail corridor.

MOVED: CRS B Ireland/W Bywaters

That Council approves planning application PA1772-2022 for the subdivision of land into two (2) lots on the subject land known as 16-18 Hindmarsh Street Dimboola VIC 3414 (Lot 1 TP821905K and Lot 1 TP821906H Township and Parish of Dimboola), 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. *Before the issue of Statement of Compliance under the Subdivision Act 1988, the holder of this permit must enter into an agreement with the Responsible*

Authority, made pursuant to Section 173 of the Planning and Environment Act 1987, to the effect that:

- i. Each lot must provide a minimum of 25% garden area (as defined in the Hindmarsh Planning Scheme) as part of any development of the land for a dwelling or residential building.**

The owner/operator must pay the reasonable costs of preparation, execution and registration of the Section 173 Agreement.

- 3. 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.**
- 4. 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.**
- 5. 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.**
- 6. The owner of the land must enter into an agreement with:**
 - (a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and**
 - (b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- (a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
- (b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

Engineering Conditions

- 7. Before the issue of a Statement of Compliance, a new crossover must be**

constructed to each lot from Hindmarsh Street to the satisfaction of the Responsible Authority.

The crossovers must be constructed as per IDM-240 standard and at a location and of a size to the satisfaction of the Responsible Authority at the full cost of the permit holder.

- 8. Any redundant vehicle crossovers must be removed and reinstated with kerb, channel and nature strip prior to the issue of a Statement of Compliance.**

GWM Water Conditions

- 9. The owner/applicant must provide individual sewer services to each lot in accordance with GWMWater's requirements.**
- 10. The owner/applicant is responsible for verifying the condition of any existing sewer connection point/s to determine their suitability for use.**
- 11. The plan of subdivision submitted for certification must be referred to GWM Water in accordance with Section 8 of the Subdivision Act.**

VicTrack Conditions

- 12. Prior to the issue of a Statement of Compliance for any stage abutting the railway reserve, or other time agreed in writing with VicTrack, the permit holder must install a visually transparent 1.8 metre high black coated chain mesh fence along the boundary abutting the rail reserve, to the satisfaction of VicTrack and the rail operators, at the full cost to the permit holder.**
- 13. VicTrack and the rail operator will not be responsible for the maintenance of any fencing constructed along the railway boundary.**
- 14. No drainage or effluent must enter VicTrack land and must be collected and directed to the legal point of discharge.**

Time Limit

- 15. 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

Note:

Engineering

A Consent to Works Within Road Reserve Permit must be obtained from Council's Infrastructure Department (Phone: 03 5391 444) before the construction, alteration or upgrade of any vehicle crossovers or any works conducted in the road reserve.

VicTrack

VicTrack request only the referral of the relevant stages of this subdivision that abut the rail corridor.

CARRIED

Attachment Number: 4

9 REPORTS REQUIRING A DECISION

**9.1 COUNCIL PLAN 2021-2025 AND HEALTH AND WELLBEING PLAN 2021-2025
ACTION PLAN 2022/2023**

Responsible Officer: Director Corporate & Community Services

Attachment Number: 5

Introduction:

This report presents the Council Plan 2021-2025 and Health and Wellbeing Plan 2021-2025 draft Action Plan 2022/2023. The report includes a recommendation that Council adopt the draft Action Plan 2022/2023 and invites community submissions.

Discussion:

At the Council meeting held on Wednesday 22 September 2021 Council resolved to adopt the Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040.

The Council Plan 2021-2025 incorporates the Community Vision and Public Health and Wellbeing Plan (Plan). In developing the Vision, Council Plan and Health and Wellbeing Plan Council took into account the needs and aspirations raised by our communities. Council engaged with the community by conducting an online survey and holding in person community conversation sessions.

In developing the Plan, it was intended to be a living document that will be reviewed and updated annually. The plan contains annual actions, allowing Council to adapt to our changing environment and inform the budget for each financial year.

The development of the 2022/2023 Action Plan was informed through community consultation in the initial development of the plan along with consultation sessions held during March 2022.

The action plan continues to work towards the vision: Working together to be a connected, inclusive and prosperous community.

This vision will be achieved through values with transparent and accountable actions and decisions, inclusion and collaboration with residents, showing respect and integrity to all; and being proactive and responsible encouraging innovation.

Actions for 2022/2023 are set against four key themes:

- Our Community
- Built and Natural Environment
- Competitive and Innovative Economy
- Governance and Financial Sustainability.

The Health and Wellbeing Actions 2022/2023 focus on five key areas:

- Healthy Eating
- Active Living
- Social Connectivity
- Improving Mental Health
- Preventing all forms of violence and injury.

The draft Action Plan will be made available to allow for submissions for the period Thursday 2 June 2022 to Friday 24 June 2022. Submissions will be considered at the Council meeting held on Wednesday 29 June 2022.

Options:

Council must prepare and advertise its Council Plan 2021-2025 and Community Vision 2040 pursuant to the *Local Government Act 2020*. The Health and Wellbeing Plan must be prepared pursuant to the *Public Health and Wellbeing Act 2008*.

Link to Council Plan:

The Council Plan is the overarching plan that sets the strategic objectives for Council over the four-year term and provides initiatives and activities under the four key themes.

Financial Implications:

Actions for 2022/2023 will be contained within the annual budget 2022/2023 and long term financial plan.

Risk Management Implications:

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

Relevant legislation:

Local Government Act 2020

Public Health and Wellbeing Act 2008

Community engagement:

The Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 was developed following consultation with the community through an online survey and in person community conversation sessions.

Community conversation sessions included round table discussions where participants were asked to consider and discuss a series of questions with Councillors and staff members.

Gender equality implications:

No gender impact assessment is required.

Conflict of Interest:

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

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

Communications Strategy:

Copies of the Council Plan 2021-2024 incorporating the Health and Wellbeing Plan Actions 2022/2023 will be available at Council's Customer Service Centres and on Council's website.

RECOMMENDATION:

That Council:

- 1. approves the Council Plan 2021-2025 incorporating the Health and Wellbeing Plan Actions 2022/2023 for the purposes of public consultation;***
- 2. gives public notice of the preparation of the Council Plan 2021-2025 incorporating the Health and Wellbeing Plan Actions 2022/2023 inviting written submissions from the public for the period Thursday 2 June 2022 to Friday 24 June 2022;***
- 3. considers public submissions and the formal adoption of the Council Plan 2021-2025 incorporating the Health and Wellbeing Plan Actions 2022/2023 at the Council meeting on Wednesday 29 June 2022.***

MOVED: CRS W Bywaters/B Ireland

That Council:

- 1. approves the Council Plan 2021-2025 incorporating the Health and Wellbeing Plan Actions 2022/2023 for the purposes of public consultation;***
- 2. gives public notice of the preparation of the Council Plan 2021-2025 incorporating the Health and Wellbeing Plan Actions 2022/2023 inviting written submissions from the public for the period Thursday 2 June 2022 to Friday 24 June 2022;***

3. ***considers public submissions and the formal adoption of the Council Plan 2021-2025 incorporating the Health and Wellbeing Plan Actions 2022/2023 at the Council meeting on Wednesday 29 June 2022.***

CARRIED

Attachment Number: 5

9.2 ASSET PLAN 2022-2032

Responsible Officer: Acting Director Infrastructure Services

Attachment Number: 6

Introduction:

This report presents the Asset Plan 2022-2032 for adoption in accordance with the Local Government Act 2020.

Discussion:

Section 92 of the *Local Government Act 2020* requires Council to develop, adopt and keep in force an Asset Plan. The scope of an Asset Plan is for a minimum period of ten financial years and needs to be adopted by 30 June 2022.

Thereafter, Council should review and adopt an Asset Plan by 31 October in the year following a general election of Council.

The Asset Plan has been developed with the aim of maintaining existing service levels and provides information to inform the community on how Council controlled assets are to be managed. This information will inform Council's Annual Budget preparation and longer term planning.

The Asset Plan must include the following:

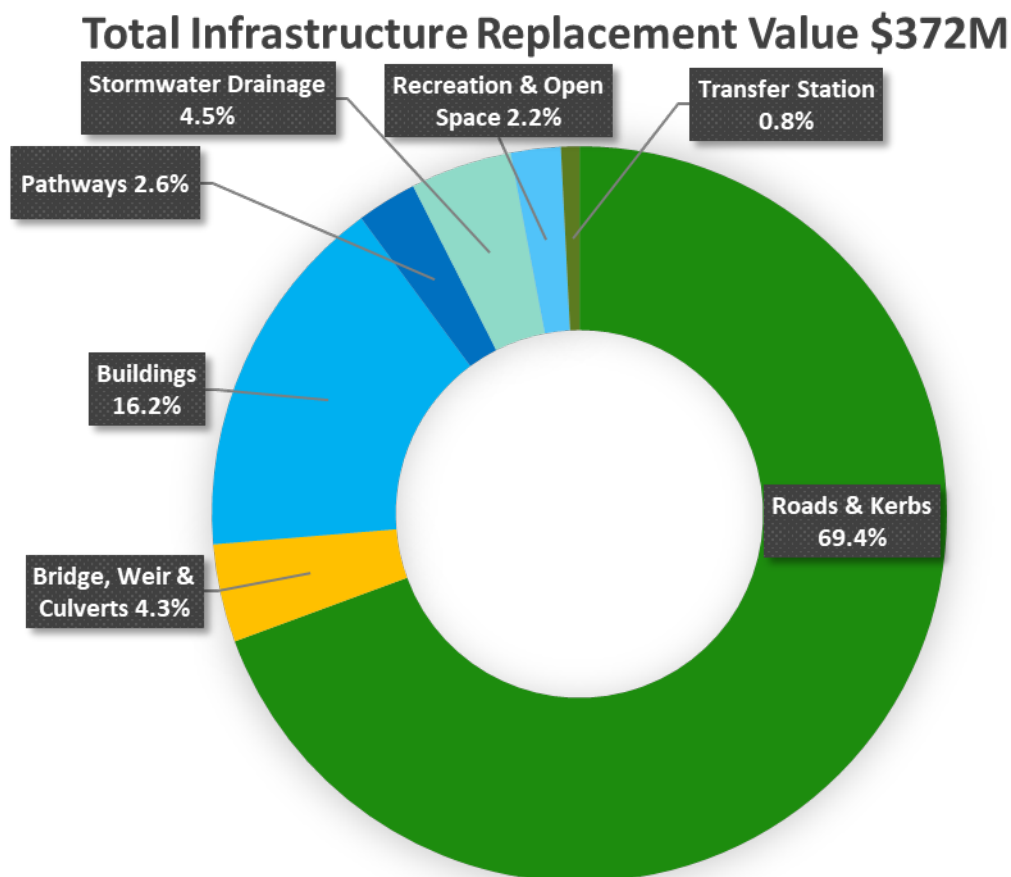
- information about maintenance, renewal, acquisition, expansion, upgrade, disposal and decommissioning in relation to each class of infrastructure under the control of the Council.
- 10-year financial forecast\modelling to maintain Council Infrastructure to agreed and acceptable service level to the Community.

Council's total infrastructure replacement value is \$372m and broken into the following asset categories:

- Roads
- Bridges, Weirs and Culverts
- Buildings
- Pathways
- Stormwater Drainage
- Recreation and Open Space

- Transfer Stations

The below graph provides asset replacement values proportions as of April 2022.



At the Council meeting held on Wednesday 4 May 2022 Council resolved to approve the draft Asset Plan and invite public submissions. Council advertised for public submissions from the period Thursday 5 May to Monday 23 May 2022. No submissions were received in relation to the Asset Plan.

Link to Council Plan:

Well-maintained physical assets and infrastructure to meet community and organisation needs: Regularly review Council’s asset management plans and update the Assets Register.

Financial Implications:

Modelling for the 10 years is done using assetic predictor modelling software with input of current asset condition, level of service required and budget forecasts from Council Long term financial plan.

Under the current modelling there is a shortfall of approximately \$1.7m over 10 years to fully comply with the Asset Plan.

Risk Management Implications:

Natural disasters like flooding, fire and earthquake are not considered while preparing this Asset Plan. Asset Plan will be beneficial in reducing the long-term financial risk to Council

assisting preservation of assets conduction in appropriate condition to serve the community at agreed level of service.

Relevant legislation:

Local Government Act 2020

Community engagement:

A copy of the adopted Asset Plan will be available at Council's Customer Service Centres and on Council's Website.

Gender equality implications:

No impact on Gender Equality.

Conflict of Interests:

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, Acting Director Infrastructure Services
In providing this advice as the Author and Officer Responsible, I have no disclosable interests in this report.

Communications Strategy:

Notification of the adoption of the Asset Plan will be published on Council's Facebook page.

Next Steps:

The Asset Plan operates over a ten-year period and will be reviewed by 31 October following each Council election.

RECOMMENDATION:

That Council adopts the Asset Plan 2022-2032 in accordance with the Local Government Act 2020.

MOVED: CRS R Ismay/D Nelson

That Council adopts the Asset Plan 2022-2032 in accordance with the Local Government Act 2020.

CARRIED

Attachment Number: 6

9.3 HINDMARSH SHIRE COUNCIL STAFF DELEGATIONS

Responsible Officer: Director Corporate and Community Services

Attachment Number: 7

Introduction:

This report presents the updated S18 Instrument of Sub-delegation under the *Environmental Protection Act 2017* from Council to Council staff (**Delegation**), for review and approval.

Discussion:

Delegations from Council to Council staff are essential to ensure the day-to-day decisions and operations of Council are undertaken efficiently and effectively.

The *Environment Protection Act 2017 (EPA Act)* was updated and took effect on 1 July 2021. The update to the EPA Act made Councils joint regulators of the EPA Act and corresponding regulations. Council now has a role in regulating residential noise complaints, litter and other waste complaints and on-site wastewater management systems.

Council is required to delegate the powers to Council staff to enable Council to meet its obligations under the EPA Act. Powers for Councils include:

- the power to issue improvement notice under the EPA Act;
- the power to issue prohibition notice under the EPA Act;
- the power to amend a notice;
- the functions and powers of the environment protection authority; and
- the power to give advice to persons with duties or obligations.

At the Council meeting held on 4 August 2021, Council moved to approve the *Environmental Protection Act 2017* Instrument of Sub-delegation, delegating the duties and functions under the act to the Environmental Health Officer (EHO) position.

As there may be periods where the EHO is on leave or unavailable, it is proposed to delegate these powers and functions to the Manager Governance and Human Services, Local Laws Officer and Coordinator Facilities and Environment positions. These positions work closely with the EHO, and the functions within this Delegation would complement their existing duties whilst ensuring that the services and obligations prescribed in the Delegation are able to be delivered without interruption to residents of Hindmarsh Shire.

Options:

Council can

1. approve the *Environment Protection Act 2017* Instrument of Delegation to members of Council staff;
2. modify the *Environment Protection Act 2017* Instrument of Delegation to members of Council staff;
3. neither approve nor modify the *Environment Protection Act 2017* Instrument of Delegation to members of Council staff.

Link to Council Plan:

Good Governance and Financial Sustainability

Financial Implications:

Nil.

Risk Management Implications:

Reviewing Council's Instrument of Delegations is important for Council to maintain good governance practices and to ensure it is effectively exercising its functions under relevant Acts.

Relevant legislation:

Environmental Protection Act 2017

Local Government Act 2020

Community engagement:

N/A

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 – Monica Revell, Director Corporate and Community Services

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

Author – Petra Croot, Manager Governance and Human Services

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

Communications Strategy:

Relevant staff will be provided with confirmation of the amendments to the Instruments of Delegation.

The Instruments of Delegation to staff are placed on Council's website in a summarised form.

RECOMMENDATION:

In the exercise of the power conferred by the legislation referred to in the attached instrument of sub-delegation, Hindmarsh Shire Council (Council) resolves that –

- 1. There be delegation to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Sub-Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.***

2. *The Instrument comes into force immediately when the Resolution is passed.*
3. *The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

MOVED: CRS R Gersch/R Ismay

In the exercise of the power conferred by the legislation referred to in the attached instrument of sub-delegation, Hindmarsh Shire Council (Council) resolves that –

1. *There be delegation to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Sub-Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.*
2. *The Instrument comes into force immediately when the Resolution is passed.*
3. *The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

CARRIED

Attachment Number: 7

9.4 MANAGEMENT AND OPERATION OF HINDMARSH SHIRE COUNCIL SWIMMING POOLS 2021/2022 SEASON

Responsible Officer: Acting Director Infrastructure Services

Introduction:

This report provides Council with an overview of the 2021/2022 swimming pool opening season.

Discussion:

At the Council meeting held on Wednesday 08 September 2021, Council awarded YMCA the contracts for the Management and Operation of all Hindmarsh Shire Council swimming pools and authorised the CEO to negotiate with YMCA to identify savings through the awarding of the contract for all four swimming pools to one supplier. YMCA offered a discount of \$6,000 discount per pool which was accepted.

Attendance

Attendance figures provided by YMCA for 2021/2022 were similar to the 2020/2021 season, with higher attendances at Dimboola 6,482 (increase of 313) and Nhill 2,694 (increase of 991) respectively. Rainbow recorded lower attendances 2,087 (a decrease of 822 patrons) and Jeparit attendances were 333 (down 852 patrons). Total attendances for the 2021/2022 season was 11,596 compared to 11,966 the previous season.

Issues experienced

Unfortunately, there have been a number of issues experienced during the 2021-2022 season, which accounted for 97 disruptions to pool opening days:

1. YMCA has been unable to source lifeguards for all the pools, therefore pool closures have been rotated between the four townships. On 27 occasions a pool was closed due to staff shortages/illness.
2. Coronavirus isolation rules have also affected the availability of staff.
3. Mechanical issues have been experienced at Nhill and Jeparit pools. Jeparit pool was closed for 11 days due to mechanical faults and closed five days early due to a major leak. Nhill was closed for two days due to mechanical issues.
4. Water Quality issues were experienced at Jeparit pool on three occasions resulting in the pool being closed.
5. Inclement weather accounted for 13 days of closure and five occasions when a pool was closed for part of the day.
6. On 28 occasions a pool was closed for unspecified reasons, plus Jeparit was closed for a day due to high demand at Dimboola pool. Nhill closed early on one occasion to prepare for the pool party and another day due to unforeseen circumstances.

The following tables provide a summary of each swimming pool.

Legend:

	YMCA Responsibility
	Weather or Council Responsibility
	Unspecified-Needs to be further investigated

DIMBOOLA						
			REASON FOR CLOSURE			
Month:	Total Days:	Closed	Staffing	Mechanical	Weather	Not Specified
November 2021	3	0	0	0	0	0
December 2021	30	3	0.5*	0	2	0
January 2022	31	4	2	0	1 plus 0.5*	0
February 2022	38	1	1	0	0	0
March 2022	20	5	0	0	0	5
TOTAL:	112	13	4	0	4	5

*0.5 denotes that the pool closed early (Counted as 1 day)

JEPARIT						
			REASON FOR CLOSURE			

Month:	Total Days:	Closed	Staffing	Mechanical	Weather	Not Specified/Other	Water Quality
November 2021	3	3	0	0	0	0	3
December 2021	30	4	1	2	1	0	0
January 2022	31	19	9	8	2	0	0
February 2022	38	4	2	0	0	2	0
March 2022	20	16	1	6	1	8	0
TOTAL:	112	46	13	16	4	10	3

NHILL							
Month:	Total Days:	Closed	REASON FOR CLOSURE				Not Specified/Other
			Staffing	Mechanical	Weather		
November 2021	3	0	0	0	0	0	0
December 2021	30	3	0	1	2	0	0
January 2022	31	7	2	1	0.50 x 3*	0.50*	0.50*
February 2022	38	9	4 plus 0.50*	0	0	0	3 plus 0.50*
March 2022	20	8	0	0	2	6	6
TOTAL:	112	27	7	2	7	11	11

*0.5 denotes that the pool closed early (Counted as 1 day)

RAINBOW							
Month:	Total Days:	Closed	REASON FOR CLOSURE				Not Specified/Other
			Staffing	Mechanical	Weather		
November 2021	3	0	0	0	0	0	0
December 2021	30	1	0	0	1	0	0
January 2022	31	4	2	0	1 plus 0.50*	0	0
February 2022	38	1	1	0	0	0	0

March 2022	20	5	0	0	0	5
TOTAL:	112	11	3	0	3	5

*0.5 denotes that the pool closed early (Counted as 1 day)

YMCA met with Monica Revell, Acting Director Infrastructure Services, and Wayne Schulze, Manager Operations, on a number of occasions to discuss the issues experienced during the season and proposed future works. Discussions are continuing in relation to variations to the contract payment for pools not being open.

Looking forward

YMCA has recommended that Council review the season dates for the 2022/2023 season and look at extending the opening hours through the school summer holidays and on weekends, reducing the opening hours in March as attendances are significantly lower each day than any other month.

Council in consultation with YMCA has engaged the services of Bendigo Aquatic Services to inspect the pools and provide recommendations for future works. Council has received the report, which prioritise the works that need to be undertaken prior to the commencement of the new season and works that can be budgeted for in for in the following years.

Funding of \$325,000 has been allocated through the Local Roads and Community Infrastructure phase 3 grant program to undertake upgrades at each swimming pool. The upgrades will include new solar heating at Nhill Swimming Pool, mobility hoists at Dimboola and Rainbow swimming pools, new security lighting, new vacuum systems and upgrades identified in the Bendigo Aquatic report.

Officers have also been liaising with YMCA regarding a range of options for recruiting people in each town to undertake lifeguard training prior to the commencement of the 2022/2023 swimming season.

Options:

This report has been presented for Council information. Any changes to the swimming pool openings will be presented in a future report.

Link to Council Plan:

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

Financial Implications:

Council budgets annually for the contracts for the operation of swimming pools throughout the Shire.

Risk Management Implications:

Council needs to ensure pools and equipment are working effectively, to ensure the safety

of the patrons.

Relevant legislation:

Local Government Act 2020

Public Health and Wellbeing Act 2008 and regulations 2019

Safer Public Pools-Code of Practice

Occupational Health and Safety Act 2004

Community engagement:

Not applicable

Gender equality implications:

No gender impact assessment was completed. A gender impact assessment will be completed prior to any changes to swimming pool opening hours.

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, Acting Director Infrastructure Services

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

Author – Wayne Schulze, Manager Operations

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

Communications Strategy:

Information regarding the 2022-2023 season will be advertised in local newspapers, Council's website and YMCA's Facebook page.

Next Steps:

Negotiations with YMCA will continue to rectify the issues experienced this season.

RECOMMENDATION:

That Council notes the report.

MOVED: CRS R Ismay/W Bywaters

That Council notes the report.

CARRIED

9.5 DRAFT 2022/2023 BUDGET INCLUDING DRAFT REVENUE AND RATING PLAN AND LONG TERM FINANCIAL PLAN

Responsible Officer: Director Corporate Services

Attachment Number: 8

Introduction:

This report presents the draft 2022/2023 Annual Budget incorporating the draft Revenue and Rating Plan and draft Long Term Financial Plan in accordance with the *Local Government Act 2020*. The report includes a recommendation that Council adopt the draft 2022/2023 Annual Budget incorporating the draft Revenue and Rating Plan and draft Long Term Financial Plan and invites community submissions.

Discussion:

Council is required under section 94 of the *Local Government Act 2020* to prepare a budget for each financial year and the subsequent 3 financial years by:

- (a) 30 June each year; or
- (b) Any other date fixed by the Minister by notice published in the Government Gazette.

The draft budget has been prepared in accordance with relevant statutory requirements, including the *Local Government Act 2020 (Act)* and *Local Government (Planning and Reporting) Regulations 2014*.

A requirement of the new *Local Government Act 2020* is that all Victorian Local Governments were required to adopt a Revenue and Rating Plan by 30 June 2022. To ensure the Revenue and Rating Plan remains current the plan has been incorporated into the budget.

The updated Revenue and Rating Plan retains the current differentials for farm and commercial/industrial properties (10 percent discount), recreational properties (50 percent discount), and non-farm vacant land (100 percent penalty).

When developing the plan consideration was given on the capacity for each class of ratepayer to pay rates and benchmarking against similar councils was undertaken.

The draft 2022/23 budget has been developed to balance the retention of existing community service levels, maintenance and renewal of assets, and new initiatives to improve amenity and make Hindmarsh a better place to live. It replicates the format of the four Key Result Areas used in the 2021-2025 Council Plan, namely:

- Our Community;
- Built and Natural Environment;
- Competitive and Innovative Economy; and
- Good Governance and Financial Sustainability.

The budget has been prepared based on available information to inform forecasts and assumptions.

Rates and Charges

The rates and charges calculated for 2022/23 are based on revaluation figures as at 1 January 2022. The draft Revenue and Rating Plan includes differentials for farms and commercial/industrial properties (10 percent discount), recreational properties (50 percent discount), and non-farm vacant land (100 percent penalty).

The Victorian State Government rate cap increase for 2022/2023 has been set at 1.75%. The cap, in line with the Essential Services Commission (ESC) calculation method, applies the increase to the average rates payable per assessment.

The total amount to be raised by general rates and charges in 2022/2023 is \$9.43m which is an increase of \$0.2m from 2021/2022.

Capital Works

The draft 2022/2023 budget includes capital works expenditure of \$8.9m. A number of larger, grant funded projects are budgeted to be completed during 2022/2023 including:

- Repairs to the Nhill Airport runway and drainage \$300,000 (subject to funding)
- Rainbow Rises Events Centre \$625,000.
- Jeparit Swimming Hole Deck and retaining wall \$300,000,
- Construction of a new soundshell in Dimboola \$125,000
- Caravan Park cabins for Dimboola, Jeparit and Rainbow \$1.2m (subject to funding)

Key Initiatives

The proposed key initiatives for the 2022/23 financial year are outlined below. Further details are included in the relevant sections of the budget document.

Community Infrastructure

- Funding obtained through the Local Roads and Community Infrastructure Phase 3 funding will enable Council to undertake works on Community Infrastructure including:
 - Dimboola Visitor Node carpark and laneway sealing;
 - Swimming pool Package including upgrades to the vacuuming systems, mobility hoists (Dimboola and Rainbow) and new solar heating at Nhill Swimming Pool;
 - Rainbow Caravan Park amenities
 - Jeparit Riverbank Precinct amenities; and
 - Nhill Streetscape Plan implementation.
- \$10,000 in recurrent and \$50,000 in capital as seed funding for grant opportunities arising during the year.

Tourism Development

- \$20,000 to update the ensuites at the Riverside Holiday Park in Dimboola;

- \$20,000 for new powerheads at Rainbow Recreation Reserve and Riverside Holiday Park in Dimboola (increasing the number of powered sites available);
- \$20,000 for Tourism Signage;
- \$12,000 to support the Rainbow Desert Enduro and Rainbow Rises 240.
- \$13,500 Advertising and Marketing.

Economic Development:

- Business Assistance Grants. The Business Assistance Grants Program (BAGP) aims to support local businesses expanding their operations or new businesses, large and small, to establish in the Shire. It will provide assistance to offset costs associated with expanding or establishing a business in Hindmarsh Shire. \$30,000 has been included in the 2022/2023 budget for this project.

Empowered Communities

- \$7,500 to each of the Shire's four Town Committees. This funding can be used as seed funding for grants that will fund works important to the community in each town. In its fourth year, this funding has enabled some fantastic projects in our towns since its inception.
- Hindmarsh Youth Council funding of \$10,000 to allow this successful initiative to continue.
- \$20,000 to its Community Action Grants which will enable community groups to apply for funding for events, minor facility upgrades, small equipment and community assistance.

Infrastructure

- Major Culverts; Nhill Diapur Rd \$84,009; Yanac-Netherby Road \$49,170.
- Reseals and Final Seals: Council will undertake \$571,902 in reseal and final seals in 2022/2023. These include: Nhill-Netherby Rd, Ellerman St, Ellam Willenabrina Rd, Mt Elgin Road, Harding Road, Winiam Road and Dimboola Minyip Road.
- Sealed Road Construction: Council will undertake sealed road construction projects totalling \$513,046 in 2022/23. Mt Elgin Road and Woorak Ni Ni Lorquon Road.
- Road Resheet Projects: Council will undertake 7 resheet projects during 2022/23 totalling \$228,313. These include Mt Elgin Road, Kurnbrunin Road, Yanac Netherby Road and Broughton Yanac Road.
- Unsealed Road Projects; Council will undertake unsealed road construction of \$665,286 to the following roads: Tarranyurk East and West Roads, Dahlenburg Road, Eldorado Road., Lavery Road and Propodollah Netherby Roads.
- Footpaths: Footpath projects totalling \$196,350 will be undertaken during 2022/23. These include: Church St Nhill, High St and Ellerman St Dimboola, Roy Street Jeparit, Taverner St Rainbow.

The draft 2022/2023 budget incorporating the updated Revenue and Rating Plan and Long Term Financial Plan have been prepared for approval by Council. Under Council's Community Engagement Policy the draft budget incorporating the draft Revenue and Rating Plan and draft Long Term Financial Plan will be made available for public inspection and the

receiving of submissions for the period Thursday 2 June 2022 to Friday 25 June 2022. Council will be advised of any submissions received at the 29 June 2022 Council meeting.

The draft 2022/2023 budget incorporating the draft Revenue and Rating Plan and draft Long Term Financial Plan will be available for public inspection at Council Customer Service Centres or online on Council's website.

Options:

Council must formally prepare and advertise its 2022/23 budget pursuant to sections 94 and 96 of the *Local Government Act 2020*. The draft Revenue and Rating Plan must be prepared pursuant to section 93 of the *Local Government Act 2020*.

Link to Council Plan:

The 2022/23 Budget provides the funding for Council to undertake its initiatives and activities proposed in the Council Plan's four key result areas. Each program in the Budget contains a statement about how the program will contribute to the initiatives and strategies detailed in the Council Plan 2021-2025.

Financial Implications:

The 2022/23 Budget is consistent with the parameters set out in Council's ten-year financial plan.

Risk Management Implications:

The preparation of the Budget 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 Author and Officer Responsible, I have no interests to disclose.

Communications Strategy:

In line with Council's Community Engagement Policy it proposed that the draft budget be made available to allow for submissions for the period Thursday 2 June 2022 to Friday 24 June 2022. Submissions will be considered at the Council meeting on Wednesday 29 June 2022.

Copies of the draft 2022/2023 budget, including the Revenue and Rating Plan and Long Term Financial Plan will be available at Council's Customer Service Centres and on Council's website.

RECOMMENDATION:

That Council:

- 1. approves the draft 2022/23 Budget incorporating the draft Revenue and Rating Plan and draft Long Term Financial Plan for the purposes of public consultation in accordance with the Local Government Act 2020;**
- 2. gives public notice of the preparation of the draft Budget incorporating the draft Revenue and Rating Plan and draft Long Term Financial Plan inviting written submissions from the public for the period Thursday 2 June 2022 to Friday 24 June 2022;**
- 3. considers public submissions and the formal adoption of the draft budget incorporating the draft Revenue and Rating Plan at the Council meeting on Wednesday 29 June 2022; and**
- 4. authorises the Chief Executive Officer to undertake minor editorial changes to the proposed budget 2022/23 incorporating the draft Revenue and Rating Plan and draft Long Term Financial Plan if required.**

MOVED: CRS W Bywaters/D Nelson

That Council:

- 1. approves the draft 2022/23 Budget incorporating the draft Revenue and Rating Plan and draft Long Term Financial Plan for the purposes of public consultation in accordance with the Local Government Act 2020;**
- 2. gives public notice of the preparation of the draft Budget incorporating the draft Revenue and Rating Plan and draft Long Term Financial Plan inviting written submissions from the public for the period Thursday 2 June 2022 to Friday 24 June 2022;**
- 3. considers public submissions and the formal adoption of the draft budget incorporating the draft Revenue and Rating Plan at the Council meeting on Wednesday 29 June 2022; and**
- 4. authorises the Chief Executive Officer to undertake minor editorial changes to the proposed budget 2022/23 incorporating the draft Revenue and Rating Plan and draft Long Term Financial Plan if required.**
- 5. Alter page 4 to read \$27,000 for Community Events including \$12,000 for Rainbow Enduro**

Attachment Number: 8

9.6 CROWN LAND LICENCE – RAINBOW RV DUMP POINT

Responsible Officer: Director Corporate & Community Services

Attachment Number: 9 (*Confidential*)

Introduction:

This report seeks Council support to enter into a licence with the Department of Land Water

and Planning (DELWP) for the Rainbow RV Dump Point located within Gregson Park, Rainbow.

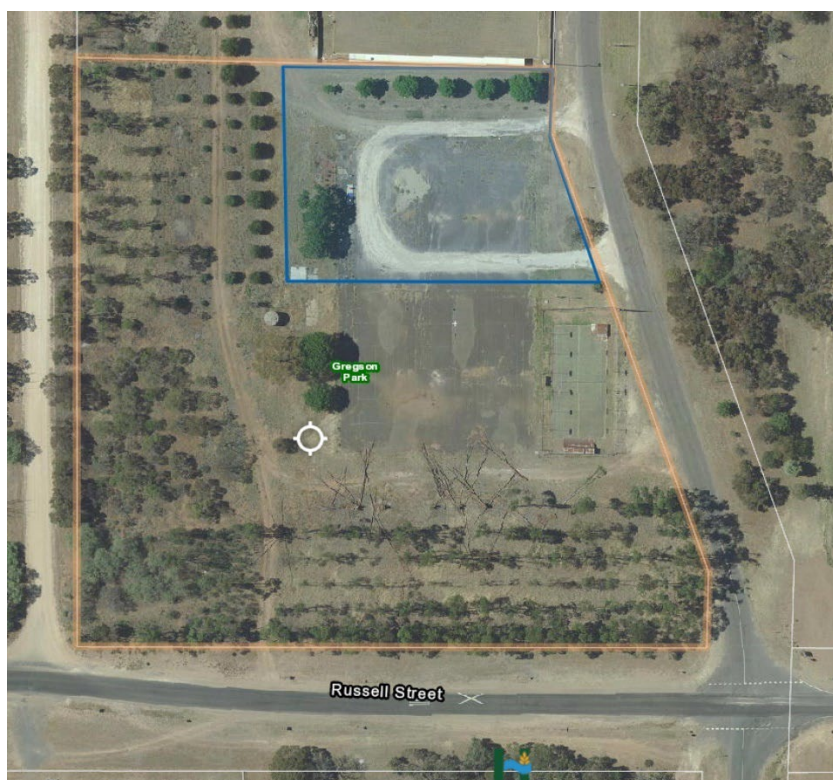
Discussion:

In 2014 Council consulted with the Rainbow community in relation to the installation of an RV Dump Point in Rainbow. Numerous sites were identified for consultation with the community. The consensus was that the Dump Point be located on the northern section of Gregson Park to allow for easy access by recreational vehicle users.

Approval was sought from the Gregson Park Committee of Management prior to installation and all necessary permits were obtained.

Council officers have been notified by DELWP that the Gregson Park Committee of Management are disbanding when their tenure expires in May 2022 and a licence needs to be entered into between DELWP and Council for the portion of land where the Dump Point is located.

The map below highlights the licence area (in blue) within the Gregson Park Reserve.



Under the licence schedule the term will be for 10 years commencing 1 June 2022 at an annual cost of \$421 (plus GST). Council will be responsible for the maintenance of the RV Dump Point and access to the point.

Options:

1. Council can enter into a licence with DELWP for the RV Dump Point located within the Gregson Park Reserve, Rainbow.

2. Council can choose not to enter into a licence with DELWP for the RV Dump Point located within the Gregson Park Reserve, Rainbow. Council will need to remove the RV Dump Point from the site.

Link to Council Plan:

Facilitating and supporting economic development.

Financial Implications:

The annual licence fee of \$421 will be included in Council's annual budget.

Risk Management Implications:

Council currently maintains the RV Dump Point, risks will be managed as they arise.

Conflict of Interest:

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

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

Communications Strategy:

Officers will advise DELWP of the outcome of this decision.

RECOMMENDATION:

That Council enter into a 10 year licence with DELWP for the RV Dump Point located within Gregson Park Rainbow at a cost of \$421 (plus gst) per annum.

MOVED: CRS D Nelson/R Ismay

That Council enter into a 10 year licence with DELWP for the RV Dump Point located within Gregson Park Rainbow at a cost of \$421 (plus gst) per annum.

CARRIED

Attachment Number: 9

9.7 MELBOURNE CUP DAY PUBLIC HOLIDAY 2022

Responsible Officer: Chief Executive Officer

Attachment Numbers: 10 – 11

Introduction:

This report outlines the procedure and options for the declaration of substitute public holidays for Melbourne Cup Day 2022.

Discussion:

In 2011, the Victorian Government amended the *Public Holidays Act 1993* to give regional Councils the ability to request alternative local public holiday arrangements in lieu of Melbourne Cup Day. Council need to make the request at least 90 days prior to Melbourne Cup Day.

The Public Holidays Act 1993 section 8A(1) states:

Council may request substitute holiday for Melbourne Cup Day

- (1) *A non-metropolitan Council may request in writing that the Minister make a declaration under section 8(1)—*
 - (a) *that the day appointed under section 6 being the first Tuesday in November (Melbourne Cup Day) is not in a specified year such a public holiday in the whole or any part of the municipal district of that Council; and*
 - (b) *that another day or 2 half-days (one half-day of which may be Melbourne Cup Day) be appointed as a public holiday or 2 public half-holidays in that year.*
- (2) *A request under subsection (1) must—*
 - (a) *be made at least 90 days before the Melbourne Cup Day to which the request relates; and*
 - (b) *specify the day or 2 half-days of the substituted public holiday; and*
 - (c) *specify the reasons for making the request.*
- (3) *In making a declaration on a request under subsection (1), the Minister must not appoint a Saturday or a Sunday as a public holiday or a public half-holiday.*
- (4) *A public holiday or 2 public half-holidays appointed under section 8(1) on a request under subsection (1) in respect of part of a municipal district of a Council applies or apply only in that part of the municipal district.*

Since 2012, Hindmarsh Shire Council has successfully applied to the Minister for Small Business for substitute public holidays to Melbourne Cup Day for the Rainbow and Nhill agricultural shows, as these are held each year on weekdays. Dimboola and Jeparit districts continued to take Melbourne Cup Day as a public holiday, as their respective agricultural shows fall on a weekend.

The show societies have indicated they are planning to hold agricultural shows in 2022 on the following dates:

Rainbow Tuesday 11 October 2022;
Nhill Thursday 13 October 2022;
Dimboola Saturday 15 October 2022;
Jeparit Sunday 16 October 2022.

The Nhill Show public holiday incorporates the localities of Broughton, Yanac, Netherby, Lorquon, Nhill, Glenlee, Kiata, Gerang Gerung and Little Desert.

The Rainbow show public holiday incorporates the localities of Rainbow, Albacutya and Kenmare.

Options:

Council has several options to consider:

1. Council may choose not to nominate any substitutes and Melbourne Cup Day will automatically apply as a public holiday for the whole Shire on the first Tuesday in November, 1 November 2022;
2. Nominate a substitute public holiday for the whole Shire;
3. Nominate substitute public holidays in each part of the Shire; or
4. Parts of the Shire take Melbourne Cup Day on the first Tuesday of November and other parts of the Shire nominate a substitute public holiday.

Link to Council Plan:

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

Facilitating and supporting economic development.

Financial Implications:

No Financial Implications.

Risk Management Implications:

There are no risk management implications.

Relevant legislation:

Public Holidays Act 1993 section 8A(1)

Community engagement:

By providing a public holiday for the Rainbow and Nhill Show this will allow community members to attend.

Gender equality implications:

A gender impact assessment was completed. Substituting the public holiday will allow community members the ability to attend their local agricultural society.

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 – Greg Wood, Chief Executive Officer

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

Author – Shauna Johnson, Executive Assistant

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

Communications Strategy:

Advertisements will be placed in each of the local papers following approval of the Gazetteal by the Minister for Small Business.

RECOMMENDATION:

That Council writes to the Minister for Small Business expressing a preference for the following:

- 1. A substitute public holiday in lieu of Melbourne Cup Day for Rainbow Show (Tuesday 11 October 2022) for the localities of Rainbow, Albacutya and Kenmare within the Shire;*
- 2. A substitute public holiday in lieu of Melbourne Cup Day for Nhill Show (Thursday 13 October 2022) for the localities of Broughton, Yanac, Netherby, Lorquon, Nhill, Glenlee, Kiata, Gerang Gerung and Little Desert within the Shire; and*
- 3. Melbourne Cup Day for the remainder of the Shire.*

MOVED: CRS B Ireland/W Bywaters

That Council writes to the Minister for Small Business expressing a preference for the following:

- 1. A substitute public holiday in lieu of Melbourne Cup Day for Rainbow Show (Tuesday 11 October 2022) for the localities of Rainbow, Albacutya and Kenmare within the Shire;*
- 2. A substitute public holiday in lieu of Melbourne Cup Day for Nhill Show (Thursday 13 October 2022) for the localities of Broughton, Yanac, Netherby, Lorquon, Nhill, Glenlee, Kiata, Gerang Gerung and Little Desert within the Shire; and*
- 3. Melbourne Cup Day for the remainder of the Shire.*

CARRIED

Attachment Numbers: 10 – 11

10 COUNCIL COMMITTEES

10.1 JEPARIT TOWN ADVISORY COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Number: 12

Introduction:

The Jeparit Town Advisory Committee held a meeting on 9 May 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:

- 1. notes the minutes of the Jeparit Town Advisory Committee meeting held on 9 May 2022;***
- 2. appoints AnnMarie Werner as a member of the Jeparit Town Advisory Committee;***
- 3. appoints Sharon Reilly the position of Assistant Secretary of the Jeparit Town Advisory Committee; and***
- 4. approves the quote of \$8,000 (inclusive of GST) from Rebecca Foster to paint a Bird Mural on the wall of the corrugated iron shed adjacent to Menzies Square, Jeparit.***

MOVED: CRS B Ireland/W Bywaters

That Council:

- 1. notes the minutes of the Jeparit Town Advisory Committee meeting held on 9 May 2022;***
- 2. appoints AnnMarie Werner as a member of the Jeparit Town Advisory Committee;***
- 3. appoints Sharon Reilly the position of Assistant Secretary of the Jeparit Town Advisory Committee; and***
- 4. approves the quote of \$8,000 (inclusive of GST) from Rebecca Foster to paint a Bird Mural on the wall of the corrugated iron shed adjacent to Menzies Square, Jeparit.***

CARRIED

Attachment Number: 12

10.2 YURUNGA HOMESTEAD COMMITTEE OF MANAGEMENT

Responsible Officer: Director Corporate and Community Services

Attachment Number: 13

Introduction:

The Yurunga Homestead Committee of Management held a meeting on 24 March 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 Yurunga Homestead Committee of Management meeting held on 24 March 2022.

MOVED: CRS B Ireland/R Ismay

That Council notes the minutes of the Yurunga Homestead Committee of Management meeting held on 24 March 2022.

CARRIED

Attachment Number: 13

10.3 WIMMERA MALLEE PIONEER MUSEUM COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Numbers: 2, 14 – 18

Introduction:

The Wimmera Mallee Pioneer Museum Committee held meetings on 16 November 2021, 15 February 2022, 29 March 2022 and 9 April 2022. The purpose of this report is to note the minutes from these meetings and the financial report for March 2022. A copy of these minutes are included as an attachment for the information of Council.

RECOMMENDATION:

That Council:

- 1. notes the minutes of the Wimmera Mallee Pioneer Museum Committee meetings held on 16 November 2021, 15 February 2022, 29 March 2022 and 9 April 2022;**
- 2. notes the Financial Report for March 2022; and**
- 3. notes the letter sent to the Wimmera Mallee Pioneer Museum appointing new committee members.**

MOVED: CRS B Ireland/D Nelson

That Council:

- 1. notes the minutes of the Wimmera Mallee Pioneer Museum Committee meetings held on 16 November 2021, 15 February 2022, 29 March 2022 and 9 April 2022;**
- 2. notes the Financial Report for March 2022; and**
- 3. notes the letter sent to the Wimmera Mallee Pioneer Museum appointing new committee members.**

CARRIED

Attachment Numbers: 2, 14 – 18

11 LATE REPORTS

12 NOTICES OF MOTION

13 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 CONTRACT AWARD 2021-2022-18 PROVISION OF HOME MAINTENANCE SERVICES – this report contains “council business information, being information that would prejudice the Council’s position in commercial**

negotiations if prematurely released' insofar as it pertains to contractual matters;

14.2 CONTRACT AWARD 2021-2022-19 PROVISION OF MEALS ON WHEELS – 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; and

14.3 EXTENSION OF CONTRACT BITUMINOUS SURFACING – 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 Gersch/R Ismay

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 CONTRACT AWARD 2021-2022-18 PROVISION OF HOME MAINTENANCE SERVICES – this report contains “council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released’ insofar as it pertains to contractual matters;

14.2 CONTRACT AWARD 2021-2022-19 PROVISION OF MEALS ON WHEELS – 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; and

14.3 EXTENSION OF CONTRACT BITUMINOUS SURFACING – 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 4:41pm.

Mayor & CEO
Hindmarsh Shire Council
PO Box 250
NHILL 3418
Email: info@hindmarsh.vic.gov.au

13 June, 2022

Dear Mayor and CEO,

Re: Local Government State-Wide Waste Forum

I am writing on behalf of the recently assembled Local Government State-Wide Waste Forum. The Forum has been established through the Regional Waste Forums who voted unanimously to allow each of their Chairs to advocate to the to the State Government on their behalf in regard to the roll out of new Victorian Waste and Recycling Act. The seven Forum Chairs in total represent the 79 LGA's across the State.

The Local Government State-Wide Chairs Forum aims to ensure consistent representation across our rural, regional and metropolitan Councils to advise the State Government in the lead up to the establishment of the Circular Economy (Waste and Recycling) Bill 2021.

On commencement of Recycling Victoria (RV), the Waste and Resource Recovery Groups (WRRGs) will be dissolved and relevant functions will be transferred to Recycling Victoria. The Recycling Victoria Authority is set to commence from 1 July 2022. The State Government has yet to provide any concrete details as to an ongoing mechanism that would serve a similar function after 30 June 2022.

It has been my experience as Chair of the Grampians Central West Waste and Recovery Local Government forum that these groups have provided an important structure for regional collaboration between local governments, including for delivering effective services, achieving efficiencies of scale, sharing expertise, advocating for better policy and legislation, education and procurement.

The Minister for Energy, Environment and Climate Change in her second reading speech said *"I intend to establish a local government advisory committee to advise the Head on the new functions, how these arrangements impact and can benefit Councils, and how the setup of Recycling Victoria can ensure effective relationships with local government across the State"*.

We would like to formalise the Forum so that beyond the 1 July 2022 date there continues to be a structure for ongoing collaboration for Councils on a regional and state-wide level. In order to facilitate this, we are proposing that each Council endorses the following motion and appoints a representative to participate.

Motion

That Council:

1. Notes that the State Government has introduced legislation that dissolves the regional waste management groups effective from 1 July 2022;
2. Recognises the benefits of regional collaboration between local governments including for delivering effective services, achieving efficiencies of scale, sharing expertise, advocacy for better policy and legislation, education and procurement;
3. Notes that the WRRGs have provided an effective mechanism for regional collaboration between Councils; and
4. Appoints _____ as Councillor representative on recycling and waste matters for the purposes of:
 - a. Meeting with other Councils in the Grampians Central West region to consider recycling and waste matters and provide advice to Councils in the region;
 - b. Appointing a Chair of the Regional Advisory Group who would represent the region in a state-wide advisory group, including electing a state-wide Chair;
 - c. Developing a proposal for governance (including a Terms of Reference) of regional co-ordination between Councils, for consideration by Council at a future date; and
 - d. Calling on the State Government to support regional collaboration by providing the secretariat function via RV.

The Forum Chairs have formally requested a comprehensive briefing from representatives from the Department of Environment, Land, Water and Planning (DELWP), in relation to the timeframes and the planned and proposed investment, policy and regulatory implementation measures that the State Government is considering in relation to the Circular Economy Bill. The Forum Chairs have also previously written to Minister Lily D'Ambrosio MP, and engaged with her office seeking The Minister and State Government's engagement with the Forum, which we look forward to commencing through the requested DELWP briefing.

Please do not hesitate to contact me on 0418 323 221 or 0448 390 463 should you have any queries.

Yours sincerely,



Cr Tom Sullivan
Mayor, Moorabool Shire Council
Chair, Grampians Central West Waste and Resource Recovery Forum



Hindmarsh
Shire Council

**Administration
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92 Nelson Street
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Fax: (03) 5391 1376

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website:
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ABN 26 550 541 746

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Fax: (03) 5397 2263

Dimboola
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Ph: (03) 5391 4452
Fax: (03) 5389 1734

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

7 June 2022

Dr Anne Webster MP
Federal Member for Mallee
Shadow Assistant Minister for Regional Development
1/146A Eighth Street
MILDURA VIC 3500
Email: Anne.Webster.MP@aph.gov.au

Dear Anne

**Re: Congratulations on Successful Appointment as Federal
Member for Mallee**

On behalf of Hindmarsh Shire Council, I would like to congratulate you on being re-elected as the Federal Member for Mallee in the 2022 Federal Election. I would also like to congratulate you on your recent appointment to the role of Shadow Assistant Minister for Regional Development.

We look forward to continuing to work with you on addressing the community's needs in Hindmarsh Shire and we look forward to growing the great working relationship that Council has already developed with you.

Council recognises all the hard work that you do, and we sincerely thank you for all that you have helped us achieve during your previous years as the Member for Mallee. There have been many achievements, with one of the most recent achievements being the recent build and completion of the all new Albacutya Bridge. We hope there will be more of these exciting milestones to share with you in the future.

Congratulations once again!

Yours sincerely

Greg Wood
Chief Executive Officer



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7 June 2022

The Hon Catherine King MP
Minister for Infrastructure, Transport, Regional Development and Local
Government
5 Lydiard Street North
BALLARAT VIC 3350
Email: Catherine.King.MP@aph.gov.au

Dear Minister

**Re: Congratulations on Appointment as Minister for Infrastructure,
Transport, Regional Development and Local Government**

On behalf of Hindmarsh Shire Council, I would like to congratulate you on your recent appointment as the Minister for Infrastructure, Transport, Regional Development and Local Government.

Hindmarsh Shire is located in the Wimmera region in western Victoria, situated on the Western Highway, 375km west of Melbourne and 350km east of Adelaide, bound by two National Parks, the Little Desert in the South and Wyperfeld in the North. Hindmarsh covers an area of 7,527km² and includes the rural townships of Nhill, Dimboola, Rainbow and Jeparit.

Hindmarsh Shire Council provides over 100 services to our local community, and we pride ourselves in the natural attractions that surround us.

We would like to extend you an invitation to visit our beautiful part of Victoria and share with you first-hand the challenges we face as a small rural council.

If you would like to accept our invitation to visit Hindmarsh Shire or would like to discuss any other matters with me directly, please contact me on [REDACTED] or email [REDACTED].

Yours sincerely

Greg Wood
Chief Executive Officer



Hindmarsh
Shire Council

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7 June 2022

The Hon. Jaala Pulford
Minister for Small Business
Minister for Employment
Minister for Innovation, Medical Research and the Digital Economy
Minister for Resources
Level 16, 121 Exhibition Street
MELBOURNE VIC 3001
Email: jaala.pulford@parliament.vic.gov.au

Dear Minister

Re: Public Holiday arrangements in lieu of Melbourne Cup Day 2022

At its meeting on Wednesday 1 June 2022, Council resolved to request the following alterations to public holiday arrangements within Hindmarsh Shire:

1. A substitute public holiday on Tuesday 11 October 2022, in lieu of Melbourne Cup Day, for Rainbow Show for the localities of Rainbow, Albacutya and Kenmare within the Shire;
2. A substitute public holiday on Thursday 13 October 2022, in lieu of Melbourne Cup Day for Nhill Show for the localities of Broughton, Yanac, Netherby, Lorquon, Nhill, Glenlee, Kiata, Gerang Gerung and Little Desert within the Shire; and
3. Melbourne Cup Day for the remainder of the Shire.

Your approval to these dates is sought and subsequent advertising in the Government Gazette would be appreciated.

Please contact me via email gwood@hindmarsh.vic.gov.au or by telephone on 03 5391 4444 should you have any queries.

Yours sincerely

Greg Wood
Chief Executive Officer



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7 June 2022

Jason Hutson
Chairperson
Jeparit Town Advisory Committee
Email: jeparittc@hotmail.com

Dear Jason

Re: Items Requiring Council Decision – Minutes 9 May 2022

I refer to the minutes of the Jeparit Town Advisory Committee meeting held on 9 May 2022 where the committee moved that Council approve the following:

- **Item No 6.8:** The Jeparit Town Advisory Committee notes their support of AnneMarie Werner's letter of application to join the Jeparit Town Advisory Committee and recommends that Council appoint her as a Member to this Committee.
- **Item No 8.3:** That Sharon Reilly be appointed to the position of Assistant Secretary on the Jeparit Town Advisory Committee.
- **Item No 8.4 and 12.3:** That the quotation received from Rebecca Foster for a Fee of \$8,000 to paint a Bird Mural on the wall of the corrugated iron shed adjacent Menzies Square be approved.

At the Council Meeting held on Wednesday 1 June 2022, Hindmarsh Shire Council resolved the following:

That Council:

- 1. notes the minutes of the Jeparit Town Advisory Committee meeting held on 9 May 2022;***
- 2. appoints AnnMarie Werner as a member of the Jeparit Town Advisory Committee;***
- 3. appoints Sharon Reilly the position of Assistant Secretary of the Jeparit Town Advisory Committee; and***
- 4. approves the quote of \$8,000 (inclusive of GST) from Rebecca Foster to paint a Bird Mural on the wall of the corrugated iron shed adjacent to Menzies Square, Jeparit.***

Please contact Janette Fritsch, Manager Development on 03 5391 4444 or email jfritsch@hindmarsh.vic.gov.au if you require any further information.

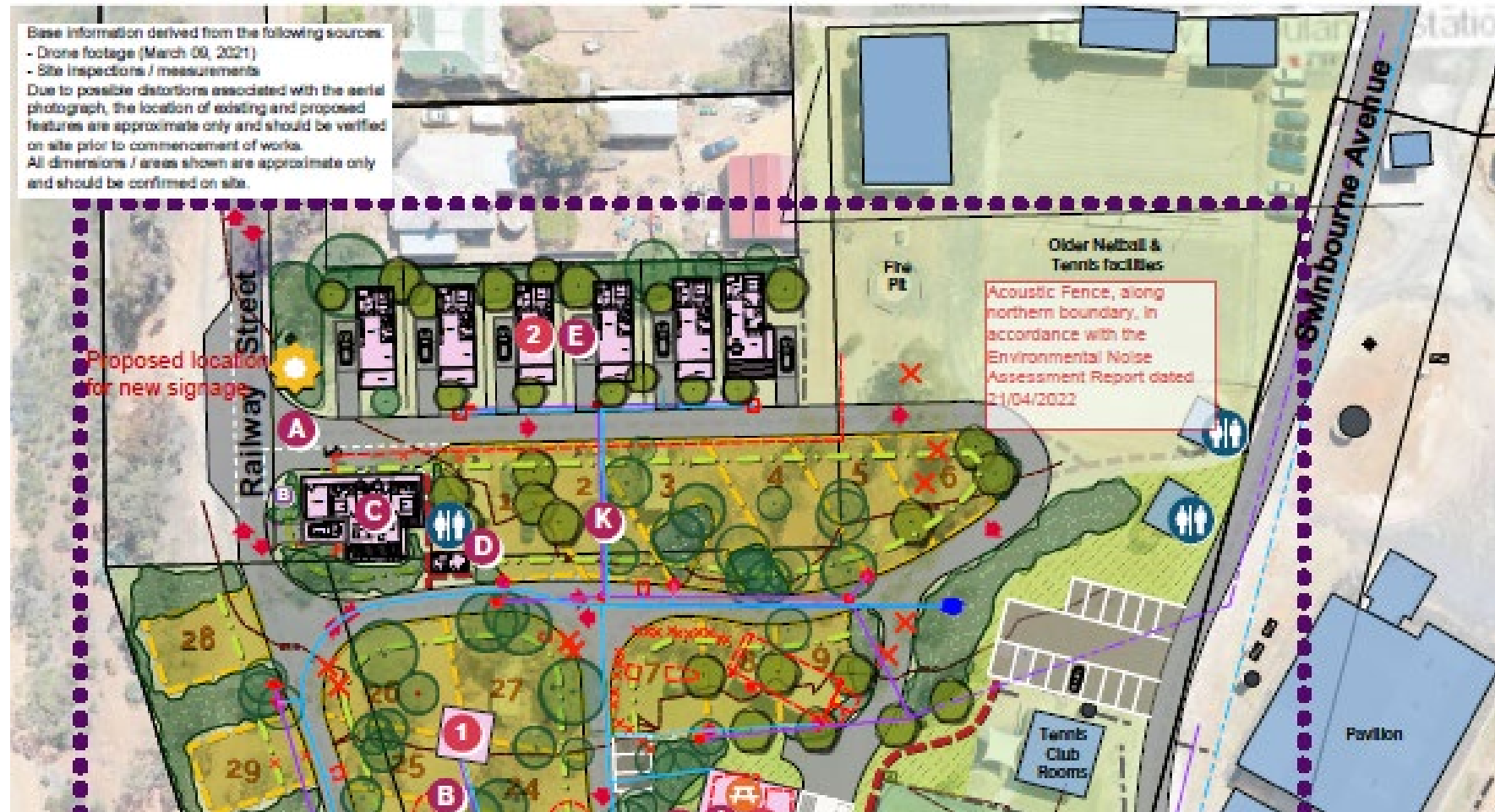
Yours sincerely

A handwritten signature in black ink, appearing to read 'gwood', with a stylized flourish at the end.

Greg Wood
Chief Executive Officer

PA1769-2022 – 2 Railway Street, Rainbow

Use of land for a camping and caravan park – Site Plan



PA1780-2022 – PONY EXPRESS – 09 JULY 2022

Google Maps 1191 Perenna Rd



FOOD SOLD IN MARQUEE

PA1756-2021 – 3 Faith Street, Dimboola

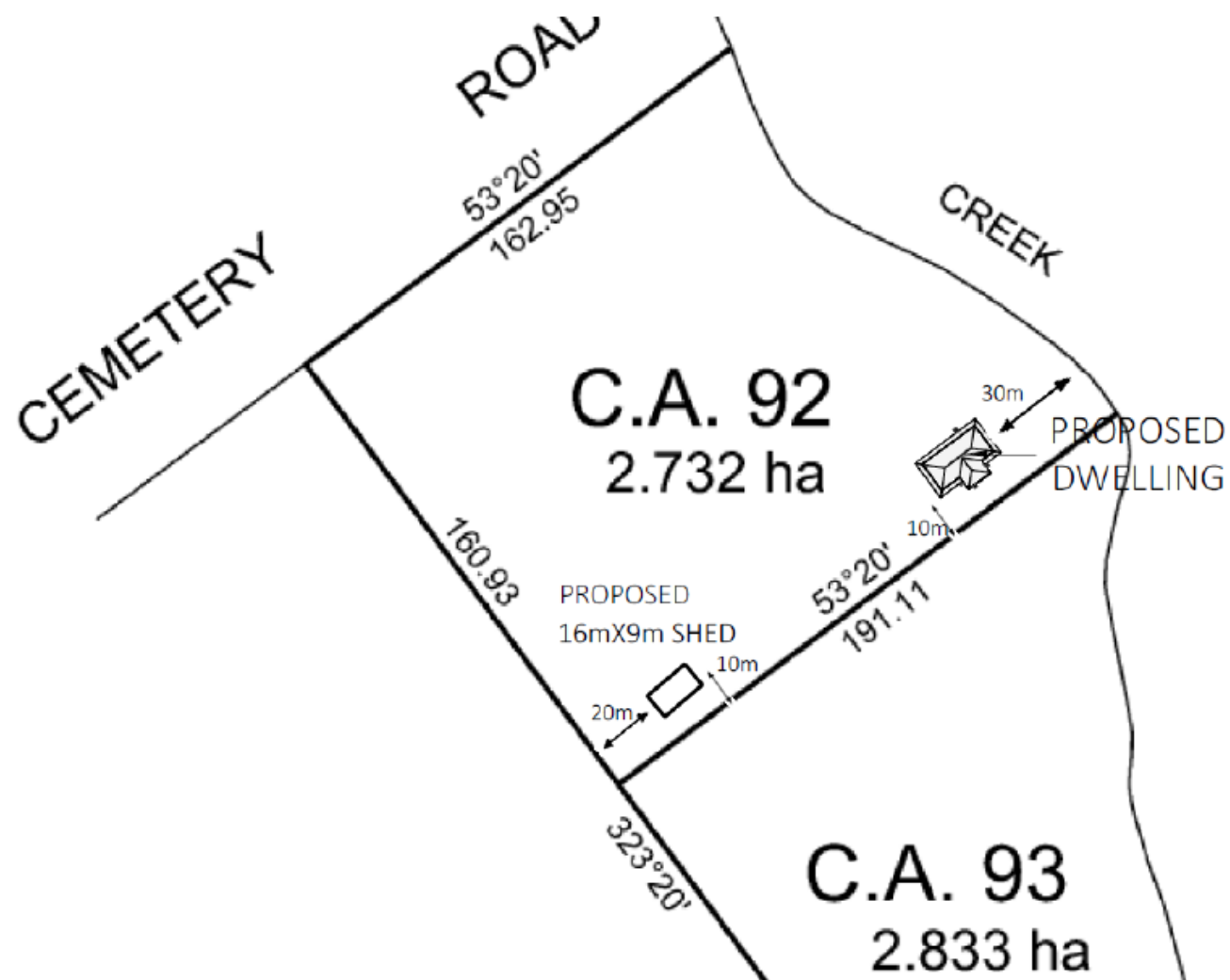


Figure 3 – Proposed Site Layout

PA1756-2021 – 3 Faith Street, Dimboola

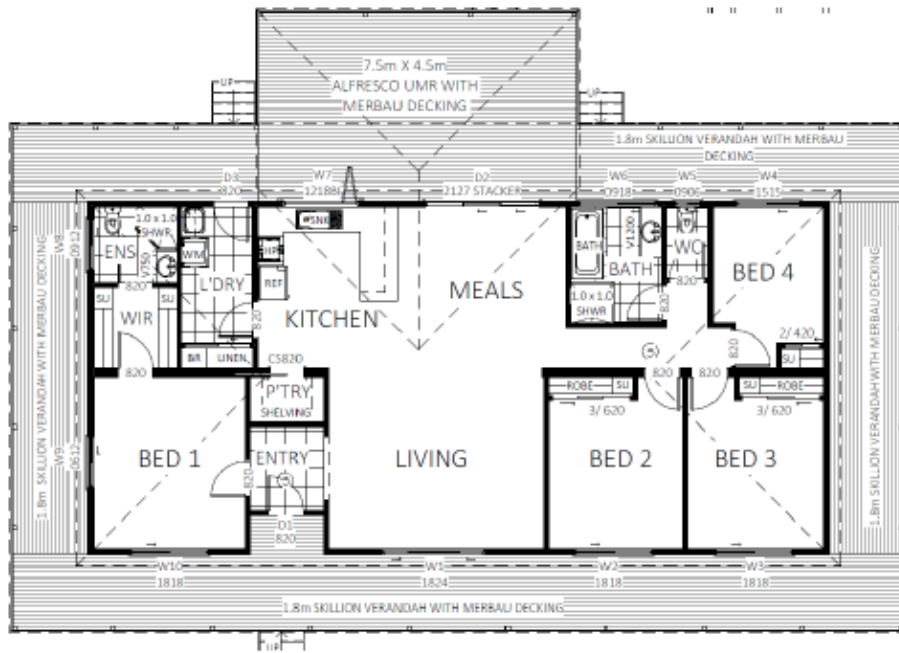


Figure 4 – Proposed Floor Plan

The dwelling will have maximum height of 5.651m, refer to Figure 5 below.

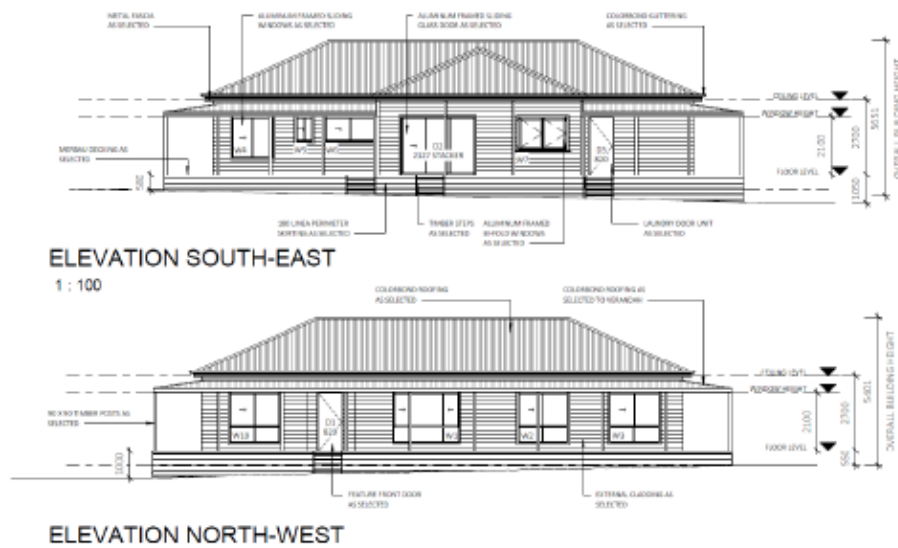


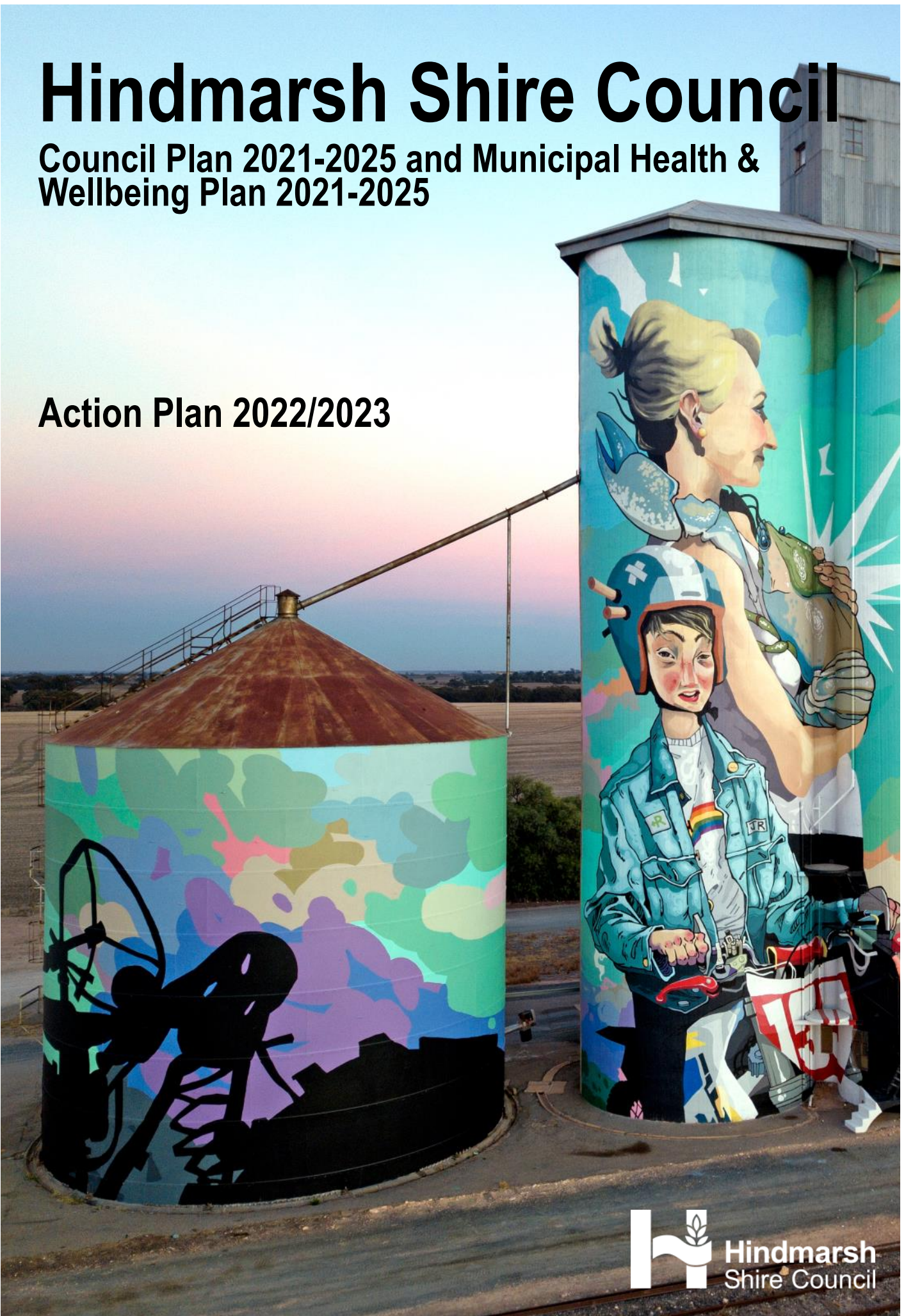
Figure 5 – Elevations



Hindmarsh Shire Council

Council Plan 2021-2025 and Municipal Health & Wellbeing Plan 2021-2025

Action Plan 2022/2023



2022/2023 Annual Plan to achieve our objectives

Theme One – Our Community

Action Item

Monthly and fortnightly e-newsletters distributed through emails and available on Council's website

Establish LGBTIQ+ Focus Groups to advise Council on key projects and initiatives

Councillors and Council Officers attend advisory committees including Town Committees, Wimmera Mallee Pioneer Museum and Yurunga Homestead meetings

Advocate for after school care and an increase childcare in Hindmarsh Shire.

Implement the Hindmarsh Shire Youth Strategy

Work with various agencies to host and promote school holiday activities throughout the Shire

Continue to support early years services in Hindmarsh Shire

Partner with Nhill Learning Centre to ensure barriers and views of the Karen and other multicultural communities are considered

Support and host youth events that are accessible to all Hindmarsh Shire youth.

Key documents translated into Karen

Undertake Cultural Audit and Develop Strategy

Theme One – Our Community Cont

Action Item

Support our ageing community through hosting seniors concert, social connection activities including movie matinees and morning teas, and delivery of community care services

Support local community events such as the Rainbow Desert Enduro, Nhill Friday Fiestas in February, Peter Taylor Barefoot Tournament etc.

Celebrate volunteers week, International Day of People with Disability and Harmony day

Support culturally significant days including for first nations people

Provide community action grants to support Hindmarsh community groups and organisations

Continue to advocate for funding for the Rural Outreach Program

Advocate for and host a range of learning and skill development opportunities for all ages throughout Hindmarsh

Support and coordinate the volunteer taxi service in Nhill

Work with community groups including Senior Citizens to re-establish following the COVID-19 pandemic

Consider community garden opportunities in Dimboola

Theme Two – Built & Natural Environment

Action Item

Seal Dimboola Civic Hub Carpark; laneway between Lochiel Street and public amenities and Road between Wimmera Street and Carpark.

Implement glass collection throughout the Shire

Work with Hindmarsh Landcare in addressing pest and weed problems throughout Hindmarsh including the weed Gazania which is spreading along roadside verges.

Seek funding for BMX dirt tracks, pocket parks, dog parks

Hold free green waste month in September and encourage residents to tidy their properties prior to the fire season

Implementation of Nhill streetscape plan

Installation of solar heating on Nhill swimming pool

Develop playground strategy

Seek funding for all abilities access to the swimming pool and changeroom at Dimboola Swimming Pool

Seek funding to develop a Masterplan for the Dimboola Recreation Reserve

Seek funding to undertake a solar assessment on Council buildings and halls

Construction of shade structures at Dimboola and Nhill Skateparks

Consider opportunities and seek funding for lighting in public areas

Ensure Council representation on Western Highway Action Committee, Wimmera Regional Transport Group and Hindmarsh Landcare Network

Continue to advocate for funding for Davis Park improvements

Theme Three – Competitive and Innovative Economy

Action Item

Upgrades to ensuites at Riverside Holiday Park Dimboola

Provide the business assistance grants program

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

Partner with West Vic Business to provide events and education for Hindmarsh businesses to come together, network and learn

Tourism information available in Hindmarsh Shire businesses

Seek funding for continued development of Hindmarsh Shire Caravan Parks including a Masterplan for Nhill Caravan Park

Implementation of Council's economic development strategy

Seek funding and implement components of the Wimmera Mallee Pioneer Museum Masterplan

Support Wimmera Development Association housing strategy

Commence Silo Art at Llew Schilling Silo in Rainbow and Arkona Silo

Construct new amenities at Rainbow Caravan Park

Theme Four – Good Governance & Financial Sustainability

Action Item
Implementation of strategies identified in the Workforce Plan
Online streaming of Council meetings through Council's Facebook page
Consideration for employing a trainee, or apprentice when vacancies arise throughout the year
Community conversation sessions held annually in our four main towns
Drop in sessions held allowing for community input on key documents or projects
Update Long Term Financial Plan
Quarterly finance reporting to Council
Ensure Council representation on Wimmera Development Association, Rural Councils Victoria, and Municipal Association of Victoria
Quarterly Council plan reporting to Council
Implementation of gender equality action plan
Collaborate with Horsham Rural City Council, West Wimmera Shire Council and Loddon Shire Council to implement the Rural Council Transformation Project
Audit & Risk Committee meetings review and consider Council risks at each meeting

Health & Wellbeing Initiatives

Healthy Eating

Action Item:

Review "Healthy Food Choices Policy"

Promote and participate in national Nutrition Week

Healthy eating messages available in common areas, intranet, education messages, posters in our parks and across organisation

Information on our healthy food choices policy included in new employee inductions

Discuss healthy food choices with parents attending supported playgroup and provide information on the 'traffic light system'

Active Living

Action Item:

Actively promote and participate in community initiatives that support physical activity including Active April, Walk to School, and Park Run.

Maintain and promote walking and cycling tracks the across the Shire.

Provide maximum shade across the Shire (by planting more trees and installing shade structures) in different areas: walking tracks, cycling tracks and outdoor sitting areas.

Maintain and promote local parks, bike paths, recreation facilities and community activities to encourage physical activity.

Utilise Hindmarsh Shire Libraries and supporting organisations for a variety of physical activity sessions like yoga classes, pilates, as well as supporting education sessions from health professionals.

Support and promote outdoor play and provide opportunities for this during playgroup and supported playgroup sessions.

Social Connectivity

Action Item:

Support our community to use Hindmarsh Shire Libraries and Neighbourhood Houses.

Increase awareness and celebrate the diversity of people in our community.

Increase the range of community activities that support social connections.

Support and maintain the use of the natural environment for different meet and greet activities.

Increase the opportunity to meet new and diverse people.

Support families to meet up outside of playgroup and early years services to strengthen relationships.

Mental Health

Action Item:

Support and promote participation in library based program.

Promote awareness of support available and raise awareness of the signs of poor mental health through social media.

Advocate for the continuation of the Rural Outreach Program.

Improve residents' access to the natural environment through appropriate planning, provision and maintenance of open spaces for residents to use and enjoy.

Participate in programs that support Mental Health including Mental Health First Aid Training.

Preventing all forms of violence and injury

Action Item:

Provide public information and participate in 16 days of activism against gender-based violence to raise Awareness of gender equity and family violence.

Implement the gender equity action plan.

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*

Commit to and implement CORE strategy 2021-2025 in partnership with Women's Health Grampians

Promote awareness through social media on the signs of family violence and the support mechanisms in place available for victims







MINUTES OF THE HINDMARSH SHIRE AUDIT & RISK COMMITTEE HELD VIA MICROSOFT TEAMS, ON WEDNESDAY 15 JUNE 2022, COMMENCING AT 11:00AM

PRESENT:

Mr B Young (Chairperson), Mr D Welsh (Member), Mr A Roberts (Member), Cr D Nelson (Councillor Delegate), Cr M Albrecht (Councillor Delegate), Mr G Wood (Chief Executive Officer), Ms M Revell (Director Corporate & Community Services), Ms H Boyd (Manager Finance & Customer Services), Ms P Croot (Manager Governance & Human Services), Mr P Harrison (Internal Auditor), Mr M Thompson (External Auditor) items 1 to 10, Ms A Veitch (HR & Safety Officer) items 14 to 15.

1. Welcome and Acknowledgement of the Indigenous Community

Welcome and acknowledgement of the indigenous community by the Chairperson.

We acknowledge that this meeting is being held on the lands of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagalk Nations and we acknowledge them as Traditional Owners of Country.

We recognise the important ongoing role that Indigenous people have in our community and pay our respects to their Elders, past, present and emerging.

2. Apologies

Ms K Teasdale (Internal Auditor), Ms K Thiele (Member),

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 / D WELSH

That the Minutes of the Audit & Risk Committee meeting held on Wednesday 9 March 2022 via Microsoft Teams, as circulated to members be taken as read and confirmed.

Refer attachment 5.1

10. VAGO Audit Update

Responsible Officer: Director Corporate & Community Services
Attachment Number:

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

MOVED: M ALBRECHT / D WELSH

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

6. Draft 2022/2023 Budget (incorporating the Draft Long Term Financial Plan and Revised Revenue and Rating Plan)

Responsible Officer: Manager Finance & Customer Services
Attachment Number: 6.1 Draft 2022/2023 Budget

Introduction:

This report presents the draft 2022/2023 Annual Budget incorporating the draft Long Term Financial Plan and the revised Revenue and Rating Plan in accordance with the *Local Government Act 2020*.

Discussion:

Council is required under Section 94 of the *Local Government Act 2020* to prepare a budget for each financial year and the subsequent 3 financial years by:

- a) 30 June each year; or
- b) Any other date fixed by the Minister by notice published in the Government Gazette.

The draft budget has been prepared in accordance with relevant statutory requirements, including the *Local Government Act 2020 (the Act)* and *Local Government (Planning and Reporting) Regulations 2014*.

A requirement of the *Local Government Act 2020* is that all Victorian Local Governments are required to adopt a Revenue and Rating Plan by 30 June 2021. The draft Revenue and Rating Plan was developed and adopted on 23 June 2021 and has been revised as part of the draft Budget 2022/2023.

The Revenue and Rating Plan was developed to retain the current differentials for farm and commercial/industrial properties (10 percent discount), recreational properties (50 percent discount) and non-farm vacant land (100 percent penalty). When revising the plan consideration was given on the capacity for each class of ratepayer to pay rates and benchmarking against similar councils was undertaken.

The 2022/23 draft budget has been developed to balance the retention of existing community service levels, maintenance and renewal of assets, as well as new initiatives to improve amenity and make Hindmarsh a better place to live. It replicates the format of the four Key Results Areas used in the 2021-2025 Council Plan, namely;

- Our Community;
- Built and Natural Environment;
- Competitive and Innovative Economy ; and
- Good Governance and Financial Sustainability.

The budget has been prepared based on available information to inform forecasts and assumptions. At the time of preparation the Victorian State Government 2022/2023 budget had not been released.

Rates and Charges:

The rates and charges calculated for 2022/23 are based on revaluation figures as at 1 January 2022. The revised Revenue and Rating Plan includes differentials for farms and commercial/industrial properties (10 percent discount), recreational properties (50 percent discount), and non-farm vacant land (100 percent penalty).

The Victorian State government rate cap increase for 2022/2023 has been set at 1.75%. The cap, in line with the Essential Services Commission (ESC) calculation method, applies the increase to the average rates payable per assessment.

The total amount to be raised by general rates and charges in 2022/2023 is \$9.434m which is an increase of \$0.2m from 2021/2022.

Capital Works:

The draft 2022/2023 budget includes capital works expenditure of \$8.997m. A number of larger grant funded projects are budget to be completed during 2022/2023 including.

Key Initiatives

The proposed key initiatives for the 2022/2023 financial year are outlined below. Further details are included in the relevant sections of the budget document.

Community Infrastructure

- Funding obtained through the Local Roads and Community Infrastructure Round 3 will enable Council to undertake works on Community Infrastructure including:
 - Rainbow Enduro Infrastructure Upgrades;
 - Dimboola Visitor Node carpark and laneway sealing;
 - Jeparit Swimming Hole Deck and Retaining Wall;
 - Swimming Pool Upgrade package to include
 - Installation of solar heating at Nhill Swimming Pool; and
 - New vacuum and Mobility Hoist at Dimboola Swimming Pool

Tourism Development

- \$700,000 for Silo Art (total project \$2.1M)
- \$45,000 for building maintenance on the Yurunga Homestead and Pioneer Museum
- \$20,000 on tourism signage

Economic Development

- \$30,000 for Business Assistance Grants. The Business Assistance Grants Program (BAGP) aims to support local businesses expanding their operations or new businesses, large and small, to establish in the Shire. It will provide assistance to offset costs associated with expanding or establishing a business in Hindmarsh Shire.

Empowered Communities

- \$7,500 to each of the Shire's four Town Committees. This funding can be used as seed funding for grants that will fund works important to the community in each town. In its fifth year, this funding has enabled some fantastic projects in our towns since its inception.
- \$20,000 to its Community Action Grants which will enable community groups to apply for funding for events, minor facility upgrades, small equipment and community assistance.
- \$27,000 for Community Events which includes \$12,000 towards the Rainbow Desert Enduro.

Infrastructure

- Reseals and Final Seals: Council will undertake reseal and final seal projects totalling \$571,902 in 2022/23. These include: Moulder St Dimboola, Goldsworthy St Nhill, Riverside St Jeparit, Church St Dimboola, Thomas St Nhill, Johnson St Nhill, Wimmera St Dimboola, Ellerman St Dimboola, Wimmera St Jeparit, Turner St Nhill, Reserve Road Rainbow, Kinimakatka Road Nhill, Hardings Road Nhill, Dimboola Minyip Road Dimboola, Mt Elgin Rd Nhill, Lorquon Road Nhill and Pullut West Road Rainbow.
- Sealed Road Construction: Council will undertake sealed road construction projects totalling \$513,046 in 2022/23. These include: Mt Elgin Road Nhill and Woorak Ni Ni Lorquon Road Nhill.
- Road Resheet Projects: Council will undertake 9 resheet projects during 2022/23 totalling \$228,313. These include Kurnbrunin Road Rainbow, Propodollah Netherby Road Nhill, Tarranyurk East Road Jeparit, Tarranyurk West Road Jeparit, Dahlenburg Road Nhill, Eldorado Road Nhill and Laverty Road Nhill.

- Footpaths: Footpath projects totalling \$163,296 will be undertaken during 2022/232. These include: Church St Nhill, High St and Ellerman St Dimboola, Roy St Jeparit and Taverner St Rainbow.

The draft 2022/2023 budget incorporating the revised Rating and Revenue Plan and the draft Long Term Financial Plan was presented to Council on Wednesday 1 June 2022. Under Council's Community Engagement Policy the draft budget, revised Revenue and Rating Plan and draft Long Term Financial Plan was made available for public inspection and the receiving of submissions for the period Monday 6 June to Friday 24 June 2022. Council will be advised of any submissions received at the 29 June 2022 Council meeting.

The draft 2022/2023 budget incorporating the revised Revenue and Rating Plan and draft Long Term Financial Plan was also available for public inspection at Council's Customer Service Centres or online on Council's website.

Link to Council Plan:

The 2022/2023 Budget provides the funding for Council to undertake its initiatives and activities proposed in the Council Plan's four key result areas. Each program in the Budget contains a statement about how the program will contribute to the initiatives and strategies detailed in the Council Plan 2021-2025.

Financial Implications:

The 2022/2023 Budget is consistent with the parameters set out in Councils' ten-year financial plan.

Risk Management Implications:

The preparation of the Budget 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: Heather Boyd, Manager Finance and Customer Services.

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

Officer Responsible: Monica Revell, Director Corporate and Customer Services.

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

MOVED: M ALBRECHT / D WELSH

That the Audit & Risk Committee

- 1. receives the draft 2022/2023 budget incorporating the revised Revenue and Rating Plan as well as the draft Long Term Financial Plan.***
- 2. notes the increasing costs for services and that the budget is based on the best available information available at the time of preparation.***

Refer attachment 6.1

7. Council Plan 2022/2023 Action Plan

Responsible Officer: Director Corporate & Community Services
Attachment Number: 7.1 Council Plan 2022/2023 Action Plan

Introduction:

This report presents the Council Plan 2021-2025 and Health and Wellbeing Plan 2021-2025 draft Action Plan 2022/2023.

Discussion:

The Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 was adopted on Wednesday 22 September 2021.

In developing the Plan it was intended to be a living document that will be reviewed and updated annually. The plan contains annual actions, allowing Council to adapt to our changing environment and inform the budget for each financial year.

The development of the 2022/2023 Action Plan was informed through community consultation in the initial development of the plan along with consultation sessions held during March 2022.

The action plan continues to work towards the vision: Working together to be a connected, inclusive and prosperous community.

This vision will be achieved through values with transparent and accountable actions and decisions, inclusion and collaboration with residents, showing respect and integrity to all; and being proactive and responsible encouraging innovation.

Actions for 2022/2023 are set against four key themes:

- Our Community
- Built and Natural Environment
- Competitive and Innovative Economy
- Governance and Financial Sustainability.

The Health and Wellbeing Actions 2022/2023 focus on five key areas:

- Healthy Eating
- Active Living
- Social Connectivity
- Improving Mental Health
- Preventing all forms of violence and injury.

The draft Action Plan has been made available to allow for submissions for the period Thursday 2 June 2022 to Friday 24 June 2022. Submissions will be considered at the Council meeting held on Wednesday 29 June 2022.

Link to Council Plan:

The Council Plan is the overarching plan that sets the strategic objectives for Council over the four-year term and provides initiatives and activities under the four key themes.

Conflict of Interest:

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

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

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

MOVED: D WELSH / A ROBERTS

That the Audit and Risk Committee receives the draft Council Plan 2022/2023 Action Plan and receives Council Plan updates at future meetings.

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: A ROBERTS / D NELSON

That the Audit and Risk Committee note the requirement to undertake the annual Self-Assessment of the Committee and receives the responses.

Refer attachment 8.1

9. Internal Audit Update

Responsible Officer: Director Corporate & Community Services

Attachment Number: 9.1 Internal Audit Findings Action List

9.2 Internal Audit Status Report

9.3 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 update on current internal building applications audit.

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

MOVED: D WELSH / A ROBERTS

That the Audit & Risk Committee

1. Receives the internal audit recent publications and audit status report;

2. Notes the progress on the Building Applications internal audit; and

3. Notes the progress on internal audit findings.

Refer attachment 9.1, 9.2, 9.3

11. Risk Management Report

Responsible Officer: Manager Governance & Human Services

Attachment Number: 11.1 Risk Register by Business Function

11.2 Risk Management Executive Summary

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. Council has requested that additional training be provided by the software supplier, to ensure that department officers can effectively manage risks.

The continuing focus of the Risk Management process will be –

- Reviewing structure of Risk Register to reflect Strategic and Operational risk categories;
- Ensuring that Council's policies, procedures, plans and decision-making responds to the changing legislative and risk environment around climate change;
- 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.

Strategic and Operational Risks

The Risk Register is currently organised by business function, however, we intend to begin differentiating between Strategic and Operational Risks. A Strategic Risk is one that forces a change in the strategic direction of Council, such as those concerned with the legislative environment, regulatory environment and competitive environment. Responsibility for managing and reviewing Strategic risks would be held by the Audit and Risk Committee.

Operational Risks are those which result from flawed or insufficient policies, processes, procedures, systems and events. Operational risks are generally categorised as people, processes, external events, systems, and legal and compliance risks. Responsibility for Operational Risks would be managed by the Senior Management Team.

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: Petra Croot, Manager Governance & Human Services

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: D WELSH / D NELSON

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

Refer attachment 11.1 & 11.2

12. Reimbursements & Interstate Travel Register
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Responsible Officer: Director Corporate & Community Services

Attachment Number: 12.1 Reimbursement Listing

Introduction:

This report provides the Audit & Risk Committee with a list of reimbursements made to the CEO and Councillors and interstate travel by staff and Councillors for the period 01 March 2022 to 31 May 2022.

Discussion:

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

There has been no interstate travel for the period 1 March 2022 to 31 May 2022.

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 / M ALBRECHT

That the Audit & Risk Committee receives the reimbursement listing for the CEO and Councillors for the period 01 March 2022 to 31 May 2022.

Refer attachment 12.1

13. Governance Compliance Report

Responsible Officer: Manager Governance & Human Services

Attachment Number: 13.1 Asset Plan 2022-2032

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	Completed
Councillor Expenses Policy	1 September 2020	Completed
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	Completed (awaiting feedback from Commissioner)
Asset management plans	30 June 2022	Completed (Attached for information)

Child Safe Standards

A new set of Child Safe Standards (**Standards**) are set to come into force on 1 July 2022. Council is legally required to comply with the Standards, including new compliance laws due to come into effect in January 2023.

The new Standards have been updated from 7 to 11 Standards and include new requirements around community and family involvement, a greater focus on safety for Aboriginal children and young people, and managing the risk of child abuse in online environments. Council is in the process of reviewing and updating relevant documents, policies and procedures to ensure that it is compliant with the new Standards. This includes Council's:

- Child Safe Standards Policy;
- Councillor and Employees Codes of Conduct;
- Position Descriptions;
- Risk Register;
- Complaints Handling Procedure;
- Disciplinary Policies;
- Procurement Policies; and
- Records Management Policy.

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: A ROBERTS / D WELSH

That the Audit & Risk Committee receives the Governance compliance update.
Refer attachment 13.1

14. Hindmarsh Shire Council Quarterly Financials

Responsible Officer: Manager Finance & Customer Services

Attachment Number: 14.1 Quarterly Finance report ending 31 March 2022

Introduction:

The purpose of this report is to provide the Audit & Risk Committee the quarterly finance report to 31 March 2022.

Discussion:

The quarterly finance report for the period ending 31 March 2022 was presented to Council on Wednesday 4 May 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.

As at 31 March 2022 the Comprehensive Income Statement reports a year to date surplus of \$6,348,750 against a budgeted surplus of \$7,148,647. Cash as at 31 March 2022 was \$11,612,801, with capital works expenditure of \$8,539,327 against a year to date budget of \$10,213,754.

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: Heather Boyd, Manager Finance & Customer Services
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: D WELSH / M ALBRECHT

That the Audit & Risk Committee receives the quarterly finance report for the period ending 31 March 2022.

Refer attachment 14.1

15. Incident and Hazarding Report

Responsible Officer: Manager Governance & Human Services
Attachment Number:

Introduction

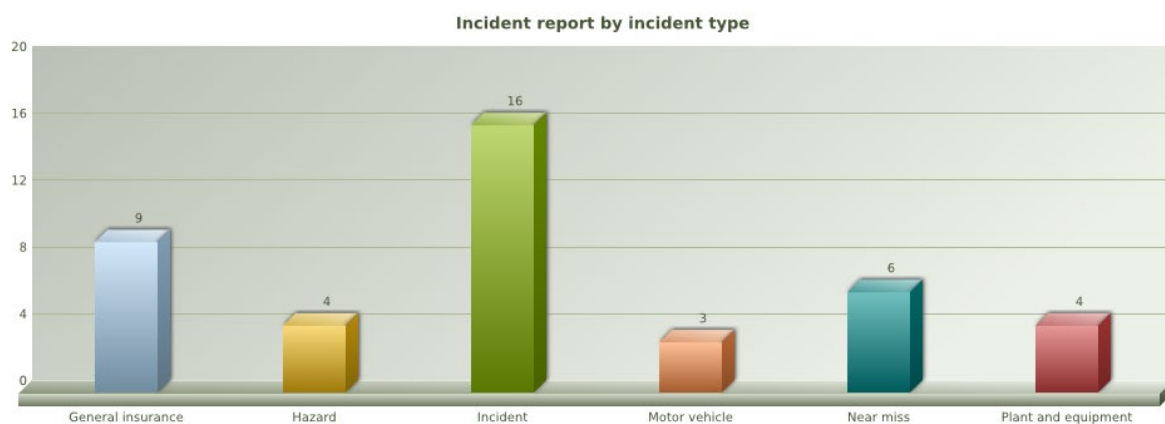
The purpose of this report is to provide the Audit Committee with an update on the Hazard, Incident and Injury Reports from 1 March 2022 to 31 May 2022 and a comparison to reports received for the same period in 2021

Discussion

16 reports were received in the period 1 March 2022 to 31 May 2022 compared to 42 reports for the same period in 2021. The drop in numbers of reports could be an indication of non-reporting and will be a point of discussion at the next staff Health and Safety Committee meeting being held on Thursday 16 June.



1 March 2022 – 31 May 2022



1 March 2022 – 31 May 2021

Incidents:

Of the 9 Incident reports received included 7 reports of verbal abusive by customers. Some of these were in relation to known vexatious customers and have been escalated in accordance with procedure. One incident resulted in a lost time injury and accepted WorkCover claim.

Notifiable Incidents under the OHS Act:

No reportable incidents to WorkSafe during this period.

General Insurance:

Reports of accidental damage to water infrastructure.

Hazards:

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

Near Misses:

1 near miss reported.

Worker's Compensation:

2 new WorkCover Claims have been submitted during this reporting period, with one accepted and one pending.

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: D WELSH / A ROBERTS

That the Audit & Risk Committee receives the Incident Report update.

16. Late Reports

17. General Business

18. Next Meeting

The next meeting will be held on Wednesday 21 September 2022, commencing at 11am.

Meeting closed at 12:09pm



Dimboola Rainbow Rd
Jeparit Vic 3423
FB: WMPMJeparit
Email: WMPMJeparit@gmail.com
ph: 03 53972101

May 17 2022

The first quarter of this year gave us the Significance Assessment. This 104 page document is a comprehensive look at the importance of our exhibits individually, grouped, and as a whole. The committee endorsed, in principle this Assessment and its recommendations. This report clearly supports the funding of a Machinery and Social History Curator 'because there needs to be a lead person to prepare exhibitions and collect stories'. A budget request for these positions was submitted to the Hindmarsh Shire Council. Discussions were initiated with Barengi Gadjin Land Council and First Persons-State Representatives to inspect and catalogue artefacts in our collection, as recommended in the Significance Assessment. Further the committee agreed to hold a stall at the Steam Punk festival in partnership with the Jeparit Town Advisory Committee, but this did not eventuate due to a lack of volunteers.

Volunteers: One volunteer resigned, 2 new committee members were endorsed by the committee (approval was still pending at March 30), one new volunteer was due to start but staffing issues at CVGT meant a site visit could not be conducted. Further, complaints were received regarding the behaviour of volunteers at the Museum. An emergency committee meeting was convened to discuss and request help from Hindmarsh Shire. This help came in the form of a list of Counsellors available for all volunteers to access.\

Attendance: 48 Adults, 67 pensioners, 2 children, 5 families, 1x 5 and 1x23 groups

Financials: Entry \$1019 (\$460 still owing), Souvenirs, drinks/icecreams, donations etc:\$591

Total income: \$1610 Expenses: \$9160.67 (includes \$8400 for SA)