



ATTACHMENTS

ITEM 4 CONFIRMATION OF MINUTES

- Item 4 Attachment 1 – Council Meeting Minutes 26 October 2022
- Item 4 Attachment 2 – Annual Statutory Meeting Minutes 9 November 2022

ITEM 8 PLANNING PERMITS

- Item 8.1 Attachment 3 – PA1722-2021 Development Plans
- Item 8.1 Attachment 4 – PA1722-2021 Traffic Management Plan

ITEM 9 REPORTS REQUIRING A DECISION

- Item 9.1 Attachment 5 – Financial Hardship Policy
- Item 9.1 Attachment 6 – Councillor Code of Conduct
- Item 9.1 Attachment 7 – Advisory Committee Terms of Reference
- Item 9.1 Attachment 8 – Advisory Committee Policy
- Item 9.2 Attachment 9 – Letter from BGLC to Close Ebenezer Mission Road
- Item 9.3 Attachment 10 – Heavy Transport and Freight Working Group ToR

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- Item 10.1 Attachment 11 – Jeparit Town Committee Minutes 10 October 2022
- Item 10.2 Attachment 12 – Rainbow Town Committee Minutes 17 October 2022
- Item 10.3 Attachment 13 – Yurunga Committee Minutes 18 August 2022
- Item 10.3 Attachment 14 – Yurunga Committee DRAFT Minutes 27 October 2022
- Item 10.4 Attachment 15 – WMPM Committee AGM Minutes 18 October 2022
- Item 10.4 Attachment 16 – WMPM Committee Report 2021-2022
- Item 10.4 Attachment 17 – WMPM Committee Financial Report 2021-2022
- Item 10.5 Attachment 18 – Civic Centre Committee Minutes 31 March 2021
- Item 10.5 Attachment 19 – Civic Centre Committee AGM Minutes 30 August 2022
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- Item 10.5 Attachment 21 – Civic Centre Committee Chair Report 2022
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MINUTES OF THE COUNCIL MEETING OF HINDMARSH SHIRE COUNCIL HELD WEDNESDAY 26 OCTOBER 2022 AT THE NHILL MEMORIAL COMMUNITY CENTRE, 77-79 NELSON STREET NHILL, COMMENCING AT 3:00PM.

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

In Attendance:

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

1 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Cr M Albrecht opened the meeting at 3:02pm 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.

No conflicts of interests declared.

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 28 September 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 28 September 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 received.

6 ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: 21 September – 18 October 2022

Cr ALBRECHT, MAYOR

Date	Meeting	Location	Comments
21/09/2022	Hindmarsh Shire Audit & Risk Committee	Zoom	
28/09/2022	Council Briefing	Nhill	
28/09/2022	Council Meeting	Nhill	
29/09/2022	Victorian Police Award Presentation Ceremony	Horsham	Congratulations to all the outstanding Police officers that were recognised during the ceremony.
04/10/2022	Wimmera Development Association – Strategic workshop	Horsham	The strategic planning work continues.
05/10/2022	Australian	Nhill	It was once again an honour to welcome four

	Citizenship Ceremony		new Australian citizens.
06/10/2022	Nhill Streetscape Drop in session	Nhill	
10/10/2022	Community consultation session – Jeparit	Jeparit	
11/10/2022	Community consultation session – Nhill	Nhill	

Cr IRELAND, DEPUTY MAYOR

Date	Meeting	Location	Comments
21/09/2022	Yurunga Homestead Meeting		
30/09/2022	Council briefing		
30/09/2022	Council meeting		
04/10/2022	Community Asset Committees meeting	Dimboola	
10/10/2022	Jeparit Community Consultation	Jeparit	
10/10/2022	Jeparit Town meeting		
13/10/2022	MAV Awards Dinner	Melbourne	Our Hindmarsh Shire Councillor Ron Ismay was the recipient of the emeritus award for serving 3 full terms as mayor of his shire...congratulations Ron
14/10/2022	MAV Conference	Art Gallery Melbourne	
16/10/2022	Nhill Heritage Weekend Sunday		
17/10/2022	Rainbow Community Consultation	Rainbow	
18/10/2022	Wimmera Mallee Pioneer Museum AGM and General Meeting		

Cr GERSCH

Date	Meeting	Location	Comments
27/09/2022	Meeting with Avonlea re planning permit		
28/09/2022	Council meeting		
30/09/2022	Wimmera regional roads meeting		
30/09/2022	Rural Councils		

	Victoria board meeting		
04/10/2022	Council master plan community meeting		
06/10/2022	Council master plan community meeting		
09/10/2022	Historic weekend concert rehearsal		
11/10/2022	Grants commission update		
11/10/2022	Nhill community meeting		
12/10/2022	Meeting with Emma Kealy re Davis Park		
14/10/2022	Meeting and inspection with Geoff Moll re road		
15/10/2022	MC for historic concert		
15/10/2022	Visit all Historic venues at Nhill		

Cr BYWATERS

Date	Meeting	Location	Comments
28/09/2022	Council meeting	Nhill Memorial Community Centre	
28/09/2022	Councillor only meeting		
28/09/2022	Hindmarsh Landcare meeting	Dimboola	
29/09/2022	Police Award Ceremony	Horsham Rural City Council Offices	
29/09/2022	Police church service, and remembrance ceremony	Saint Michael and John's Catholic Church Horsham	Victorian police, honouring the memory of police officers who have died in the line of duty in Australia and in the southwest region, also Victorian members who have died in service September 2021 to September 2022
30/09/2022	Hand Up: A stronger mental health initiative from Goolum Goolum Aboriginal co-operative	Horsham	"Hand up" event starting at the Horsham City botanical Gardens and walking together to Horsham Sawyer Park Soundshell for the event. - Hand up, celebrates the shared resilience of a strong and connected Mob and acknowledges bravery throughout the healing journey. It was a huge honour and privilege to

			attend the well-run day and support Hindmarsh and Wimmera First Nations people, and their allies. The crowd was treated to a smoking ceremony by Elder Uncle Ron Marks; dancing by Chunky Moves dance group, made up of talented Aboriginal and Torres Strait Islander children from across the region; and Comedian, Kevin Kropinyeri. Kevin is one of Australia's most established and popular aboriginal comedians and had the audience in tears of laughter. #strengthandconnection #putyourhandup
05/10/2022	Australian citizenship ceremony	Nhill Memorial Community Centre	
05/10/2022	Photo exhibition from 2013/14, Seeking Refuge in Nhill	Nhill Library	
08/10/2022	Tower Park Market	Dimboola	
08/10/2022	Oma's Cafe	Dimboola	
08/10/2022	Victorian Malleefowl recovery group, Karen Catering	Wyperfeld National Park	
11/10/2022	Emma Kealy MP election Promise Nhill and District Sporting Club Project	Davis Park	The Davis Park project is one of Council's advocacy pieces seeking funding.
11/10/2022	Victorian Grants Commission meeting	Nhill Memorial Community Centre	
11/10/2022	Homework Club	The Patch Nhill	
13/10/2022	136th Annual Nhill A&P Society Show	Nhill	
14/10/2022	Light up the Silo	Nhill Silo	
15/10/2022	137th Annual Dimboola Show	Dimboola	
15/10/2022	Nhill Historical Weekend	Nhill	Silo Smoking Ceremony and Welcome to Country by Uncle Ron Marks. Community Concert and light display on Silo.
16/10/2022	Nhill community ecumenical Church service	Nhill Memorial Community Centre	
16/10/2022	Cambrelle's Gift Shop 10th Birthday	Nhill	

	celebration and cutting of cake		
18/10/2022	Homework Club	The Patch Nhill	

Cr NELSON

Date	Meeting	Location	Comments
21/09/2022	Audit and Risk committee meeting		
28/09/2022	Briefing meeting	Nhill	
28/09/2022	Council meeting	Nhill	
29/09/2022	Police awards event	Horsham	
29/09/2022	Police Remembrance Service	Horsham	
04/10/2022	Dimboola Town Committee		
08/10/2022	Tower Park Market	Dimboola	
11/10/2022	Victorian Grants Commission Information Session	Nhill	

Cr ISMAY

Date	Meeting	Location	Comments
28/09/2022	Council briefing meeting	Nhill	
28/09/2022	Council meeting	Nhill	
11/10/2022	Rainbow Show Day		
13/10/2022	MAV Awards Presentation	Melbourne	
14/10/2022	MAV State Council Conference	Melbourne	
17/10/2022	Community Consultation	Rainbow	
17/10/2022	Rainbow Town Committee meeting		

7 CORRESPONDENCE

7.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Attachment Numbers: 2 – 4

Introduction:

The following correspondence is attached for noting by Council.

Inwards:

- 13/10/2022 – Letter from Minister Brooks RE Funding for Neighbourhood Houses
- 17/10/2022 – Letter from City of Monash RE School Crossing Review Campaign

Outwards:

- 11/08/2022 – Letter to Minister Brooks RE Neighbourhood Houses and Networks

RECOMMENDATION:

That Council notes the attached correspondence.

MOVED: CRS W Bywaters/R Ismay

That Council notes the attached correspondence.

CARRIED

Attachment Numbers: 2 – 4

8 PLANNING PERMITS

8.1 VICSMART REPORT AND PLANNING APPLICATIONS APPROVED UNDER CEO DELEGATION

Responsible Officer: Director Infrastructure Services

Introduction:

This report provides Council with information on Planning Applications approved under delegation by the CEO and provides an update on VicSmart permits processed by Council for the period 01 July 2022 to 30 September 2022.

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, during this period.

Permit No.	Address	Proposal	Date Lodged	Trigger	Date Approved	Statutory Days
PA1783-2022	71 Boyeo-Tarranginnie Rd Nhill	Development of an agricultural outbuilding and vegetation removal	07/06/2022	Clause 35.07-4 (Farming Zone) – A permit is required to construct a building within 20m of a road. Clause 42.01-2 (Environmental Significance Overlay ESO6) – a permit is required to remove vegetation.	05/07/2022	25
PA1787-2022	1631 River Rd Antwerp	Development of an agricultural outbuilding	07/07/2022	Clause 35.07-4 (Farming Zone) – a permit is required to construct a building within 100m of a waterway. Clause 44.04-2 (LSIO) – A permit is required to construct a building.	22/08/2022	26

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 – Jessie Holmes, Director Infrastructure Services

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

Communications Strategy:

Nil

Next Steps:

Next Report to be provided February 2023.

RECOMMENDATION:

That Council notes the Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 01 July 2022 to 30 September 2022.

MOVED: CRS W Bywaters/D Nelson

That Council notes the Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 01 July 2022 to 30 September 2022.

CARRIED

8.2 APPLICATION FOR PLANNING PERMIT 1760-2021 – DEVELOPMENT OF A SECOND DWELLING AND FENCING, SUBDIVISION OF LAND INTO TWO (2) LOTS AND VEGETATION REMOVAL – 59 LEAHY STREET NHILL VIC 3418

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 143780
Application Number: **PA1760-2021**
Application Received: 2 December 2021 (Fee paid 14 December 2021)
Applicant: Hargreaves Design Group
Owner: Mr Rassoul Asanjan
Subject Land: 59 Leahy Street Nhill VIC 3418 (Lot 1 Parish of Balrootan)
Proposal: Development of a second dwelling and fencing, subdivision of land into two (2) lots and vegetation removal
Zoning & Overlays: General Residential Zone – Schedule 1 (GRZ1)
Environmental Significance Overlay – Schedule 6 (ESO6)
Attachment Number: 5

Summary:

This report recommends that Council approves Planning Permit PA1760-2021 for the development of a second dwelling and fencing, subdivision of land into two (2) lots and

vegetation removal on the subject land known as 59 Leahy Street, Nhill VIC 3418 (Lot 1 TP119754V Parish of Balrootan).

Background:

On 2 December 2021, Hargreaves Design Group on behalf of Mr Rassoul Asanjan lodged a planning application to the Responsible Authority for the development of a second dwelling and fencing, subdivision of land into two (2) lots and vegetation removal at 59 Leahy Street Nhill.

Proposal Details:

The permit applicant, Hargreaves Design Group seeks approval for the development of a second dwelling and fencing, subdivision of land into two (2) lots and vegetation removal. The subject land is currently improved by an existing residential dwelling at the front of the lot, which is proposed to be subdivided in a 'battle axe' configuration. A new dwelling is proposed at the rear of the lot, comprising a total floor area of approximately 122.24m². An attached alfresco area (19.79m²) and garage (22.74m²) is also proposed.

The proposed dwelling is characterised by reference to the following features:

- Floor plan:
 - 1 x Bedroom with walk in robe (WIR) and ensuite;
 - 2 x Bedrooms with built in robe (BIR);
 - Open plan living and kitchen area;
 - Combined bathroom/shower with separate detached WC; and
 - Laundry adjacent to living area.
- External form:
 - A building height of 5.053 metres from natural ground level;
 - Weatherboard cladding; and
 - Colorbond 'monument' roofing.

To accommodate the development, existing planted vegetation on the site will be removed, specifically around the existing shed and accessway. Dividing fencing is proposed between the SPOS of dwelling 1 and the common property servicing dwelling 2.

Plans of the proposed dwelling are provided below:



UNIT 2 ELEVATION A - (NORTH)



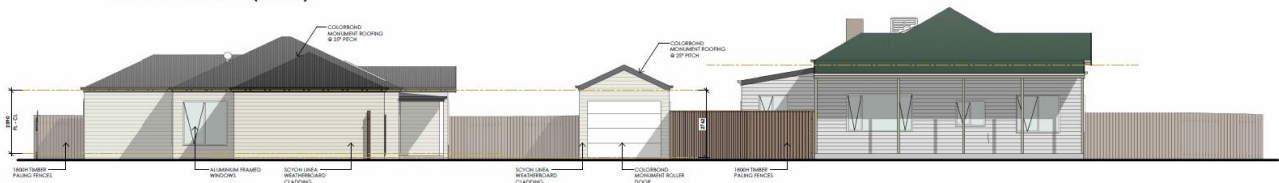
UNIT 2 ELEVATION C - (SOUTH)



UNIT 1 ELEVATION A - (NORTH)1



UNIT 1 ELEVATION C - (SOUTH)

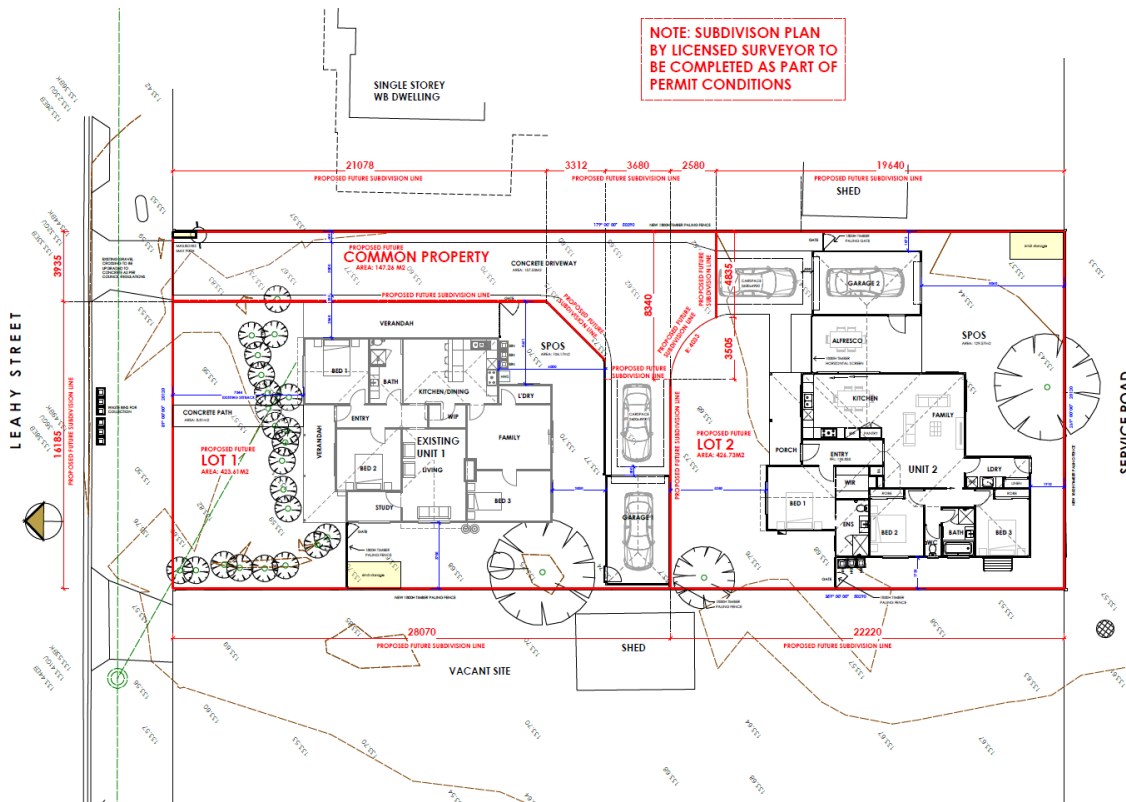


ELEVATION B - (EAST)



ELEVATION D - (WEST)

The proposed subdivision of land would result in the existing dwelling located on a lot of 423.61m² (proposed Lot 1) and the new dwelling being located on a lot of 426.73m² (proposed Lot 2). A common property of 147.26m² is proposed to service both lots.



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 32.08-6 (General Residential Zone) – A permit is required to construct a dwelling if there is at least one dwelling existing on the lot.
- Clause 42.01-2 (Environmental Significance Overlay) – A permit is required to construct a fence that may obstruct the flow of water.
- Clause 42.01-2 (Environmental Significance Overlay) – A permit is required for vegetation removal.
- Clause 42.01-2 (Environmental Significance Overlay) – A permit is required to subdivide land.

Definitions:

Dwelling – A building used as a self-contained residence which must include:

- a) a kitchen sink;
- b) food preparation facilities;
- c) a bath or shower; and
- d) a toilet and wash basin.

It includes outbuildings and works normal to a dwelling.

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 59 Leahy Street Nhill VIC 3418 (Lot 1 Parish of Balrootan), which comprises a single title of approximately 1,012m². The land is generally flat, with minimal fall across the site. The land is currently improved by an existing dwelling at the front of the site, which is proposed to be subdivided onto a separate lot from the new dwelling proposed.

The subject site adjoins residential zoned land to the north, east and west, with land in the Farming Zone (FZ) to the south. Land within the General Residential Zone generally comprises lots of between 800-2,000m² allotments, with some larger land holdings with across multiple parcels evident. Immediately adjoining the subject land are single dwellings on residential lots used for such purposes and vacant land.

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

Aerial Map below – Hindmarsh POZI



Aerial Map with Zoning below – Hindmarsh POZI



Section 52 Notice of Application

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

- Letters to adjoining and nearby property owners;
- Erection of a sign on site; and
- A notice in the ‘Nhill Free Press’

No objections or submissions have been received in relation to the application.

Referrals:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	
Wimmera Catchment Management Authority	No objection or conditions requested. Response received 11 October 2022.

Section 52 and Internal Notices	
Engineering	No objection to the development subject to conditions: Access: <ul style="list-style-type: none"> • Access to the Proposed development shall be from the existing entrance.

	<ul style="list-style-type: none"> • Damage to existing Council infrastructure is to be minimised during construction of the Proposed development. • Any damage to Council infrastructure shall be replaced to original state, to the satisfaction of the Responsible Authority and at the applicants expense. <p>Note: A consent to works within road reserve permission is required prior to construction if working in road reserve. https://www.hindmarsh.vic.gov.au/register-for-permits</p> <p>Drainage:</p> <ol style="list-style-type: none"> a. All stormwater and surface water discharging from the site for the approved development must be directed to the legal point of discharge (LPD) being the Northern side of the property to the kerb and channel in the Leahy Street road reserve to the satisfaction of the Responsible Authority. b. LPD can be applied with the building permit application.
GMW Water	No response received

Planning Assessment:

Planning Scheme Requirements:

Planning Policy Framework:

- Clause 11.01-1L Settlement – Hindmarsh
- Clause 13.02-1S Bushfire planning
- Clause 15.01-1S Urban design
- Clause 15.01-2S Building 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.

32.08-6 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

A permit is required to construct a dwelling if there is at least one dwelling existing on the lot.

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 medium density housing to respect neighbourhood character, to which the proposal responds satisfactorily encouraging housing diversity in established areas with access to services.

The built form of the development will achieve architectural and urban design outcomes that contribute positively to the local urban character as required by Clause 15.01-1S of the Scheme given scale, bulk and mass in relation to the adjoining sites. The built form of the dwellings and the area of secluded private open space for each dwelling is appropriate, there are ample landscaping opportunities within the site. The intensity of the development is consistent with relevant Planning Policy.

In conjunction with the subdivision of the land, a Section 173 Agreement will be required as a condition of approval to ensure that the development of land occurs as approved under this permit, or as may otherwise be amended with the approval of Council.

The proposal will not affect rooftop solar systems and meets the relevant objectives of Clause 55 as applicable to this proposal.

Overlay Provisions:

The subject land is encumbered by Clause 42.01 - Environmental Significance Overlay - Schedule 6 (ESO6). A permit is required for vegetation removal, including planted vegetation, fencing that may obstruct the flow of water and to subdivide land.

Planning Response:

It is considered that the proposed works and subdivision would not impact the objective of ESO6 which aims to protect the catchment area of significant wetlands.

The *Shire of Hindmarsh, Wetlands and Catchments of Conservation Value (WCMA 2007) Decision Guidelines* provides Matrix and Criteria to establish if the proposed removal of vegetation (pine trees) is appropriate.

The below criteria has been identified as relevant to the proposal to remove the pine trees:

Criteria for Matrix 2 ESO6: Vegetation removal should not degrade the ecological condition of areas covered by ESO 5. Vegetation within ESO 6 plays a number of different roles

depending on the proximity of the vegetated land to the high value wetland. (Refer to Appendix 5, Table 3 of buffer distances applicable to vegetation removal).

The proposed works is at a distance greater than 250m however less than 2000m from the Nhill Lake. Appendix 5, Table 3 states the vegetation role contributes to the protection of inflowing groundwater quality.

Based on this criteria, a desktop assessment has been undertaken about the level of risk likely to occur from the proposed vegetation removal. Given the location of the subject land in the Nhill Urban Area, stormwater discharge from the site is diverted to the existing drain in Leahy Street and into the Council drainage system. The removal of the trees and solid fencing at the rear may result in a marginal increase in stormwater flows off the site, however any such increase will not result in adverse impacts to the water quality of the Nhill Lake. The subdivision has no effect on water flows or quality.

On this basis, the proposal is considered to be acceptable.

Particular Provisions:

Clause 52.06 – Car Parking

Clause 52.06-5 – Number of Car Parking Spaces

Table 1 of this clause provides that two (2) car parking spaces are required for each dwelling having 3 or more bedrooms.

Planning Response:

Each dwelling (existing and new) are proposed to be developed with a single garage and a tandem car space in front of the garage. Swept paths have been provided demonstrating that each car parking space can be accessed without encroachment into the other lot. Each dwelling will therefore meet the requirements of the Scheme in relation to car parking numbers.

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 55 – Two or more Dwellings on a lot and Residential Buildings

Provisions in this clause apply to an application to:

- Construct a dwelling if there is at least one dwelling existing on the lot, in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

Planning Response:

The development comprises the construction of a dwelling with at least one dwelling existing on the lot, and therefore the provisions of Clause 55 apply. An assessment against the relevant objectives and standards of Clause 55 is provided below.

55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE				
55.02-1 Neighbourhood Character	Met?	Standard B1	Met?	Comments
<i>To ensure that the design respects the existing neighbourhood character or contributes to neighbourhood character.</i> <i>To ensure that development responds to the features of the site and the surrounding area</i>	Yes	<i>The design response must be appropriate to the neighbourhood and the site.</i>	Yes	As discussed through this report, the character of the area primarily consists of single storey residences on typically 1,000sqm lots with various outbuildings and varied setbacks. Dwelling age, typology and form is also variable in the surrounding area. The proposal represents a small infill development of existing residential land zoned and serviced for such purposes. The proposal provides for a new dwelling with conventional built form with appropriate setbacks to Leahy Street (with no change to the front setback), while retaining the existing
		<i>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site</i>	Yes	

				<p>dwelling at the front of the property. This development form is consistent with the broader character despite comprising smaller lots/open space than typically found in the streetscape.</p> <p>For these reasons, it is considered that the proposal is an appropriate intensification in the GRZ having regard to the context of the subject land and surrounding area.</p>
55.02-2 Residential Policy	Met?	Standard B3	Met?	Comments
<p><i>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</i></p> <p><i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services</i></p>	Yes	<p><i>An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</i></p>	Yes	<p>A response to relevant Planning Policy has been provided with the application, and applicable policy has been assessed in this report.</p>
55.02-3 Dwelling Diversity	Met?	Standard B3	Met?	Comments
<p><i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</i></p>	N/A	<p><i>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</i></p> <ul style="list-style-type: none"> <i>• Dwellings with a different number of bedrooms.</i> <i>• At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</i> 	N/A	<p>The development is for two (2) dwellings (1 additional) only</p>
55.02-4 Infrastructure	Met?	Standard B4	Met?	Comments
<p><i>To ensure development is provided with appropriate utility</i></p>	Yes	<p><i>Development should be connected to reticulated services, including reticulated</i></p>	Yes	<p>All reticulated services are available to the land and will be connected per the requirements of the relevant authority.</p>

<p>services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>		<p>sewerage, drainage, electricity and gas, if available.</p>		
		<p>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p>	Yes	<p>The development will not unreasonably impact service capacity.</p>
		<p>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</p>	Yes	<p>As above.</p>
<p>55.02-5 Integration With The Street</p>	<p>Met?</p>	<p>Standard B5</p>	<p>Met?</p>	<p>Comments</p>
<p>To integrate the layout of development with the street</p>	<p>Yes</p>	<p>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</p>	Yes	<p>Each dwelling is provided with individual vehicular and pedestrian access.</p>
		<p>Development should be oriented to front existing and proposed streets</p>	Yes	<p>The existing dwelling is orientated to Leahy Street, with the new dwelling at the rear of the site.</p>
		<p>High fencing in front of dwellings should be avoided if practicable</p>	N/A	<p>No front fencing proposed</p>
		<p>Development next to existing public open space should be laid out to complement the open space.</p>	N/A	<p>Not applicable.</p>

<p>55.03 SITE LAYOUT AND BUILDING MASSING</p>				
<p>55.03-1 Street Setback</p>	<p>Met?</p>	<p>Standard B6</p>	<p>Met?</p>	<p>Comments</p>
<p>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site</p>	<p>Yes</p>	<p>Walls of buildings should be set back from streets the distance specified below:</p> <ul style="list-style-type: none"> • There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner. • The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser. • There is an existing building on one abutting allotment facing the same street and no existing building on the 	<p>Yes</p>	<p>No change to front setbacks.</p>

	<p><i>other abutting allotment facing the same street, and the site is not on a corner:</i></p> <ul style="list-style-type: none"> ▪ <i>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</i> ▪ <i>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</i> • <i>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</i> • <i>The site is on a corner.</i> • <i>Min front setback if there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</i> • <i>Min front setback if there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</i> • <i>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</i> • <i>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</i> 		
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		<i>Porches, pergolas and verandahs that are < 3.6m high and eaves may encroach \geq 2.5m into the setbacks of this standard</i>	N/A	Not applicable.
55.03-2 Building Height	Met?	Standard B7	Met?	Comments
<i>To ensure that the height of buildings respects the existing or preferred neighbourhood character</i>	Yes	<i>The maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</i>	Yes	Complies.
		<i>Changes of building height between existing buildings and new buildings should be graduated.</i>	Yes	Both dwellings are single storey, consistent with the surrounding streetscape.
55.03-3 Site Coverage	Met?	Standard B8	Met?	Comments
<i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site</i>	Yes	<i>The site area covered by buildings should not exceed 60 per cent</i>	Yes	Building site coverage = 35.41%
55.03-4 Permeability	Met?	Standard B9	Met?	Comments
<i>To reduce the impact of increased stormwater run-off on the drainage system</i>	Yes	<i>The site area covered by the pervious surfaces should be at least 20% of the site</i>	Yes	Permeable area = 48.1%
<i>To facilitate on-site stormwater infiltration</i>		<i>The stormwater management system should be designed to:</i> <ul style="list-style-type: none"> • <i>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).</i> • <i>Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</i> 	Yes	All stormwater will be directed to the existing stormwater infrastructure on Leahy Street.
55.03-5 Energy Efficiency	Met?	Standard B10	Met?	Comments

<p><i>To achieve and protect energy efficient dwellings and residential buildings</i></p> <p><i>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy</i></p>	Yes	<p><i>Buildings should be:</i></p> <ul style="list-style-type: none"> <i>• Orientated to make appropriate use of solar energy</i> <i>• Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</i> <i>• Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</i> 	Yes	<p>The existing dwelling orientation or solar access opportunities are not changing. The new dwelling provides for windows of all habitable rooms on northern or western elevations to allow solar access, and the height and form of the new dwelling will not unreasonably affect solar access on other existing dwellings. The exception to this is the habitable room window on bedroom 3 of dwelling 2, which is exclusively south facing where west facing solar access can be provided. This will be required by conditions.</p>
		<p><i>Living areas and private open space should be located on the north side of the development if practicable</i></p>	No	<p>The SPOS for the proposed dwelling is located on the southern side of the dwelling, which could practicably be avoided through a revised design. However, the POS area provides sufficient setbacks from the southern boundary that solar access will still be achieved to this area, and solar protection can be considered a positive attribute for climatic conditions in the Wimmera over the summer period.</p>
		<p><i>Developments should be designed so that solar access to north-facing windows is maximised</i></p>	Yes	<p>Complies (noting comments above regarding POS)</p>
55.03-6 Open Space	Met?	Standard B11	Met?	Comments
<p><i>To integrate the layout of the development with any public and communal open space provided in or adjacent to the development</i></p>	N/A	<p><i>If any public or communal open space is provided on site, it should:</i></p> <ul style="list-style-type: none"> <i>• Be substantially fronted by dwellings, where appropriate</i> <i>• Provide outlook for as many dwellings as practicable</i> <i>• Be designed to protect any natural features on the site</i> <i>• Be accessible and useable</i> 	N/A	N/A
55.03-7 Safety	Met?	Standard B12	Met?	Comments

<i>To ensure the layout of development provides for the safety and security of residents and property</i>	Yes	<i>Entrances to dwellings should not be obscured or isolated from the street and internal accessways</i>	Yes	The entrances to each dwelling are readily identifiable from the street and internal accessways.
		<i>Planting which creates unsafe spaces along streets and accessways should be avoided</i>	Yes	No such plantings proposed.
		<i>Developments should be designed to provided good lighting, visibility and surveillance of car parks and internal accessways</i>	Yes	Each car parking space and internal accessway is afforded good passive surveillance from the dwellings and the public realm.
		<i>Private spaces within developments should be protected from inappropriate use as public thoroughfares</i>	Yes	The development does not present opportunity for inappropriate use as a public thoroughfare.
55.03-8 Landscaping	Met?	Standard B13	Met?	Comments
<p><i>To encourage development that respects the landscape character of the neighbourhood</i></p> <p><i>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance</i></p> <p><i>To provide appropriate landscaping</i></p> <p><i>To encourage the retention of mature vegetation on the site</i></p>	Yes	<p><i>The landscape layout and design should:</i></p> <ul style="list-style-type: none"> • <i>Protect any predominant landscape features of the neighbourhood</i> • <i>Take into account the soil type and drainage patterns of the site</i> • <i>Allow for intended vegetation growth and structural protection of buildings</i> • <i>In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals</i> • <i>Provide a safe, attractive and functional environment for residents</i> <p><i>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood</i></p> <p><i>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made</i></p> <p><i>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting</i></p>	Yes	A concept landscape plan is provided in the overall site plan, which shows that meaningful landscaping can be provided on site. A detailed landscaping plan will be required by conditions.
55.03-9 Access	Met?	Standard B14	Met?	Comments

<i>To ensure the number and design of vehicle crossovers respects the neighbourhood character</i>	Yes	<i>The width of accessways or car spaces should not exceed:</i> <ul style="list-style-type: none"> • 33% of the street frontage, or • if the width of the street frontage is less than 20m, 40% of the street frontage 	Yes	Complies (less than 33%)
		<i>No more than one single-width crossover should be provided for each dwelling fronting a street</i>	Yes	Complies.
		<i>The location of crossovers should maximize the retention of on-street car parking spaces</i>	Yes	Crossover locations are designed to minimise impacts on on-street car parking.
		<i>The number of access point to a road in a Road Zone should be minimised</i>	N/A	The site does not abut a Road Zone.
		<i>Developments must provide access for service, emergency and delivery vehicles</i>	Yes	Complies.
55.03-10 Parking Location	Met?	Standard B15	Met?	Comments
<i>To provide convenient parking for resident and visitor vehicles</i> <i>To protect residents from vehicular noise within developments</i>	Yes	<i>Car parking facilities should:</i> <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings • Be secure • Be well ventilated if enclosed 	Yes	Complies.
		<i>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5m from the windows of habitable rooms. This setback may be reduced to 1m where there is a fence at least 1.5m high or where window sills are at least 1.4m above the accessway</i>	Yes	Complies.

55.04 AMENITY IMPACTS				
55.04-1 Side And Rear Setback	Met?	Standard B17	Met?	Comments
<i>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings</i>	Yes	<i>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</i>	Yes	Complies.
		<i>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more</i>	Yes	N/A

		<i>than 0.5m into the setbacks of this standard</i>		
		<i>Landings having an area of not more than 2sqm and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard</i>	Yes	N/A
55.04-2 Wall On Boundaries	Met?	Standard B18	Met?	Comments
<i>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings</i>	Yes	<p><i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length of more than:</i></p> <ul style="list-style-type: none"> <i>• 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</i> <i>• Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</i> 	Yes	Complies.
		<i>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</i>	N/A	N/A
		<i>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</i>	N/A	N/A
55.04-3 Daylight To Existing Windows	Met?	Standard B19	Met?	Comments
<i>To allow adequate daylight into existing habitable room windows</i>	Yes	<i>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a</i>	Yes	All existing habitable room windows will have access to the requisite light court.

		<p><i>minimum area of 3sqm and minimum dimensions of 1m clear to the sky. The calculation of the area may include land on the abutting lot</i></p>		
		<p><i>Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55° arc from the centre of the existing window. The arc may be swung to within 35° of the plane of the wall containing the existing window.</i></p> <p><i>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window</i></p> <p><i>Refer to Diagram B2</i></p>	N/A	Not applicable to this development.
55.04-4 North Facing Windows	Met?	Standard B20	Met?	Comments
<i>To allow adequate solar access to existing north-facing habitable room windows</i>	Yes	<p><i>If a north-facing habitable window of an existing dwelling is within 3m of a boundary on an abutting lot, a building should be setback from the boundary 1m, plus 0.6m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m, for a distance of 3m from the edge of each side of the window.</i></p> <p><i>A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</i></p> <p><i>Refer to Diagram B3</i></p>	Yes	Complies.
55.04-5 Overshadow Open Space	Met?	Standard B21	Met?	Comments
<i>To ensure buildings do not significantly overshadow existing secluded private open space</i>	Yes	<i>Where sunlight to secluded private open space of an existing dwelling is reduced, at least 75%, or 40sqm with minimum dimension of 3m, whichever is the lesser area, of the secluded</i>	Yes	The development complies with the Standard for all existing dwellings.

		<i>private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September</i>		
		<i>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced</i>	N/A	Not applicable.
55.04-6 Overlooking	Met?	Standard B22	Met?	Comments
<i>To limit views into existing secluded private open space and habitable room windows</i>	Yes	<i>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45° angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above the floor level</i>	Yes	No overlooking can occur from the development as proposed
		<i>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</i> <ul style="list-style-type: none"> • <i>offset a minimum of 1.5m from the edge of one window to the edge of the other</i> • <i>have sill heights of at least 1.7m above floor level</i> • <i>have fixed, obscure glazing in any part of the window below 1.7m above floor level</i> • <i>have permanently fixed external screens to at least 1.7m above floor level and be no more than 25% transparent</i> 	N/A	As above.
		<i>Obscure glazing in any part of the window below 1.7m above floor level may be openable provided that there are no direct</i>	N/A	As above.

		<i>views as specified in this standard</i>		
		<p><i>Screens used to obscure a view should be:</i></p> <ul style="list-style-type: none"> • <i>perforated panels or trellis with a maximum of 25% openings or solid translucent panels</i> • <i>permanent, fixed and durable</i> • <i>designed and coloured to blend with the development</i> 	N/A	As above.
55.04-7 Internal Views	Met?	Standard B23	Met?	Comments
<i>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development</i>	N/A	<i>Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development</i>	N/A	Not applicable to this development.
55.04-8 Noise Impacts Objective	Met?	Standard B24	Met?	Comments
<i>To contain noise sources in developments that may affect existing dwellings</i>	Yes	<i>Noise sources, such as mechanical plant, should not be located near boundaries of immediately adjacent existing dwellings</i>	Yes	No such plant or equipment required.
<i>To protect residents from external noise</i>		<i>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties</i>	Yes	The site is located in a typical residential area with typical noise sources and emissions.
		<i>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms</i>	Yes	The subject land is not located near a busy road or industry.

55.05 ON-SITE AMENITY AND FACILITIES

55.05-1 Accessibility	Met?	Standard B25	Met?	Comments
<i>To encourage the consideration of the needs of people with limited mobility in the design of developments</i>	Yes	<i>The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.</i>	Yes	Each dwelling entry is at ground level and accessible to persons with limited mobility.
55.05-2 Dwelling Entry	Met?	Standard B26	Met?	Comments

<i>To provide each dwelling or residential building with its own sense of identity</i>	Yes	<i>Entries to dwellings and residential buildings should:</i> <ul style="list-style-type: none"> <i>• be visible and easily identifiable from streets and other public areas</i> <i>• provide shelter, a sense of personal address and a transitional space around the entry</i> 	Yes	Each entry is readily identifiable and visible from the street or common area, and provides a porch/verandah as a transitional space to same.
55.05-3 Daylight To New Windows	Met?	Standard B27	Met?	Comments
<i>To allow adequate daylight into new habitable room windows</i>	Yes	<i>A window in a habitable room should be located to face:</i> <ul style="list-style-type: none"> <i>• an outdoor space or a light court with a minimum area of 3sqm and minimum dimension of 1m clear to the sky, not including land on an abutting lot, or</i> <i>• a verandah provided it is open for at least one third its perimeter, or</i> <i>• a carport provided it has two or more open sides and is open for at least one third of its perimeter</i> 	Yes	All new habitable room windows are provided with the requisite light courts.
55.05-4 Private Open Space	Met?	Standard B28	Met?	Comments
<i>To provide adequate private open space for the reasonable recreation and service needs of residents</i>	Yes	<i>A dwelling or residential building should have private open space:</i> <ul style="list-style-type: none"> <i>• an area of 40sqm, with one part secluded at the side or rear with a min area of 25sqm, a min dimension of 3m and convenient access from a living room, or</i> <i>• a balcony of 8sqm with a min width of 1.6m and convenient access from a living room, or</i> <i>• a roof-top area of 10sqm with a min width of 2m and convenient access from a living room</i> 	Yes	Complies.
55.05-5 Solar Access To Open Space	Met?	Standard B29	Met?	Comments
<i>To allow solar access into the secluded private open space of new dwellings and residential buildings</i>	Yes	<i>The private open space should be located on the north side of the dwelling or residential buildings</i>	No	As discussed above, the POS for the proposed dwelling is located on the southern aspect, which is not envisaged by this Standard and could conceivably be avoided. However as also discussed, in this instance it is considered acceptable.

		<i>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall</i>	Yes	Complies.
		Refer to Diagram B29		
55.05-6 Storage	Met?	Standard B30	Met?	Comments
<i>To provide adequate storage facilities for each dwelling</i>	Yes	<i>Each dwelling should have convenient access to at least 6m³ of externally accessible, secure storage space</i>	Yes	Each dwelling is provided external storage of the requisite size.

55.06 DETAILED DESIGN				
55.06-1 Design Detail	Met?	Standard B31	Met?	Comments
<i>To encourage design detail that respects the existing or preferred neighbourhood character</i>	Yes	<i>The design of buildings, including:</i> <ul style="list-style-type: none"> • <i>Facade articulation and detailing,</i> • <i>Window and door proportions,</i> • <i>Roof form, and</i> • <i>Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.</i> 	Yes	The existing and proposed dwelling are single storey, commensurate with the prevailing streetscape of a scale and intensity appropriate for the location for the reasons discussed in this assessment.
		<i>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character</i>	Yes	The carport for each dwelling integrates with the built form of the respective dwellings, and will not dominate the streetscape from Leahy Street.
55.06-2 Front Fences	Met?	Standard B32	Met?	Comments
<i>To encourage front fence design that respects the existing or preferred neighbourhood character</i>	N/A	<i>The design of front fences should complement the design of the dwelling and any front fences on adjoining properties</i>	N/A	No front fencing proposed.
		<i>A front fence within 3m of a street should not exceed:</i> <ul style="list-style-type: none"> • <i>Streets in a Road Zone – 2m</i> • <i>Other Streets – 1.5m</i> 	N/A	No front fencing proposed.
55.06-3 Common Property	Met?	Standard B33	Met?	Comments
<i>To ensure that communal open space, car parking, access lanes and site facilities are practical, attractive and easily maintained</i>	Yes	<i>Developments should clearly delineate public, communal and private areas</i>	Yes	Common areas are clearly distinguished from private areas, with common property limited to the driveway and adjacent (eastern) landscape strip.
		<i>Common property, should be functional and capable of efficient management</i>	Yes	The extent of common property is negligible and common place in infill developments. Management of this area will be

<i>To avoid future management difficulties in areas of common ownership</i>				by owners corporation in a standard manner.
55.06-4 Site Service	Met?	Standard B34	Met?	Comments
<i>To ensure that site services can be installed and easily maintained</i>	Yes	<i>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically</i>	Yes	The design of the dwellings provides sufficient space for all services to be accommodated and maintained efficiently and economically, including in easements if required.
<i>To ensure that site facilities are accessible, adequate and attractive</i>		<i>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development</i>	Yes	All such site facilities are of appropriate size, sited appropriately and integrate with the development.
		<i>Bin and recycling enclosures should be located for convenient access</i>	Yes	Bin storage is readily accommodated at the side of each dwelling, easily accessible and moveable to the street frontage and not visible from the street.
		<i>Mailboxes should be provided and located for convenient access</i>	Yes	Mailboxes are appropriately located, clearly identifiable for each dwelling and conveniently accessible.

Clause 56 – Residential Subdivision

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

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Planning Response:

The proposed subdivision is sought in conjunction with an application for development where each lot will contain an existing or approved dwelling. As such, an assessment against Clause 56 is not required to be undertaken.

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 environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The 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

- 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 development provides for a diversity in housing types 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 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 zone as discussed above.

Clause 42.01 Environmental Significance Overlay – Schedule 6

The proposal complies with the purpose and decision guidelines of Clause 42.01 for the reasons outlined in the planning response to the overlay as discussed above.

Clause 55 Two or More Dwellings on a Lot and Residential Buildings

The proposal complies with the relevant objectives and decision guidelines of Clause 55 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 55 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:

02/02/2021 The application was received.

14/09/2021 The fee was paid.

12/01/2022 Further information was requested from the applicant.

07/03/2022 Further information was received.

18/05/2022 Further information sought with regard to vehicle movements and subdivision layout.

23/05/2022 Amended plans received for subdivision and swept paths

08/08/2022 Further information sought with regard to vehicle movements and subdivision layout as previous response does not meet Scheme requirements.

11/08/2022 Final plans for assessment provided.

01/09/2022 The application was notified.

16/09/2022 Notification of the application was completed.

04/10/2022 Application referred to Wimmera CMA, GMW Water and Engineering.

11/10/2022 Wimmera CMA referral response received.

11/10/2022 Engineering referral response received.

26/10/2022 The report is being presented to Council at the meeting held 26 October 2022 (61 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: Jessie Holmes, 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:

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

Financial Implications:

Nil

Risk Management Implications:

Nil

Communications Strategy:

Advise the Applicant of Council's decision.

Next Steps:

Issue the Planning Permit if approved by Council.

RECOMMENDATION:

That Council approves planning application PA1760-2021 for the development of a second dwelling and fencing, subdivision of land into two (2) lots and vegetation removal on the subject land known as 59 Leahy Street Nhill VIC 3418 (Lot 1 TP119754V Parish of Balrootan), subject to the following conditions:

Amended Plans Required

- 1. Before the commencement of any works hereby permitted or prior to the certification of the plan of subdivision under the Subdivision Act 1988 (whichever is earlier), amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided.*

The plans must be generally in accordance with the plans submitted but modified to show:

- (a) A habitable room window for bedroom 3 of unit 2 on the western elevation and relocation of the clothes line to the eastern wall of the laundry.*
- (b) Amended landscaping in accordance with Condition 3 of this permit.*

Endorsed Plans

- 2. The development and 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.*

Landscaping

- 3. Concurrent with the plans required by Condition 1 of this permit, an amended landscaping plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plan will be endorsed and will then form part of the permit.*

The plan must be drawn to scale and must show the following:

- (a) Details of surface finishes of pathways and driveways;***
 - (b) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;***
 - (c) Landscaping within all open areas of the site to the satisfaction of the Responsible Authority;***
 - (d) Pot sizes to be a minimum of 250mm for canopy trees and 200mm for shrubs; and***
 - (e) Installed height of canopy trees to be at least 1.5 metres.***
- 4. All landscaping shown on the endorsed plans must be established on the site prior to the occupation of the development.***

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, and any dead, dying, diseased or damaged plants are to be replaced with like for like replacements of the same or greater size.

Development Conditions

- 5. Once building works have commenced they must be completed to the satisfaction of the Responsible Authority.***
- 6. Upon completion of the works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.***
- 7. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.***
- 8. The exterior colour and cladding of the buildings must be of a non-reflective nature and / or either painted or have a pre-painted finish in natural, muted toning (or such other colour as is approved by the Responsible Authority) to the satisfaction of the Responsible Authority.***

Subdivision Conditions

- 9. Before the issue of Statement of Compliance under the Subdivision Act 1988, either:***
 - (a) Construction of the development approved under Planning Permit PA1760-2021 issued by the Hindmarsh Shire Council must have substantially commenced to the satisfaction of the Responsible Authority;***
or
 - (b) 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. Any buildings on the land must be constructed in accordance with the plans endorsed under Planning Permit PA1760-2021 issued by Hindmarsh Shire Council.***

The owner/operator must pay the reasonable costs of preparation,

execution and registration of the Section 173 Agreement.

10. **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.**
11. **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.**
12. **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.**
13. **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:

- (c) **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**
- (d) **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

14. **All stormwater and surface water discharging from the site for the approved development must be directed to the legal point of discharge (LPD) to the northern side of the property to the kerb and channel in the Leahy Street road reserve to the satisfaction of the Responsible Authority.**
15. **No effluent or polluted water or any type may be allowed to enter the Council's Stormwater drainage system.**
16. **Appropriate measures must be implemented throughout the construction stage**

of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.

- 17. Any damage to Council infrastructure as a result of the development must be remedied at the full cost of the permit holder and to the satisfaction of the Responsible Authority, prior to the issue of a Statement of Compliance or occupancy of the dwelling hereby approved.**

Time Limit

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

- (a) The development is not started within two (2) years of the date of this permit; or**
- (b) The development is not completed within four (4) years of the date of this permit.**

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

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

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

MOVED: CRS R Gersch/R Ismay

That Council approves planning application PA1760-2021 for the development of a second dwelling and fencing, subdivision of land into two (2) lots and vegetation removal on the subject land known as 59 Leahy Street Nhill VIC 3418 (Lot 1 TP119754V Parish of Balrootan), subject to the following conditions:

Amended Plans Required

- 1. Before the commencement of any works hereby permitted or prior to the certification of the plan of subdivision under the Subdivision Act 1988 (whichever is earlier), amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided.**

The plans must be generally in accordance with the plans submitted but modified to show:

- (a) *A habitable room window for bedroom 3 of unit 2 on the western elevation and relocation of the clothes line to the eastern wall of the laundry.*
- (b) *Amended landscaping in accordance with Condition 3 of this permit.*

Endorsed Plans

2. *The development and 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.*

Landscaping

3. *Concurrent with the plans required by Condition 1 of this permit, an amended landscaping plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plan will be endorsed and will then form part of the permit.*

The plan must be drawn to scale and must show the following:

- (a) *Details of surface finishes of pathways and driveways;*
 - (b) *A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;*
 - (c) *Landscaping within all open areas of the site to the satisfaction of the Responsible Authority;*
 - (d) *Pot sizes to be a minimum of 250mm for canopy trees and 200mm for shrubs; and*
 - (e) *Installed height of canopy trees to be at least 1.5 metres.*
4. *All landscaping shown on the endorsed plans must be established on the site prior to the occupation of the development.*

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, and any dead, dying, diseased or damaged plants are to be replaced with like for like replacements of the same or greater size.

Development Conditions

5. *Once building works have commenced they must be completed to the satisfaction of the Responsible Authority.*
6. *Upon completion of the works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.*
7. *All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.*
8. *The exterior colour and cladding of the buildings must be of a non-reflective nature and / or either painted or have a pre-painted finish in natural, muted toning (or such other colour as is approved by the Responsible Authority) to the satisfaction of the Responsible Authority.*

Subdivision Conditions

9. ***Before the issue of Statement of Compliance under the Subdivision Act 1988, either:***

(a) ***Construction of the development approved under Planning Permit PA1760-2021 issued by the Hindmarsh Shire Council must have substantially commenced to the satisfaction of the Responsible Authority;***
or

(b) ***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. ***Any buildings on the land must be constructed in accordance with the plans endorsed under Planning Permit PA1760-2021 issued by Hindmarsh Shire Council.***

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

10. ***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.***

11. ***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.***

12. ***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.***

13. ***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:

(c) ***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

- (d) 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

- 14. All stormwater and surface water discharging from the site for the approved development must be directed to the legal point of discharge (LPD) to the northern side of the property to the kerb and channel in the Leahy Street road reserve to the satisfaction of the Responsible Authority.*
- 15. No effluent or polluted water or any type may be allowed to enter the Council's Stormwater drainage system.*
- 16. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.*
- 17. Any damage to Council infrastructure as a result of the development must be remedied at the full cost of the permit holder and to the satisfaction of the Responsible Authority, prior to the issue of a Statement of Compliance or occupancy of the dwelling hereby approved.*

Time Limit

- 18. The above-mentioned planning permit as it relates to development will expire if either of the following circumstances arise:*
- (a) The development is not started within two (2) years of the date of this permit; or*
- (b) The development is not completed within four (4) years of the date of this permit.*

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

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

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

CARRIED

Attachment Number: 5

8.3 PLANNING PERMIT APPLICATION PA1791-2022 – BUILDINGS AND WORKS TO CONSTRUCT A TELECOMMUNICATIONS FACILITY – 8 BROUGHTON-KANIVA ROAD BROUGHTON VIC 3418 (LOT 1 ON TITLE PLAN 217577U)

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 200312
Application No. PA1791-2022
Applicant: Amplitel Pty Ltd (C/o Acquirecomm Pty Ltd - Emily Wardlaw)
Owner: Jason Gordon
Subject Land: 8 Broughton-Kaniva Road Broughton VIC 3418 (Lot 1 on Title Plan 217577U)
Proposal: Buildings and works to construct a Telecommunications Facility
Zoning & Overlays: Farming Zone (FZ)
No Overlays
Attachment Number: 6

Summary:

This report recommends that Council approves Planning Permit Application PA1791-2022 for Buildings and works to construct a Telecommunications Facility on the land at 8 Broughton-Kaniva Road Broughton VIC 3418 (Lot 1 on Title Plan 217577U), subject to standard conditions.

Background:

The site is currently rural farming land containing farm paddocks, several farm sheds, a dwelling and scattered trees.

Proposal Details:

The proposal is for buildings and works to construct a Telecommunications Facility for a 40m high monopole with associated antennas mounted on the monopole to a maximum height of 43.41m. The facility also includes the construction of a fenced compound, an equipment shelter, underground electrical and fibre access and associated vehicle access from Broughton Road.

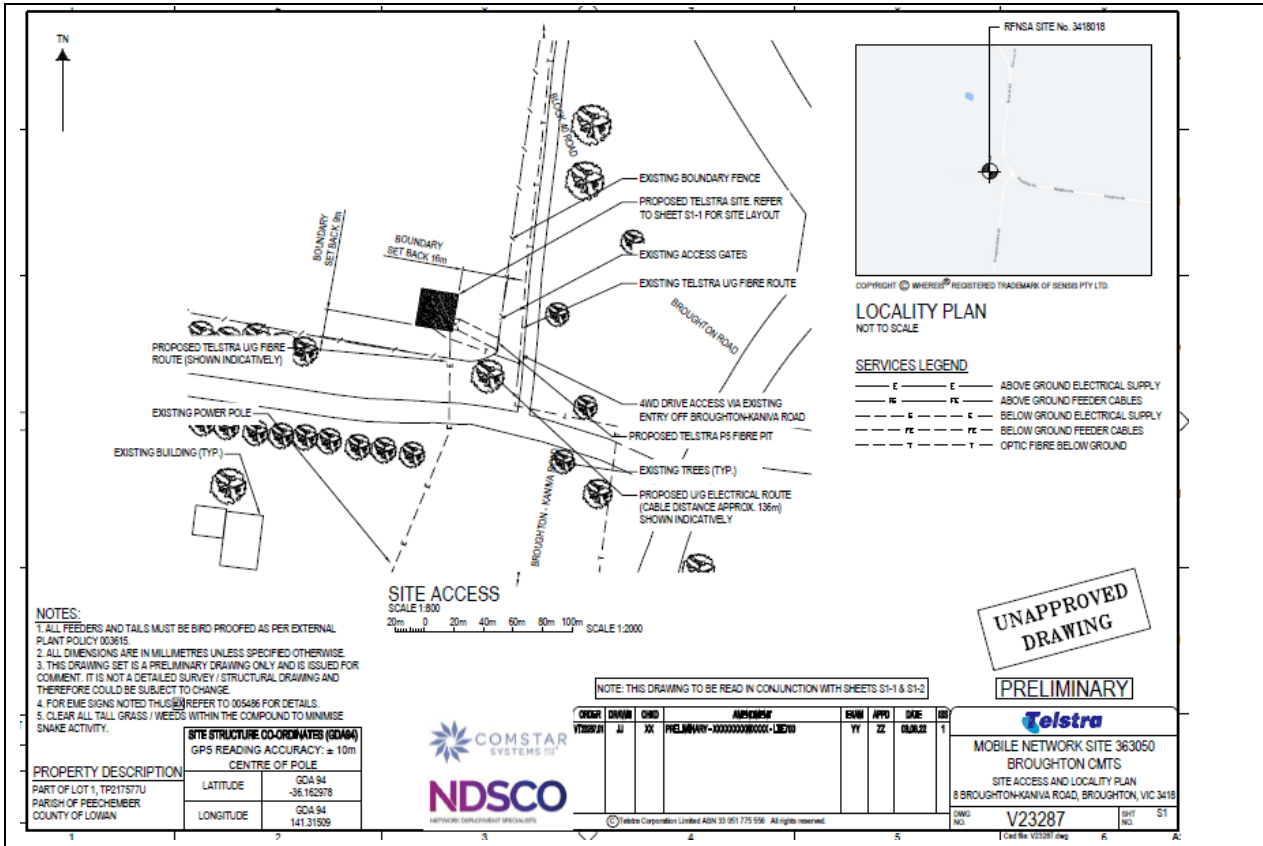
The applicant has stated the following about the application:

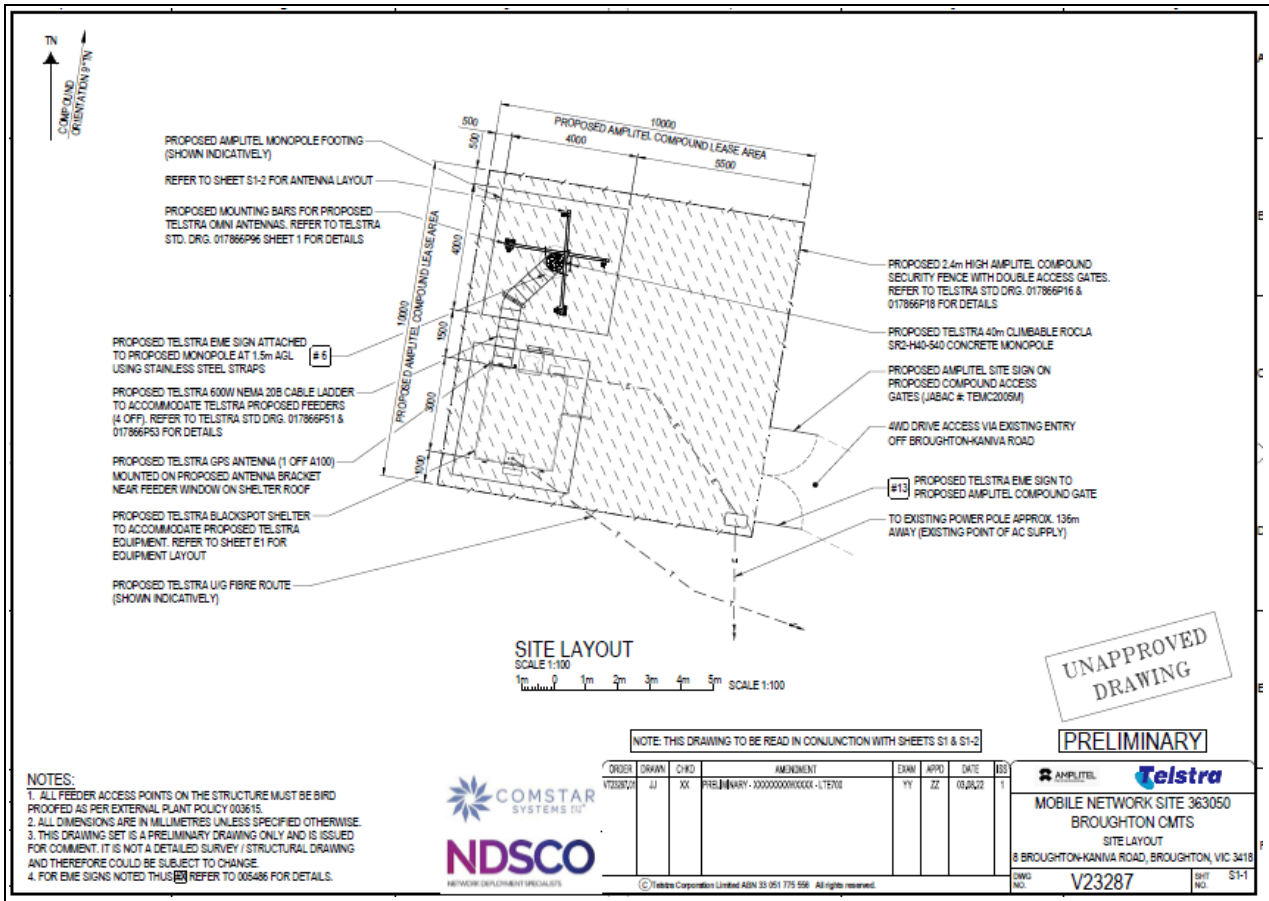
'The site has been funded by Telstra, the Victorian Government and the Federal Government in Round 1 of the Federal Governments Regional Connectivity Program. Telstra have been awarded funding to deploy this site within the parameters of this project.

The proposed development of the site represents the provision of essential telecommunications infrastructure to Broughton and its surrounds. The proposed facility will have an acceptable impact on the amenity of the area in terms of its use of materials and siting. The facility is designed to have regard to its surrounds and represents an appropriate balance between the net community benefit from the

provision of essential telecommunications services and the protection of the environment from any adverse impacts.'

Proposed Site Access/Locality Plan, Site Layout Plan and Elevations below:





Cultural Heritage Management Plan (CHMP):

The proposal is exempt from requiring a CHMP pursuant to the *Aboriginal Heritage Regulations 2018* as the site is not within an Aboriginal Cultural Heritage Sensitivity Area.

Subject site & locality:

The subject land is located on the western side of Broughton-Kaniva Road in Broughton. The site has a total area of approximately 121ha. The site is used for agriculture and contains farm paddocks, several farm sheds, a dwelling and scattered trees.

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

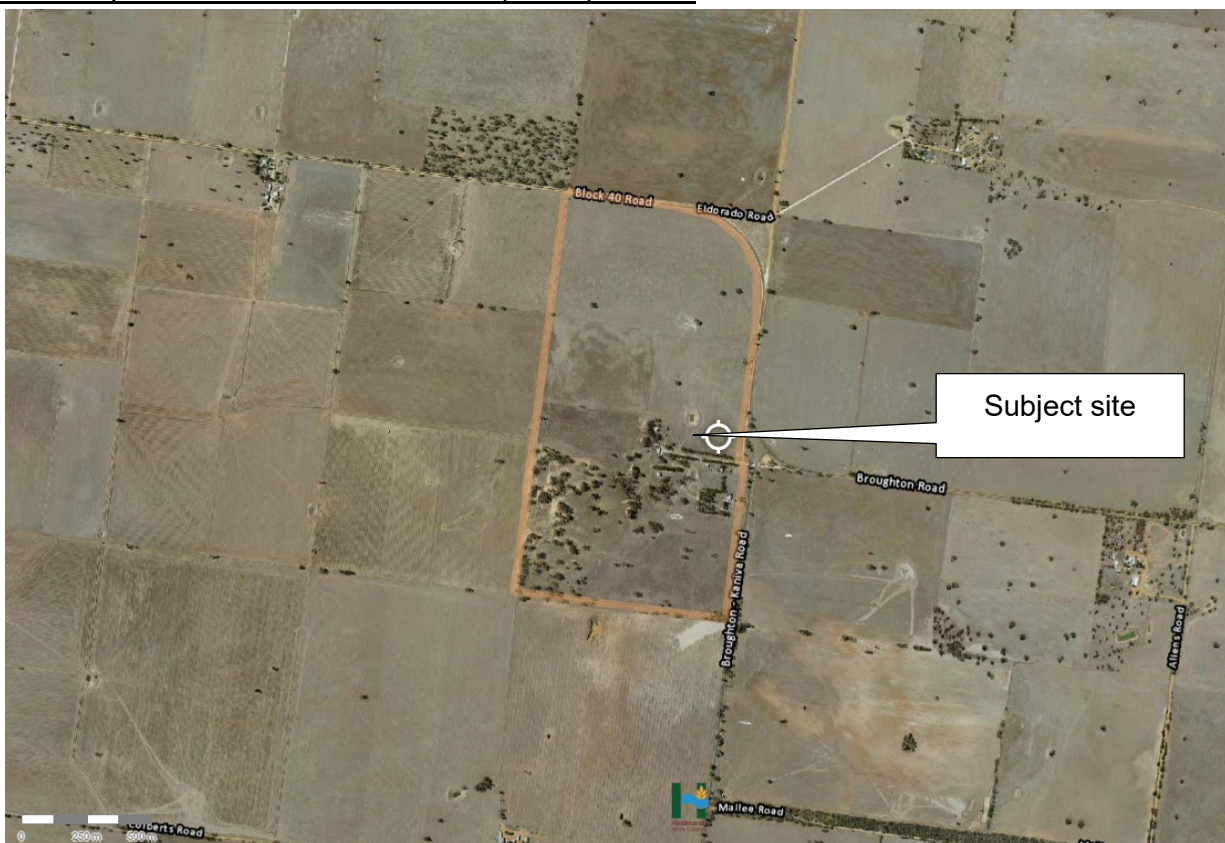


Photo of the area of the site (submitted as Figure 4 in Planning Report from the applicant) below:



Consultation:

Consultation was undertaken with the applicant and included:

- Email correspondence with the applicant about the application and the timing for a decision.

Section 52 Notice of application:

The application has not been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, as the application is exempt in accordance with Clause 52.19-3 as the proposed telecommunications facility is funded by The Commonwealth through the Mobile Black Spot Program.

The applicant has undertaken voluntary community consultation with the neighbours about the proposal.

Referrals:

Section 55 Referrals

Nil

Section 52 Referrals

Nil

Internal Referrals:

Engineering – Comments provided and conditions required are as follows:

We have conducted a site visit on 20/09/2022 at 8 Broughton-Kaniva Road Broughton.

The following conditions need to be applied to the permit.

Access/Vehicle crossover:

Before the commencement of the development, a new crossover must be constructed as per IDM SD-255 standard at the East side of Lot 1 (Proposed Telecommunications tower gate entrance) to the satisfaction of the Responsible Authority.

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

Road Access:

Before the commencement of the development, the section of unmade road - from the existing limestone access to the East side of the proposed crossover for Lot 1 entrance, that will service the Proposed Telecommunications tower, must be upgraded to a gravelled all-weather access road to Council standard at the Applicant's cost.

Note:

A consent to works within road reserve permission is required prior to construction if working in road reserve.

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

Planning Scheme:

Planning Scheme Requirements:

Municipal Planning Strategy (MPS)

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

Clause 02.02 Vision

Clause 02.03 Strategic directions

Clause 02.03-4 Natural resource management

Clause 02.03-5 Built environment and heritage

Clause 02.03-7 Economic development

Planning Policy Framework (PPF)

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

Clause 11.01-1S Settlement

Clause 11.01-1R Settlement – Wimmera Southern Mallee

Clause 11.01-1L Hindmarsh

Clause 11.03-6S Regional and local places

Clause 14.01-1S Protection of agricultural land

Clause 14.01-2S Sustainable agricultural land use

Clause 15.01-6S Design for rural areas

Clause 17.01-2S Innovation and research

Clause 19.03-4S Telecommunications

Clause 19.03-2S Infrastructure design and provision

Planning Response:

The proposal will improve the mobile phone service within Broughton and the surrounding area. The proposal has been located to minimise any loss of agricultural land and no vegetation will be removed, which will protect and enhance the biodiversity of the area.

The proposal complies with the relevant provisions of the MPS and PPF subject to conditions.

Zoning Provisions

Clause 35.07 Farming Zone (FZ)

A permit is not required for the use of a Telecommunications Facility and to construct buildings and works for a Telecommunications Facility under the Farming Zone if the requirements of Clause 52.19 are met.

Particular Provisions

Clause 52.19 Telecommunications Facility

52.19-1 Permit requirement

A permit is required to construct a building or construct or carry out works for a Telecommunications facility.

52.19-3 Exemption from notice and review

An application under any provision of this scheme to use or develop land for a Telecommunications facility is exempt from the notice requirements of section 52 (1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82 (1) of the Act if the Telecommunications facility is funded, or partly funded by:

- The Commonwealth through the Mobile Black Spot Program; or
- The State of Victoria.

52.19-5 Decision guidelines

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

- The principles for the design, siting, construction and operation of a Telecommunications facility set out in *A Code of Practice for Telecommunications Facilities in Victoria*, July 2004.
- The effect of the proposal on adjacent land.

Planning Response:

The proposal will comply with the principles for the design, siting, construction and operation of a Telecommunications facility set out in *A Code of Practice for Telecommunications Facilities in Victoria*, July 2004.

The proposal is unlikely to have any adverse effect on the adjacent land. The vehicle access to the site is required to be upgraded with a new crossover and a gravel all-weather access track, which have been required by Engineering and will be addressed as conditions.

General Provisions

Clause 62 General Exemptions

Clause 62.01 Uses not requiring a permit

Any requirement in this scheme relating to the use of land does not apply to:

- The use of land for a Telecommunications facility if the associated buildings and works meet the requirements of Clause 52.19.

Clause 62.02-1 Buildings and works not requiring a permit

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to:

- Buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met.

Planning Response:

The requirements of Clause 52.19 are met, and a planning permit is only required under Clause 52.19-1.

General Provisions

Clause 65 - Decision Guidelines

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

65.01 Approval of an application or plan

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

Planning Response:

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

Discussion:

The proposed telecommunications facility is acceptable in the proposed location as the facility will provide enhanced essential telecommunication services and will minimise adverse impacts on the environment, human health, and the amenity of the area. The proposal will satisfy the relevant planning policies in the MPS and PPF, the relevant decision guidelines of Clause 52.19-5 and Clause 65.

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

Strategic, Statutory and Procedural Requirements:

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

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:

17/08/2022 Application submitted.

02/09/2022 Fee paid

09/09/2022 Referral to Engineering

07/10/2022 Referral response from Engineering received

26/10/2022 The report is being presented to Council at the meeting held on 26 October 2022 (54 statutory days)

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

Link to Council Plan:

N/A.

Financial Implications:

There are no financial implications to Council.

Risk Management Implications:

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

Conflict of Interest:

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

Officer Responsible – Ms Jessie Holmes, Director Infrastructure Services

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

Author: Bernadine Pringle, Consultant Town Planner.

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

Communications Strategy:

Advise the applicant of Council's decision.

Next Steps:

Issue the Planning Permit and endorse the plans if approved.

RECOMMENDATION:

That Council approves Planning Application PA1791-2022 for Buildings and works to construct a Telecommunications Facility, on the land at 8 Broughton-Kaniva Road Broughton VIC 3418 (Lot 1 on Title Plan 217577U), subject to the following conditions:

Conditions:

Amended Plans Required

- 1. Before the commencement of the works hereby permitted, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be generally in accordance with the plans submitted but modified to show access to the Telecommunications Facility from the existing dwelling access and driveway.***

General Requirements

- 2. The buildings and the site must be kept in an ordered and tidy state and their appearance must not prejudicially affect the amenity of the area to the satisfaction of the Responsible Authority.***
- 3. Care must be taken to ensure that the construction of the development and any ancillary works does not cause erosion or degradation of the subject site or surrounding land to the satisfaction of the Responsible Authority.***

Access

- 4. All weather access to the facility must be in accordance with the endorsed plans, constructed to an all-weather standard at the Applicant's cost, to the satisfaction of the Responsible Authority.***

Drainage

- 5. The storm water from the development must be contained on site to the satisfaction of the Responsible Authority.***

Permit Expiry

- 6. The use and development approved by this permit will expire if one of the following circumstances applies:***
 - (a) The development is not started within two years of the date of this permit.***
 - (b) The development is not completed within four years of the date of this permit.***

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

Note:

Engineering

A consent to works within road reserve permission is required before construction if working in the road reserve.

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

MOVED: CRS R Ismay/B Ireland

That Council approves Planning Application PA1791-2022 for Buildings and works to construct a Telecommunications Facility, on the land at 8 Broughton-Kaniva Road Broughton VIC 3418 (Lot 1 on Title Plan 217577U), subject to the following conditions:

Conditions:

Amended Plans Required

- 1. Before the commencement of the works hereby permitted, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be generally in accordance with the plans submitted but modified to show access to the Telecommunications Facility from the existing dwelling access and driveway.***

General Requirements

- 2. The buildings and the site must be kept in an ordered and tidy state and their appearance must not prejudicially affect the amenity of the area to the satisfaction of the Responsible Authority.***
- 3. Care must be taken to ensure that the construction of the development and any ancillary works does not cause erosion or degradation of the subject site or surrounding land to the satisfaction of the Responsible Authority.***

Access

- 4. All weather access to the facility must be in accordance with the endorsed plans, constructed to an all-weather standard at the Applicant's cost, to the satisfaction of the Responsible Authority.***

Drainage

- 5. The storm water from the development must be contained on site to the satisfaction of the Responsible Authority.***

Permit Expiry

6. ***The use and development approved by this permit will expire if one of the following circumstances applies:***
- (a) ***The development is not started within two years of the date of this permit.***
 - (b) ***The development is not completed within four years of the date of this permit.***

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

Note:

Engineering

A consent to works within road reserve permission is required before construction if working in the road reserve.

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

CARRIED

Attachment Number: 6

9 REPORTS REQUIRING A DECISION

9.1 HINDMARSH SHIRE COUNCIL ANNUAL REPORT 2021/2022

Responsible Officer: Director Corporate and Community Services
Attachment Number: 7

Introduction:

The purpose of this report is to present the Annual Report 2021/2022 for consideration by Council.

Discussion:

Council's Annual Report for the year ended 30 June 2022 has been prepared. The Annual Report provides a comprehensive overview of Council's activities for the period 1 July 2021 to 30 June 2022, including achievements in respect of a range of projects, services and assets managed and financial performance for the year ended 30 June 2022, for which the Auditor-General has provided unqualified audit opinions on the financial and performance statements. The report is intended as a point of reference for Council, staff, residents, shire businesses, community organisations and government departments.

Council has a statutory responsibility under the *Local Government Act 2020* (the Act) to prepare an Annual Report in respect of each financial year, containing a report on its operations, audited performance statement, audited financial statements and any other matter required by the Local Government Planning and Reporting Regulations.

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

Options:

It is recommended that Council considers and notes the Annual Report 2021/2022.

Link to Council Plan:

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

Financial Implications:

No financial implications

Risk Management Implications:

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

Relevant legislation:

Local Government Act 2020

Community engagement:

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

Gender equality implications:

No gender impact assessment is required.

Conflict of Interest:

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

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

Communications Strategy:

Copies of the Annual Report 2021/2022 are available at Council's Customer Service Centres and on Council's website.

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

RECOMMENDATION:

That Council, having considered the Annual Report for the year ending 30 June 2022, receives the report.

MOVED: CRS R Gersch/B Ireland

That Council, having considered the Annual Report for the year ending 30 June 2022, receives the report.

CARRIED

Attachment Number: 7

9.2 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION

Responsible Officer: Director Corporate and Community Services

Introduction:

This report provides Council with information on the Australian Local Government Women's Association and recommends a Council membership to the association.

Discussion:

The Australian Local Government Women's Association (ALGWA) was created in October 1951. The aim of ALGWA is to:

- Assist in furthering women's knowledge and understanding of the functions of Local Government;
- Encourage women to participate in Local Government;
- Encourage women to make a career from Local Government;
- Protect the interests and rights of women in Local Government;
- Take action in relation to any subject or activity affecting Local Government and Local Government legislation; and
- Act in an advisory capacity to intending women candidates for Local Government elections.

Membership is open to anyone interested in supporting women to participate in Local Government providing networking opportunities and mentoring programs, along with meetings throughout the State.

The ALGWA offer two types of memberships, an individual membership for Councillors, and a Council membership.

Individual membership is for Councillors and entitles them to a vote at the AGM, ability to nominate for a committee position or as a subcommittee member, and access to programs including the mentoring program either free or when charged (at the member price).

Council membership entitles Council to one (1) vote at the AGM (CEO or delegate), allows officers to access the Bursary Award and attend events including conferences at member prices. Member Councils can seek to host an ALGWA Vic conference.

A Council membership for 2022/2023 will be \$320.00.

Options:

1. Council can choose to join the Australian Local Government Women's Association.
2. Council can choose not to join the Australian Local Government Women's Association.

Link to Council Plan:

Strong governance practices

A skilled Council and workforce capable of meeting community needs

Gender Equity respect and leadership

Financial Implications:

Council's annual budget includes an allocation for Council Memberships and Subscriptions (40143).

Risk Management Implications:

A membership with ALGWA will give Council access to training and networking opportunities, and materials to promote gender equality in Council.

Relevant legislation:

Local Government Act 2020

Community engagement:

Not applicable

Gender equality implications:

No gender equality implications.

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:

Not applicable.

Next Steps:

Officers will complete the necessary membership application should Council choose to join the Australian Local Government Women's Association.

RECOMMENDATION:

That Council join and pay a Council membership to the Australian Local Government Women's Association.

MOVED: CRS W Bywaters/D Nelson

That Council join and pay a Council membership to the Australian Local Government Women’s Association of Victoria.

CARRIED

9.3 COUNCIL PLAN 2021-2025 PROGRESS REPORT

Responsible Officer: Director Corporate and Community Services

Introduction:

This report provides Council with a progress update on the actions for 2022/2023 taken against the Council Plan 2021-2025.

Discussion:

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

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

Theme One – Our Community

Action Item	Update on Action
Monthly and fortnightly e-newsletters distributed through emails and available on Council’s website	Q1. Council continues to prepare and circulate fortnightly e-newsletters and monthly newsletters. Monthly Newsletters are printed for collection at all libraries, Council offices and a variety of businesses in Dimboola, Jeparit, Nhill and Rainbow. Council is now also including a 2-page newsletter with Community Care Accounts when they are being sent out each month.
Establish LGBTIQ+ Focus Groups to advise Council on key projects and initiatives	Q1. Expressions of Interest for the LGBTIQ+ Reference Group will be considered by Council on 26 October 2022.
Councillors and Council Officers attend advisory committees including Town Committees, Wimmera Mallee Pioneer Museum and Yurunga Homestead	Q1. Councillors and Council Officers attend Town Advisory Committees, Wimmera Mallee Pioneer Museum and Yurunga Homestead meetings.

meetings	
Advocate for after school care and an increase childcare in Hindmarsh Shire.	Q1. The State Government are currently providing funding for schools to establish after school care. Council is supporting the Wimmera Southern Regional Partnership Childcare feasibility study for the region.
Implement the Hindmarsh Shire Youth Strategy	Q1. Council Officers are currently working through the actions identified in the Hindmarsh Shire Youth Strategy. Minutes of Youth Council meetings are provided to Councillors for information. Officers continue to communicate with Nhill Learning Centre/ The Patch to discuss ways in which Council can be involved, collaborate and/or provide support.
Work with various agencies to host and promote school holiday activities throughout the Shire	Q1. September School Holidays were a success with over 400 attendances in total across all events held. Utilising our Libraries brought about fun science and crafty art activities. Collaborating with the Oasis in Rainbow, the Recreation Reserve in Dimboola, and the Jeparit Primary School and Hall allowed for ample amount of space to host Games Days and Outdoor Cinemas. Training for children of all ages in Animal First Aid with “Your Family Vet” and Human First Aid with “Casey Kosch” - Painting with local artist Maria La Grue, Tennis Coaching with Steffi McDonald, and a Cricket Fun Day were also included. The options appeared almost endless for the young people of the Hindmarsh Shire, and the enjoyment was clear in attendance numbers, and smiles on faces.
Continue to support early years services in Hindmarsh Shire	Q1. Council continues to provide buildings and funding to support early years services in Hindmarsh.
Partner with Nhill Learning Centre to ensure barriers and views of the Karen and other multicultural communities are considered	Q1. Council’s Youth Officer attends Homework Club when available to connect and converse with the Karen community. Along with conversing with young people to develop relationships that allow openness and connectedness with a goal

	of utilising this relationship in the future to bring about more events and activities inclusive to all individuals residing in Hindmarsh.
Support and host youth events that are accessible to all Hindmarsh Shire youth.	<p>Q1. Youth Council are meeting regularly to discuss and organise events for Youth in Hindmarsh.</p> <p>Current initiatives include a Neon Disco Event in Rainbow in late October/early November. A FReeZA committee has been formed in Rainbow, and is also being formed in Dimboola and Nhill. These committees are being created by Youth Councillors and will attract their peers in local schools to form a group that will plan and organise FReeZA events using our State FReeZA funding. These groups will allow more young people to learn event planning and marketing skills, and give more Hindmarsh youth a chance to participate and have their wants/interests met through events/trainings/etc.</p>
Key documents translated into Karen	
Undertake Cultural Audit and Develop Strategy	<p>Q1. A consultant has been approached and we are just waiting to receive further information and a quotation for the audit and strategy development.</p>
Support our ageing community through hosting seniors concert, social connection activities including movie matinees and morning teas, and delivery of community care service	<p>Q1. Monthly movie matinees continue to be held and are proving popular with the community.</p> <p>A Keith Potger concert was hosted in August 2022.</p> <p>Weekly Cuppa Connections are held in each library for interested community members.</p>
Support local community events such as the Rainbow Desert Enduro, Nhill Friday Fiestas in February, Peter Taylor Barefoot Tournament etc.	<p>Q1. Support was provided to the Rainbow Desert Enduro event held in August 2022.</p>
Celebrate volunteers week, International Day of People with Disability and Harmony day	<p>Council officers are currently planning activities to celebrate International Day of People with Disability.</p>
Support culturally significant days including for first nations people	
Provide community action grants to support	<p>Q1. Round 1 of the community actions</p>

Hindmarsh community groups and organisations	grants program will be recommended to Council on Wednesday 26 October 2022.
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	Q1. Council and the Karen community leaders are liaising with the Victorian Electoral Commission to host an information session prior to the upcoming State election.
Support and coordinate the volunteer taxi service in Nhill	Q1. Council continues to coordinate and support the Volunteer Taxi Service in Nhill.
Work with community groups including Senior Citizens to re-establish following the COVID-19 pandemic	Q1. Council's Community Development and Social Support Officer continues to liaise with Senior Citizens.
Consider community garden opportunities in Dimboola	

Theme Two – Built & Natural Environment

Action Item	Update on Action
Seal Dimboola Civic Hub Carpark; laneway between Lochiel Street and public amenities and Road between Wimmera Street and Carpark.	Q1. Works are scheduled to commence in late October / early November 2022.
Implement glass collection throughout the Shire	Q1. Council is on track – having awarded the transfer station upgrade at the August Council meeting and ordering the residential 120lt purple bins with delivered expected in October 22.
Work with Hindmarsh Landcare in addressing pest and weed problems throughout Hindmarsh including the weed Gazania which is spreading along roadside verges.	Q1. Council is currently collaborating with Hindmarsh Landcare to accurately map target areas.
Seek funding for BMX dirt tracks, pocket parks, dog parks	
Hold free green waste month in September and encourage residents to tidy their properties	Q1. Council accepted free green waste at Hindmarsh Transfer Stations from 1 September 2022 due to the significant wet weather free green waste collection has been extended until the end of October 2022.
Implementation of Nhill streetscape plan	Q1. Council has allocated funding through LRCI Phase 3. A community survey and drop-in sessions were conducted seeking

	feedback on the first stage of implementation. 64% of respondents said the Nhill Lake Pathway was the highest priority with solar bollard lighting the preferred option.
Installation of solar heating on Nhill swimming pool	Q1. The current solar heating has been decommissioned and Council is awaiting works by the Department of Education on the roof to facilitate the installation of new solar heating.
Develop playground strategy	Q1. A Strategy is currently being drafted, consultation with the community will occur in February 2023.
Seek funding for all abilities access to the swimming pool and changeroom at Dimboola Swimming Pool	Q1. Tenders have been called for necessary maintenance to all four swimming pools, this will include all abilities hoists for Dimboola and Rainbow Swimming Pools. Council will continue to seek funding for changeroom upgrades at Dimboola Swimming Pool.
Seek funding to develop a Masterplan for the Dimboola Recreation Reserve	Q1. Council was unsuccessful with the grant application for masterplan development.
Seek funding to undertake a solar assessment on Council buildings and halls	
Construction of shade structures at Dimboola and Nhill Skateparks	Q1. Council has allocated funding through LRCI Phase 3. 8m x 4m cantilever structures have been ordered for the Dimboola and Nhill Skateparks with construction expected to be completed by the end of 2022.
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	Q1. Council continues to have representatives on the Western Highway Action Committee, Regional Transport Group and Hindmarsh Landcare Network
Continue to advocate for funding for Davis Park improvements	Q1. Council continues to advocate for funding the improvements to Davis Park. An election commitment has been recently made by member for

	Lowan Emma Kealy of \$900,000 towards improvements should the liberal / national parties win government.
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Theme Three – Competitive and Innovative Economy

Action Item	Update on Action
Upgrades to ensuites at Dimboola Caravan Park	
Provide the business assistance grants program	Q1. Round 1 of the Business Assistance Grants Program will be recommended to Council on 26 October 2022.
Promote Hindmarsh as a tourism destination to stop, stay and play	Q1. Council continues to update the Visit Hindmarsh website with relevant information, and regularly posts on the Visit Hindmarsh Facebook page.
Partner with West Vic Business to provide events and education for Hindmarsh businesses to come together, network and learn	Q1. Council hosted a Hindmarsh Business Networking Session in Rainbow in September. We are planning the next quarterly meeting for Dimboola, with a date yet to be determined.
Tourism information available in Hindmarsh Shire business	Q1. Council has recently received the new Jeparit, Rainbow and Nhill brochures and awaiting an update of the Dimboola and HSC brochures. A brochure order form is currently being updated with the new brochures and will be circulated to local businesses and Visitor Information Centres.
Seek funding for continued development of Hindmarsh Shire Caravan Parks including a Masterplan for Nhill Caravan Park	Q1. Council received funding through the Regional Tourism Investment Funding for an additional six cabins (1 Jeparit; 2 Rainbow; 3 Dimboola). The development of a masterplan for Nhill Caravan Park will commence in early 2023.
Implementation of Council's economic development strategy	
Seek funding and implement components of the Wimmera Mallee Pioneer Museum Masterplan	Q1. A key priority of the Masterplan, a Collection Significance Assessment has been completed. Funding opportunities are continuously looked for. Council officers will continue to

	recommend the committee look at the initial priorities, re-arranging of displays in-line with the masterplan that can be achieved with no funding required.
Support Wimmera Development Association housing strategy	Q1. Council continues to attend WDA housing strategy meetings.
Commence Silo Art at Llew Schilling Silo in Rainbow and Arkona Silo	Q1. Planning and designs continue to be worked through for the Llew Schilling Silo. Drop-in sessions will be held in late October for Rainbow community members to view the initial designs and provide feedback.
Construct new amenities at Rainbow Caravan Park	Q1. A report will be presented to the 26 October Council meeting recommending awarding the contract for new amenities at the Rainbow Caravan Park.

Theme Four – Good Governance & Financial Sustainability

Action Item	Update on Action
Implementation of strategies identified in the Workforce Plan	Q1. The development of an Employee Survey in underway, which HR currently finalising the content to cover both Gender Equality and Workforce Plan requirements. The Gender Equality Action Plan has been developed and approved by the Commission. Recruitment, induction, position descriptions and onboarding are being reviewed as part of the implementation of Happy HR. Graduate/training programs are being offered for both Business Administration roles and Environmental Health positions. Flexible workplace options continue to be implemented.
Online streaming of Council meetings through Council's Facebook page	Q1. Council amended and adopted their Governance Rules on 31 August 2022 which included changes to the use of electronic means of communication for meetings. Council will continue to livestream all future Council meetings through Council's

	Facebook Page.
Consideration of employing a trainee, or apprentice when vacancies arise throughout the year	Q1. Traineeship/Supported Study opportunities available for Business Administration and Environmental Health positions. A Customer Service trainee will commence with Council in late November 2022.
Community conversation sessions held annually in our four main towns	Q1. Community Conversation Sessions were held in October 2022 all four towns providing an update on Council projects, changes to waste management and providing an update on Capital Works. The Nhill session was livestreamed on Council's Facebook page for those unable to attend in person.
Drop-in sessions held allowing for community input on key documents or projects	Q1. Drop-in sessions were recently held in Nhill seeking input on the Nhill Streetscape Plan implementation.
Update Long Term Financial Plan	Q1. The updated Long Term Financial Plan was adopted by Council on 29 June 2022 as part of the annual budget.
Quarterly finance reporting to Council	Q1. Quarterly financial reports are presented to Council with quarter 1 presented to the 26 October Council meeting.
Ensure Council representation on Wimmera Development Association, Rural Council's Victoria, and Municipal Association of Victoria	Q1. Council continues to have representatives on the WDA, RCV and MAV.
Quarterly Council plan reporting to Council	Q1. The first quarter update is being provided to Council on 26 October 2022.
Implementation of gender equality action plan	Q1. The GEAP actions are currently being implemented by the Human Resources team as well as Manager Governance and Human Services. This includes redeveloping Council's Gender Equality Leadership Statement, planning training around inclusion, gender-based discrimination and sexual harassment, and event planning for International Women's Day and 16 Days of

	Activism. Gender Impact Assessments are also being undertaken for all policies, plans and projects that have a direct and significant impact on the community.
Collaborate with Horsham Rural City Council, and Loddon Shire to implement the Rural Council Transformation Project	Q1. Council continues to collaborate with HRCC and Loddon on the implementation of the RCTP. The tender has been awarded and an implementation plan is now being developed.
Audit & Risk Committee meetings review and consider Council risks at each meeting	Q1. Council's Risk register is provided at each Audit & Risk Committee meeting for discussion and consideration.

Link to Council Plan:

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

Financial Implications:

Council's annual budget allocates funding to complete initiatives.

Risk Management Implications:

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

Relevant legislation:

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

Community engagement:

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

Gender equality implications:

A gender impact assessment was not required.

Conflict of Interest:

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

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

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

RECOMMENDATION:

That Council receives the Council Plan 2021-2025 first quarter actions 2022/2023 update.

MOVED: CRS R Gersch/R Ismay

That Council receives the Council Plan 2021-2025 first quarter actions 2022/2023 update.

CARRIED

9.4 HINDMARSH SHIRE COUNCIL COMMUNITY ACTION GRANTS 2022/2023 ROUND ONE

Responsible Officer: Director Corporate and Community Services
Attachment Number: 8

Introduction:

This report seeks Council approval to provide funding through Round 1 of the 2022/2023 Community Action Grants Program to eligible community organisations/groups.

Discussion:

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

Total annual funding of \$20,000.00 has been allocated to the program and categorised into three areas:

- Community Assistance
- Event Sponsorship
- Small Equipment

Round one of the 2022/2023 Community Action Grants Program was promoted through direct emailing to community groups, media releases on Council's website and local media, advertisements in local media as well as Facebook promotions on Council's Facebook page.

At the time of closing on Friday 30 September 2022, nine **(9)** applications were received requesting funds totaling **\$7,400.55**. The recommendation is to award funds of \$6,818.95. Total projects costs for all applications is \$31,534.25.

Category	Number of Applications	Funding Available	Total Amount Requested
Community Assistance	Three (3)	Round 2 \$20,000	\$3,000.00
Event Sponsorship	Two (2)		\$1,000.00
Small Equipment	Four (4)		\$3,400.55
TOTAL	Nine (9)		\$7,400.55

Funding applications have been assessed against the following eligibility criteria:

All applications must:

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

Ineligible Applications:

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

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

Assessment Criteria

Applications will be assessed against a set of Assessment Criteria.

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

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

Community Assistance

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

There were three (3) applications in this category for this round, requesting a total of **\$3,000**.

Applicants:

1. **Jeparit Golf Club** seeks funding of \$1,000.00 to assist with the purchase and installation of a sprinkler system at the forecourt of the clubrooms. The installation of a sprinkler system will improve the aesthetics and functionality of the clubrooms that are used by the Jeparit Golf and Angling Clubs.

The fully automatic irrigation system would be supplied and installed by Wimmera Aquatrail, who have quoted \$4,225.00.

Based on the application, the recommendation is to grant funding of \$1,000.00.

The Jeparit Golf Club will contribute \$3,225.00 of cash and in-kind support to complete the project.

2. **Lowan Lodge 107** seeks funding of \$1,000.00 to assist with the painting of the

interior of the meeting room which hasn't been painted in over 30 years. Painting the meeting room will improve its aesthetics and lighting and provide a more welcoming appearance to the interior of the building.

Based on the application, the recommendation is to grant funding of \$1,000.00.

Lowan Lodge will contribute \$500.00 of cash and in-kind support to complete the project.

- 3. Nhill A & P Society Inc.** seeks funding of \$1,000.00 towards the cost of painting the interior and exterior of the brick toilet block at Nhill Showgrounds (Caravan Park entrance), as "currently it is quite old and requires painting to improve its appearance and condition".

Based on the application, the recommendation is to grant funding of \$1,000.00.

Nhill A&P Society will contribute \$1,773.00 of cash and in-kind support to complete the project.

Event Sponsorship

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

There were two **(2)** applications with a total funding request of **\$1,000.00**.

Applicants:

- 1. Dimboola Rowing Club** seeks funding of \$500.00 as sponsorship of its annual two-day rowing regatta. Sponsorship will enable the club to promote the regatta and the sport of rowing to assist in increasing participation rates. The Dimboola Rowing Regatta is considered as one of the best in regional Victoria and attracts rowers from Victoria, South Australia and New South Wales clubs and schools.

Based on the application, the recommendation is to grant funding of \$500.00 with the consideration of an increased funding allocation amount due to the potential of a substantial community and state-wide attendance.

- 2. Boyeo Hall & Recreational Reserve** seeks funding of \$500.00 to purchase catering supplies for the Boyeo Christmas Tree event to be held at the Boyeo Recreational reserve & Public Hall on Sunday the 18th of December 2022. This event will see people of the community and surrounds come together and reestablish connections with neighbors and friends.

Based on the application, the recommendation is to grant funding of \$500.00.

Small Equipment

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

There were four **(4)** applications with funding requests totaling **\$3,400.55**.

Applicants:

1. **Lions Club of Nhill Inc.** seeks funding of \$829.95 to assist with the purchase and installation of blinds to cover three windows that attract sun glare., The blinds will assist in eradicating sun glare as well as improving energy costs through improved efficiencies with the heating and cooling costs of the building.
Based on the application, the recommendation is to grant funding of \$829.95.
Nhill Lions Club will contribute \$186.85 towards the cost of this project.

2. **Nhill Golf Club Inc.** seeks funding of \$989.00 for the purchase of an iPad for cashless income receipts, and to assist with general administration of club operations. Currently, a member's personal iPad is being borrowed and used for these purposes.
Based on the application, the recommendation is to grant funding of \$989.00.

3. **Rainbow Bowls Club Inc.** seeks funding of \$1,000.00 to assist with the replacement of a ride-on lawn mower with catcher. The new ride-on mower will assist in maintaining the grounds of the club and surrounds. The up-keep and cleanliness of the club and its surrounds is necessary for the hiring of functions and use of the Rainbow Bowls Clubrooms.
Based on the application, the recommendation is to grant funds of \$1,000.00.
Rainbow Bowls Club will contribute \$3,748.70 towards the cost of purchasing the new ride-on mower.

4. **Nhill & District Historical Society Inc.** seeks funding of \$581.60 for the purchase of male mannequins for displaying uniforms of Pipe Band, Brass Band, Defence Force and School in the museum for exhibitions. These mannequins will allow them to display the history of the district community organisations to the community.
Based on the application, the recommendation is to not grant funding, as the Nhill & District Historical Society are deemed ineligible due to receiving funds in November 2021 from the Community Action Grants Program for small equipment.

Application summary:

Applicant	Amount Requested	Total Project Cost	Recommended Allocation
Community Assistance - \$1000			
Jeparit Golf Club	\$1,000.00	\$4,225.00	\$1,000.00
Lowan Lodge 107	\$1,000.00	\$1,500.00	\$1,000.00
Nhill A&P Society	\$1,000.00	\$2,773.00	\$1,000.00
TOTAL	\$3,000.00	\$8,498.00	\$3,000.00
Event Sponsorship - \$500			
Dimboola Rowing Club	\$500.00	\$14,822.00	\$500.00
Boyeo Hall & Rec Reserve	\$500.00	\$840	\$500.00
TOTAL	\$1,000.00	\$15,662.00	\$1,000.00
Small Equipment - \$1,000			

Nhill Lions Club	\$829.95	\$1,054.95	\$829.95
Nhill Golf Club	\$989.00	\$989.00	\$989.00
Nhill & District Historical Society	\$581.60	\$581.60	\$0.00
Rainbow Bowls Club	\$1,000.00	\$4,748.70	\$1,000.00
TOTAL	\$3,400.55	\$7,374.25	\$2,818.95
FULL TOTAL	\$7,400.55	\$31,534.25	\$6,818.95

Options

Council can choose to support some or all, partly or in full, or none of the applications to Round One of the Hindmarsh Shire Council Community Action Grants 2022/2023.

Link to Council & Community Plans:

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

Strategic Objectives:

Theme One - Our Community

- A community well informed and engaged
- Communities that feel safe and are resilient
- Provide arts and cultural activities that strengthen social connection
- A range of effective and accessible services to support the health and wellbeing of our community
- Support healthy living and provide services and activities for people of all ages and abilities.
- Assist our Community to recover from COVID-19
- Digital connectivity to support learning and work

Theme Two – Built and Natural Environment

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

Theme Three – Competitive and Innovative Economy

- Develop and promote local tourism opportunities that attract visitation

Financial Implications:

Council has allocated \$20,000.00 to the Community Action Grants Program for the 2022/2023 financial year.

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 – Georgia Gelligan, Community Development and Youth Officer

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

Risk Management Implications:

Risks are to be managed by the successful applicants.

Communications Strategy

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

RECOMMENDATION:

That based on the eligibility and assessment criteria, Council approves the following funding allocations:

Community Assistance

- 1. A grant of \$1,000.00 – Jeparit Golf Club***
- 2. A grant of \$1,000.00 – Lowan Lodge 107***
- 3. A grant of \$1,000.00 – Nhill A&P Society***

Event Sponsorship

- 1. A grant of \$500.00 – Dimboola Rowing Club***
- 2. A grant of \$500.00 – Boyeo Hall & Recreation Reserve***

Small Equipment

- 1. A grant of \$829.95 – Lions Club of Nhill***
- 2. A grant of \$989.00 – Nhill Golf Club***
- 3. A grant of \$1,000.00 – Rainbow Bowls Club***

Unsuccessful Applicants:

Small Equipment

- 1. A grant of \$581.60 – Nhill and District Historical Society***

TOTAL RECOMMENDED FUNDING ALLOCATED: \$6,818.95

MOVED: CRS R Ismay/B Ireland

That based on the eligibility and assessment criteria, Council approves the following funding allocations:

Community Assistance

- 1. A grant of \$1,000.00 – Jeparit Golf Club***

2. **A grant of \$1,000.00 – Lowan Lodge 107**
3. **A grant of \$1,000.00 – Nhill A&P Society**

Event Sponsorship

1. **A grant of \$500.00 – Dimboola Rowing Club**
2. **A grant of \$500.00 – Boyeo Hall & Recreation Reserve**

Small Equipment

1. **A grant of \$829.95 – Lions Club of Nhill**
2. **A grant of \$989.00 – Nhill Golf Club**
3. **A grant of \$1,000.00 – Rainbow Bowls Club**

Unsuccessful Applicants:

Small Equipment

1. **A grant of \$581.60 – Nhill and District Historical Society**

TOTAL RECOMMENDED FUNDING ALLOCATED: \$6,818.95

CARRIED

Attachment Number: 8

9.5 HINDMARSH SHIRE COUNCIL BUSINESS ASSISTANCE GRANTS 2022/2023 ROUND ONE

Responsible Officer: Director Corporate and Community Services
Attachment Number: 9 (Confidential)

Introduction:

This report seeks Council approval to provide funding through Round 1 of the Business Assistance Grants 2022/2023 program to eligible businesses as outlined in the following report.

Discussion:

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

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

Council has allocated \$30,000 towards the 2022/23 Business Assistance Grants program in the 2022/2023 Annual Budget.

Total funding of \$30,000 has been allocated to the program from the 2022/23 annual budget and split into 2 categories:

- *Business Development (up to \$2,000)*
- *Streetscapes (up to \$3,000)*

Applications for Round 1 of the Business Assistance Grants Program closed at 5.00pm on Friday 30 September 2022 with six **(6)** applications received for funding totalling **\$15,964.00**.

Category	Number of Applicants	Funding Available	Total Amount Requested
Business Development	2	\$30,000	\$3,964.00
Streetscapes	4		\$12,000.00
TOTAL	6		\$15,964.00

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

All applications must:

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

Ineligible Applications

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

- General business operating expenses including salaries, wages, overheads, general business material expenses, rental costs, utility usage costs etc.,
- Legal and financial advice or market research,
- Applications made by small businesses that have outstanding amounts owing to Council (rates, permit payments etc.),
- Schools and their Parents and Friends organisations,
- Businesses owned/operated by Council staff or Councillors or relatives that prompt a perceived or actual conflict of interest,
- Projects that are clearly a duplication of an existing service,
- Retrospective funding (projects that have commenced or have been completed will not be funded),

- Businesses who have successfully obtained funding in the current or previous financial year

Assessment Criteria

Applications have been assessed against a set of Assessment Criteria:

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

Business Development: up to \$2,000 (business must match \$1: \$2 of grant)

This grant supports the establishment of new and innovative businesses that increase diversity of the Shire’s business community and provide the potential for local residents to start new businesses.

Applications:

Two (2) applications were received for Business Development in this round of Business Assistance Grants.

1. **Daring2venture** seeks funding of \$2,000 to help towards business set up and marketing and social media cost for guided motorcycle expeditions and tours. Daring2venture is based in Rainbow and the company organises tours for motorbike enthusiasts through and around the numerous Parks and unique landscapes of Hindmarsh.
The business aims to attract more people to the area to participate in guided tours, who in turn will stay locally and thereby provide economic benefits to local businesses.
Based on the application, the recommendation is to grant funding of \$2,000.
2. **Rough Jewels Enterprise** seeks funding of \$1,964 to help with the creation and updating of their business, marketing and succession plans to ensure the enterprise is set up correctly to support residents of the local community members with

disabilities or those who feel isolated. The business provides direction and support by encouraging and enhancing people’s skill in creating and selling products, including jewelry, candles, soaps, pocket hugs and bookmarks.

Based on the application, the recommendation is to grant funds of \$1,963.

Streetscapes: up to \$3000 (business must match \$1: \$2 of grant)

This grant is open to existing businesses to improve the exterior façade of their building (must have property owners approval).

Applications:

Four (4) applications were received for Streetscapes in this round of Business Assistance Grants.

1. **AVRR Group-Nhill Dine Inn** seeks funding of \$3,000 towards improving the street view of Nhill Dine Inn. Improvements will include painting and new signage to the front of the building.

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

Total project cost is \$5,000.

2. **Nhill and District Funerals** seeks funding of \$3,000 to carry out repairs to the driveway and gutters, install new signage and to generally improve the appearance of the front of the building.

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

Total project cost is \$7,470.00.

3. **Turbo Gallery** seeks funding of \$3,000 towards the purchase of an outdoor, weather and tamperproof digital kiosk. This kiosk will provide local residents and visitors with up-to-date information about upcoming events and what’s on at the gallery through this visual and interactive display.

Based on the application, the recommendation is to grant funds of \$3,000 on the condition that an additional amount of \$12,510.00 is received from Creative Spaces, a Victorian Government grant program.

Total project cost is \$15,510.00.

4. **The Rainbow Newsagency** seeks funding of \$3,000 to improve the street view of the business by carrying out repairs to the verandah and signage and to assist in repairing a wall that is cracking causing the render to lift off in a couple of sections which is impacting an art mural. Based on the application, the recommendation is to grant funds of \$3,000.

Total project cost is \$4,575.00.

Applicant	Amount Requested	Total Project Cost	Recommended Allocation
<i>Business Development</i>			
Daring2venture	\$2,000	\$31,050	\$2,000

Rough Jewel Enterprise	\$1,964	\$3,854	\$1,964
TOTAL	\$3,964	\$34,904	\$3,964
Streetscapes			
AVRR Group-Nhill Dine Inn	\$3,000	\$5,000	\$3,000
Nhill & District Funerals	\$3,000	\$7,470	\$3,000
Turbo Gallery	\$3,000	\$15,510	\$3,000
The Rainbow Newsagency	\$3,000	\$4,575	\$3,000
TOTAL	\$12,000	\$32,555	\$12,000
FULL TOTAL	\$15,964.00	\$67,459.00	\$15,964.00

Options:

Council can choose to support some or all, partly or in full, or none of the applications to the Hindmarsh Shire Council Business Assistance Grants 2022/2023

Successful applicants would be required to complete their projects and acquit the funds received by 30 June 2023.

Link to Council Plan:

Facilitating and supporting economic development:

Provide support to Hindmarsh businesses through buy local campaigns.

Council purchasing locally and promote business assistance grants.

Financial Implications:

Total funding available for 2022/23 Business Assistance Grants is \$30,000. This is made up of the 2022/2023 budget allocation of \$30,000.

Risk Management Implications:

Each applicant has been requested to complete a project risk assessment as part of the application process.

Relevant legislation:

Local Government Act 2020

Community engagement:

The Business Assistance Grants 2022/2023 program has been widely publicised through media releases, social media and Council's website.

Gender equality implications:

No gender impact assessment is required.

Conflict of Interest:

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

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

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

Author – Jennie Hauselberger, Community Development and Project Officer.

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

Communications Strategy:

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

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

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

RECOMMENDATION:

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

Business Development

- 1. \$2,000 to Daring2venture***
- 2. \$1,964 to Rough Jewels Enterprise***

Streetscapes

- 1. \$3,000 to AVRR Group-Nhill Dine Inn***
- 2. \$3,000 to Nhill & District Funerals***
- 3. \$3,000 to Turbo Gallery-Rainbow***
- 4. \$3,000 to The Rainbow Newsagency***

TOTAL RECOMMENDED FUNDING ALLOCATED ROUND ONE: \$15,964.00

MOVED: CRS W Bywaters/R Gersch

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

Business Development

- 1. \$2,000 to Daring2venture***
- 2. \$1,964 to Rough Jewels Enterprise***

Streetscapes

- 1. \$3,000 to AVRR Group-Nhill Dine Inn***

2. **\$3,000 to Nhill & District Funerals**
3. **\$3,000 to Turbo Gallery-Rainbow, on the condition that the additional amount of \$12,510.00 is received from Creative Spaces, a Victorian Government Grant Program**
4. **\$3,000 to The Rainbow Newsagency**

TOTAL RECOMMENDED FUNDING ALLOCATED ROUND ONE: \$15,964.00

CARRIED

Attachment Number: 9

9.6 HINDMARSH SHIRE AUDIT AND RISK COMMITTEE REPORT

Responsible Officer: Director Corporate and Community Services

Attachment Number: 10

Introduction:

This report presents to Council the Audit and Risk Committee report for the period March to September 2022.

Discussion:

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

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

Link to Council Plan:

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

Financial Implications:

Nil

Risk Management Implications:

The Audit and Risk Committee is an independent advisory committee of Council and assist to strengthen Council to ensure Council's commitment to good governance, public transparency, and accountability.

Relevant legislation:

Local Government Act 2020

Gender equality implications:

Not applicable

Conflict of Interest:

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

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

Communications Strategy:

Not applicable

RECOMMENDATION:

That Council notes the Audit and Risk Committee report for the period March to September 2022.

MOVED: CRS B Ireland/D Nelson

That Council notes the Audit and Risk Committee report for the period March to September 2022.

CARRIED

Attachment Number: 10

9.7 FINANCIAL REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2022

Responsible Officer: Director Corporate and Community Services

Attachment Number: 11

Introduction:

The Financial Report for the first quarter of the 2022/2023 financial year has been prepared, including explanations of variances where applicable, and is presented for the information of Council.

RECOMMENDATION:

That Council notes the Financial Report for the period ending 30 September 2022 as presented.

MOVED: CRS B Ireland/R Ismay

That Council notes the Financial Report for the period ending 30 September 2022 as presented.

CARRIED

Attachment Number: 11

10 COUNCIL COMMITTEES

10.1 HINDMARSH SHIRE AUDIT AND RISK COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Numbers: 12 – 13

Introduction:

The Hindmarsh Audit and Risk Committee held a meeting on 21 September 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:

- 1. minutes of the Hindmarsh Shire Audit and Risk Committee meeting held on 21 September 2022;*
- 2. resignation of Krista Thiele from the Committee; and*
- 3. resignation of Bernard Young from the Committee on 18 October 2022.*

MOVED: CRS R Ismay/D Nelson

That Council notes the:

- 1. minutes of the Hindmarsh Shire Audit and Risk Committee meeting held on 21 September 2022;*
- 2. resignation of Krista Thiele from the Committee; and*
- 3. resignation of Bernard Young from the Committee on 18 October 2022.*

CARRIED

Attachment Number: 12 – 13

10.2 JEPARIT TOWNSHIP ADVISORY COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Number: 14

Introduction:

The Jeparit Township Advisory Committee held a meeting on 18 September 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 Jeparit Township Advisory Committee meeting held on 18 September 2022.

MOVED: CRS B Ireland/W Bywaters

That Council notes the minutes of the Jeparit Township Advisory Committee meeting held on 18 September 2022.

CARRIED

Attachment Number: 14

10.3 NHILL TOWNSHIP ADVISORY COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Number: 15

Introduction:

The Nhill Township Advisory Committee held a meeting on 19 September 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 Nhill Township Advisory Committee meeting held on 19 September 2022.

MOVED: CRS R Gersch/D Nelson

That Council notes the minutes of the Nhill Township Advisory Committee meeting held on 19 September 2022.

CARRIED

Attachment Number: 15

10.4 WIMMERA MALLEE PIONEER MUSEUM COMMUNITY ASSET COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Number: 16

Introduction:

The Wimmera Mallee Pioneer Museum Community Asset Committee held a meeting on 20 September 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 Wimmera Mallee Pioneer Museum Community Asset Committee meeting held on 20 September 2022.

MOVED: CRS W Bywaters/B Ireland

That Council notes the minutes of the Wimmera Mallee Pioneer Museum Community Asset Committee meeting held on 20 September 2022.

CARRIED

Attachment Number: 16

11 LATE REPORTS

No late reports.

12 NOTICES OF MOTION

No notices of motion.

13 OTHER BUSINESS

MOVED: CRS W Bywaters/D Nelson

That the membership of the Australian Local Government Women's Association of Victoria be an allowable expense for all Councillors in the future.

CARRIED

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 part IV of the *Freedom of Information Act 1982*, and 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, and/or Part IV of the Freedom of Information Act 1982:

- 14.1 *LGBTIQ+ REFERENCE GROUP – this report contains “personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs” insofar as it pertains to personal matters;***
- 14.2 *FINAL EXTENSION OF WASTE CONTRACTS – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters.***
- 14.3 *CONTRACT AWARD 2022-2023-09 TRACK WORKS FOR THE WIMMERA RIVER DISCOVERY TRAIL – this report contains “Council business information, being information that would prejudice the Council’s position in***

- commercial negotiations if prematurely released” insofar as it pertains to contractual matters;*
- 14.4 CONTRACT AWARD 2022-2023-08 DESIGN, CONSTRUCTION, FIT OUT & INSTALLATION OF ONE (1) DEMOUNTABLE CARAVAN PARK AMENITIES BUILDING – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;**
- 14.5 CONTRACT AWARD 2022-2023-03 DESIGN, CONSTRUCTION, FIT OUT & INSTALLATION OF SIX (6) DEMOUNTABLE CARAVAN PARK ACCOMMODATION UNITS – 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**
- 15.3 CONTRACT AWARD 2022-2023-06 SWIMMING POOL UPGRADES – 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, and/or Part IV of the Freedom of Information Act 1982:

- 14.1 LGBTIQ+ REFERENCE GROUP – this report contains “personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs” insofar as it pertains to personal matters;**
- 14.2 FINAL EXTENSION OF WASTE CONTRACTS – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters.**
- 14.3 CONTRACT AWARD 2022-2023-09 TRACK WORKS FOR THE WIMMERA RIVER DISCOVERY TRAIL – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;**
- 14.4 CONTRACT AWARD 2022-2023-08 DESIGN, CONSTRUCTION, FIT OUT & INSTALLATION OF ONE (1) DEMOUNTABLE CARAVAN PARK AMENITIES BUILDING – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;**

- 14.5 CONTRACT AWARD 2022-2023-03 DESIGN, CONSTRUCTION, FIT OUT & INSTALLATION OF SIX (6) DEMOUNTABLE CARAVAN PARK ACCOMMODATION UNITS – 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**
- 15.3 CONTRACT AWARD 2022-2023-06 SWIMMING POOL UPGRADES – 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 LATE CONFIDENTIAL REPORTS

16 MEETING CLOSE

There being no further business, Cr M Albrecht declared the meeting closed at 5:20pm.



MINUTES OF THE ANNUAL STATUTORY MEETING OF THE HINDMARSH SHIRE COUNCIL HELD 9 NOVEMBER 2022 AT THE NHILL MEMORIAL COMMUNITY CENTRE, 77-79 NELSON STREET NHILL COMMENCING AT 6:06PM.

AGENDA

1 WELCOME	2
2 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER	2
3 APOLOGIES	2
4 MAYORAL REPORT 2021/2022	2
5 TERM OF OFFICE OF MAYOR	3
6 ELECTION OF MAYOR – CHIEF EXECUTIVE OFFICER	3
7 CONGRATULATORY REMARKS TO MAYOR	4
8 MAYORAL RESPONSE	4
9 DETERMINATION OF POSITION OF DEPUTY MAYOR	4
10 ELECTION OF DEPUTY MAYOR – CHIEF EXECUTIVE OFFICER	5
11 APPOINTMENT OF DELEGATES TO COUNCIL COMMITTEES AND EXTERNAL ORGANISATIONS	5
12 DATE OF NEXT ANNUAL MEETING	7
13 MEETING CLOSE	7

Present:

Crs M Albrecht, B Ireland, R Ismay, R Gersch, D Nelson and W Bywaters (via Zoom).

In Attendance:

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

1 WELCOME

The Chief Executive Officer, Mr Greg Wood, declared the meeting open at 6:06pm.

2 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Mr G Wood acknowledged the Indigenous Community.

3 APOLOGIES

No apologies.

4 MAYORAL REPORT 2021/2022

Cr Melanie Albrecht to present the Mayor's report for 2021/2022.

Mayoral Report 2021/2022

Cr Melanie Albrecht presented a verbal Mayoral report for 2021/2022.

RECOMMENDATION:

That Council accepts the outgoing Mayor's report for 2021/2022.

MOVED: CRS R Ismay/B Ireland

That Council accepts the outgoing Mayor's report for 2021/2022.

CARRIED

5 TERM OF OFFICE OF MAYOR

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

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

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

RECOMMENDATION:

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

MOVED: CRS B Ireland/M Albrecht

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

CARRIED

6 ELECTION OF MAYOR – CHIEF EXECUTIVE OFFICER

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

25 Election of Mayor

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

- (6) *If only one Councillor is a candidate for Mayor, the meeting must declare that Councillor to be duly elected as Mayor.*
- (7) *In this section, **absolute majority** means the number of Councillors which is greater than half the total number of the Councillors of a Council.*

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

**Cr R Gersch nominated Cr B Ireland, seconded by Cr R Ismay.
Cr D Nelson nominated Cr W Bywaters, seconded by Cr R Ismay.**

Voting was by a show of hands.

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

Following declaration of voting, Cr B Ireland assumed the chair as Mayor.

7 CONGRATULATORY REMARKS TO MAYOR

Councillors congratulated Mayor.

8 MAYORAL RESPONSE

Incoming Mayor thanked Councillors for their support.

9 DETERMINATION OF POSITION OF DEPUTY MAYOR

Pursuant to the *Local Government Act 2020*:

Section 20A Office of Deputy Mayor

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

RECOMMENDATION:

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

MOVED: CRS M Albrecht/R Ismay

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

CARRIED

10 ELECTION OF DEPUTY MAYOR – CHIEF EXECUTIVE OFFICER

The Chief Executive Officer will conduct the election for a Deputy Mayor.

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

27 Election of Deputy Mayor

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

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

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

Voting was by a show of hands.

Cr M Albrecht was declared elected 4 votes to 2 votes.

11 APPOINTMENT OF DELEGATES TO COUNCIL COMMITTEES AND EXTERNAL ORGANISATIONS

The following Council organisations and external committees require the appointment of Council delegates for the period 2022/2023.

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

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

Previous delegates, and appointments, are listed for convenience.

No.	COUNCIL ADVISORY COMMITTEES	2021/2022 DELEGATE	2022/2023 DELEGATE
1	Audit Committee (2 required)	Cr D Nelson Cr M Albrecht	Cr D Nelson Cr B Ireland
2	Nhill Aerodrome Master Plan Advisory Committee	Cr W Bywaters	Cr W Bywaters
3	Nhill Town Committee	Cr M Albrecht	Cr M Albrecht
4	Dimboola Town Committee	Cr D Nelson	Cr D Nelson
5	Jeparit Town Committee	Cr B Ireland	Cr B Ireland
6	Rainbow Town Committee	Cr R Ismay	Cr R Ismay
7	LGBTIQ+ Reference Group	New committee	Cr M Albrecht
	COMMUNITY ASSET COMMITTEES		
8	Rainbow Civic Centre Committee	Cr B Ireland	Cr B Ireland
9	Rainbow Recreation Reserve Committee	Cr R Ismay	Cr R Ismay
10	Wimmera Mallee Pioneer Museum Committee	Cr B Ireland	Cr B Ireland
11	Yurunga Homestead Committee	Cr B Ireland	Cr B Ireland
	EXTERNAL ORGANISATIONS		
12	Municipal Association of Victoria (Mayor and Deputy Mayor as substitute)	Cr M Albrecht Cr B Ireland (Substitute)	Cr B Ireland (Mayor) Cr M Albrecht (Deputy Mayor/substitute)
13	National General Assembly of Local Government (Mayor and Deputy Mayor as substitute)	Cr M Albrecht Cr B Ireland (Substitute)	Cr B Ireland (Mayor) Cr M Albrecht (Deputy Mayor/substitute)
14	Rural Councils Victoria	Cr R Gersch	Cr R Gersch
15	North West Municipalities Association	Cr R Gersch	Cr R Gersch
16	Wimmera Development Association	Cr M Albrecht	Cr M Albrecht
17	Wimmera Regional Transport Group	Cr R Gersch	Cr R Gersch
18	Western Highway Action Committee	Cr R Ismay	Cr R Ismay
19	Rail Freight Alliance	Cr R Ismay	Cr R Ismay
20	Wimmera Mallee Tourism Association	Cr R Ismay	Cr R Ismay
21	Hindmarsh Landcare Network	Cr W Bywaters	Cr W Bywaters
22	Wimmera Mallee Sustainability Alliance	Cr D Nelson	No delegate
23	Local Learning and Employment Network	Cr D Nelson	Cr D Nelson
24	Strategic Meetings on Recycling and Waste Matters	Cr R Gersch	Cr R Gersch

RECOMMENDATION:

That the Council delegates for 2022/2023 as proposed be adopted.

MOVED: CR R Gersch/R Ismay

That the Council delegates for 2022/2023 as proposed be adopted.

CARRIED

12 DATE OF NEXT ANNUAL MEETING

The date of the next Annual Meeting must be held to allow for the election of the next Mayor, on a day to be determined by the Council, that is as close to the end of the mayoral term as is reasonably practicable.

RECOMMENDATION:

That a Special Meeting to elect a Mayor, Deputy Mayor and appoint delegates be held at 6pm Wednesday 8 November 2023 at the Nhill Memorial Community Centre, 77-79 Nelson Street, Nhill.

MOVED: CRS M Albrecht/R Gersch

That a Special Meeting to elect a Mayor, Deputy Mayor and appoint delegates be held at 6pm Wednesday 8 November 2023 at the Nhill Memorial Community Centre, 77-79 Nelson Street, Nhill.

CARRIED

13 MEETING CLOSE

There being no further business, Cr B Ireland declared the meeting closed at 6:26pm.

Proposed Service Station
At 56-58 Victoria St
Nhill VIC 3418

DRAWING SCHEDULE

- DA001 EXISTING SITE PLAN
- DA002 EXISTING BUILDING ELEVATIONS
- DA003 DEMOLITION SITE PLAN
- DA004 PROPOSED SITE PLAN
- DA005 PROPOSED SHOP FLOOR PLAN
- DA006 PROPOSED ROOF PLAN AND ELEVATIONS
- DA007 PROPOSED FUEL CANOPY & ELEVATIONS
- DA008 PROPOSED SIGNAGE DETAILS
- DA009 PROPOSED SIGNAGE PLAN
- SURVEY
- SWEPT PATHS FOR LIGHT AND HEAVY VEHICLES



Site Photo

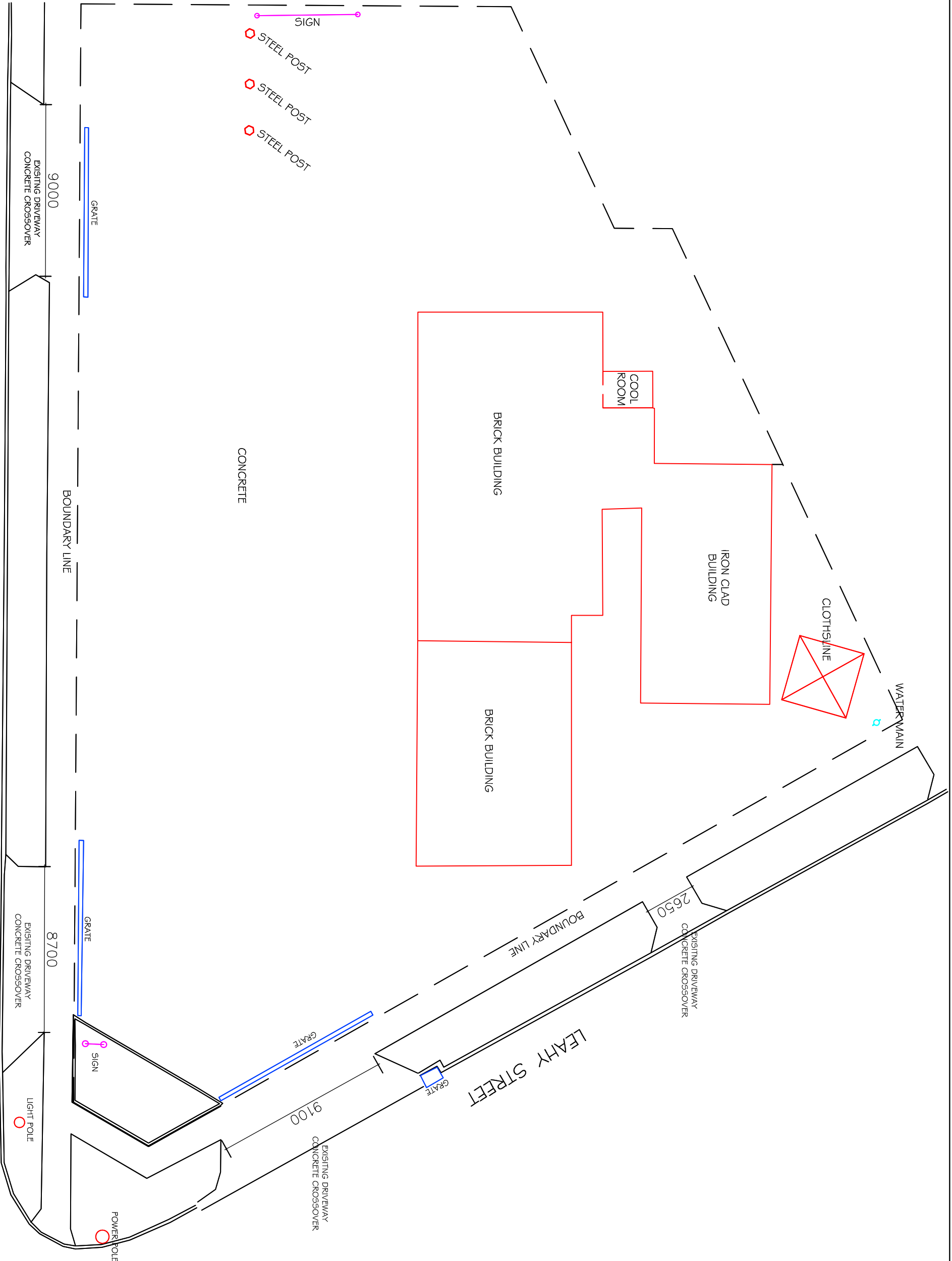


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20/07/2022



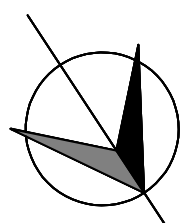
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ISSUE	AMENDMENT	DRAWN	DATE
A	ISSUED FOR DISCUSSION	MB	16/02/2021
B	AMENDED DIMENSIONS TO CROSSOVERS	MB	09/11/2021
C	AMENDED ISSUED FOR DISCUSSION	MB	20/07/2022

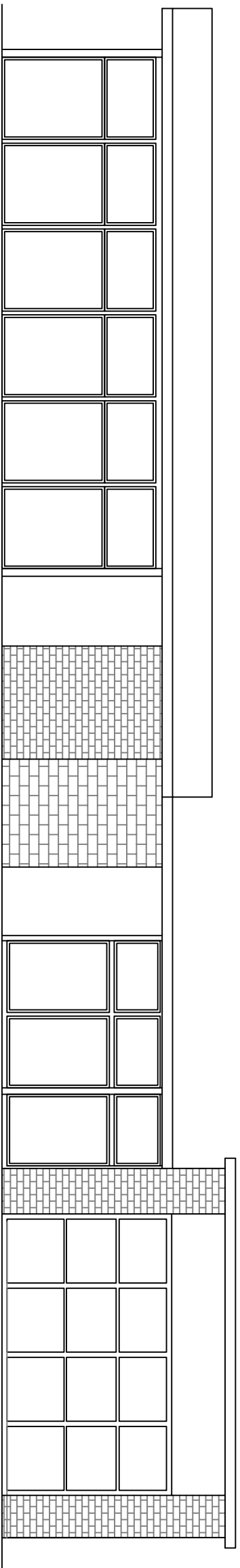
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 PROJECT: 56-58 VICTORIA ST, NHILL
 VICTORIA 3418

TITLE: EXISTING SITE PLAN
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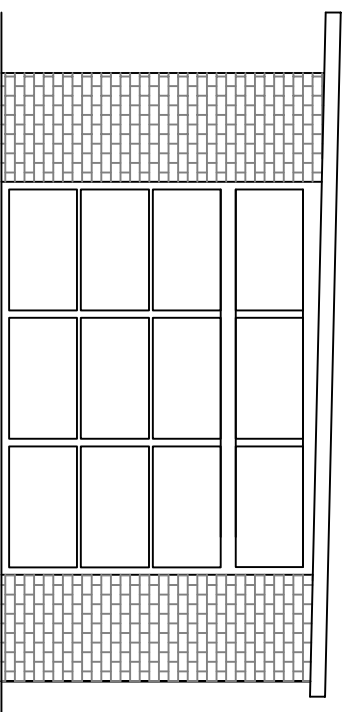
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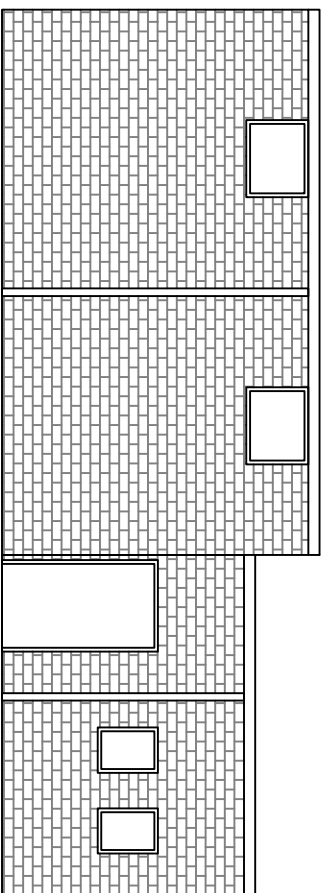
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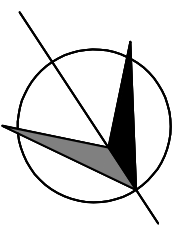
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



ISSUE	AMENDMENT	DRAWN	DATE
A	ISSUED FOR DISCUSSION	MB	16/02/2021
B	AMENDED ISSUED FOR DISCUSSION	MB	20/07/2022

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 PROJECT: 56-58 VICTORIA ST, NHILL
 VICTORIA 3418

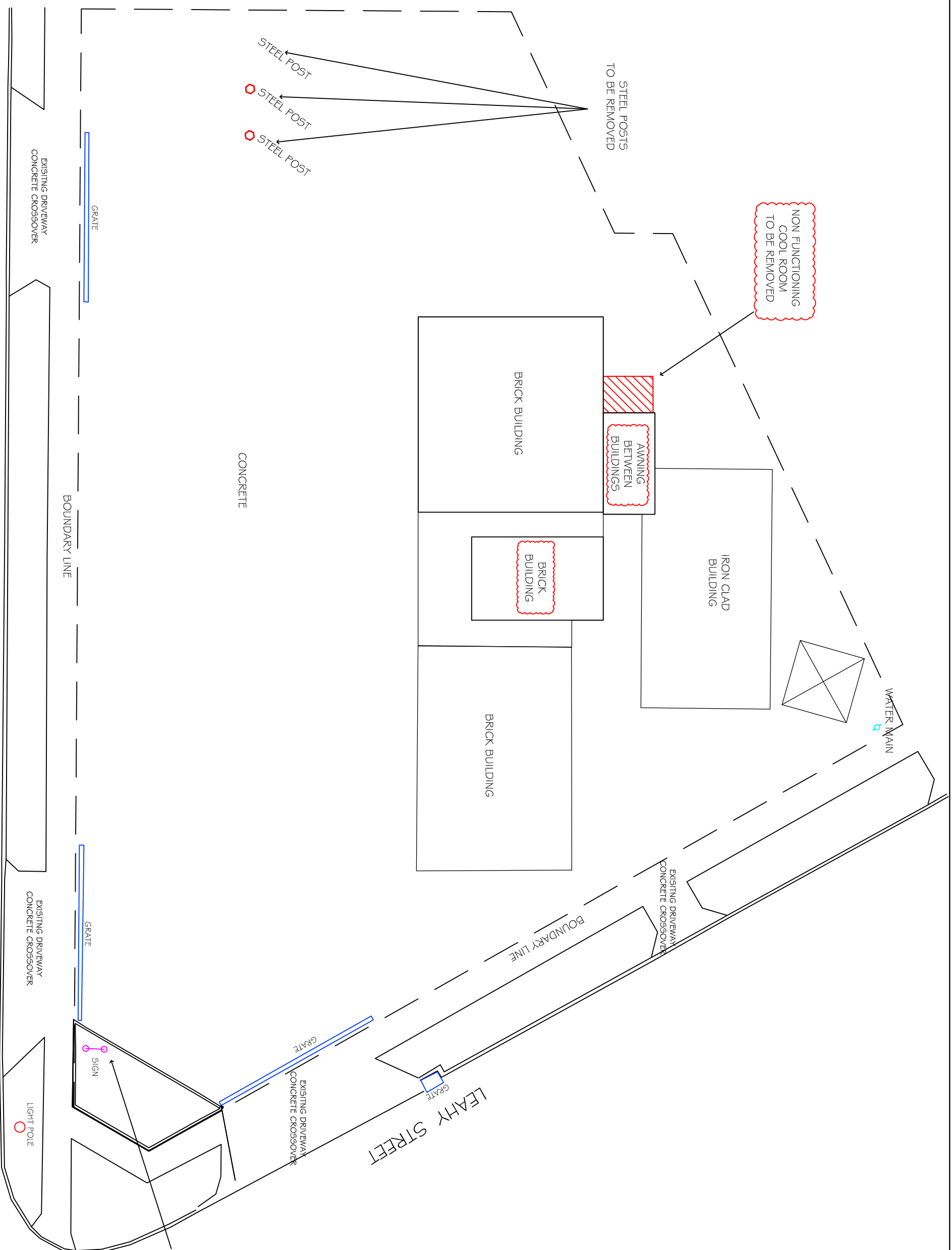
TITLE: EXISTING ELEVATIONS
 SCALE: 1:100

DATE: 16/02/2021
 SHEET SIZE: A3
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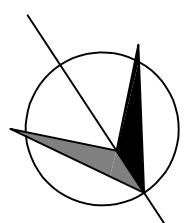


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ISSUE	AMENDMENT	DRAWN	DATE
D	AMENDED FOR DISCUSSION	MB	24/04/2022
E	AMENDED FOR DISCUSSION	MB	08/06/2022
F	AMENDED BUILDING OUTLINES WITH NOTATIONS	MB	20/07/2022

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TITLE: DEMOLITION SITE PLAN
 SCALE: 1:200

DATE: 16/02/2021
 SHEET SIZE: A3
 DWG No: DA003

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20mm drip irrigation hose on timer to all landscape beds

mulch (approx 75-100mm thick) over weed matting

native planting (100-1000 high)

LANDSCAPING TYPICAL

UNDERGROUND TANKS TO BE LOCATED ON SITE IN POSITION SHOWN

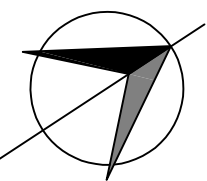
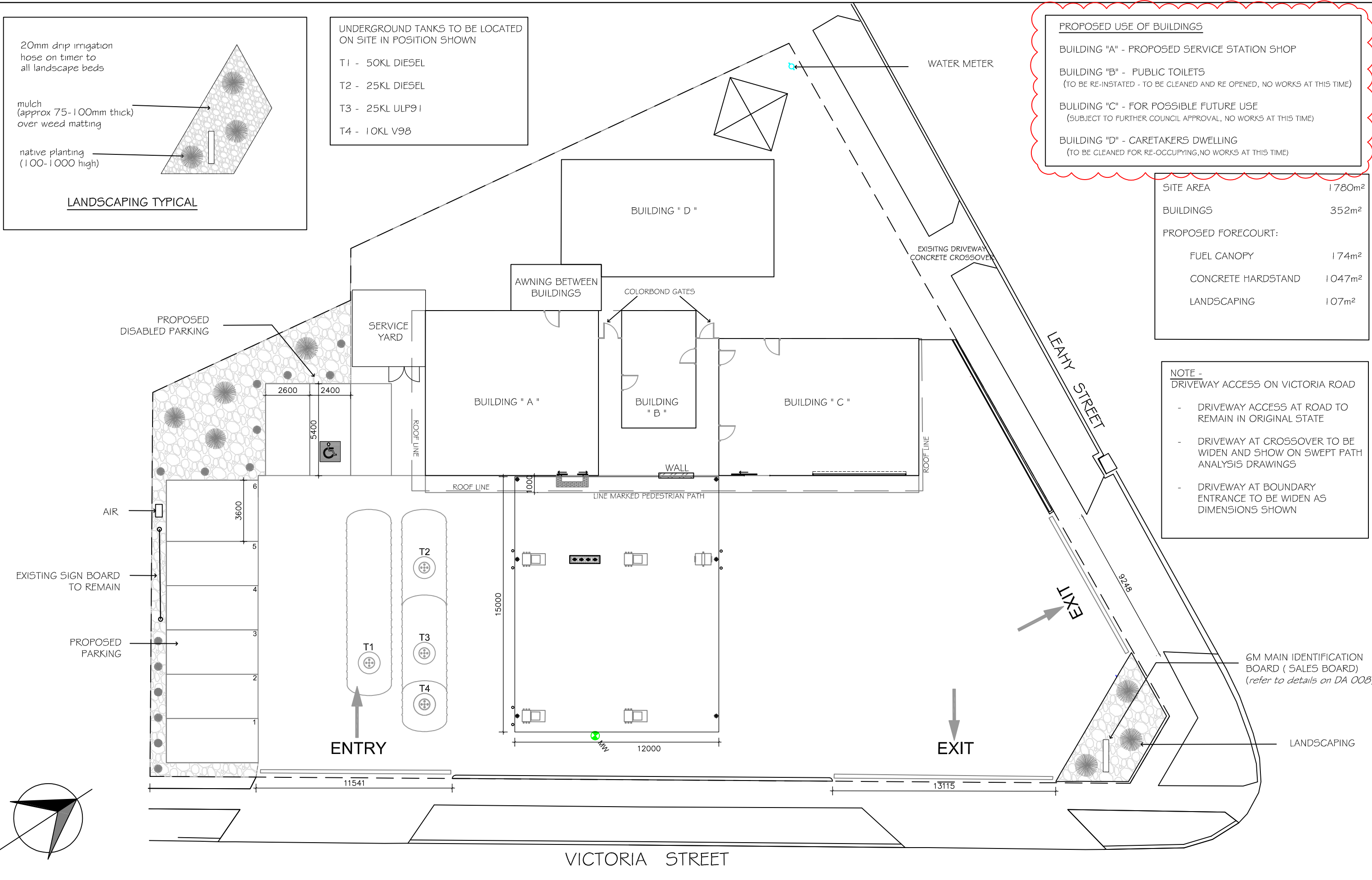
- T1 - 50KL DIESEL
- T2 - 25KL DIESEL
- T3 - 25KL ULP91
- T4 - 10KL V98

PROPOSED USE OF BUILDINGS

- BUILDING "A" - PROPOSED SERVICE STATION SHOP
- BUILDING "B" - PUBLIC TOILETS
(TO BE RE-INSTATED - TO BE CLEANED AND RE OPENED, NO WORKS AT THIS TIME)
- BUILDING "C" - FOR POSSIBLE FUTURE USE
(SUBJECT TO FURTHER COUNCIL APPROVAL, NO WORKS AT THIS TIME)
- BUILDING "D" - CARETAKERS DWELLING
(TO BE CLEANED FOR RE-OCCUPYING, NO WORKS AT THIS TIME)

SITE AREA	1780m ²
BUILDINGS	352m ²
PROPOSED FORECOURT:	
FUEL CANOPY	174m ²
CONCRETE HARDSTAND	1047m ²
LANDSCAPING	107m ²

- NOTE - DRIVEWAY ACCESS ON VICTORIA ROAD**
- DRIVEWAY ACCESS AT ROAD TO REMAIN IN ORIGINAL STATE
 - DRIVEWAY AT CROSSOVER TO BE WIDEN AND SHOW ON SWEEP PATH ANALYSIS DRAWINGS
 - DRIVEWAY AT BOUNDARY ENTRANCE TO BE WIDEN AS DIMENSIONS SHOWN



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ISSUE	AMENDMENT	DRAWN	DATE
E	AMENDED SITE PLAN ISSUED FOR DISCUSSION	MB	24/04/2022
F	AMENDED SITE PLAN ISSUED FOR DISCUSSION	MB	08/06/2022
G	AMENDED NOTES FOR BUILDING USES	MB	20/07/2022

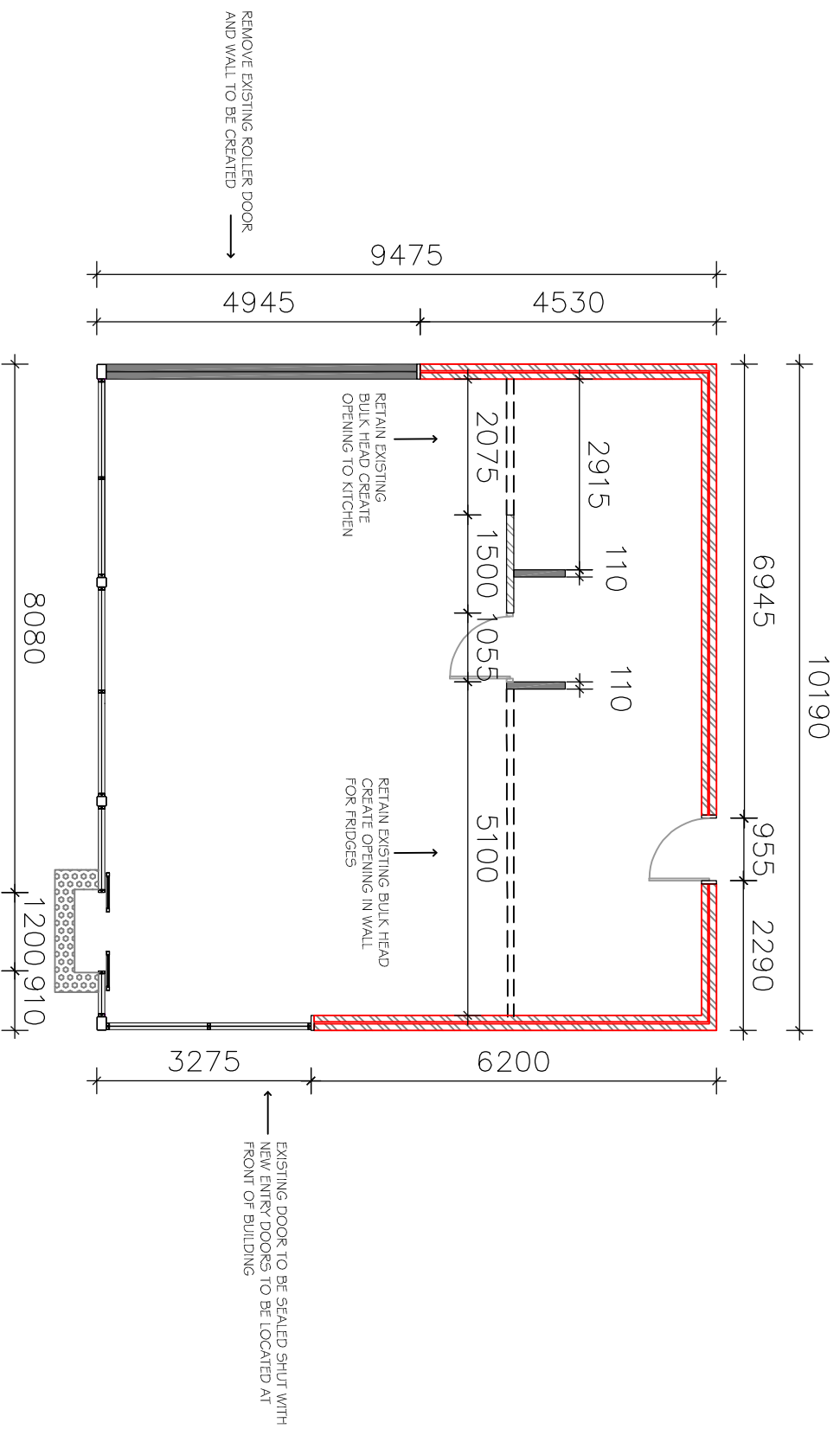
CLIENT: TIGER 1 PETROLEUM PTY LTD
PROJECT: 56-58 VICTORIA ST, NHILL VICTORIA 3418

TITLE: PROPOSED SITE PLAN
SCALE: 1:200

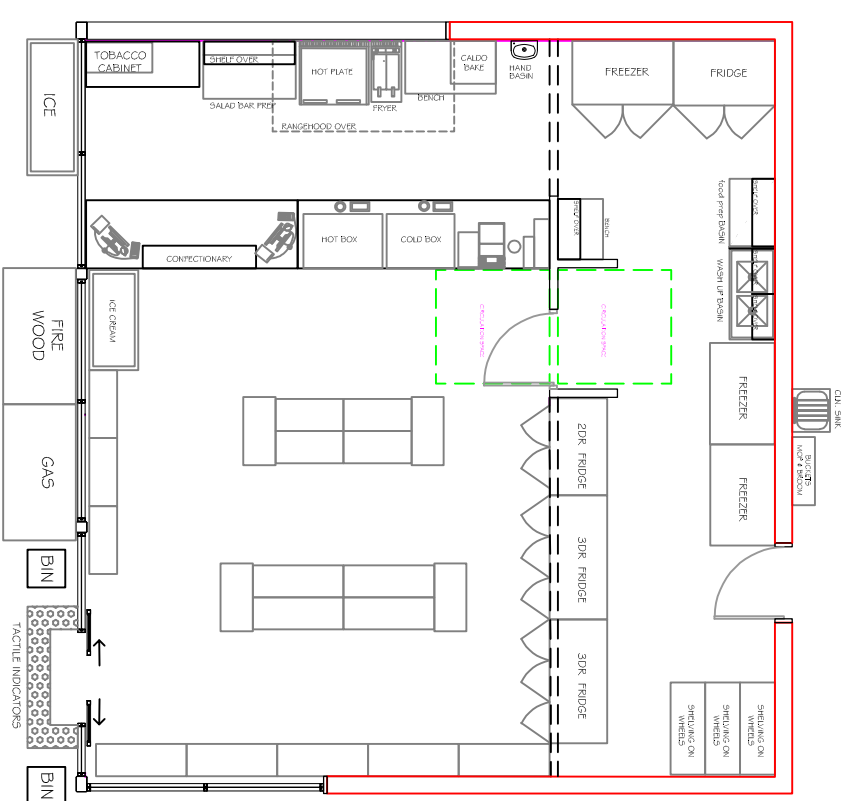
DATE: 16/02/2021
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- EXTERNAL WALLS TO HAVE FOILED BACK SARKING AND SHEETED WITH 6MM FC SHEETS ON TOP AND PAINT TO SUIT.
- BUILDER TO ENSURE BOTTOM PLATE IS FLASHED AND WALL THICKNESS TO BE 90MM THICK
- EXISTING DOUBLE BRICK WALL
- 100MM THICK STUD INTERNAL WALLS WITH 13MM THICK PLASTERBOARD LINING TO THE INTERNAL WALLS
- IN FILL WALLS WITH R3.5 INSULATION BATS
- EXISTING INTERNAL SINGLE BRICK WALLS



ISSUE	AMENDMENT	DRAWN	DATE
A	ISSUED FOR DISCUSSION	MB	16/02/2021
B	ISSUED FOR DISCUSSION	MB	28/07/2021
C	AMENDED SHOP FLOOR PLAN	MB	24/04/2022
D	AMENDED SHOP DETAILS - ADDED DIMENSIONS	MB	20/07/2022

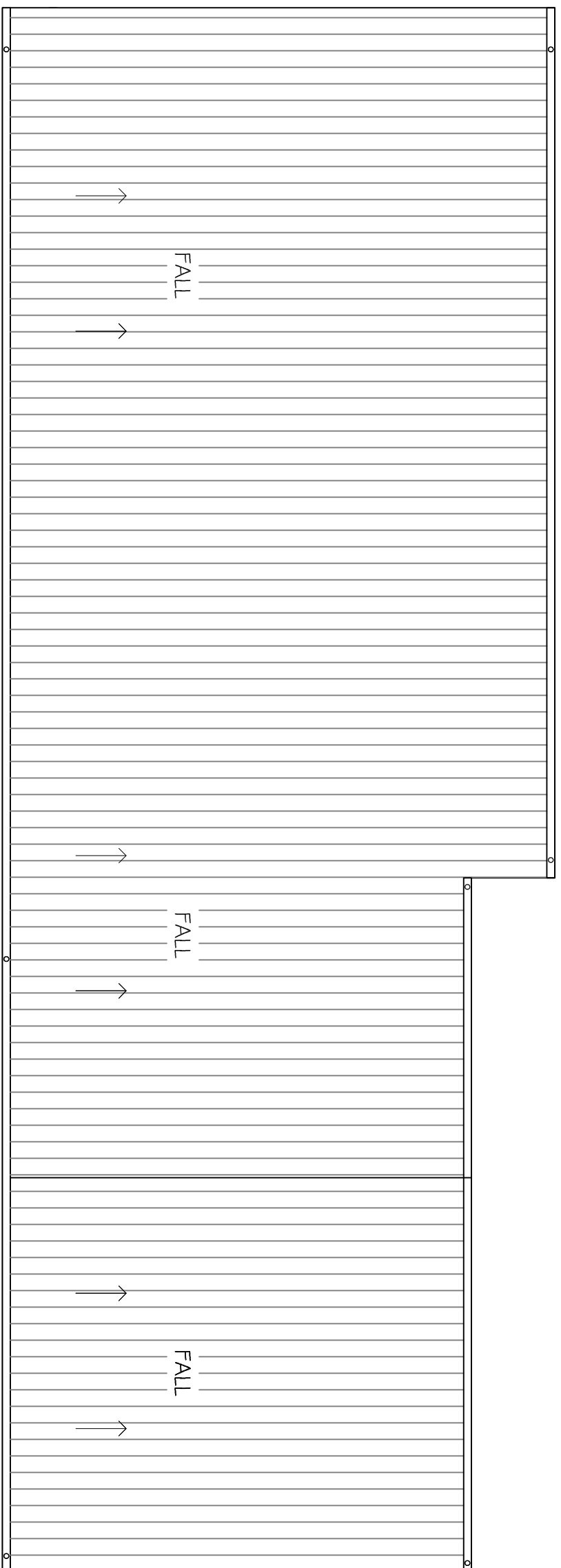
CLIENT: TIGER 1 PETROLEUM PTY LTD
 PROJECT: 56-58 VICTORIA ST, NHILL VICTORIA 3418

TITLE: PROPOSED SHOP PLAN
 BUILDING A
 SCALE: 1:100

DATE: 16/02/2021
 SHEET SIZE: A3
 DWG No: DA005

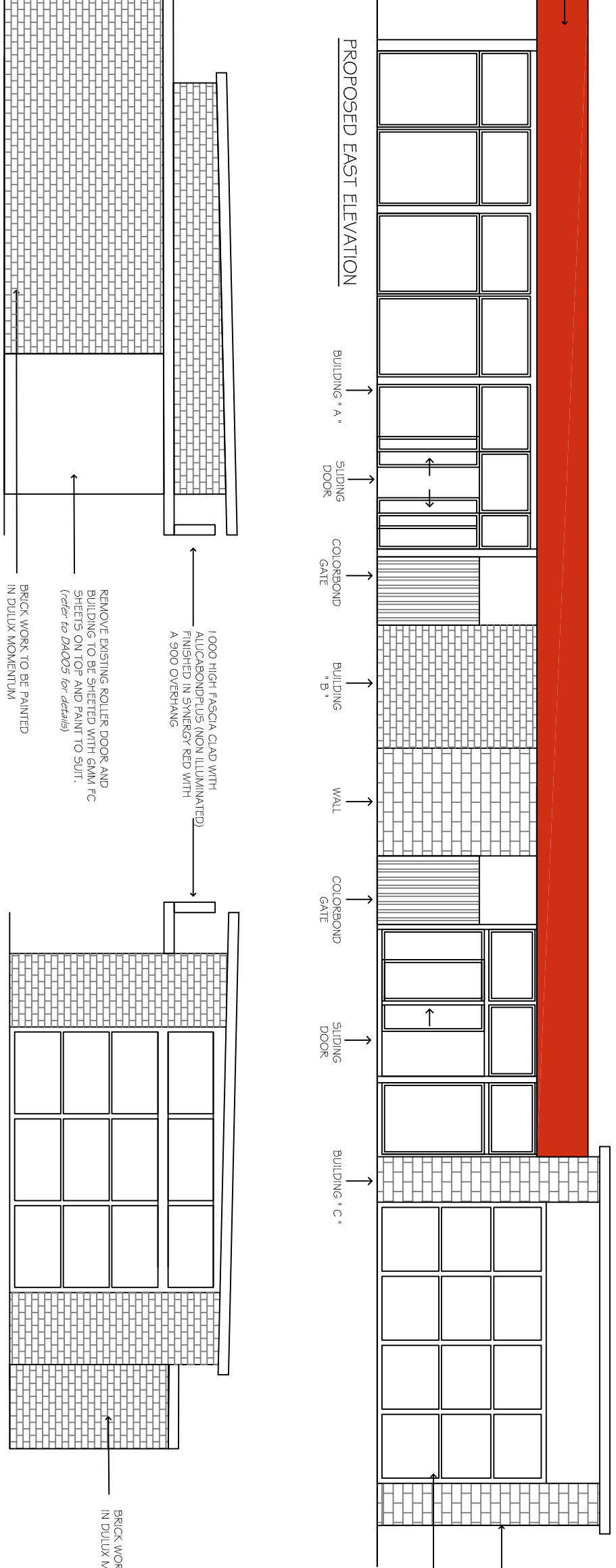
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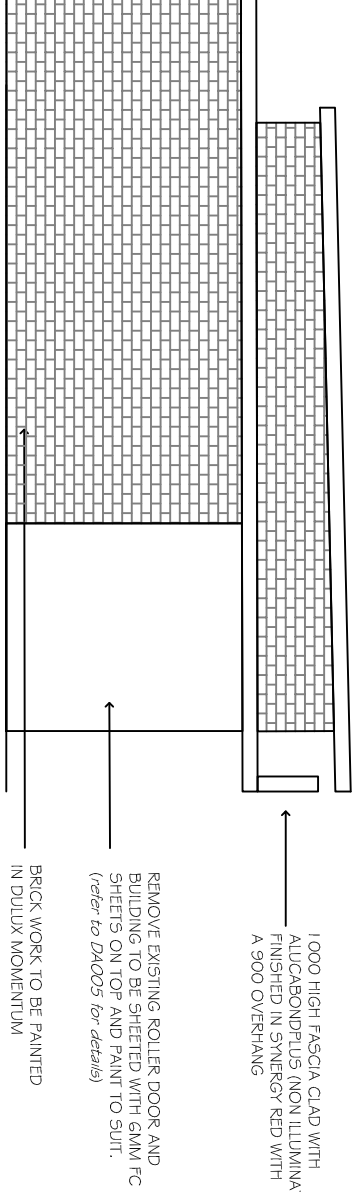


EXISTING ROOF TO BE CLEANED AND SERVICED/REPAIRED AS REQUIRED

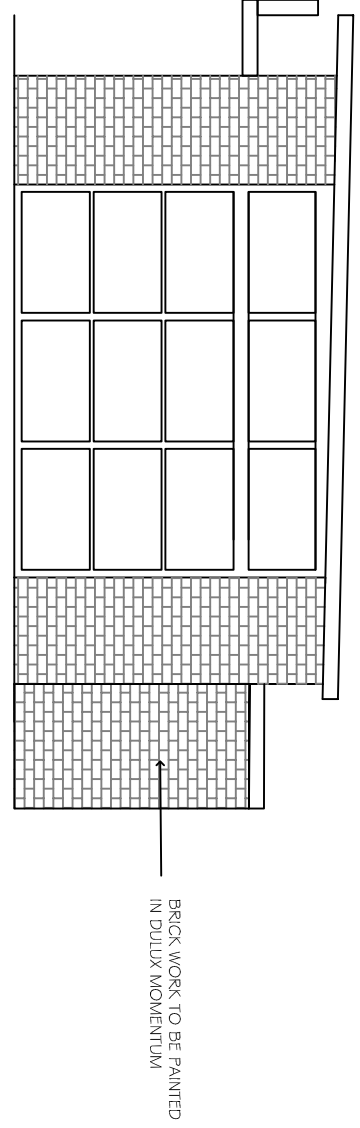
PROPOSED ROOF PLAN



PROPOSED EAST ELEVATION



PROPOSED SOUTH ELEVATION



PROPOSED NORTH ELEVATION

ISSUE	AMENDMENT	DRAWN	DATE
A	ISSUED FOR DISCUSSION	MB	16/02/2021
B	ISSUED FOR DISCUSSION	MB	28/07/2021
C	AMENDED ROOF PLAN & ELEVATIONS	MB	24/04/2022
D	AMENDED ROOF PLAN & ELEVATIONS	MB	20/07/2022

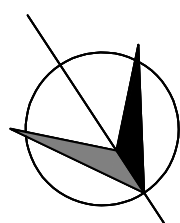
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TITLE: PROPOSED ROOF PLAN AND ELEVATIONS
 SCALE: 1:100

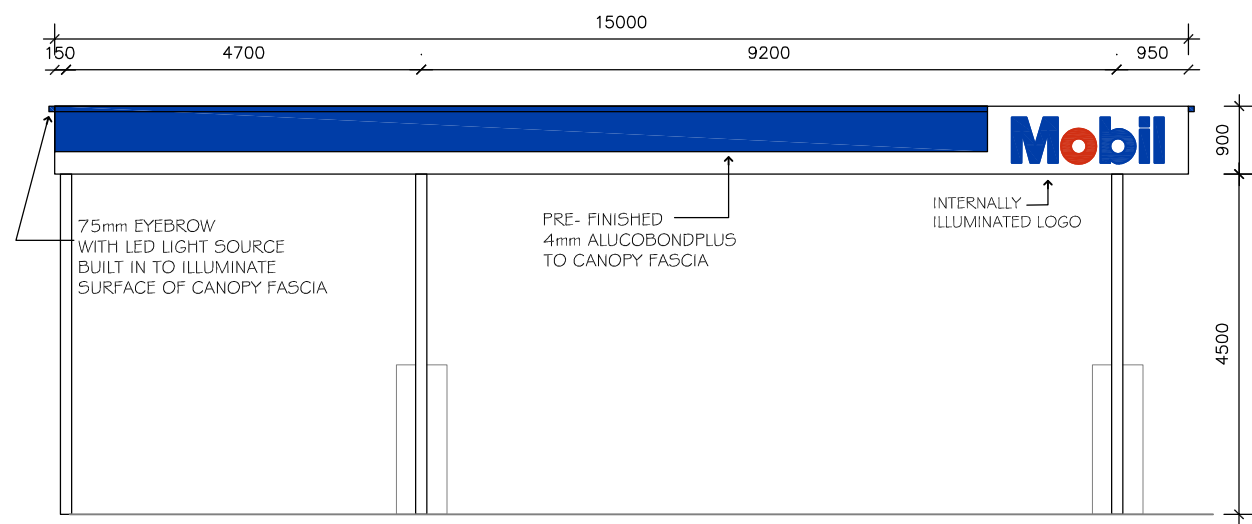
DATE: 16/02/2021
 SHEET SIZE: A3
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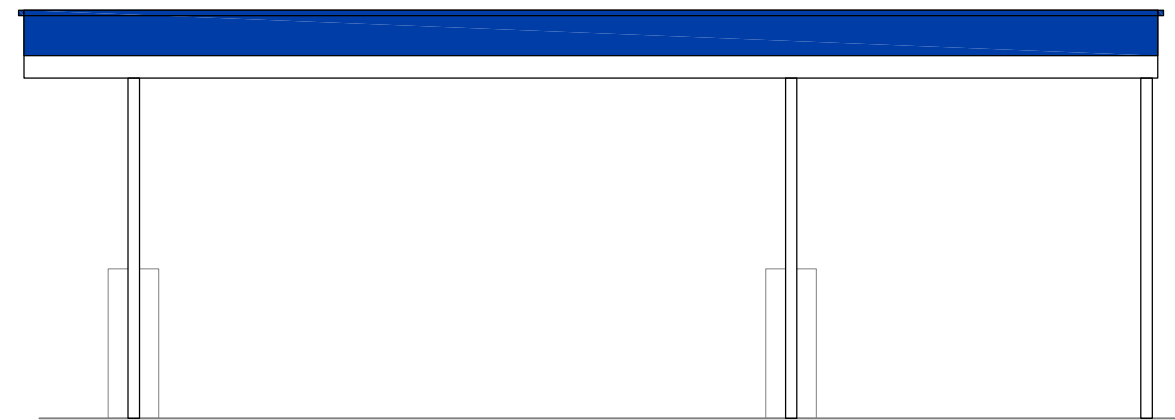
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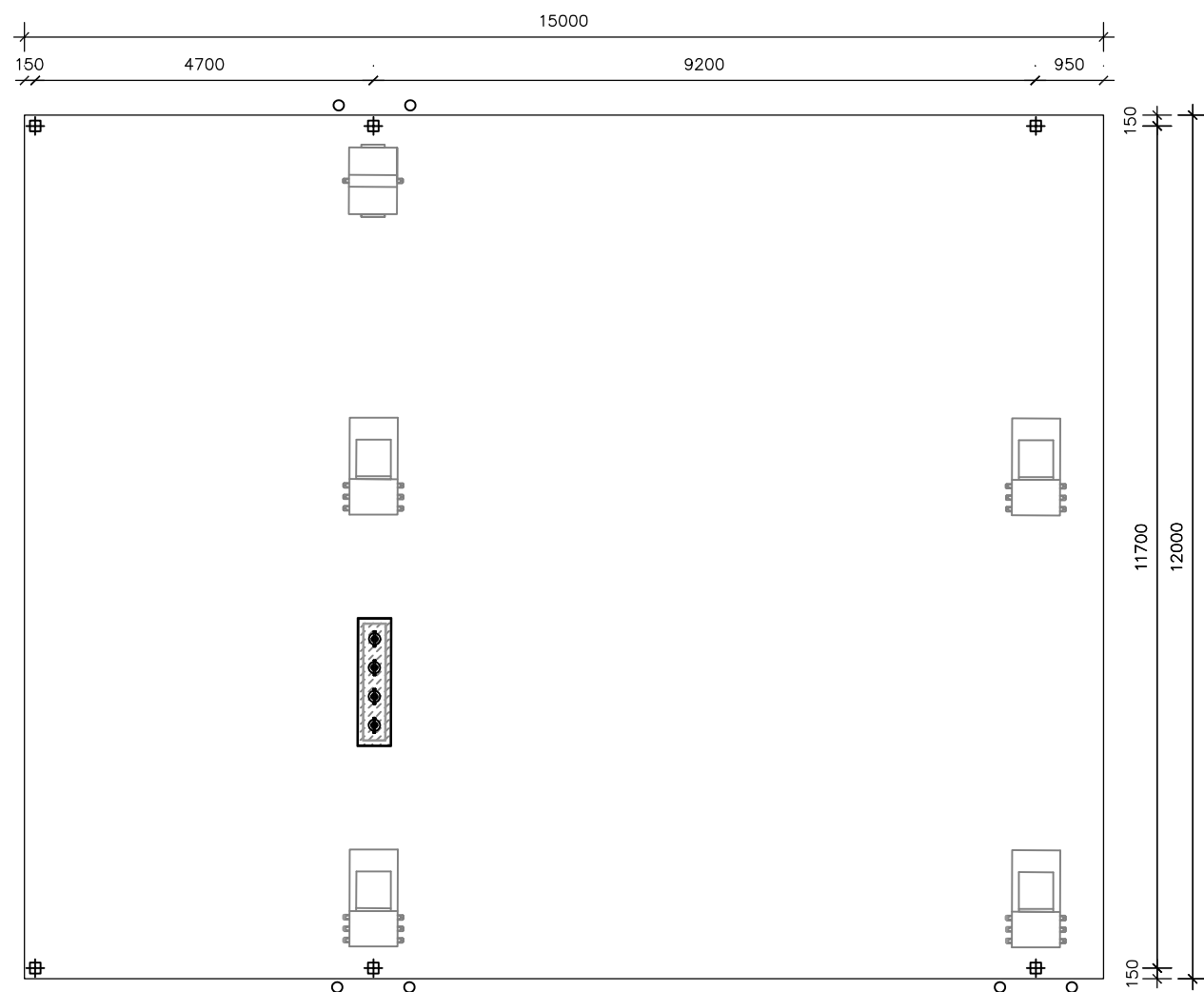
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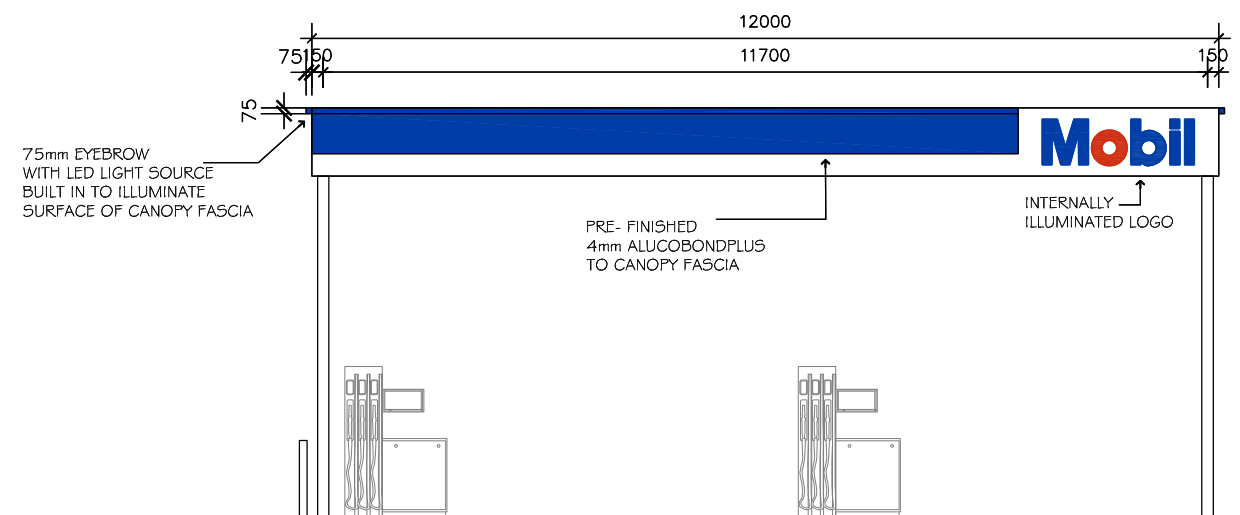
PROPOSED SOUTH ELEVATION 1:100



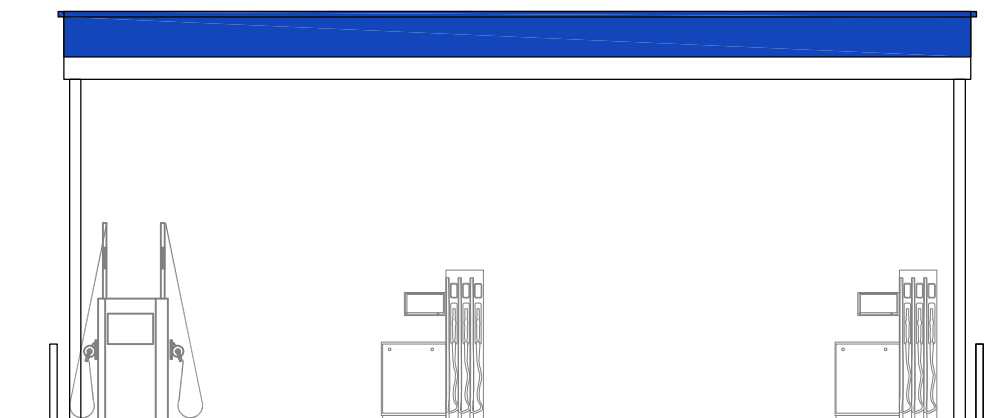
PROPOSED NORTH ELEVATION 1:100



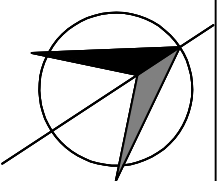
PROPOSED FUEL CANOPY PLAN 1:100



PROPOSED EAST ELEVATION 1:100



PROPOSED WEST ELEVATION 1:100



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ISSUE	AMENDMENT	DRAWN	DATE
A	ISSUED FOR DISCUSSION	MB	16/02/2021
B	ISSUED FOR DISCUSSION	MB	28/07/2021
C	AMENDED CANOPY PLAN	MB	24/04/2022
D	AMENDED DIMENSIONS ON PROPOSED SOUTH ELEVATION	MB	20/07/2022

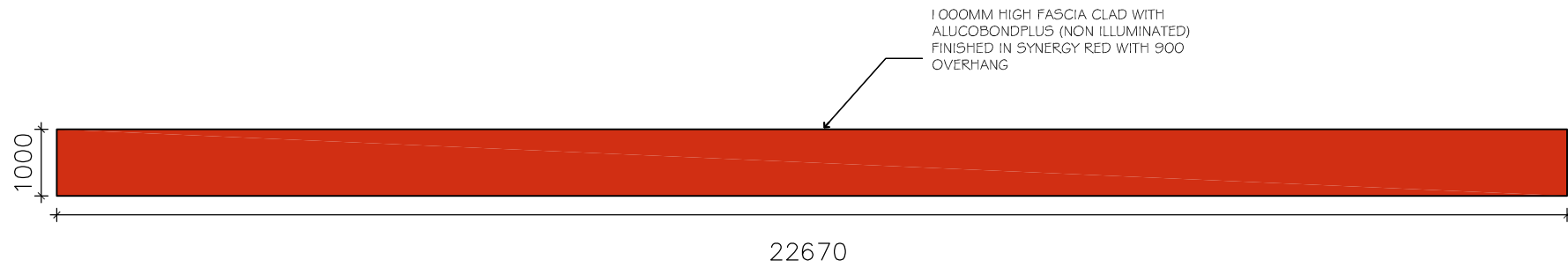
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PROJECT: 56-58 VICTORIA ST, NHILL VICTORIA 3418

TITLE: PROPOSED FUEL CANOPY AND ELEVATIONS
SCALE: 1:100

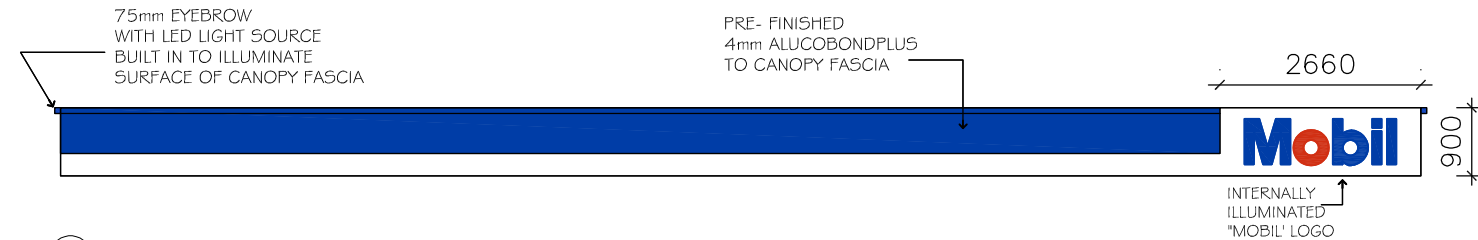
DATE: 16/02/2021
SHEET SIZE: A3
DWG No: DA007
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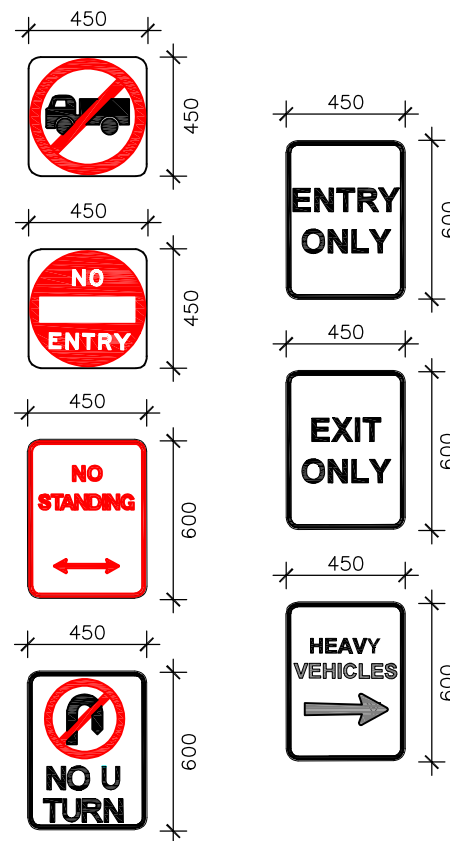


(SF) SHOP FASCIA (NTS)

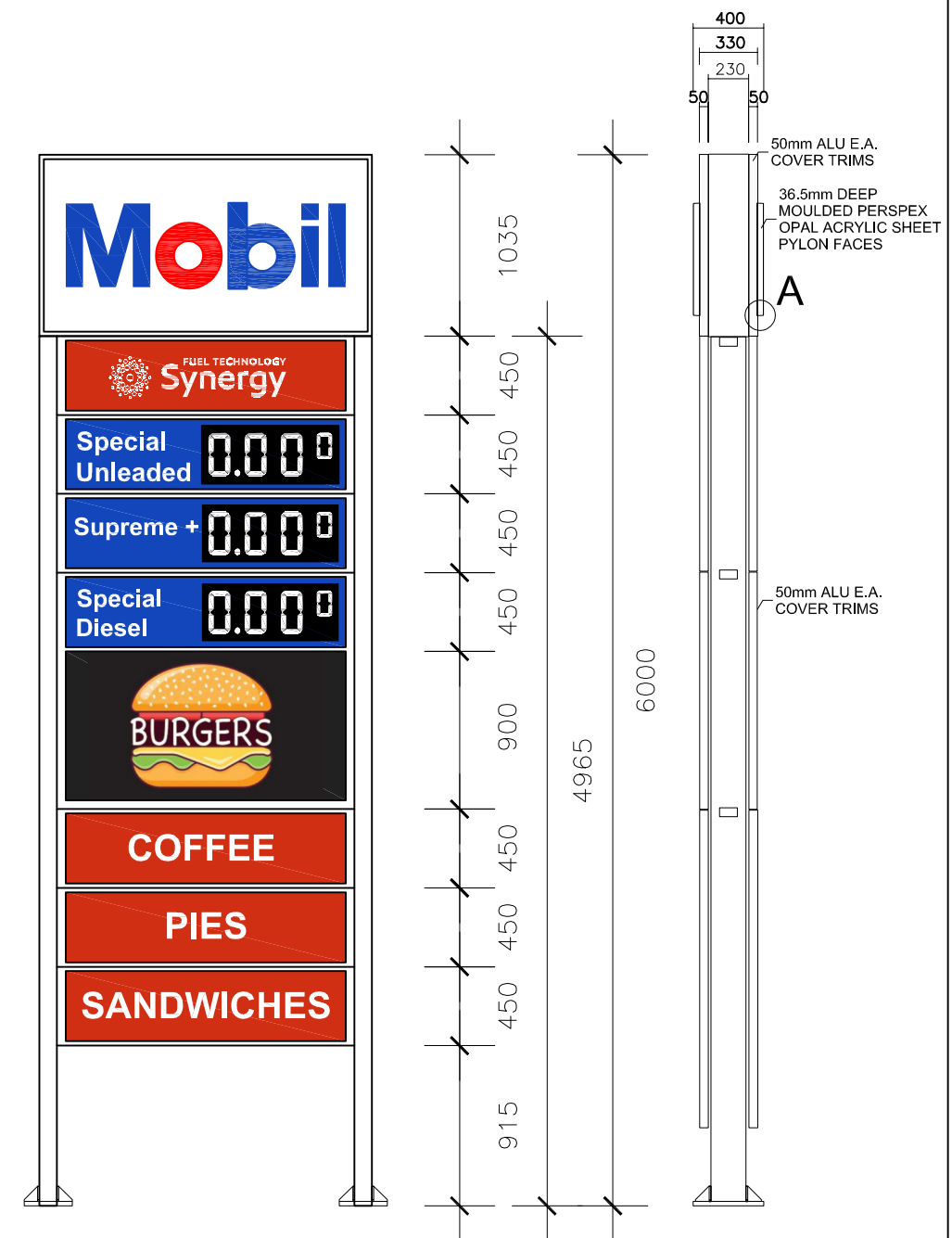


(CF) CANOPY FASCIA (NTS)

SIGNAGE SCHEDULE			
CODE	DESCRIPTION	QTY	ILLUMINATION
SF	SHOP FASCIA	1	NO
CF	CANOPY FASCIA	1	YES
MID	MAIN IDENTIFICATION DISPLAY SALES BOARD DOUBLE SIDED	1	YES
TR	NON ILLUMINATED TRAFFIC SIGNAGE	15	NO



(TR) NON ILLUMINATED TRAFFIC SIGNAGE (NTS)



(MID) ILLUMINATED MAIN IDENTIFICATION BOARD (NTS)

MOBIL COLOUR SCHEME

SYNERGY BLUE	SYNERGY RED	P8 EGGSHELL WHITE
IN LIEU OF SYNERGY BLUE, use PANTONE 293 C 4-color process 100C : 60M RAL 5002 (approx)	IN LIEU OF SYNERGY RED, use PANTONE 485 C 4-color process 100M : 90Y RAL 3028 (approx)	

NOTE: ALL PAINTED WHITE, BLUE & RED SURFACES TO BE 70% GLOSS

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ISSUE	AMENDMENT	DRAWN	DATE
A	ISSUED FOR DISCUSSION	MB	28/07/2021
B	AMENDED DETAILS FOR HEAVY VEHICLE SIGNAGE	MB	08/11/2021
C	AMENDED DETAILS FOR REVISED SITE PLAN	MB	24/04/2022

CLIENT: TIGER 1 PETROLEUM PTY LTD
PROJECT: 56-58 VICTORIA ST, NHILL VICTORIA 3418

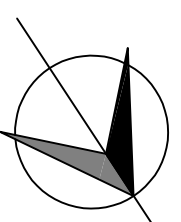
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SCALE: NTS

DATE: 28/07/2021
SHEET SIZE: A3
DWG No: DA008
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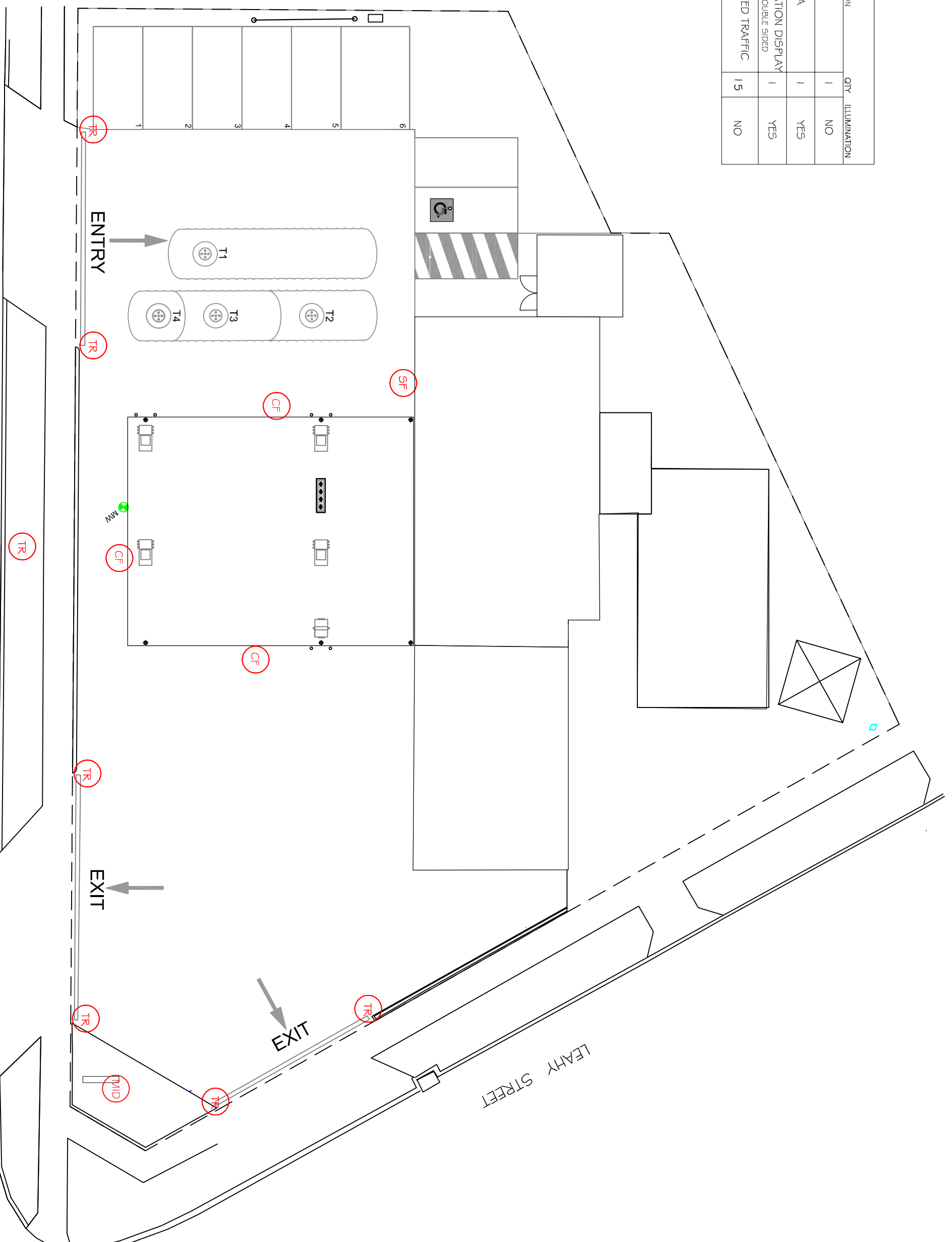
CONTRACTORS TO CHECK ALL SITE DIMENSIONS & LEVELS BEFORE COMMENCEMENT OF WORK WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALE



12 Iraking Avenue, Moorebank
0417 492 759
mick2374@gmail.com

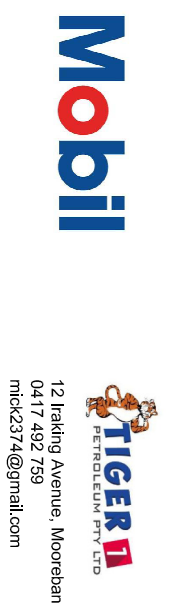


SIGNAGE SCHEDULE			
CODE	DESCRIPTION	QTY	ILLUMINATION
SF	SHOP FASCIA	1	NO
CF	CANOPY FASCIA	1	YES
MID	MAIN IDENTIFICATION DISPLAY SALES BOARD DOUBLE SIDED	1	YES
TR	NON ILLUMINATED TRAFFIC SIGNAGE	15	NO

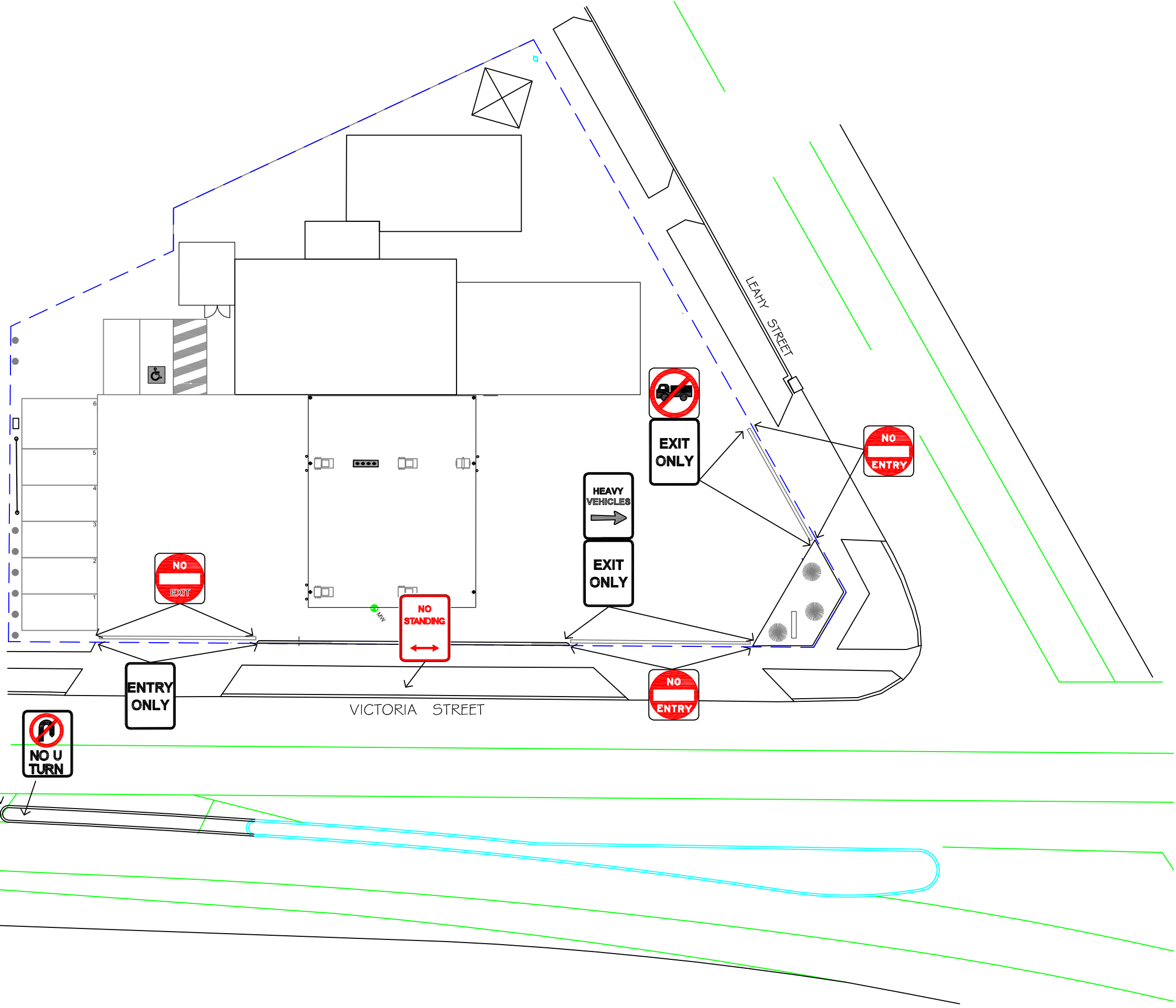


ISSUE	AMENDMENT	DRAWN	DATE	CLIENT	TITLE	DATE	DO NOT SCALE DRAWING
A	ISSUED FOR DISCUSSION	MB	28/07/2021	TIGER 1 PETROLEUM PTY LTD	PROPOSED SIGNAGE PLAN	16/02/2021	CONTRACTORS TO CHECK ALL SITE DIMENSIONS & LEVELS BEFORE COMMENCEMENT OF WORK WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALE
B	AMENDED DETAILS FOR HEAVY VEHICLE SIGNAGE	MB	06/11/2021	PROJECT: 56-58 VICTORIA ST, NHILL VICTORIA 3418	SHEET SIZE: A3		
C	AMENDED DETAILS FOR REVISED SITE PLAN	MB	24/04/2022		DWG No: DA009		
D	AMENDED DETAILS TO CONNECT BUILDINGS ON PLAN	MB	20/07/2022				

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PROPOSED MEDIAN EXTENSION
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ISSUE	AMENDMENT	DRAWN	DATE
A	ISSUED FOR DISCUSSION	MB	24/04/2022
B	AMENDED DETAILS FOR DISCUSSION	MB	20/07/2022

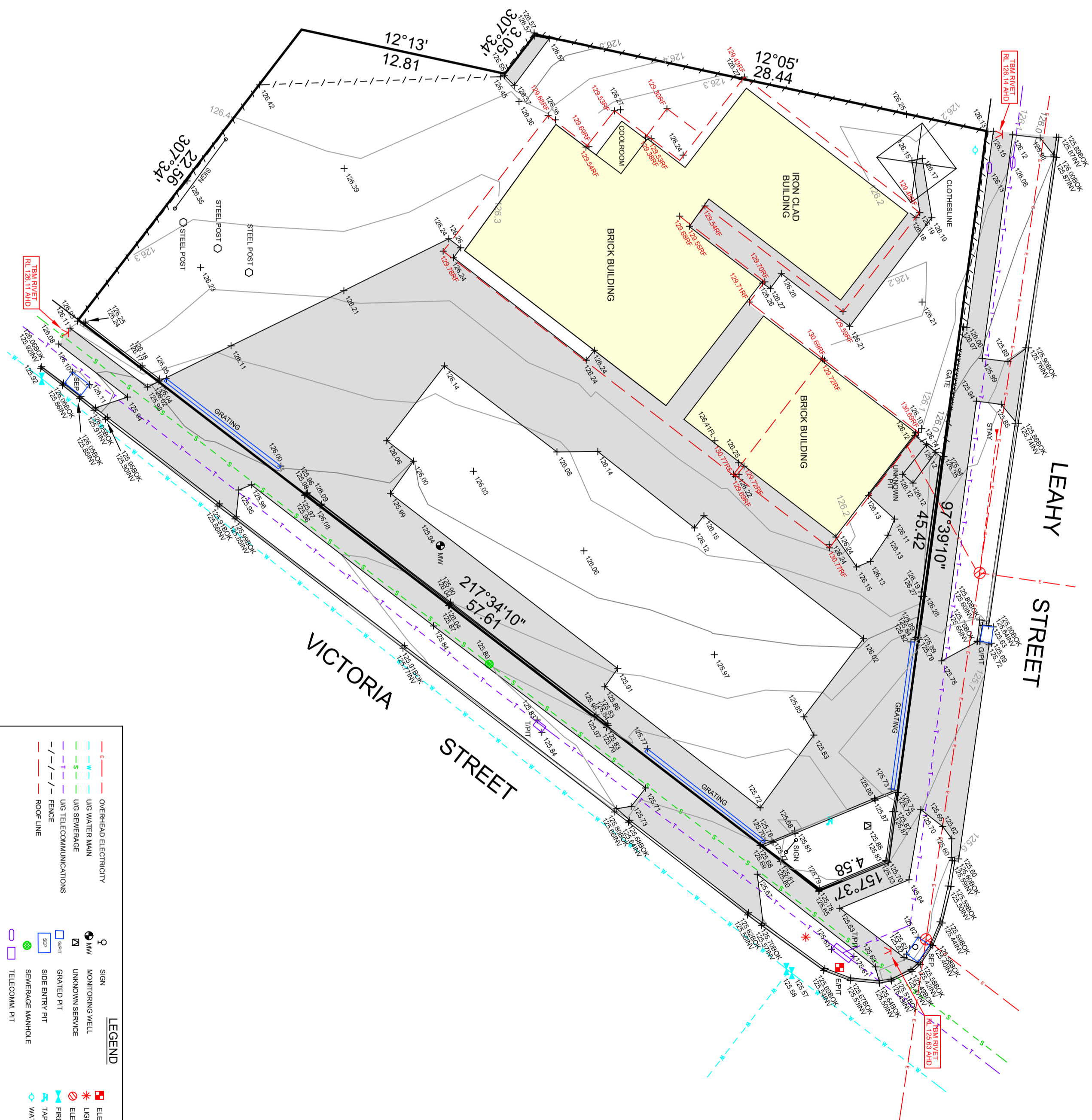
CLIENT: TIGER 1 PETROLEUM PTY LTD
PROJECT: 56-58 VICTORIA ST, NHILL
VICTORIA 3418

TITLE: PROPOSED SITE ACCESS
LAYOUT
SCALE: NTS

DATE: 16/02/2021
SHEET SIZE: A3
DWG No: DA010
DO NOT SCALE DRAWING
CONTRACTORS TO CHECK
ALL SITE DIMENSIONS & LEVELS
BEFORE COMMENCEMENT OF
WORK WRITTEN DIMENSIONS
TAKE PRECEDENCE
OVER SCALE



12 Iraking Avenue, Moorebank
0417 492 759
mick2374@gmail.com



SCALE 1:200
LENGTHS ARE IN METRES

N°.	DATE	REVISION

SCALE: 1:200 (A2)
DESIGNED:
DRAWN: B.F. 02-11-20
APPROVED:

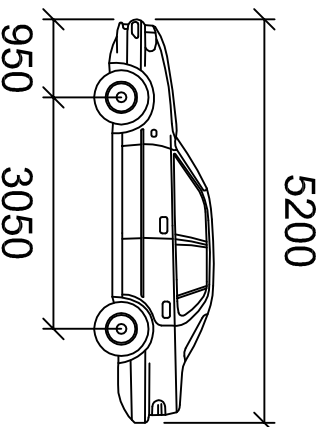
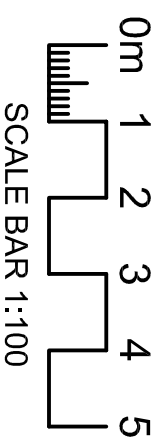
NOTATIONS
LEVELS SHOWN THUS + ARE IN METRES TO AUSTRALIAN HEIGHT DATUM BASED ON BALROO TAN PN 54 (RL - 128.746)
THE POSITIONS OF UNDERGROUND SERVICES HAVE BEEN LOCATED WHERE POSSIBLE BY FIELD SURVEY. SOME SERVICE POSITIONS HAVE BEEN PLOTTED FROM THE RECORDS OF THE RELEVANT AUTHORITIES WHERE AVAILABLE.
PRIOR TO EXCAVATION OR CONSTRUCTION ON THE SITE THE RELEVANT AUTHORITY SHOULD BE CONTACTED FOR POSSIBLE LOCATION OF FURTHER UNDERGROUND SERVICES AND DETAILED LOCATIONS OF ALL SERVICES.
THIS NOTE IS AN INTEGRAL PART OF THIS PLAN.

LEGEND	
	OVERHEAD ELECTRICITY
	UG WATER MAIN
	UG SEWERAGE
	UG TELECOMMUNICATIONS
	FENCE
	ROOF LINE
	SIGN
	MONITORING WELL
	UNKNOWN SERVICE
	GRATED PIT
	SIDE ENTRY PIT
	SEWERAGE MANHOLE
	TELECOMM. PIT
	ELECTRICITY PIT
	LIGHT POLE
	ELECTRICITY POLE
	FIRE PLUG / STOP VALVE
	TAP
	WATER METER
	CONCRETE
	BACK OF KERB
	INVERT OF KERB
	110 SWM FLOOR LEVEL
	11.8 BFL

Ferguson Perry Surveying Pty Ltd
52 Macdonald Street Horsham,
VIC 3206
ABN 76126 194 483
T (03) 5382 2023
F (03) 5381 1544
E admin@fergusonperry.com.au
A member of Alexander Symonds Group
+ Property + Land Development +
+ Spatial Information Management +

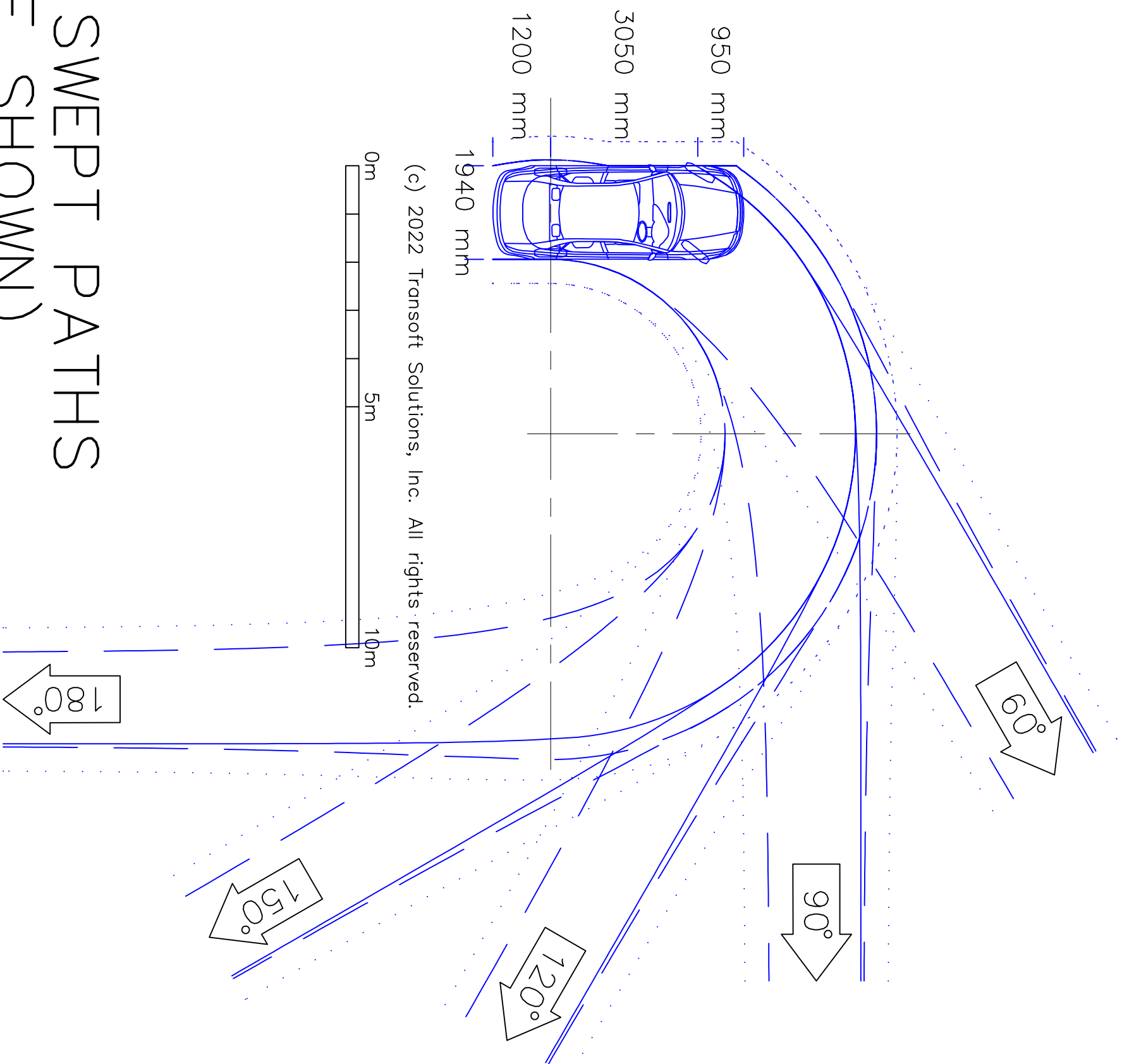


FEATURE AND LEVEL PLAN
56-58 VICTORIA STREET, HILL
SHEET 1 OF 1 DRAWING N°: H024420 REV.

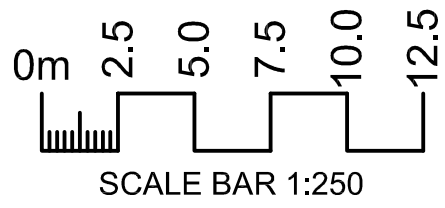


PASSENGER-CAR

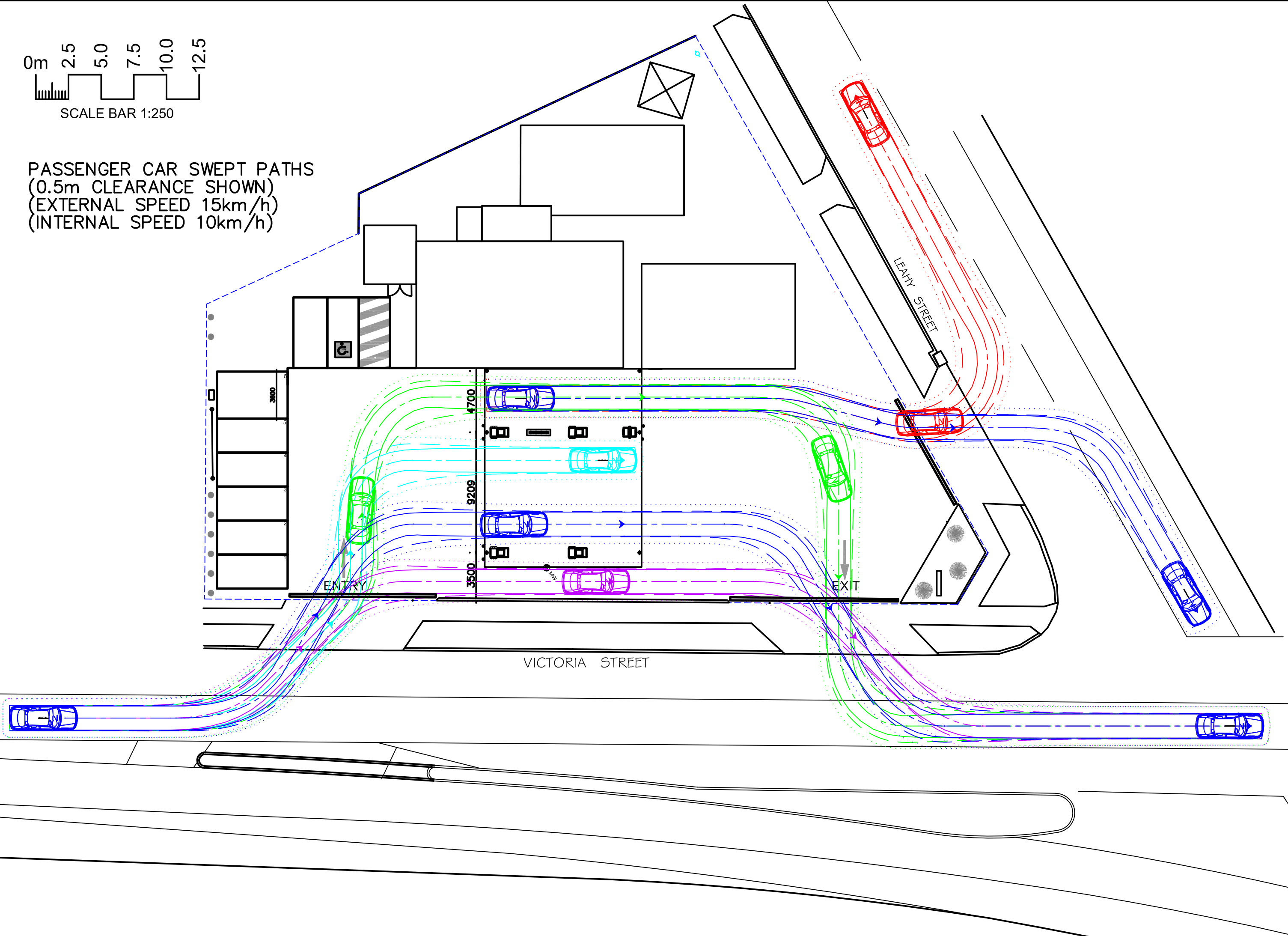
Width	:	1940	mm
Track	:	1840	
Lock to Lock Time	:	6.0	
Steering Angle	:	33.6	

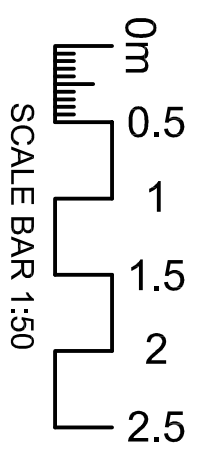


PASSENGER CAR SWEEP PATHS
 (0.5m CLEARANCE SHOWN)
 (EXTERNAL SPEED 15km/h)
 (INTERNAL SPEED 10km/h)



PASSENGER CAR SWEEP PATHS
(0.5m CLEARANCE SHOWN)
(EXTERNAL SPEED 15km/h)
(INTERNAL SPEED 10km/h)





B DOUBLE 26m SWEPT PATHS
 (0.5m CLEARANCE SHOWN)
 (EXTERNAL SPEED 10km/h)
 (INTERNAL SPEED 5km/h)



ENTRY

to corner boundary

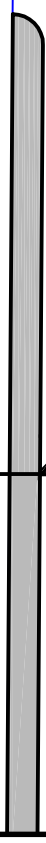
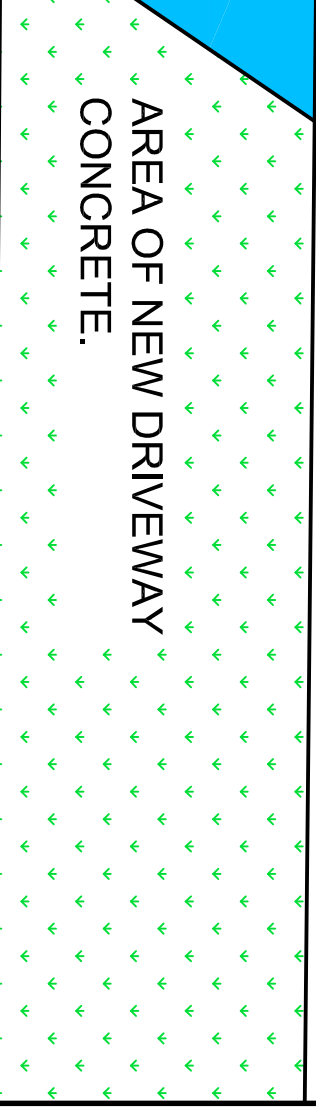
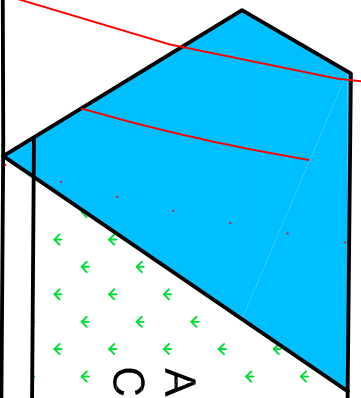
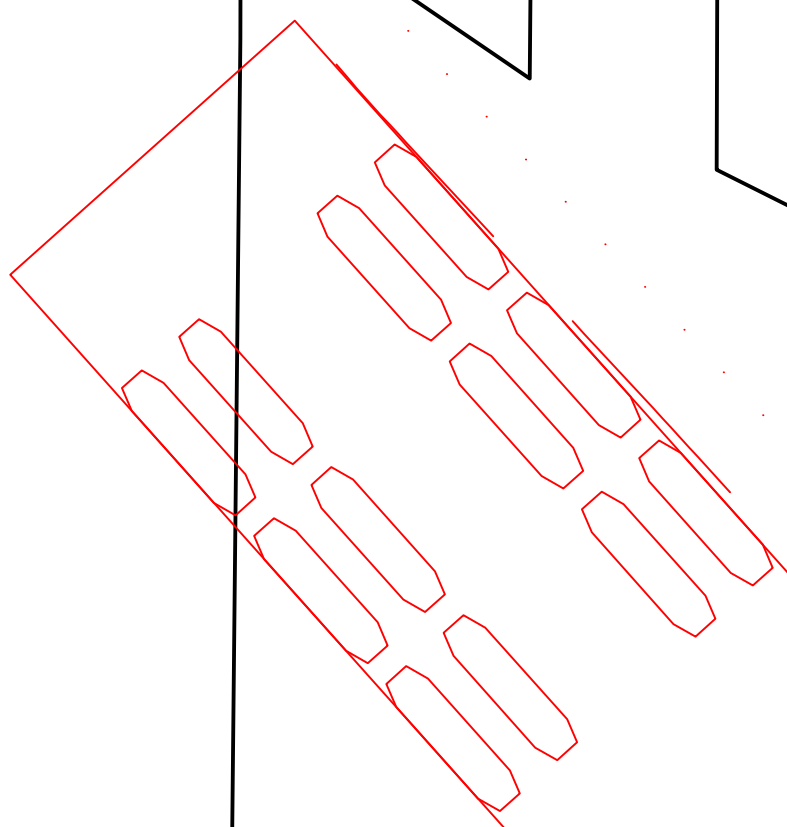
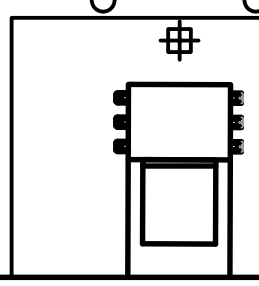
17770

200mm WIDE KERB ALONG
 BOUNDARY

3500

9209

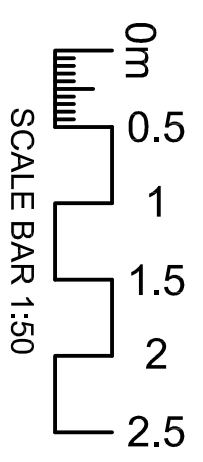
AREA OF NEW DRIVEWAY
 CONCRETE.



1

2

B DOUBLE 26m SWEEP PATHS
(0.5m CLEARANCE SHOWN)
(EXTERNAL SPEED 10km/h)
(INTERNAL SPEED 5km/h)

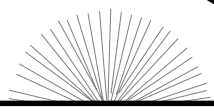
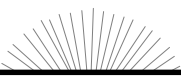
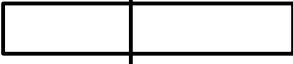
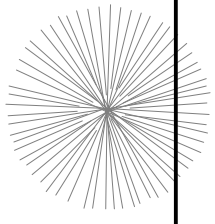
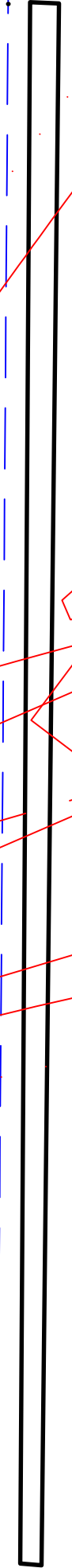
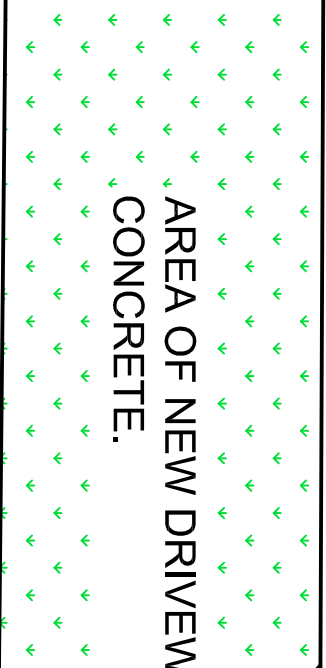
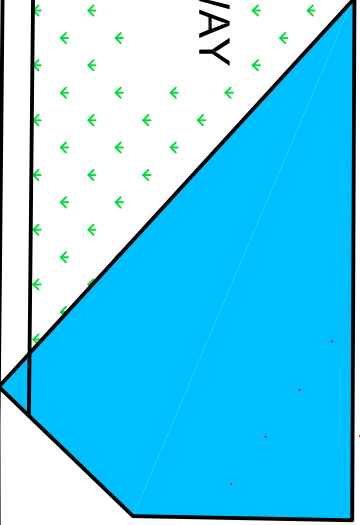
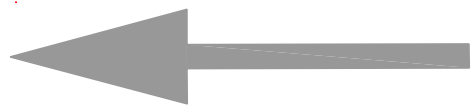


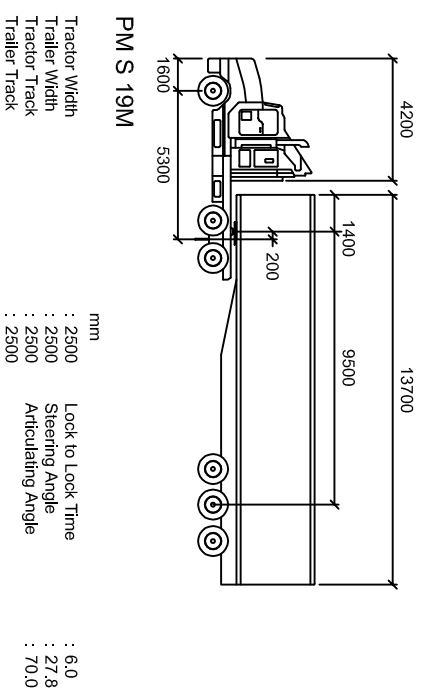
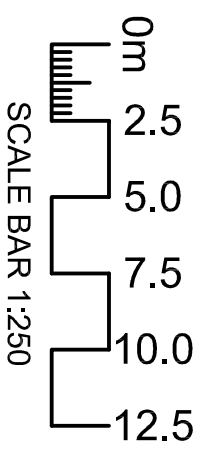
17495
to corner boundary

200mm WIDE KERB ALONG
BOUNDARY

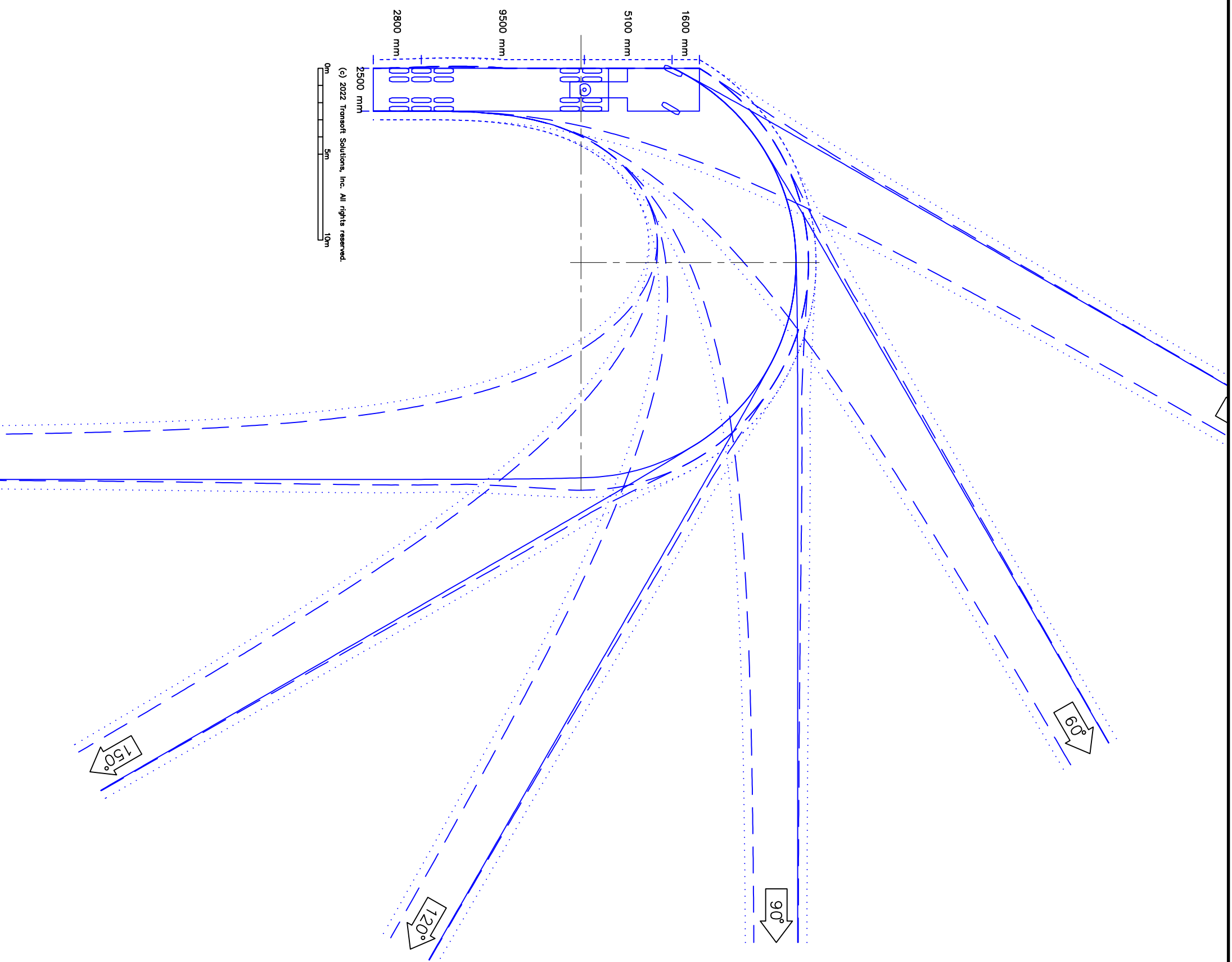
AREA OF NEW DRIVEWAY
CONCRETE.

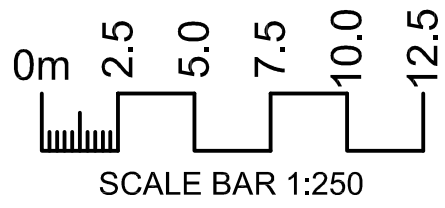
EXIT



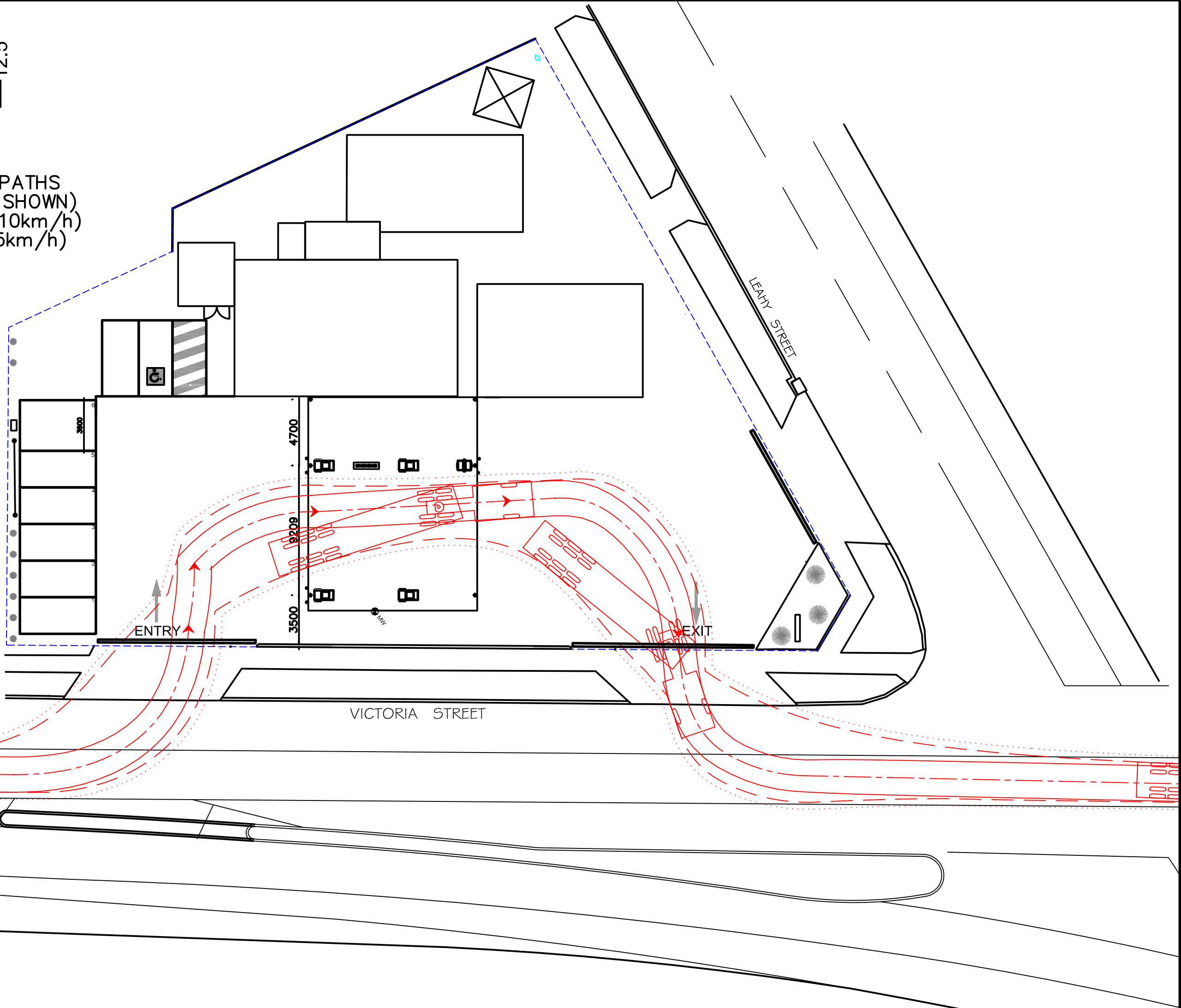


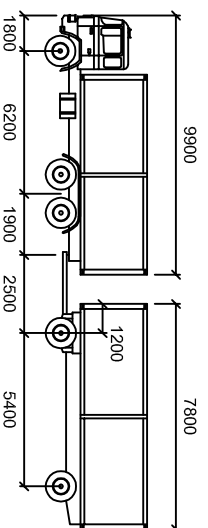
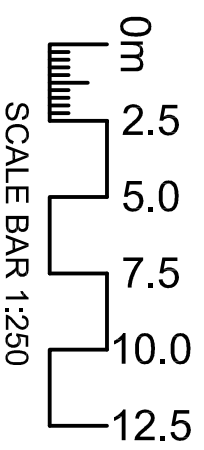
PM S 19m SWEPT PATHS
 (0.5m CLEARANCE SHOWN)
 (EXTERNAL SPEED 10km/h)
 (INTERNAL SPEED 5km/h)





PM S 19m SWEEP PATHS
(0.5m CLEARANCE SHOWN)
(EXTERNAL SPEED 10km/h)
(INTERNAL SPEED 5km/h)

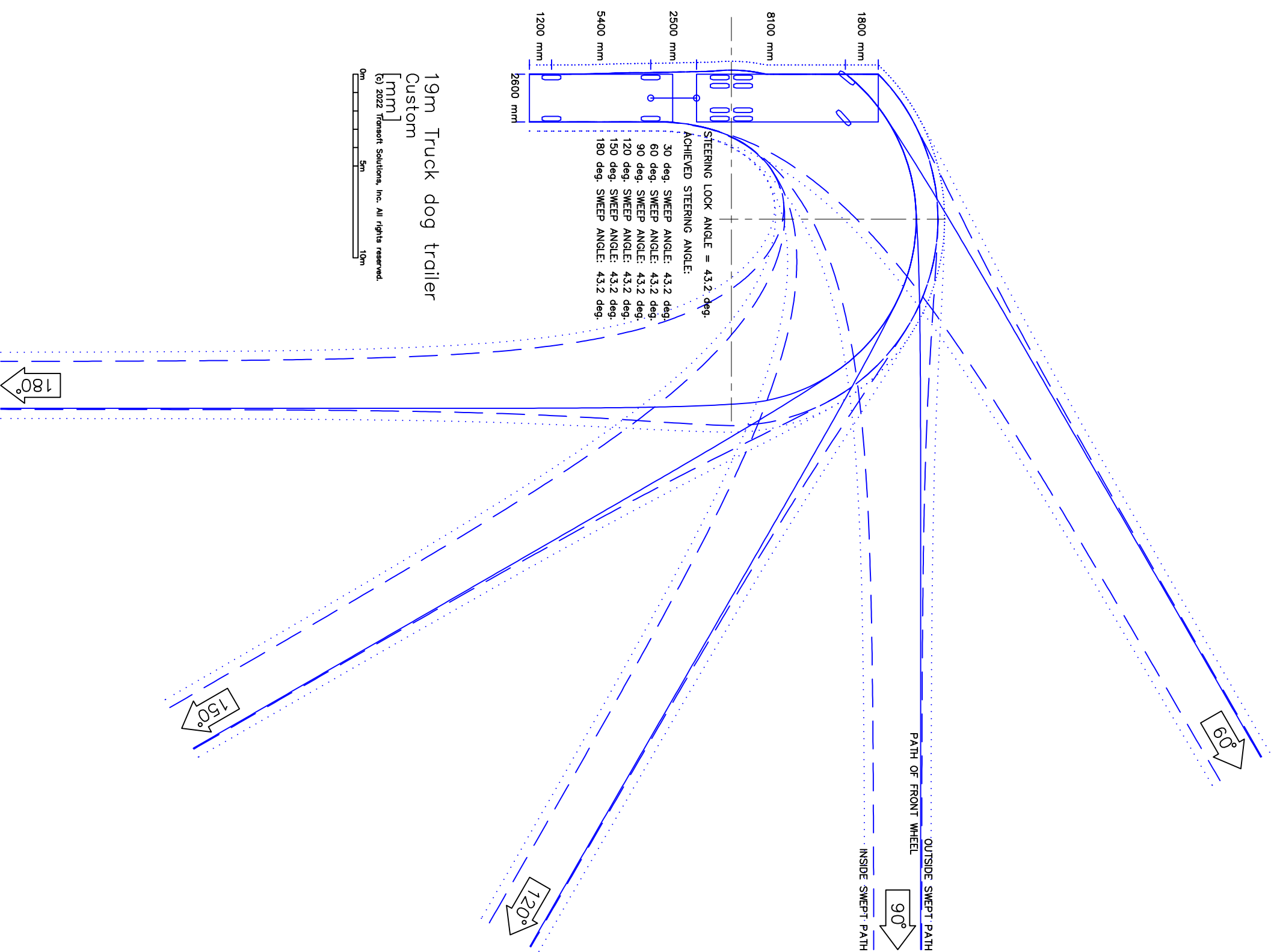


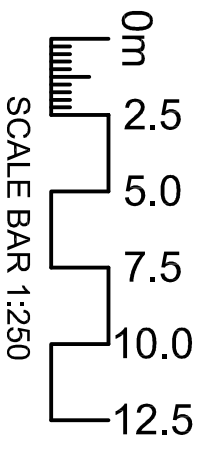


19m Truck dog trailer

First Unit Width	: 2600	Lock to Lock Time	: 6.0
Trailer Width	: 2600	Steering Angle	: 43.2
First Unit Track	: 2500	Articulating Angle	: 70.0
Trailer Track	: 2500		

TRUCK & DOG TRAILER 19m SWEPT PATHS
 (0.5m CLEARANCE SHOWN)
 (EXTERNAL SPEED 10km/h)
 (INTERNAL SPEED 5km/h)





SCALE BAR 1:250

TRUCK & DOG TRAILER 19m SWEEP PATHS
(0.5m CLEARANCE SHOWN)
(EXTERNAL SPEED 10km/h)
(INTERNAL SPEED 5km/h)

VICTORIA STREET

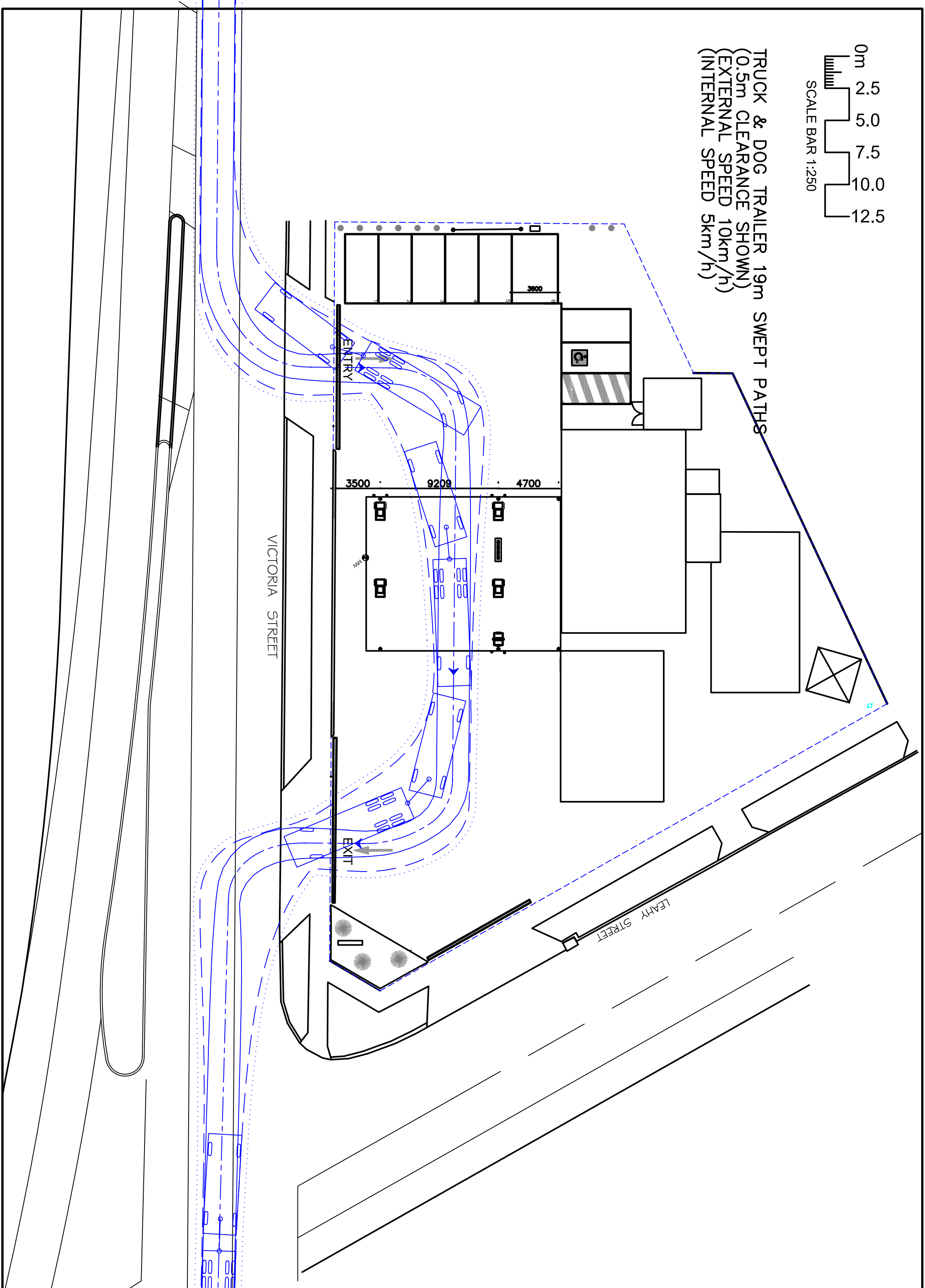
LEAHY STREET

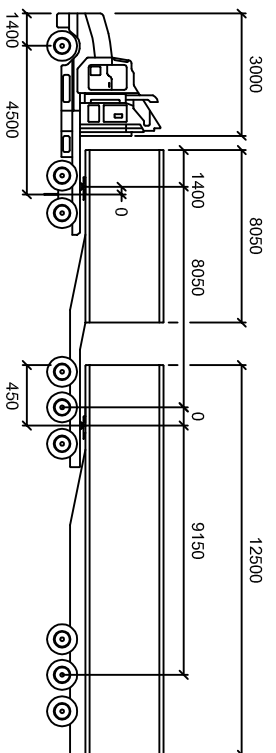
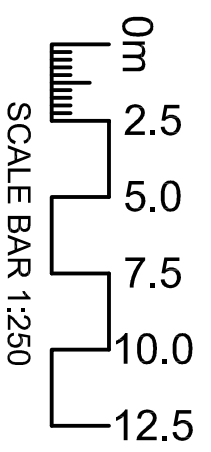
ENTRY

EXIT

3500 9209 4700

3600

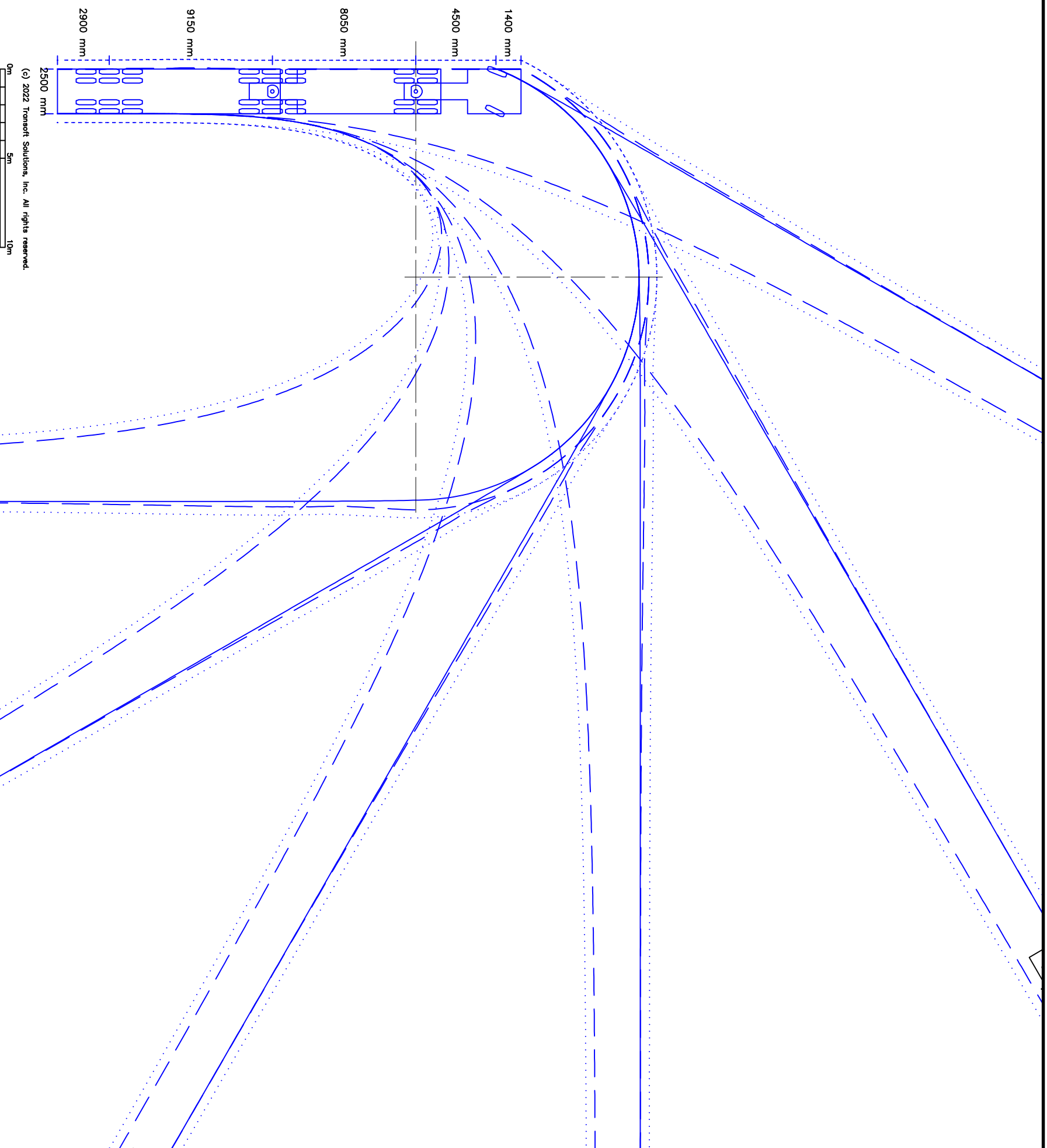




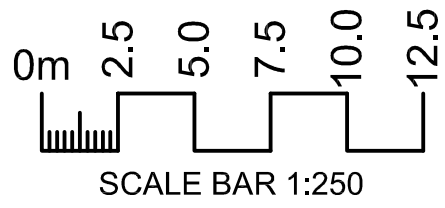
B-DOUBLE 26M

Tractor Width	: 2500	mm	Lock to Lock Time	: 6.0
Trailer Width	: 2500		Steering Angle	: 23.4
Tractor Track	: 2500		Articulating Angle	: 70.0
Trailer Track	: 2500			

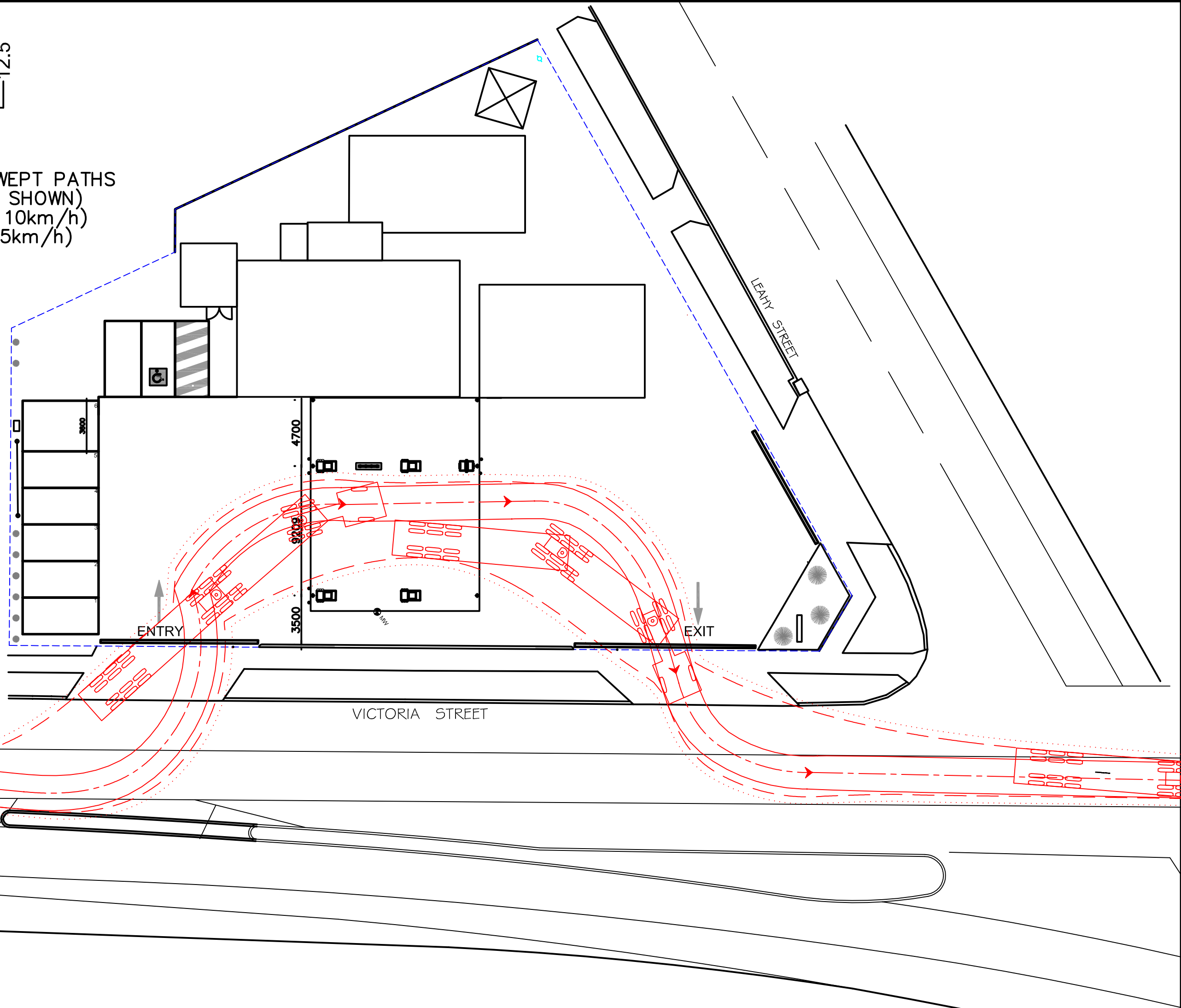
B DOUBLE 26m SWEPT PATHS
(0.5m CLEARANCE SHOWN)
(EXTERNAL SPEED 10km/h)
(INTERNAL SPEED 5km/h)



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 0m 5m 10m



B DOUBLE 26m SWEEP PATHS
(0.5m CLEARANCE SHOWN)
(EXTERNAL SPEED 10km/h)
(INTERNAL SPEED 5km/h)



Traffic Management Plan - All Vehicle Swept Path – Supplementary information

The following information is in support of the vehicle swept paths provided in the development plans package. Details of proposed signage to restrict vehicle movements are provided in DA010.

Passenger Car

Page 13 of the amended development plans shows the swept path analysis for passenger vehicles. There is adequate space for safe entry and exit onto Victoria Street along the eastern boundary and safe exit onto Leahy Street along the northern boundary with both exiting left and right turn limited to passenger vehicles only.

Medium Rigid Vehicle

It is proposed to restrict access to cars only at the eastern crossover onto Leahy Street along the northern boundary. It is anticipated that the egress of medium rigid vehicles within the Victoria Street crossovers will not result in adverse traffic impacts on either the subject site or Victoria Street. It is unlikely medium rigid vehicles will have a negative impact on residential amenity of the area, particularly given the exiting restriction at the eastern crossover on to Leahy Street to passenger vehicles only.

Semi Vehicle

It is proposed to restrict access to cars only at the eastern crossover onto Leahy Street along the northern boundary. It is anticipated that the ingress and egress of semi-trailers at the Victoria Street crossovers will not result in adverse traffic impacts on either the subject site or Victoria Street. It is unlikely semi-trailers will have a negative impact on residential amenity of the area, particularly given the egress restriction at the eastern crossover on to Leahy Street to passenger vehicles only.

The swept path assessments for semi-trailers and b-doubles as indicated on the amended development plans show turning movements utilising the area under the canopy to prepare for turning movements to ensure safe exit onto Victoria Street as shown. Given there is sufficient space within the subject site for the safe ingress and egress onto Victoria Street it is unlikely semi vehicles would negatively impact the existing traffic management of the area.

B – Double

The ingress movements on to the subject site for semi-trailers and b-doubles from Victoria Street utilise the area under the canopy and to the north of the subject site for the preparation of egress onto Victoria Street. As indicated in the amended plans there is sufficient space for the movement of b-doubles and semi-trailers without impacting the existing traffic management of the area. Heavy vehicles of this size can adequately enter and exit the site without mounting the kerb or traffic island as indicated on the amended plans.



POLICY

Financial Hardship Policy

1 Purpose

The purpose of this Financial Hardship Policy is to provide Council with a policy framework setting out the process of providing financial relief to individuals and businesses requiring assistance in the payment of rates and charges on the grounds of financial hardship.

The policy also aims to provide a clear understanding of the options and assistance available to property owners and ratepayers who are experiencing financial hardship and assist them in managing the payment of rates in a manner that is acceptable to both the Council and the property owner.

2 Scope

The policy applies to property owners and ratepayers within Hindmarsh Shire Council in accordance with sections 170, 171 and 171A of the *Local Government Act 1989* and well as the *Local Government Legislation Amendment (Rating and Other Matters) Act 2022*.

This policy shall apply to revenue included on the rates notice, such as rates, waste charges, interest and other relevant charges. It is important to note that this policy does not apply to fines issued under Council's Local Laws or any other Act.

Where financial hardship cannot be established, Council may avail itself of the collection options under Sections 180 and 181 of the Local Government Act 1989, to recover overdue amounts. These recovery methods include legal action and, in extreme circumstances, the sale of the property. In the implementation of this policy, due consideration will be given to determining the type of payment arrangement that is best suited to each property owner's individual circumstance and the need to observe compassion, respect and transparency in the assessment of financial hardship applications.

3 Definitions

CEO	means Chief Executive Officer of Hindmarsh Shire Council
Council	means the Hindmarsh Shire Council
Employee	means a person employed by Council, including the Chief Executive Officer, Directors, Managers, and any person engaged as a short term Employee or a contractor undertaking duties on behalf of Council.
Ratepayer	means any person, corporation, business or other entity owing money to Council in respect of rates and charges. This includes those who may not legally own a property, but who are required to pay rates and charges such as those determined by lease agreements.

4 Policy Statement

4.1 General Principles

Council will enforce the legislative powers available under the *Local Government Act 1989 (Act)* in the pursuit of outstanding rates and charges debts.

Council is committed to:

- Assisting Ratepayers who are experiencing financial difficulty;
- Ensuring that the collection process is transparent;
- Treating everyone fairly, consistently, respectfully and with sensitivity;
- Ensuring all Council Employees have the training and resources necessary to effectively and consistently manage ratepayer hardship; and
- Ensuring all applications and their subsequent determination and handling are strictly confidential.

Where Council Employees have identified that a ratepayer is experiencing financial hardship, outstanding rates and charges owed to the municipality shall be pursued in accordance with this policy.

Council will not use debt collectors or pursue legal action unless ratepayers refuse to engage and all other options have been exhausted.

4.2 Genuine Financial Hardship

Genuine Financial Hardship refers to a situation where a property owner is reasonably unable to discharge their financial obligations due to compassionate grounds or necessitous circumstances such as illness, unemployment, impacts of natural disaster, or other reasonable cause. Financial hardship involves an inability of the property owner to meet their financial commitments (bills), rather than an unwillingness to do so. Customer hardship can arise from a variety of situations. Common causes of hardship may include, but are not limited to:

- Loss of employment of the property owner or family member;
- Family violence;
- Family breakdown;
- Illness, including physical incapacity, hospitalisation, or mental illness of the property owner or family member;
- A death in the family; or

Other factors resulting in unforeseen change in the property owner's capacity to meet their payment obligations, whether through a reduction in income or through an increase in non-discretionary expenditure.

4.3 Applications for Hardship

A formal application for financial hardship must be completed and signed in front of a Justice of the Peace or other authorised officer and forwarded to Council's rates department.

Pursuant to Sections 170, 171 and 171A of the *Local Government Act 1989*, property owners may apply for the following:

- Deferral of rates and charges;
- Waiver of interest and legal charges invoiced to date; or
- Waiver of rates and charges.

The Rates Coordinator may make decisions pertaining to payment arrangements with ratepayers to assist with their financial obligations. However, the Chief Executive Officer will consider requests for interest to be held or waived. All applications requesting to have their rates and charges waived partially or in full will be referred to Council and considered in a closed Council meeting.

Any applications made under this policy and the associated procedure will be considered, however applications will only be granted where there is genuine financial hardship. Council generally does not waive rates, as this ensures that financial hardship assistance granted to one does not have a distributional effect on the rate base.

Council will take into consideration whether the applicant is seeking professional assistance for their financial hardship when making its decision.

Applicants will be formally notified of the decision as soon as is practically possible.

In addition to hardship, this policy will also cover compassionate grounds. This generally relates to immediate family illness or death up can also include:

- A sudden death in the family;
- Family violence;
- A life threatening illness or injury, acute or chronic pain or acute or chronic illness;
- Modifications to the home or vehicle to accommodate their needs or their dependents to accommodate a severe disability;
- The need to pay for palliative care for themselves or a dependent with a terminal medical condition;
- Expenses associated with a dependents death, funeral or burial; and
- Unable to work due to a medical condition and the support of Government assistance to pay living expenses.

4.4 Deferral of Rates and Charges

Under Section 170 of the *Local Government Act 1989*, Council may allow partial or full deferral of rates where they consider that paying rates and charges would create financial hardship for the applicant.

Deferral of rates and charges is made available to all property owners and ratepayers who satisfy the financial hardship eligibility criteria under this policy and will be granted based on the following conditions:

- The deferral ceases and the deferred rates and accrued interest rate are immediately payable if the property owners or ratepayer ceases to own or occupy the property on which the rates are imposed; and
- The deferral will be reviewed each year within one month of the issue of the annual 'Valuation and Rate Notice'; and
- An increase in the valuation of a property and a subsequent increase in rates cannot be considered grounds for a deferred payment of rates of their own accord.

4.5 Waiver of Rates and Charges

Under Section 171 of the *Local Government Act 1989*, property owners and ratepayers may apply for a full or partial waiver of rates and charges subject to Council confirmation of the following conditions:

- Waiver of rates and charges is only available to individuals experiencing financial hardship with regard to the rates on their primary or principal place of residence; and

- The applicant can provide a financial plan to show intent to pay future rates and charges; and
- The applicant is able to substantiate they are experiencing financial hardship and able to provide verifiable information to prove hardship on a needs basis, e.g. certified Statement of Financial Position from a qualified accountant or financial counsellor; and
- Waivers (excluding interest) must be recommended by an independent financial counsellor and applicant is able to provide documented support for a waiver from the financial counsellor or a welfare agency or government agency.

Council Officers will consider an application for a waiver or partial waiver of rates and charges where genuine financial hardship can be demonstrated and if granted, the waiver will apply only for the rating year in which the application was made and the previous financial year. Retrospective applications for a waiver of unpaid Rates and Charges greater than two years will be presented to Council for resolution. The application will be assessed by Council officers on the grounds of genuine financial hardship only and approved by Council resolution.

4.6 Waiver of Interest and Legal Charges

Under Section 171A of the *Local Government Act 1989*, property owners and ratepayers may have interest charges and legal charges, or part thereof, waived where they have demonstrated financial hardship, subject to compliance with the following conditions and approval by Council Officers:

Waiver will be granted only to:

- Property owners and ratepayers whose property is the sole or principal place of residence and is used exclusively for residential purposes;
- Farm land which is the sole or principal place of residence of the applicant;
- Commercial/industrial land owned and operated by the applicant.

An application for a waiver of interest charges will be considered where genuine financial hardship can be demonstrated and if granted, the waiver will be reassessed by officers bi-annually.

The Rates Officer will review applications in accordance with this policy and approve within financial delegations. The property owners and ratepayer will be advised in writing of the outcome of the application.

4.7 Payment Plans

On the application of a person, Council may enter into a plan with the person for the payment of a rate or charge which has not been paid by the date specified for payment. This can be for an unpaid rate or charge that is being paid in instalments, for which payment was deferred under section 170, that was waived in part under section 171 or 171A.

Council may determine:

- a. the duration of the payment plan; and
- b. the amount of each payment plan instalment; and
- c. the frequency of payment plan instalments; and
- d. any other terms.

The payment plan must be compliant with all provisions with relevant legislation.

The Council may cancel a payment plan at any time if the person is not complying with the terms of the plan. If a payment plan is cancelled, the amount owing becomes due and payable and may be recovered by the Council in accordance with section 180 of the *Local Government Act 1989*.

4.8 Discontinuation of Financial Hardship Assistance

Under Section 170(3) of the *Local Government Act 1989*, Councils can require repayments of deferred amounts if they consider that payment would no longer cause hardship, or if the land changes hands. Despite any payment agreement in place, outstanding rates and charges become immediately payable in the following circumstances:

1. In the case of a person, the property owner and/or ratepayer ceases to occupy the property applicable to the agreement.
2. In the case of a business, the property owner and/or ratepayer enters into administration or liquidation.
3. The applicable property is sold or transferred to another person or entity.
4. There is a material alteration to the ratepayer's circumstances and making the payment would no longer cause financial hardship to the person.

4.9 Defaults

Where payment arrangements have been made and the ratepayer has not followed the agreement without prior conveying of their circumstances to the rates department, this will be seen as a default.

The rates department will make reasonable attempts to contact the ratepayer to resolve the situation, as per the *Local Government Act 1989* and the *Local Government Legislation Amendment (Rating and Other Matters) Act 2022*.

4.10 Commencing Proceedings for Recovery of Unpaid Rates and Charges Debts

Council will not commence a proceeding under section 180(1) for an unpaid rate or charge that has not been deferred under section 170 or has not been the subject of a payment plan unless—

- (a) the Council, in writing—
 - a. notifies the person liable to pay the rate or charge of the arrears; and
 - b. advises the person of the payment options available including deferrals and payment plans; and
- (b) it has been at least 24 months since the person was notified and advised and the person has not deferred payment, entered into a payment plan or used any other available payment option.

Council will not commence a proceeding under section 180(1) for an unpaid rate or charge that has been deferred under section 170 unless—

- (a) the Council has sent a notice under section 170(3); and
- (b) the person has failed to make payment as required by the notice.

Council will not commence a proceeding under section 180(1) for an unpaid rate or charge that is subject to a payment plan.

Council will commence a proceeding under section 180(1) for an unpaid rate or charge that was subject to a payment plan unless it has been at least 24 months since the plan was cancelled.

4.11 Rate Recovery Sales

In accordance with s181 of the Act, a property may be sold to recover unpaid rates and charges where all other measures to collect the debt have been unsuccessful and all provisions of the Act have been satisfied. Any proposed sales must be endorsed by Council.

4.12 Financial Counselling

Council may recommend support services from the Financial & Consumer Rights Council of Victoria (FCRC) National Debt Helpline or other providers. The FCRC can help affected persons find a financial counsellor. The National Debt Helpline is a not-for-profit service that helps people in Australia tackle their debt problems. This is a Government service providing free, confidential counselling for people experiencing financial difficulty.

4.13 Conflict of Interest

All decisions, recommendations and approvals in this policy are subject to the conflict of interest provisions in the Staff Code of Conduct.

4.14 Appeal

Where an applicant for financial hardship is dissatisfied with the outcome of their application, they may request a review of the decision by outlining the grounds for the review. The request for a review of the decision must be in writing and addressed to the Chief Executive Officer.

If the applicant is still aggrieved by the decision of the Chief Executive Officer they may refer the matter to the Victorian Ombudsman.

5 Communication

This policy will be published on Council’s website and made available at Council’s Customer Service Centres for public access.

6 Charter of Human Rights

This policy does not unreasonably infringe any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

7 Responsibility

Policy Owner: CEO

8 Supporting Documents

Council Documents
Hindmarsh Shire Council Financial Hardship Application Form Hindmarsh Shire Council Annual Budget (including Fees & Charges, Rating Strategy) Hindmarsh Shire Council Councillor Code of Conduct Hindmarsh Shire Council Staff Code of Conduct Hindmarsh Shire Council Instrument of Delegated Staff Purchasing Authorities
Legislation
<i>Local Government Act 1989</i> <i>Local Government Act 2020</i> <i>Local Government Legislation Amendment (Rating and Other Matters) Act 2022</i> <i>Family Violence Protection Act 2008</i>

<i>Charter of Human Rights and Responsibilities Act 2006 (Vic)</i>
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9 Document control

Financial Hardship Policy		Policy Category	Council
Version Number	1.02	Policy Status	APPROVED
Approved/Adopted By	Council	Approved/Adopted on:	24 July 2019
Responsible Officer	Director Corporate and Community Services		
Version History	Date	Version	Description
	June 2016	1.01	Original Policy
	March 2019	1.02	Update to format of Policy. Change in approval requirements for interest waiver.
	October 2022	1.03	Update format of Policy, increased clarity across implementation areas.



Councillor Code of Conduct

DATE OF RESOLUTION
03 February 2021

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CODE



Councillor Code of Conduct

1 Introduction

The *Local Government Act 2020 (Act)* requires a Council to develop and maintain a Councillor Code of Conduct. The Councillor Code of Conduct is required to be periodically reviewed. This Councillor Code of Conduct (**Code**) has been adopted by Council to comply with the requirements of the Act.

A Councillor Code of Conduct:

- Must include the Standards of Conduct prescribed by the *Local Government (Governance and Integrity) Regulations 2020 (Regulations)* expected to be observed by Councillors;
- Must include any provisions prescribed by the Regulations;
- Must include provisions addressing any matters prescribed by the Regulations; and
- May include any other matters which Council considers appropriate, other than any other Standards of Conduct.

2 Purpose of this Code

The purpose of this Code is to:

- Set out the Standards of Conduct expected of Councillors;
- Foster good working relations between Councillors to enable Councillors to work constructively together in the best interests of the municipal community;
- Lift the standard of behaviour of Councillors during Council meetings, Councillor briefings and any other meetings which Councillors participate in from time to time; and
- Mandate Councillor conduct designed to build public confidence in the integrity of local government.

3 Roles

3.1 Role of Council

The role of Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community (see s 8 of the Act). Council provides good governance if:

- It performs its role in accordance with the Overarching Governance Principles in s 9 of the Act; and
- The Councillors perform their roles in accordance with s 28 of the Act.

In performing its role, Council may:

- Perform any duties or functions and exercise any powers conferred on it under the Act or any other Act; and
- Perform any other functions that it considers are necessary to enable that performance.

Good governance is fundamental to Council being able to perform its role. Good governance relies on, among other things, good working relationships between Councillors.

3.2 Role of a Councillor

Section 28 of the Act provides that the role of a Councillor is:

- To participate in the decision-making of Council;
- To represent the interests of the municipal community in that decision-making; and
- To contribute to the strategic direction of Council through the development and review of key strategic documents of Council, including the Council Plan.

In performing the role of a Councillor, a Councillor must:

- Consider the diversity of interests and needs to the municipal community;
- Support the role of Council;
- Acknowledge and support the role of the Mayor;
- Act lawfully and in accordance with the oath or affirmation of office;
- Act in accordance with the Standards of Conduct; and
- Comply with Council procedures required for good governance.

The role of a Councillor expressly excludes the performance of any responsibilities or functions of the Chief Executive Officer (**CEO**).

3.3 Role of the Mayor

Section 18 of the Act provides that the role of the Mayor is to:

- Chair Council meetings;
- Be the principal spokesperson for the Council;
- Lead engagement with the municipal community on the development of the Council Plan;

- Report to the municipal community, at least once each year, on the implementation of the Council Plan;
- Promote behaviour among Councillors that meets the Standards of Conduct set out in this Code;
- Assist Councillors to understand their role;
- Take a leadership role in ensuring the regular review of the performance of the CEO;
- Provide advice to the CEO when the CEO is setting the agenda for Council meetings; and
- Perform civic and ceremonial duties on behalf of the Council.

In addition to that role, the Mayor has the following specific powers:

- To appoint a Councillor to be the chair of a delegated committee;
- To direct a Councillor, subject to any procedures or limitations specified in Council's Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing Council from conducting its business; and
- To require the CEO to report to Council on the implementation of a Council decision.

3.4 Role of the CEO

Section 94A of the *Local Government Act 1989* sets out the functions of the CEO, which include:

- Establishing and maintaining an appropriate organisational structure for Council;
- Ensuring Council decisions are implemented without undue delay;
- Day to day management of Council's operations in accordance with the Council Plan;
- Developing, adopting and disseminating a Staff Code of Conduct;
- Providing timely advice to Council;
- Ensuring that Council receives timely and reliable advice about its legal obligations;
- Supporting the Mayor in the performance of the Mayor's role; and
- Carrying out Council's obligations as an employer with respect to Councillors as deemed employees under the workplace health and safety legislation.

From 1 July 2021, s 94A of the *Local Government Act 1989* will be replaced by s 46 of the Act. The CEO's functions will then include:

- supporting the Mayor and the Councillors in the performance of their roles;
- ensuring the effective and efficient management of the day to day operations of the Council;
- ensuring that Council receives timely and reliable advice about its legal obligations;

- supporting the Mayor in the performance of the Mayor's role;
- setting the agenda for Council meetings after consulting the Mayor;
- when requested by the Mayor, reporting to Council in respect of the implementation of a Council decision;
- carrying out Council's obligations as an employer with respect to Councillors as deemed employees under the workplace health and safety legislation;
- establishing and maintaining an organisational structure for Council;
- being responsible for all staffing matters, including appointing, directing, managing and dismissing members of Council staff; and
- managing interactions between members of Council staff and Councillors and ensuring that policies, practices and protocols that support arrangements for interaction between Council staff and Councillors.

The CEO will determine the extent to which Councillors will be informed of decisions made in pursuit of these functions. Councillors acknowledge that any information provided by the CEO is provided as a courtesy and in pursuit of maintaining good working relationships.

Councillors accept that they must not seek to direct the CEO with respect to the fulfilment of these functions.

It is neither the role nor the responsibility of the CEO to mediate disagreements arising between Councillors, or to draft, or otherwise assist in the drafting of, an application under this Code or the Act.

3.5 Role of Councillor Conduct Officer

The CEO will from time to time appoint a member of Council staff as the Councillor Conduct Officer under s 150 of the Act.

The Councillor Conduct Officer must:

- assist Council in the implementation and conduct of the internal arbitration process;
- assist the Principal Councillor Conduct Registrar to perform his or her functions; and
- assist the Principal Councillor Conduct Registrar in relation to any request for information.

It is neither the role nor the responsibility of the Councillor Conduct Officer to draft, or to otherwise assist in the drafting of, an application under this Code or the Act.

3.6 Role of the Principal Councillor Conduct Registrar

The Principal Councillor Conduct Registrar is appointed by the Secretary Department of Jobs, Precincts and Regions under s 148 of the Act and is employed by the State Government under Part 3 of the *Public Administration Act 2004*. The role of the Principal Councillor Conduct Registrar relevantly includes:

- receiving and examining applications for the appointment of an arbiter;
- appointing an arbiter from the panel list kept by the Secretary Department of Jobs, Precincts and Regions as required; and
- publishing guidelines in relation to processes and procedures relating to internal arbitration process applications as considered necessary.

4 Standards of conduct

The Standards of Conduct to be observed by Councillors are set out in the Regulations. Failure to comply with the Standards of Conduct constitutes 'misconduct' for the purposes of the Act. If allegations of misconduct cannot be resolved between Councillors informally, they will be referred to the internal arbitration process, which may result in the imposition of sanctions.

4.1 Treatment of Others

A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the Councillor:

- Takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the *Equal Opportunity Act 2010*;
- Supports Council in fulfilling its obligation to achieve and promote gender equality;
- Does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and Councillors; and
- In considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.

4.2 Performing the Role of Councillor

A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor:

- Undertakes any training or professional development activities that Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor;
- Diligently uses Council processes to become informed about matters which are subject to Council decisions;
- Is fit to conscientiously perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- Represents the interests of the municipal community in performing the role of a Councillor by considering and being responsive to the diversity of interests and needs of the municipal community.

4.3 Compliance with Good Governance Measures

A Councillor, in performing the role of a Councillor, to ensure the good governance of Council, must diligently and properly comply with the following:

- Any policy, practice or protocol developed and implemented by the CEO in accordance with s 46 of the Act for managing interactions between members of Council staff and Councillors;
- The Council expenses policy adopted and maintained by Council under s 41 of the Act;
- The Governance Rules developed, adopted and kept in force by Council under s 60 of the Act; and
- Any directions of the Minister for Local Government issued under s 175 of the Act.

4.4 Councillor must not Discredit or Mislead Council or Public

In performing the role of a Councillor, a Councillor must:

- Ensure that their behaviour does not bring discredit upon Council; and
- Not deliberately mislead Council or the public about any matter related to the performance of their public duties.

4.5 Standards do not Limit Robust Political Debate

Councillors acknowledge that nothing in the Standards of Conduct is intended to limit restrict or detract from robust public debate in a democracy. So, while Councillors must always meet these Standards of Conduct, participation in vigorous debate of matters before Council for decision should not be viewed as being inconsistent with them.

5 Prohibited Conduct

In addition to observing the Standards of Conduct, Councillors acknowledge that the Act prohibits them from engaging in certain conduct and that doing so constitutes a criminal offence. This conduct relates to:

- Misuse of position;
- Improper direction and improper influence;
- Confidential information;
- Conflict of interest; and
- Electoral conduct.

Councillors acknowledge that, while these matters are not Standards of Conduct and are not to be addressed as a contravention of this Code, they undertake to comply with them.

In the case of non-compliance, these matters could be the subject of an application to a Councillor Conduct Panel made by the Chief Municipal Inspector, or of a complaint to the Local Government

Inspectorate, the Independent Broad-based Anti-corruption Commission or Victoria Police, depending on the nature of the allegation.

5.1 Misuse of Position

A Councillor must not misuse his or her position:

- To gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
- To cause, or attempt to cause, detriment to Council or another person.

Circumstances involving the misuse of position by a Councillor include, but are not limited to:

- Making improper use of information acquired as a result of the Councillor's position (current and past);
- Disclosing information that is confidential information;
- Directing, or improperly influencing, or seeking to direct or improperly influence, a member of Council staff;
- Exercising or performing, or purporting to exercise or perform, a power, duty or function that the Councillor is not authorised to exercise or perform;
- Using public funds or resources in a manner that is improper or unauthorised; and
- Participating in a decision on a matter in which the Councillor has a conflict of interest.

5.2 Directing a Member of Council staff

A Councillor must not intentionally direct, or seek to direct, a member of Council staff:

- In the exercise of a delegated power, or the performance of a delegated duty or function of Council;
- In the exercise of a power or the performance of a duty or function exercised or performed by the staff member as an authorised officer under the Act or any other Act;
- In the exercise of a power or the performance of a duty or function the staff member exercises or performs in an office or position the staff member holds under the Act or another Act; or
- In relation to advice provided to Council or a delegated committee, including advice in a report to Council or delegated committee.

5.3 Confidential Information

A Councillor must not intentionally or recklessly disclose information that the he or she knows, or should reasonably know, is confidential information.

For the purposes of the Act 'confidential information' means the following information:

- Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- Security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
- Land use planning information, being information that if prematurely released is likely to encourage speculation in land values;
- 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;
- Legal privileged information, being information to which legal professional privilege or client legal privilege applies;
- Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
- Private commercial information, being information provided by a business, commercial or financial undertaking that:
 - Relates to trade secrets; or
 - If released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
- Confidential meeting information, being the records of meetings closed to the public under the Act;
- Internal arbitration information, being information specified in s 145 of the Act;
- Councillor Conduct Panel confidential information, being information specified in s 169 of the Act;
- Information prescribed by regulations to be confidential information for the purposes of the Act; and
- Information that was confidential information for the purposes of s 77 of the *Local Government Act 1989*.

A Councillor may disclose information that would be considered 'confidential information' if the information that is disclosed is information that Council has determined should be publicly available.

Otherwise, a Councillor may disclose information that he or she knows is confidential information in the following circumstances:

- For the purposes of any legal proceedings arising out of the Act;
- To a court or tribunal in the course of legal proceedings;
- Pursuant to an order of a court or tribunal;

- In the course of an internal arbitration and for the purposes of the internal arbitration process;
- In the course of a Councillor Conduct Panel hearing and for the purposes of the hearing;
- To a Municipal Monitor to the extent reasonably required by the Municipal Monitor;
- To the Chief Municipal Inspector to the extent reasonably required by the Chief Municipal Inspector;
- To a Commission of Inquiry to the extent reasonably required by the Commission of Inquiry; and
- To the extent reasonably required for any other law enforcement purposes.

Councillors acknowledge that they will have access to confidential information in many forms and that it will not always be labelled as being 'confidential'. Councillors will take reasonable steps to inform themselves about the confidential nature of any Council information before discussing it outside the organisation.

5.4 Conflict of Interest

If a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting of Council or a delegated committee, a meeting of a community asset committee, or any other meeting held under the auspices of Council, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest in accordance with the Governance Rules (unless any of the exemptions apply).

A Councillor may have a 'general' or a 'material' conflict of interest in a matter being considered at a meeting.

A Councillor has a 'general' conflict of interest in a matter if an impartial, fair-minded person would consider that the Councillor's private interests could result in the Councillor acting in a manner that is contrary to their public duty.

For the purposes of general conflict of interest:

- 'private interests' means any direct or indirect interest of a Councillor that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief; and
- 'public duty' means the responsibilities and obligations that a Councillor has to members of the public in their role as a relevant person.

A Councillor has a 'material' conflict of interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

The benefit may arise or the loss incurred:

- Directly or indirectly; or
- In a pecuniary or non-pecuniary form.

For the purposes of a material conflict of interest, any of the following is an 'affected person':

- The Councillor;
- A family member of the Councillor;
- A body corporate of which the Councillor or their spouse or domestic partner is a Director or a member of the governing body;
- An employer of the Councillor, unless the employer is a public body;
- A business partner of the Councillor;
- A person for whom the Councillor is a consultant, contractor or agent;
- A beneficiary under a trust or an object of a discretionary trust of which the Councillor is a trustee;
- A person from whom the Councillor has received a disclosable gift (i.e. Exceeding \$500 in value).

Councillors acknowledge that they must be clear about their associations with parties external to Council and to avoid conflicts between those associations and their role as Councillors.

5.5 Other Legislative Requirements

The Act includes requirements relating to eligibility to be a Councillor, electoral conduct and the election period ('caretaker period'). Allegations in relation to contravention of these provisions should be directed to the Victorian Electoral Commission or the Local Government Inspectorate, depending on the nature of the allegation, for investigation and any consequent action.

Councillors acknowledge that they are responsible for complying with the various provisions relating to these matters

6 Good Governance

Councillors will support the role of Council by ensuring that Council gives effect to the overarching governance principles when participating in Council's decision-making functions.

The overarching governance principles are set out in s 9(2) of the Act and are as follows:

- Council decisions are to be made and actions taken in accordance with the relevant law;
- Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- The municipal community is to be engaged in strategic planning and strategic decision making;

- Innovation and continuous improvement is to be pursued;
- Collaboration with other councils and governments and statutory bodies is to be sought;
- The ongoing financial viability of Council is to be ensured;
- Regional, state and national plans and policies are to be taken into account in strategic planning and decision making; and
- The transparency of Council decisions, actions and information is to be ensured.

6.1 Council Decision-making

Councillors are committed to ensuring a high level of transparency in Council's decisions and Council's decision-making processes. Councillors acknowledge that Council decisions cannot be made other than by resolutions made at properly constituted Council meetings following fulsome public debate in the Council Chamber. While Councillors will engage in informal discussion of matters coming before Council for decision, they acknowledge that these informal discussions are not decision-making forums, and that a final position on such matters cannot be reached before the Council meeting.

Councillors acknowledge the role that reports prepared by members of Council staff provide professional advice which assists in informing Councillors about matters before Council for decision. Councillors will pay respect and attention to the information provided by members of Council staff to assist Council's decision-making functions.

6.2 Use of Council Resources

Councillors commit to using Council resources effectively, economically and only for proper purposes connected with their role as a Councillor, consistent with relevant Council policies and procedures, including:

- Maintaining adequate security over Council property, facilities and resources provided by Council to assist in performing their role;
- Complying with any legislation and Council policies and procedures applying to the use of Council property, facilities and resources provided by Council to assist in performing their role;
- Ensuring any expense claims are submitted in compliance with all applicable legislation and Council policy;
- Not using Council resources, including services of Council staff, for private purposes, unless legally or properly authorised to do so, and paying for those resources where appropriate; and
- Not using public funds or resources in a manner that is improper or unauthorised.

6.3 Use of Council Information

In addition to avoiding prohibited conduct with respect to confidential information, Councillors acknowledge that, as part of their participation in Council decision-making, they will be privy to information which of a sensitive nature. Councillors will be:

- Aware that they are only entitled to access information which is relevant to a matter before Council for decision;
- Mindful that, except on matters before Council for decision, they enjoy the same access to rights to information as any other member of the public;
- Prudent in the use of information that they acquire as Councillors;
- Observant of any specific policies that Council has adopted with respect to access to and use of Council information;
- Respectful of the status of any confidential information until the matter ceases to be confidential; and
- Careful that information is not used in a way which can cause detriment to others.

6.4 Gifts and Benefits

Councillors will avoid situations giving rise to the appearance that a person or body, through the provisions of gifts, benefits or hospitality of any kind, is attempting to gain favourable treatment from an individual Councillor or from Council.

Councillors will take all reasonable steps to ensure that their immediate family members do not receive gifts or benefits that give rise to the appearance of an attempt to gain favourable treatment.

Councillors will only accept gifts that exceed the gift disclosure threshold (currently, \$500) if:

- the name and address of the person making the gift are known to them; or
- at the time when the gift is made, they reasonably believe that the name and address provided are the true name and address of the person making the gift.

Anonymous gifts that exceed the gift disclosure threshold will be disposed of to Council within thirty (30) days of receiving the gift.

Councillors will comply with the Councillor Gift Policy, once adopted, and any other policies and procedures adopted by Council from time to time relevant to the acceptance of gifts.

6.5 Child Safe Standards

Council is committed to the safety, participation and empowerment of all children and has zero tolerance towards incidents of child abuse, including physical, sexual and emotional abuse, neglect and ill-treatment. Council adheres to the Victorian Child Safe Standards and related legislating including Failure to Disclose, Failure to Protect and Grooming offences. All allegations and safety concerns will be treated very seriously and consistently with child protection legislation, regulations and guidelines and in accordance with Council policy and procedures.

Council is also committed to the cultural safety of Aboriginal children and Torres Strait Islander children, the cultural safety of children from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children with a disability.

Councillors will maintain the highest standards of professional conduct in attitude, behaviour and interactions with children and young people and, as leaders, uphold the rights and best interests of the children.

In undertaking their role, Councillors will actively promote the inclusion, safety, wellbeing and empowerment of children. Councillors will treat all children and young people with respect regardless of race, sex, gender identity, sexual orientation, language, religion, political or other opinion, health status, culture, ability or other status. Councillors will listen to and value the contributions of children and young people, ensuring that their ideas and opinions are considered in Council decisions and the development of policies, projects and plans.

6.6 Councillors will not condone or participate in illegal, unsafe or abusive behaviour towards children, including inappropriately meeting with a child in a private setting or ignoring any concerns, suspicions or disclosures of child abuse. Communications

Councillors recognise that, as representatives of the local community, they have a primary responsibility to be responsive to community views and to adequately communicate the position and decisions of Council.

Councillors are committed to respecting the function of the Mayor as the spokesperson of Council in accordance with the Act.

Councillors undertake to comply with Council's Media Policy and any other relevant policies, as adopted from time to time.

Councillors acknowledge that individual Councillors are entitled to express their personal opinions through the media. In doing so, Councillors will make it clear that:

- Their comments are being made as an individual and reflects their own personal views and do not represent the position of Council;
- The matter has, or has not, been determined by Council, as the case may be; and
- The majority of Council may hold a different opinion.

Councillors should consider the short- and long-term impact of personal comments, and the potential detrimental impact on Council credibility and unity. Councillors will ensure that such comments avoid being derogatory, offensive or insulting of Council, Councillors, members of Council staff, members of the community and others and are factually accurate.

6.7 Social Media

Councillors acknowledge that social media offers opportunities for dialogue between Councillors and the community and can lead to more effective communication but that

confidentiality, governance, legal, privacy and regulatory risks can arise in connection with their use of social media.

Council's Social Media sites are managed by members of Council staff and Councillors will not seek to interfere with that management.

Councillors will seek to ensure that posts on their own social media pages are consistent with the Standards of Conduct and pay due regard for the views of other Councillors, Council's reputation and members of Council staff.

Should Councillors receive any enquiries for Council services through their social media pages, they will redirect those enquiries through Council's customer request for service system, and will not commit Council or members of Council staff to actions or undertaking.

Councillors undertake to include on their own social media pages a statement that the views expressed thereon are their own and do not represent the position of Council. Councillors acknowledge that a disclaimer on their own social media pages and posts will not, in itself, mean all content will necessarily be interpreted as personal use unrelated to their Councillor role.

Councillors should recognise the risks of child abuse and harm in online environments, including social media. In addition to ensuring that all actual or potential incidents of child abuse online are reported appropriately, Councillors should ensure that their communication and engagement with children or young people in online environments is undertaken in accordance with the Child Safe Standards and all relevant legislation, as well as in accordance with Council policies and procedures.

6.8 Personal dealings with Council

When Councillors deal with Council in their private capacity (eg as a ratepayer, recipient of a Council service or applicant for a permit), they will not expect or request preferential treatment in relation to any such private matter. Councillors will avoid any action that could lead members of Council staff or members of the community to believe that they are seeking preferential treatment.

6.9 Occupational Health and Safety

Councillors acknowledge that meeting Council's obligations as an employer under the *Occupational Health and Safety Act 2004* by, among other things, providing a safe workplace for members of Council staff and visitors to Council premises is essential.

Councillors are committed to working in ways that protect and promote the health and safety of members of Council staff and visitors to Council premises and to minimise risks to them.

6.10 Elections

Councillors may nominate as candidates in elections at all levels of government. If nominating as a candidate in an election, or assisting in the campaign of a candidate in an election, Councillors commit to not using their position as a Councillor for purposes associated with their campaign, or the campaign of any other candidate.

6.10.1 Declaration of Candidacy

A Councillor who becomes and endorsed candidate of a registered political party or publicly expresses an intention to run as an independent candidate for a State or Federal Election (a Prospective Candidate), will provide written advice to the CEO as soon as practicable. The CEO should then provide written advice to all Councillors.

A Councillor who is a Prospective Candidate, will declare their intended candidacy at a meeting of the Council as soon as practicable after notifying the CEO.

6.10.2 Leave of Absence

A Councillor who formally nominates as a candidate for a State or Federal Election with a State or Federal electoral commission should apply for leave of absence from the Council. This leave of absence should commence no later than the date of their nomination as a candidate with the relevant electoral commission for the Election (Nomination Date) and conclude no earlier than the close of voting for the relevant Election.

During this period, a Councillor who is on a leave of absence should not attend meetings of the Council or otherwise act as a Councillor, notwithstanding attending a meeting of the Council for the sole purpose of declaring their candidacy.

Council, upon receiving an application for a leave of absence from a Councillor who is a Nominated Candidate, or who intends to become a Nominated Candidate, should consider this as a reasonable request and approve that application.

6.10.3 Election of an Acting Mayor

If a Councillor who formally nominates for a State or Federal Election holds the Office of Mayor, the Deputy Mayor will serve as acting Mayor for a period no longer than the Mayor's leave of absence.

6.10.4 Improper Use of Position by Councillors

Section 123 of the *Local Government Act 2020* provides that it is an offence for a Councillor to intentionally misuse their position to gain or attempt to gain an advantage for themselves, or for any other person, by making improper use of information acquired as a result of their position, and using public funds or resources in a manner that is improper or unauthorised.

A Councillor who is a Prospective or Nominated Candidate should:

- Observe relevant Councillor/staff relationship policies and protocols from their Nomination Date until the close of voting for the relevant Election.
- Take care to declare conflicts of interests that may pertain to their conflicting role as a candidate.
- Take care to differentiate between their role as a State or Federal Election candidate and their role as a Councillor when making public comment.
- Not participate in any way in the processes of Council relating to a matter before Council if the candidate is campaigning on the said matter.
- Avoid campaigning on (through opposition or taking credit for) Council decisions.

- Take all reasonable steps to avoid the appearance that they are using their position as a Councillor as platform to promote or further their candidacy.

6.10.5 Council Resources and Activities

A Councillor who is a Prospective Candidate or a Nominated Candidate must not use Council resources in connection with an election campaign. These include, but are not limited to, officers and support staff, mobile phones, computers, tablets, stationary, printers, vehicles, paper, council publications, council provided email addresses, council facilities, and photographs taken at or for official Council business.

6.10.6 A Councillor who is a Prospective Candidate or a Nominated Candidate should not use Council activities, including Council meetings, events, network meetings and Council-related external activities in relation to their candidacy. Resignation of Office upon Successful Candidacy

Section 34(2)(a) of the *Local Government Act 2020* specifies a person is not qualified to be a Councillor and ceases to hold the Office of Councillor if they are a member of the Victorian Parliament, the Commonwealth Parliament, or of another State or Territory of the Commonwealth's Parliament. Therefore, a Councillor must resign immediately if their candidacy in a State or Federal Election is successful.

7 Interpersonal Disputes between Councillors

Councillors acknowledge that interpersonal differences and disputes (as distinct from allegations of contravention of the Standards of Conduct) may arise from time to time. Councillors commit to taking reasonable steps to resolve any interpersonal difference or dispute that arises without recourse to formal processes with a view to maintaining effective working relationships.

In resolving interpersonal differences or disputes, Councillors will consider pursuing informal steps, including:

7.1 Informal Discussions between Councillors

Councillors will first consider discussing their interpersonal difference or dispute informally with a view to resolving it.

7.2 Facilitated Discussion

If Councillors are unable to discuss their interpersonal difference or dispute informally, or their informal discussions are unsuccessful, they will consider approaching a fellow Councillor, chosen with the agreement of both Councillors, to facilitate a discussion with a view to resolving their interpersonal difference or dispute.

If the interpersonal difference or dispute cannot be resolved informally, the Councillors will consider whether any of the conduct giving rise to it constitutes a contravention of the Standards of Conduct. If they consider that it does, they may choose to pursue it as such under Part 8 of this Code.

8 Allegations of Contravention of the Standards of Conduct

An allegation that the Standards of Conduct have been breached by a Councillor can be made by:

- Council, by resolution;
- a Councillor; or
- a group of Councillors.

Where an allegation is made by Council or by a group of Councillors, a single Councillor must be nominated to act as the representative of Council or the group of Councillors (as the case may be) in the internal resolution process. Only that Councillor will be entitled to participate in the internal resolution process.

When an allegation of a breach of the Standards of Conduct is alleged, the Councillors who are party to the allegation undertake to use their best endeavours to resolve it in a courteous and respectful manner without recourse to formal processes under this Code or under the Act. If, after these endeavours have been exhausted, the allegation remains unresolved, either or both of the Councillors may have recourse to any or all of the internal resolution processes set out in this Code.

Councillors accept the following three-phase internal resolution process:

- Direct negotiation between the parties, facilitated by the Mayor;
- External mediation between the parties, facilitated an independent mediator engaged by the CEO; and
- Formal internal arbitration process.

Councillors recognise that the first and second phases are voluntary and that they are not obliged to agree to either of them but undertake, before commencing any formal dispute resolution process, to use their best endeavours to resolve the matter in a courteous and respectful manner between themselves. Where, after these endeavours have been exhausted, the matter still remains unresolved, the parties may resort to any or all of Council's three-phase dispute resolution process.

8.1 The Application

An application alleging a breach of the Standards of Conduct must:

- 1) include the:
 - a) name of the Councillor alleged to have breached the Standards of Conduct;
 - b) clause(s) of the Standards of Conduct that the Councillor is alleged to have breached;
 - c) particular misconduct, or behaviour, that the Councillor is alleged to have engaged in that resulted in the breach; and
 - d) phase of the internal resolution process being pursued by the Councillor making the allegation at the first instance; and

- 2) be submitted to the Councillor Conduct Officer for:
 - a) action, if the application seeks engagement in the first or second phase of the internal resolution process; or
 - b) referral to the Principal Councillor Conduct Registrar, if the application seeks a formal internal arbitration process.

If an application received by the Councillor Conduct Officer does not meet the requirements of this Part 8.1, the Councillor Conduct Officer will return it to the Councillor submitting it with a brief statement of the ways in which the application is deficient.

A Councillor may revise and resubmit to the Councillor Conduct Officer a deficient application, provided that the Councillor submits the revised application no later than 3 months after the alleged breach of the Standards of Conduct occurred (see s 143(3) of the Act).

8.2 Process on Receiving an Application

8.2.1 Application for direct negotiation

On receiving an application from a Councillor which meets the requirements of Part 8.1 of this Code and which seeks a direct negotiation, the Councillor Conduct Officer will take the following steps:

- 1) notify Mayor and the CEO (for the CEO's information only) and provide them with a copy of the application;
- 2) notify the Councillor the subject of allegation in the application and provide them with a copy of the application;
- 3) request the Councillor the subject of the application to advise whether they will participate in the direct negotiation within 5 days of receiving the application, noting that, if no advice is received, the Councillor will be taken to have declined;
- 4) if the Councillor agrees to participate in the direct negotiation:
 - a) the Councillor Conduct Officer will, with the cooperation of the Councillors involved in the application and the Mayor, arrange a suitable time and place for the direct negotiation, to be no later than 5 days from the date of the advice provided under paragraph 3);
 - b) the direct negotiation must be completed with the Mayor providing a record of the outcome to the Councillors involved in the application and the CEO no later than 5 days after the direct negotiation takes place; and
 - c) if the direct negotiation is not complete within 5 days of the date nominated for it to take place, the Councillors will be taken as not having agreed to participate in a direct negotiation, unless both Councillors agree to extend the time for completion;

- 5) if the direct negotiation is not completed in accordance with this Part 8.2.1 for whatever reason, or if the direct negotiation does not resolve the allegation the subsection of the application, the Councillor Conduct Officer will advise the:
 - a) Councillor making the application and ask the Councillor to advise whether they wish to escalate the matter to another phase of the internal resolution process and, if so, which phase;
 - b) Councillor the subject of the application; and
 - c) CEO; and
- 6) the Councillor Conduct Officer will make arrangements to close or to escalate the application, as the case may be, according to the advice of the Councillor making the application.

Where the Mayor is a party to the allegation, the direct negotiation is to be facilitated by the Deputy Mayor (if any) or the immediate past Mayor. The Deputy Mayor or the immediate past Mayor (if there is no Deputy Mayor) will perform the functions ascribed to the Mayor.

8.2.2 External mediation

On receiving an application from a Councillor which meets the requirements of Part 8.1 of this Code and which seeks an external mediation, or on escalating an application where a direct negotiation has not been completed or has not resolved the allegation, the Councillor Conduct Officer will take the following steps:

- 1) notify the CEO and provide them with a copy of the application;
- 2) notify the Councillor the subject of allegation in the application and provide them with a copy of the application;
- 3) request the Councillor the subject of the application to advise whether they will participate in external mediation within 5 days of receiving the application, noting that, if no advice is received, the Councillor will be taken to have declined;
- 4) if the Councillor agrees to participate in external mediation:
 - a) the CEO, or a member of Council staff nominated by the CEO for the purpose (**the CEO's nominee**), will engage a mediator, to be chosen by the CEO (or the CEO's nominee);
 - b) the CEO (or the CEO's nominee) will, with the cooperation of the Councillors involved in the application, arrange a suitable time and place for the external mediation, to be no later than 5 business days from the date of the advice provided under paragraph 3); and
 - c) if the external mediation is not complete within 5 business days of the date nominated for it to take place, the Councillors will be taken as not having agreed to participate in the external mediation, unless both Councillors agree to extend the time for completion;

- 5) if the external mediation resolves the application, the mediator will document the agreement reached by the Councillors involved and provide a copy of the agreement to both Councillors and to the CEO;
- 6) if the external mediation is not completed in accordance with this Part 8.2.2 for whatever reason, the CEO (or the CEO's nominee) will advise the:
 - a) Councillor making the application and ask the Councillor to advise whether they wish to escalate the matter to another phase of the internal resolution process and, if so, which phase; and
 - b) Councillor the subject of the application; and
 - c) the CEO (or the CEO's nominee) will ask the Councillor Conduct Officer to make arrangements to close or to escalate the application, according to the advice of the Councillor making the application.

8.2.3 Internal arbitration process

A breach of the Standards of Conduct constitutes 'misconduct' for the purposes of the Act and may be referred to an arbiter for determination. The process for internal arbitration is prescribed by Part 6 of the Act and r 11 of the Regulations.

Internal arbitration may be commenced either after the first two phases of the internal resolution process prove unsuccessful in resolving the allegation, or as the first step in an application.

On receiving an application from a Councillor which meets the requirements of Part 8.1 of this Code and which seeks an internal arbitration process, or on escalating an application where a facilitated discussion and/or mediation has not been completed or has not resolved the allegation, the Councillor Conduct Officer will:

- 1) refer the application to the Principal Councillor Conduct Registrar;
- 2) notify the Councillors involved in the application of the referral;
- 3) notify the CEO of the referral (for the CEO's information only);
- 4) await advice from the Principal Councillor Conduct Registrar about the application; and
- 5) take such steps as are necessary to give effect to the Principal Councillor Conduct Registrar's advice, in accordance with any instructions received.

Councillors recognise that an application for internal arbitration for an allegation of a breach of the Standards of Conduct will only be accepted by the Principal Councillor Conduct Registrar, and an arbiter will only be appointed, if the Principal Councillor Conduct Registrar is satisfied that:

- 6) the application is not frivolous, vexatious, misconceived or lacking in substance; and
- 7) there is sufficient evidence to support an allegation of a breach of the Councillor Code of Conduct.

It is for the Councillor or Councillors submitting an application to ensure that the application meets these requirements.

If the Principal Councillor Conduct Registrar is satisfied that an application for internal arbitration should be accepted, the Principal Councillor Conduct Registrar will appoint an arbiter from a panel list compiled by the Secretary to the Department of Jobs, Precincts and Regions.

In conducting an arbitration the arbiter must:

- 8) ensure that the parties involved are given an opportunity to be heard;
- 9) ensure that a Councillor who is a party does not have a right to representation, unless the arbiter considers that representation is necessary to ensure that the process is conducted fairly;
- 10) conduct the hearing with as little formality and technicality as the proper consideration of the matter permits; and
- 11) ensure that the hearing is not open to the public.

Additionally, in conducting an arbitration the arbiter:

- 12) may hear each party to the matter in person or solely by written or electronic means of communication;
- 13) is not bound by the rules of evidence and may be informed in any manner the arbiter sees fit;
- 14) may at any time discontinue the hearing if the arbiter considers that the:
 - a) application is vexatious, misconceived, frivolous or lacking in substance; or
 - b) Councillor making the application, or representing the group of Councillors making the application, has not responded, or has responded inadequately, to a request for further information.

If, at the completion of the internal arbitration process, the arbiter determines that a Councillor has breached the Standards of Conduct, the arbiter may make a finding of misconduct against the Councillor and impose any one or more of the following sanctions:

- 15) direct the Councillor to make an apology;
- 16) suspend the Councillor from the office of Councillor for a period specified by the arbiter (not exceeding one month);
- 17) direct that the Councillor be removed from any position where the Councillor represents Council for a period determined by the arbiter;
- 18) direct that the Councillor is removed from being the chair of a delegated committee for a period determined by the arbiter; and/or
- 19) direct a Councillor to attend or undergo training or counselling specified by the arbiter.

The arbiter must provide a written copy of the arbiter's findings and statement of reasons to:

- 20) Council;
- 21) the applicant(s) and the respondent; and
- 22) the Principal Councillor Conduct Registrar.

A copy of the arbiter's decision and statement of reasons must be tabled at the next Council meeting after the arbiter's findings and statement of reasons are provided. If the arbiter's decision and statement of reasons contain any confidential information, the confidential information must be redacted before it is tabled

Councillors recognise that a failure to participate in and comply with the internal arbitration process or a direction given to the Councillor by an arbiter is 'serious misconduct' for the purposes of the Act. Allegations of 'serious misconduct' are heard by a Councillor Conduct Panel.

8.3 Responsibility of Councillors

It is the responsibility of a Councillor or Councillors submitting an application to prepare the application, including by identifying and collating the evidence which supports it.

While members of Council staff may provide some administrative support, that support will not extend to assisting Councillors with the preparation of the substance of an application.

9 Related documents

Social Media Policy

Privacy Policy

Media Policy

Child Safety Standards Policy

Conflict of Interest Policy

Local Government Act 2020

Governance Rules

Local Government (Governance and Integrity) Regulations 2020

Councillor Gifts and Hospitality Policy

10 Version history

Councillor Code of Conduct		Policy Category	Governance
Version Number	03	Policy Status	ADOPTED
Approved/Adopted By	COUNCIL	Approved/Adopted on:	03 February 2021
Responsible Officer	CEO		
Version History	Date	Version	Description
	01 February 2017	01	Councillor Code of Conduct from 2017
	03 February 2021	02	Councillor Code of Conduct from 2020

	9 November 2022	03	Council Code of Conduct – 2022 Update
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TERMS OF REFERENCE

XX TOWN COMMITTEE

ADVISORY COMMITTEE TO HINDMARSH SHIRE COUNCIL

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1 Background

- 1.1 By this Terms of Reference document, Hindmarsh Shire Council (**Council**) establishes the XX Town Committee.
- 1.2 Council will establish from time to time various Advisory Committees. The purpose of such committees is to provide advice to Council with expertise in relevant matters to assist its decision making for the Hindmarsh Community.
- 1.3 The Committee has functions and responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Committee can make recommendations to Council.
- 1.4 This Terms of Reference document is authorised by a resolution of Council passed on *[insert date]*.

2 Purpose

- 2.1 The purpose of the XX Town Committee (**Committee**) is to:
 - 2.1.1 provide leadership in the promotion of XX and district, the improvement of the community's livability and its economic development, liaising with sporting clubs, community organisations and businesses to identify and help coordinate any such opportunities;
 - 2.1.2 advise Council of necessary service delivery and infrastructure improvements in its community, and to prioritise such requests and submit them in early December of each year for consideration in Council's budget;
 - 2.1.3 provide a means of effective and efficient communication between Council and the community;
 - 2.1.4 provide feedback and comments on matters referred by Council or other matters brought to the Committee's attention;
 - 2.1.5 facilitate local activities and events, including welcome functions for new residents; and
 - 2.1.6 provide advice to Council as to how the funds of the XX Town Committee are expended.

3 Role of the Committee

- 3.1 The role of the Committee is to:
 - 3.1.1 to establish clearer lines of communication between Council and residents to support future development and operational activities in Nhill/Jeparit/Dimboola/Rainbow.

4 Town Committee Finances

- 4.1 Council will hold the funds of the XX Town Committee.
- 4.2 Decisions to spend the funds will be made by Council on the advice of the XX Town Committee.
- 4.3 Funds remaining in the XX Town Committee's ledger at the end of each financial year will rollover into the following financial year's accounts for the XX Town Committee.

5 Membership

- 5.1 The Committee will consist of a minimum of five and a maximum of eleven members comprising of:
 - 5.1.1 One Councillor nominated by Council;
 - 5.1.2 Up to ten members of the [Nhill/Jeparit/Dimboola/Rainbow] community appointed by Council after seeking expressions of interest from the community.
- 5.2 The Chief Executive Officer (CEO) shall appoint a Council Officer to provide governance advice and approve purchasing recommendations within limits determined by the CEO.
- 5.3 A Council Officer appointed under 5.2 is not considered a member of the Committee and does not have voting rights.
- 5.4 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 5.5 Councillors, other than a Councillor appointed under clause 5.1.1, who attend a meeting are not to be classed as members of the Committee and do not have voting rights.
- 5.6 Membership is for a period of one (1) years, unless otherwise determined by a resolution of Council.
- 5.7 Any Councillor can attend meetings of the Committee as an observer.
- 5.8 Appointment to the Committee may be decided by factors such as suitability, experience, expertise, and with a view to ensuring a diverse and well balanced Committee.
- 5.9 People wishing to serve as an external independent member may nominate for successive terms without restriction.
- 5.10 Members of an Advisory Committee must abide by the Advisory Committee Policy - specifically clause 13 – code of conduct.
- 5.11 Where members are unable to attend a scheduled Advisory Committee Meeting, they should advise the Chair in writing prior to the meeting commencing.
- 5.12 A Committee member can be disqualified from the Committee in accordance with clause [5.12.1](#) and [5.12.2](#).
 - 5.12.1 If a Committee Member is absent from 2 or more consecutive meetings without providing written notice to the Chair, then Council can propose to remove the member as per clause [5.12.2](#). The Chair must notify Council in writing, via s86@hindmarsh.vic.gov.au, of any Committee Member who is absent from two or more consecutive meetings and has not provided written notice.
 - 5.12.2 If the Council proposes to remove a member from the Committee, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard if that member so requests.
- 5.13 If the Councillor appointed under 5.1.1 cannot attend an Advisory Committee Meeting they can nominate another Councillor to attend the meeting on their behalf.

6 Appointment of Community Representatives to Advisory Committees

- 6.1 Community representatives will be appointed to Council through an expression of interest and selection process.
- 6.2 Expressions of interest will be sought by public notice in the local media and on Hindmarsh Shire Council's website in March of each year.

- 6.3 Council will appoint the committee members to the Advisory Committee during the May Meeting.
- 6.4 Every effort should be made to ensure a representative cross section of people from the relevant area are elected to serve on the Advisory Committee.
- 6.5 Appointment to an Advisory Committee will be for a period of two (2) years, unless otherwise determined by way of a Council resolution, or if appointment occurs as per clause [6.7](#), appointment will cease at the end of the financial year, 30 June.
- 6.6 A member of an Advisory Committee is able to resign at any time.
- 6.7 Where an Advisory Committee does not have the maximum number of appointments as per clause [5.1](#) above and Council's Advisory Committee Policy, they may appoint additional members by way of resolution as per clause [12](#), having received a majority vote as per clauses [11.4](#), [11.5](#) and [11.6](#).

7 Executive

- 7.1 The executive composition of the Committee will be:
 - 7.1.1 Chairperson;
 - 7.1.2 Secretary
 - 7.1.3 up to 2 other office bearers as determined by the Committee.
- 7.2 The executive composition of the Committee is to be elected at the first Advisory Committee Meeting in a financial year.

Explanatory note 5.1.3 The 2 other office bearers are up to the discretion of each Committee. For example, a Deputy Chairperson may be elected.

8 Election of Chairperson

- 8.1 The Committee must elect a Chairperson at the first Advisory Committee Meeting in a financial year.
- 8.2 The election of a Chairperson must be chaired by the Councillor or a Council Officer.
- 8.3 The Councillor or Council Officer will invite nominations for Chairperson.
- 8.4 Every nomination for Chairperson will require a seconder.
- 8.5 Voting must be done by show of hands.
- 8.6 The Chairperson must be elected by an absolute majority of the Committee.

8.7 Role of the Chairperson

- 8.7.1 The Chairperson will chair all meetings.
 - 8.7.2 The Chairperson is the authorised spokesperson for the Committee.
- 8.8 If the Chairperson is absent from a Committee meeting, the Committee will elect a temporary Chairperson to chair the Committee meeting.

9 Election of secretary

- 9.1 The Committee must elect a Secretary at the first Advisory Committee Meeting in a financial year.
- 9.2 The Councillor or Council Officer will invite nominations for Chairperson
- 9.3 Every nomination for Secretary will require a seconder.
- 9.4 Voting must be done by show of hands.
- 9.5 The Secretary must be elected by an absolute majority of the Committee.

9.6 Role of Secretary

- 9.6.1 The Secretary will be responsible for preparing the Agenda for the meetings and taking full and accurate minutes of the meetings.
- 9.6.2 The Secretary is responsible for distributing the minutes of the Committee Meeting within the required time frame.

10 Agenda

- 10.1 For an item to be listed on the Agenda, the Secretary must be notified seven days prior to the meeting.
- 10.2 The Agenda is to be circulated to all Committee members five days prior to the meeting.
- 10.3 The Committee will not discuss any matter which has not been listed on the Agenda.
- 10.4 The Agenda must follow the format outline in Schedule 1.
- 10.5 Urgent business
 - 10.5.1 Urgent Business may be admitted for consideration at a Committee Meeting by resolution of the Committee Meeting.
 - 10.5.2 Prior to a vote being taken on whether to admit business as an item of Urgent Business, the Committee Member proposing such admission must outline the subject of the business to the Meeting
 - 10.5.3 The following matters are not capable of becoming items of Urgent Business:

10.5.3.1 the commitment of funds, or in kind contributions, for any purpose exceeding \$100.

11 Meetings

- 11.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with these Terms of Reference.
- 11.2 The Committee will meet a minimum of 10 times per year.
- 11.3 A quorum of the Committee will be half the members plus one and must include one Councillor.
- 11.4 Voting will be by a majority of votes by a show of hands.
- 11.5 Only Committee members in attendance are entitled to vote.
- 11.6 The Chairperson shall have the casting vote in the event of an equality of votes.
- 11.7 Working Groups may be formed by the Committee and may meet between general meetings and as authorised by the Committee.

12 Resolutions

- 12.1 Resolutions that are made by the Committee become advice to Council which can be approved or denied.
- 12.2 Resolutions should read as follows and as applicable to the resolution:
 - 12.2.1 *The Committee recommends that Council take the decision to spend \$XX on XXX; OR*
 - 12.2.2 *The Committee recommends that Council take the decision to approve the [event] as a Council event.*

13 Role of the Council Officer

- 13.1 The role of the Council Officer appointed under clause 5.2 includes:
 - 13.1.1 Assisting the Executive Assistant and Manager Governance and Human Services in maintaining a Register of Committee members, their date of appointment, reappointment and official positions (if any) held as a Committee member;
 - 13.1.2 advising Committee members of term completion dates and their eligibility for reappointment as relevant;
 - 13.1.3 acting as contact point between Council and the Committee;
 - 13.1.4 assisting with meeting the Committee's reporting requirements;
 - 13.1.5 making decisions on expenditure up to \$2,000.00 based on advice provided by the Committee;
 - 13.1.6 assisting the Manager Finance and Customer Service in maintaining a finance report;
 - 13.1.7 signing off on all minutes prior to being tabled at a Council meeting

14 Reporting

- 14.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:
 - 14.1.1 Council's Governance Rules (as amended from time to time and adopted by Council).
- 14.2 Minutes are to be forwarded to s86@hindmarsh.vic.gov.au within one week of the meeting to be signed off by the Council Officer and then tabled at the following Council meeting.
- 14.3 The Committee must prepare and present to Council a report of its activities at its last meeting in the financial year, normally the meeting held in May, or upon being required to do so by Council and in any event at least once per year.

15 Creation and dissolution

- 15.1 By the Terms of Reference, the Committee:
 - 15.1.1 is established; and
 - 15.1.2 has the responsibilities as set out in the Terms of Reference.
- 15.2 These Terms of Reference:
 - 15.2.1 come into force immediately the resolution of Council adopting them is made; and
 - 15.2.2 remain in force until Council determines to vary or revoke it.
- 15.3 The Committee may only be dissolved by Council.

SCHEDULE 1 AGENDA

1. Acknowledgement of the Indigenous Community;
2. Apologies;
3. Disclosure by Committee members or Councillors or Council Officers of any interest or conflicts of interest in any item on the agenda;
4. Confirmation of Minutes;
5. Business Arising from Minutes;
6. Correspondence;
7. Events;
8. General business as notified to the Chair;
9. Councillors Report;
10. Council Officer's Report;
11. Urgent business;
12. Finance Report;
13. Decisions to be Made;
14. Meeting close;
15. Council Officer Authorisation.

AGENDA¶

¶
1. → Acknowledgement of the Indigenous Community ¶

¶
2. → Apologies ¶

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

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4. → Confirmation of Minutes ¶

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5. → Business Arising from the Minutes ¶

¶
6. → Correspondence ¶

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7. → Events ¶

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8. → General business as notified to the Chair ¶

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9. → Councillor Report ¶

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10. → Officer Report ¶

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11. → Urgent business ¶

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Page 1 of 6 ¶

HINDMARSH SHIRE COUNCIL - ADVISORY COMMITTEE AGENDA / MINUTES ¶

12. → Finance report ¶

¶
13. → Decisions to be made ¶

¶
14. → Meeting Closed ¶

¶
15. → Council Officer Authorisation ¶

POLICY



Advisory Committee Policy

1 Purpose

The purpose of this policy is to:

- support Council in ensuring good governance and appropriate management of Advisory Committees;
- outline how Advisory Committees can be formed,
- outline how such Committees are to be governed; and
- specify limits of an Advisory Committees power.

This policy ensure that the management of Advisory Committees is in accordance with the Act and meets the Act's principles of:

- achieving the best outcomes for the municipal community;
- engaging the municipal community in strategic planning and strategic decision making; and
- ensuring public transparency.

2 Scope

This policy applies to all members of Advisory Committees, Councillors and employees responsible for Advisory Committees.

3 Definitions

Council	means Hindmarsh Shire Council
Act	means <i>Local Government Act 2020</i>
Advisory Committee	means an Advisory Committee established under this policy
Advisory Committee Meeting	means a Meeting of an Advisory Committee
Advisory Committee Report	means a formal report produced by an Advisory Committee
Committee Meeting	means a meeting of an Advisory Committee
Quorum	means the absolute majority of members present at the meeting and must include at least one Councillor.
External independent members	means people who are not Councillors or Council Officers.

4 Responsibility

Director Corporate and Community Services

5 Formation of an Advisory Committee

The formation of, appointment to, and administration of an Advisory Committees is subject to input from the Council.

Advisory Committees must be formed (and rescinded) by Council Resolution, and the Terms of Reference (ToR), and membership must also be endorsed by Council.

6 Powers and functions of an Advisory Committee

Advisory Committees do not have any executive, financial or delegated powers. Advisory Committees do not have the power to sub-delegate or form sub-committees without the approval of Council. Advisory Committees may establish Working Groups for specific events or projects.

The role of an Advisory Committee generally is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of Reference in order to facilitate decision making by Council in relation to the discharge of its responsibilities.

An Advisory Committee can offer specialised advice and assistance with research on issues of interest to Council and the Community.

7 Advisory Committee Governance

Advisory Committees are subject to a Terms of Reference (ToR). Council has a standard ToR which may be amended slightly, but must be adopted at the time the Committee is formed and/or reviewed at the commencement of each Council Term.

Advisory Committees are assigned to the responsible member of Council's Management Team, to ensure that the ToR are met, to provide guidance on administrative matters and to ensure that the Committee functions appropriately and in accordance with Council's Governance Rules. The Manager is not a voting member of the Advisory Committee and has no delegated authority.

The staff liaison for an advisory committee will always be a member of Council's Senior Management Team, unless otherwise authorised by the CEO in writing. The CEO may also elect to assign more than one responsible staff member to an Advisory Committee.

Council must review, within the period of 6 months after a general election, all Advisory Committees and Advisory Committee membership.

8 Advisory Committee Meeting Agenda's and Minutes

The agendas and minutes of all Advisory Committee Meetings will be completed in the appropriate Corporate Template, as prescribed by the CEO and forwarded to Council in a timely manner.

9 Membership

All Advisory Committees must have a minimum of five members, comprising of:

- a minimum of one Councillor; and
- a minimum of four external independent members.

Advisory Committee memberships will be capped at eleven, being a minimum of one Councillors, and a minimum of four external independent members. Any Committees currently in existence that exceed this membership limit may continue to operate, but as members vacate the positions, they will not be replaced to allow the Committee to transition to the recommended membership.

Membership should aim to be equitable in gender, diversity and include local indigenous representation wherever possible.

Any community member may become a member of an Advisory Committee if appointed by Council (or the CEO pursuant to the ToR), and any such member will have the same entitlement to participate as a Councillor. Weight will be given to ensuring diversity of membership and skills on an Advisory Committee.

All Advisory Committees will have an elected Chairperson, and will where necessary, have the casting vote.

Where appropriate, representatives of peak external bodies may be required by members of Advisory Committees, and where this is applicable, it will be written into the Terms of Reference.

Advisory Committee meetings will be included in the Councillor's Calendar. Any Councillor is able to attend a meeting of any Advisory Committee. Only Councillors who are appointed to the Advisory Committee may vote.

If the Councillor appointed to an Advisory Committee is unable to attend a meeting, they can nominate another Councillor to attend the meeting on their behalf.

9.1 Appointment of Councillors to Advisory Committees

Councillors will be appointed to Advisory Committees during the Annual Statutory meeting in November of each year.

9.2 Appointment of community representatives to Advisory Committees

Community representatives will be appointed to Council through an expression of interest and selection process.

- Expressions of interest will be sought by public notice in the local media and on Hindmarsh Shire Council's website in October of each year.
- Council will appoint the committee members to the Advisory Committee during the December Council Meeting.
- Every effort should be made to ensure a representative cross section of people from the relevant area are elected to serve on the Advisory Committee.
- Appointment to Advisory Committees will be based on the membership criteria outline in the relevant Terms of Reference.
- Appointment to an Advisory Committee will be for a period of one (1) year.
- A member of an Advisory Committee is able to resign at any time.

9.3 Executive

The executive composition of the Committee is to be elected at the first Advisory Committee Meeting in a calendar year.

The executive composition of the Committee will be:

- Chairperson;
- Secretary; and
- up to 2 other office bearers as determined by the Advisory Committee.

9.3.1 Role of the Chairperson

The role of the Chairperson is to:

- chair all meetings;
- be the spokesperson of the Advisory Committee (a spokesperson for specific projects may be delegated by the chairperson to another committee member);
- moderate committee meetings; and
- promote behaviour in line with clause 13 – Code of Conduct.

10 Advisory committee meetings

The following rules apply to Advisory Committee:

- A quorum of the Committee will be half the members plus one and must include at least one Councillor.
- Voting will be by a majority of votes by a show of hands.
- Only Committee members in attendance are entitled to vote.
- The chairperson shall have the casting vote in the event of an equality of votes.

11 Conflict of interest

Any member who has a conflict of interest in their role as a member of an Advisory Committee must:

- Disclose the conflict of interest before the item is raised during the meeting; and
- Exclude themselves from the discussion in relation to that matter, including any vote on the matter and any action in relation to the matter.

Where a determination regarding a matter has been made in accordance with the prior points and relates to an ongoing activity, event or program, the member who has declared a material conflict of interest may still participate in activities related to the matter, provided that they:

- Act honestly;
- Exercise reasonable care and diligence;
- Not make improper use of their position;
- Not make improper use of information acquired as a result of their position.

The conflict should be noted in the minutes and the member may be required to develop a Conflict of Interest Management Plan in consultation with the Council Officer and/or Advisory Committee Chairperson.

An exemption can be made where the interest is held in common with other residents, ratepayers, business owners, or any other large class of persons and the Committee Member's interest doesn't exceed the interest generally held by those people. If a conflict of interest is declared and this exemption is invoked by the member making the declaration, the Chairperson shall determine whether the 'interests in common' exemption applies.

11.1 What is a conflict of interest?

There are two types of conflicts of interest: **general** conflict of interest and **material** conflict of interest.

A general conflict of interest is where an impartial, fair-minded person would consider that your private interests could result in you acting in a manner that is contrary to your public duty.

This could include instances where:

- you are a member of a local sporting club and the committee is considering a matter that effects the local sporting club; or
- your closest friend provides a quotation for the committee to consider.

A material conflict of interest is if you would gain a benefit or suffer a loss depending on the outcome of the matter.

This could include instances where:

- your partner's business submits a quote to be the DJ at a committee event; or
- you submit a quote to undertake the design of the committee's logo.

For more information on general and material conflicts of interest please see Council's Conflict of Interest Policy or speak to Council's Governance Manager.

12 Confidential information

Committee members must not disclose information that they know, or should reasonably have known is confidential information.

Committee members have an obligation to not disclose any materials or information that is not publically available unless approved by the Chairperson or a representative of Hindmarsh Shire Council.

Committee members should be mindful of their obligations under the Privacy and Data Protection Act 2014 regarding the use or disclosure of information.

13 Code of conduct

Advisory committee members must:

- act with integrity;
- impartially exercise their responsibilities in the interests of the local community;
- not improperly seek to confer an advantage or disadvantage on any person including themselves;

- treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of Councillors, Advisory Committee members and officers;
- commit to providing a safe, inclusive and productive environment free from discrimination, harassment and bullying by not engaging in behaviour that is intimidating or that may constitute discrimination, harassment or bullying;
- take reasonable care of their own health and safety and that of others; and
- commit to regular attendance at meetings.

Any breaches of this code of conduct may result in termination of membership.

14 Media

Contact with the media by Advisory Committee members will be conducted in accordance with Hindmarsh Shire Council's Media Policy.

Committee members should defer media enquiries to the Chairperson in the first instance and should take care not to respond as a representative of the Advisory Committee.

15 Financial management

Any financial management relating to an Advisory Committee will be completed by Hindmarsh Shire Council Officers.

15.1 Spending

Any decisions to spend money must be approved at the Advisory Committee meeting and noted in the minutes, with expenditure over the Advisory Committee's delegation requiring approval by Council. An Advisory Committee member is not guaranteed reimbursement if they spend their own money for a committee event or activity without having approval from the Committee or Council (if applicable).

15.2 Receiving money

Whenever an Advisory Committee receives money, a receipt should be issued. A carbon duplicate book should be used to record all receipts, unless an electronic receipt can be issued.

There may be times when issuing a receipt is not feasible. For example if the Advisory Committee is organising a fundraising event or calculating entry fees, it would be impractical to write out a receipt for every person. Two members of the Committee should be responsible for collecting and counting the money. All money is to be taken to a Council customer service centre for receipting accompanied by signed supporting documentation. A receipt will be provided by Council upon receipt of the money to the customer service centre.

Any money collected should be handed over to Hindmarsh Shire Council as soon as reasonably practicable, but within 5 business days.

16 Fundraising

Where an Advisory Committee wishes to fundraise for an event or a town improvement activity they should complete a request for fundraising form and submit it to info@hindmarsh.vic.gov.au. The request will then be considered by the CEO.

Fundraising should be undertaken for a specific purpose so that people know where their money is going and what it is going to be used for.

Any fundraising undertaken by an Advisory Committee can only be undertaken where it has been approved by the CEO.

17 Sponsorship

Where an Advisory Committee wishes to enter into a sponsorship agreement with a business for an event they are running, it should be referred to the staff liaison so a sponsorship agreement will be drafted.

18 Non-financial donations

Non-financial donations should not be accepted by an Advisory without approval from the CEO.

19 Volunteering

All volunteers of an Advisory Committee should be registered with Council as a volunteer.

20 Events

Where an Advisory Committee wishes to run an event, an Intention to Hold and Event Form needs to be completed 6 weeks before the event and submitted to Council for approval. This helps Council to determine whether any permits or requirements are needed such as:

- **Local laws** – road closures, traffic management, permission for public land access, alcohol consumption
- **Planning** – permits to hold an event on private land
- **Environmental health** – temporary food permits
- **Building** – permits for temporary structures such as fencing, stages and marquees
- **Maintenance** – servicing of public toilets
- **Risk and safety** – event management plan, risk assessment

21 Incident reporting

If an incident occurs at an Advisory Committee run event, activity or meeting, the delegated Council Officer should be advised immediately so that the incident can be logged.

22 Monitoring and review

Council is committed to monitoring the overall level of success of the policy's implementation. A periodic review of this policy will be undertaken to ensure its relevance aligns with the public interest. As a minimum, a review will occur in line with a new Council Term.

However, a Council can amend its policy at any time. The formation of any future Advisory Committees will require a decision of Council; therefore it is likely that this policy would be reviewed and adopted by Council at this time.

23 References

Related documents	Legislation
<i>Governance Rules</i>	<i>Local Government Act 2020</i>
<i>Public Transparency Policy</i>	<i>Charter of Human Rights and Responsibilities Act 2006,</i>
<i>Community Engagement Policy</i>	<i>Equal Opportunity Act 2010.</i>
<i>Advisory Committee Standard Terms of Reference</i>	<i>Freedom of Information Act 1982,</i>
<i>Fundraising request form</i>	<i>Local Government Act 1989,</i>
	<i>Local Government Act 2020, and</i>
	<i>Privacy and Data Protection Act 2014</i>

24 Document Control

Advisory Committees Policy		Policy Category	COUNCIL
Version Number	1.0	Policy Status	APPROVED
Approved/Adopted By	COUNCIL	Date approved/adopted	
Responsible Officer	DCCS	Review date	3 YEARS FROM APPROVAL
Version history	Date	Version	Description
	22 September 2021	1.0	Initial policy
	15 November 2022	1.1	Updated Conflict of Interest provisions



**Barengi
Gadjin**

LAND COUNCIL
ABORIGINAL CORPORATION RNTBC
ICN: 4395

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Councillor Ron Ismay
Mayor
Hindmarsh Hindmarsh Shire Council
PO Box 250
Nhill VIC 3418
rismay@hindmarsh.vic.gov.au

Dear Mayor

Request to close Ebenezer Mission Road and transfer ownership to Barengi Gadjin Land Council

I write to you to request Council consider the closure of Ebenezer Mission Road, and transfer ownership to Barengi Gadjin Land Council.

As you may be aware the BGLC and the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk People are currently in the final stages of negotiations with the State of Victoria for a settlement under the *Traditional Owner Settlement Act 2010*. As part of these negotiations BGLC has requested that the State consider transferring ownership of the Ebenezer Mission Road to BGLC.

Ebenezer Mission is of significant cultural and historical importance to the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples. It is the place where many of our ancestors were forcibly removed to and holds deep emotional and spiritual significance that is still keenly felt by all Wotjobaluk People today. These feelings are mixed and range between joy and celebration to pain and sadness, reflecting the history of the mission. This is the place where the Wotjobaluk People's ancestors were protected from the violence of the invading pastoralists and where together their cultural traditions survived. But this is also the place where Wergaia language and ceremonies were not allowed to be practiced, through the Missionaries attempts to 'civilise and Christianise' the Wotjobaluk residents.

It is the place where many of our ancestors suffered and died, sometimes violently, only to be buried in unmarked graves in the mission cemetery. There are stories handed down from our ancestors to us today. These stories suggest that the unmarked graves continue from the current fenced off cemetery to under the current paved carpark and road. Some of these stories point to a mass children's grave being situated in this location.



**Barengi
Gadjin**
LAND COUNCIL
ABORIGINAL CORPORATION RNTBC
ICN: 4395

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It is for the reasons stated above that BGLC seeks the closure of Ebenezer Road, and transfer of ownership of the entirety of the road. It would then be our intention to install an access gate at that location so as to enable access to the site, and for BGLC as the land manager to then undertake necessary cultural heritage inspections.

BGLC is of the view that the closure and transfer of the road will have no impact on surrounding property owners, as the made road provides no through access point.

We trust Hindmarsh Council will vote in favour of closure and transfer of the road in light of the significance of the area and look forward to hearing your response in due course.

Yours Sincerely

Tim McCartney
Acting Chief Executive Officer
Barengi Gadjin Land Council

DRAFT TERMS OF REFERENCE



Heavy Transport and Freight Working Group

1. INTRODUCTION

The Hindmarsh Heavy Transport and Freight Working Group will strengthen the voice of the Heavy Transport and Freight community by providing advice to ensure Council's broader policy issues and Council Plan and programs reflect the interests of the Heavy Transport and Freight community.

2. OBJECTIVES

The key objectives of the Group are to:

- Provide a representative sample of independent and authentic voices of people from the Heavy Transport and Freight users with an ability to advise on current and emerging issues and priorities;
- Provide feedback and advice to Council on broader policy issues;
- Assist Council to promote the benefits and enhance understanding about the barriers for Heavy Transport and Freight users

3. MEMBERSHIP

The Group shall comprise representatives as follows:

- Hindmarsh Shire Council Mayor or delegate.
- Department of Transport
- Transport providers and users - maximum 14

Representatives of community, peak bodies and service providers may be invited to attend Group meetings to provide specific advice on an as-need basis.

The quorum for the committee is attendance by at least 50% of independent members, and the Mayor or delegate.

Council may terminate the appointment of any Group member if:

- A member's conduct, action or comments bring Hindmarsh Shire Council into disrepute.

CODE OF CONDUCT

Members are required to act honestly and treat others with respect while exercising due diligence and reasonable care.

4. METHOD OF APPOINTMENT

Interested members of the heavy transport community are required request in writing an interest in attending the working party meetings and a decision will be made by consensus at the following meeting.

5. SELECTION CRITERIA

Applications will be assessed against the following criteria:

- Live, work or study, or have a relevant connection with Hindmarsh Shire;
- Knowledge and understanding of the needs and issues relevant to the Heavy Transport and Freight Industry
- Capacity to analyse information and provide advice on issues affecting the Heavy Transport and Freight Industry
- Availability to attend 80% of meetings scheduled throughout the year.

6. CHAIRPERSON

The Chairperson will be Hindmarsh Shire Councils Director Infrastructure Services

The Chairperson will set the agenda and will guide the meeting according to the agenda and time available, facilitating respectful discussions, and acknowledging the value of the diverse views of members.

In the event that the Chairperson is absent, the Mayor or delegate will assume the role of Chairperson for the meeting.

7. MEETINGS

Meetings may be held face-to-face, online or a combination of both.

A call to the membership for agenda items will be issued two weeks prior to the meeting, and the agenda will be distributed at least one week prior to the meeting.

The Group will meet four times per year.

An alternative time, day or location of the meeting can be arranged as agreed by the Group.

8. REPORTING

The Group will have no formal reporting requirements.

Recommendations and requests arising from meetings may be presented to Council for consideration.

9. AUTHORITY

The Group is a working group and does not have executive powers or authority to implement actions in areas over which the CEO or Council has legislative responsibility. The Group does not have any management functions and cannot involve itself in management processes or procedures.



10th October 2022

MINUTES OF THE JEPARIT TOWNSHIP ADVISORY COMMITTEE MEETING OF THE HINDMARSH SHIRE COUNCIL HELD ON 10TH OCTOBER 2022, COMMENCING AT 7.30PM at the Memorial Hall, Roy Street, Jeparit.

Present: Councillor in Attendance: Mr. B. Ireland (HSC), Ms. J. Fritsch (HSC), Jason Hutson (Chair-CM), Cheryl Quinn (Secretary-CM), Sharon Reilly (CM), AnnMarie Werner (CM), Craige Proctor (CM), Alan Hewitt (CM) and Tony Simpson (Community Member)

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

We acknowledge the Shire's Indigenous community as the first owners of this country. We recognise the important ongoing role that indigenous people have in our community and pay our respects to their elders and people both living and past.

2. APOLOGIES

Bec Schultz (CM), Mel Wagener (CM), Louise Dillion (CM), Teresa Smith (VC-CM)

3. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA.

- General conflict of interest; or
- Material conflict of interest

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

NIL.

4. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Jeparit Committee Meeting held on 08 August 2022 at the Jeparit Football Pavilion Recreation Centre circulated to Committee Members be taken as read and confirmed. (Attachment 1)

Moved: Sharon Reilly

Seconded: AnnMarie Werner

Carried

5. BUSINESS ARISING FROM THE MINUTES

Nil

6. CORRESPONDENCE

INWARD:

- 6.1 HSC J. Fritsch – Minutes of Meeting finalisation 20/9/22
 - 6.2 HSC – Invitation to Committee Members training (Dimboola) 20/9/22
 - 6.3 HSC – Thank you from Mayor M. Albrecht 21/9/22
 - 6.4 Grampian Tourism Industry Newsletter 30/9/22
 - 6.5 HSC J. Fritsch – Financial statement 4/10/22
- Bec Schultz re thoughts about improvements of tourism for Jeparit township (10/10/22)

OUTWARD:

- 6.6 HSC J. Fritsch – DRAFT Minutes 18/9/22
 - 6.7 HSC M: M. Albrecht, C: B. Ireland, HSC. S86 Previous Minutes of meeting 20/9/22
 - 6.8 C.Members – Minutes of Previous meeting 20/9/22
 - 6.9 HSC – Invitation to Committee Members training (Dimboola) 20/9/22
 - 6.10 HSC M. M. Albrecht, C: B. Ireland, HSC. J. Fritsch Agenda for next meeting, Previous Minutes and Financial Statement 4/10/22
 - 6.11 Grampian Tourism Industry Newsletter 4/10/22
- Bec Schultz re thoughts about improvements of tourism for Jeparit township (10/10/22)

RECOMMENDATION:

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

Moved: Jason Hutson

Seconded: AnnMarie Werner

Carried

7. EVENTS

Event:	Location:	Date	
<i>Relevant documents</i>			
	Responsibility	Due date	Status
Risk assessment			
Food permit			
Local Law permit			

8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR

- 8.1 Discussion held to recommence Mowvember during November, members asked to mow some unruly nature strips in the town just to help in the appearance of the town.
- 8.2 Sharon Reilly (CM) investigating via quotes for committee members polo shirts.
- 8.3 Discussion over letter received from (CM) Bec Shultz about beautification of our town.

8.4 Mr. Clem Paech still to complete Heritage walk signs, discussion to see if assistance needed. Suggestion of a map of this Heritage Walk in our Notice Board. Cr. B. Ireland is his neighbour and will converse with Mr. Paech.

8.5 QR Codes – phone information with descriptive explanation. ie; 10 things to do in Jeparit. Technology to promote tourism.

8.6 New Family cabin has been leased for the first time 10/10/2022.

9. COUNCILLOR REPORT

9.1 Jeparit Swimming Hole - Land transfer of ownership should be completed within 6 weeks. Contract awarded for the construction of retaining wall and decking.

9.2 Previous Street Scape plan to be located for consideration and future use in planning.

9.3 The second Family Cabin at Jeparit Caravan park is proceeding.

9.4 Budget for 2023 needs to be finalised November 2022's meeting and submitted in January 2023 in readiness for HSC's budget meetings.

10. OFFICER REPORT

10.1 Town Entrance signage – needs clarification of budget available. Committee members asked to photograph town signage (obviously approved by Vic Roads) for use with existing signage to finalise the completion and be submitted to Vic Roads. Jeff Woodward has been appointed Council's rep to ensure Vic Roads requirements are met.

10.2 Aiden from HSC to contact committee member regarding water issues in Garden Club rooms. Aiden also happens to be a plumber.

10.3 New Family cabin has been leased for the first time on 10/10/2022

10.4 Older female amenities near netball courts require a building permit to complete the roof. Materials are available to complete works.

10.5 New female amenities at Jeparit Rec reserve (With WC's & Shwr) – Phil King suggested it would be best for JRFNC to raise this with Council by sending a letter. He also advised it would be best applied for through the Sport & Recreation Victoria grant program.

10.6 November is the last meeting of Committee Member's, personal required to reapply/apply to be considered as a Committee Member by the HSC. Notification of appointment is announced in December 2022. HSC recommences in February 2023. *Note: update on this to be provided prior to the November meeting – there is a proposed change.*

11. URGENT BUSINESS

12. FINANCE REPORT

12.1 Summary of Balances in Finance Report.

RECOMMENDATION:

That the Finance Reports as provided with this Agenda be approved.

(Attachment 2 - 30/9/2022)

Moved: Alan Hewitt

Seconded: Craige Proctor

Carried

12.2 Purchase Orders to be raised - \$2,000 or less

NIL.

12.3 Purchase Orders to be raised – Greater than \$2,000
NIL.

13. DECISIONS TO BE MADE

The following decisions are recommendations to Council for endorsement:

N/A.

14. MEETING CLOSED

The meeting closed at 8.24pm.

Next JTAC meeting to be held Monday 14 November, at the Memorial Hall, Roy Street, Jeparit at 7.30pm.

15. COUNCIL OFFICER AUTHORISATION


*to be completed by the Council Officer

I Janette Fritsch accept the following recommendations made by the JTAC Committee at this meeting held on 10th November, 2022:

N/A – No decisions made.

SIGNED:

Council Officer



18/11/2022

Dated:



15th October 2022

To Committee Members,

NOTICE is hereby given that a Rainbow Township Advisory Committee Meeting of the Hindmarsh Shire Council will be held at the Civic Centre Small Meeting Room on 17th October 2022 commencing at 7.30pm.

AGENDA

1. Acknowledgement of the Indigenous Community

2. Apologies

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

4. Confirmation of Minutes

5. Business Arising from the Minutes

6. Correspondence

7. Events

8. General business as notified to the Chair
[a. Welcome to Rainbow booklet printing quote](#)

9. Councillor Report

10. Officer Report

11. Urgent business

12. Finance report

13. Decisions to be made

14. Meeting Closed

15. Council Officer Authorisation

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Acknowledgement of the Indigenous Community

We acknowledge the Shire's Indigenous community as the first owners of this country. We recognise the important ongoing role that indigenous people have in our community and pay our respects to their elders and people both living and past.

2. APOLOGIES

Alison Ey Belinda Eckermann (19:45pm)

Moved that apologies be accepted Allira/Bill AiF C

In attendance

Graham Nuske, Mick Henderson, Allira Roberts, Bill Hutson, Greg Roberts, Ron Ismay (C), Callum Bull & Colleen Petschel

3. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA.

- General conflict of interest; or
- Material conflict of interest

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

4. CONFIRMATION OF MINUTES

That the Minutes of the RTAC Committee Meeting held on Monday 19th September at the Civic Centre Meeting Room, circulated to Committee Members via email be taken as read and confirmed.

Moved that minutes be accepted Callum/Graham AiF C

5. BUSINESS ARISING FROM THE MINUTES

6. CORRESPONDENCE

INWARD – *Quote from Rainbow Learning Group to print & bind Welcome to rainbow booklets*

OUTWARD -

RECOMMENDATION

That the Inward Correspondence noted.

Moved that the inward correspondence be noted Allira/Callum AiF C

7. EVENTS

Event:		Location:		Date	
<i>Relevant documents</i>					
	Responsibility	Due date	Status		
Risk assessment					
Food permit					
Local Law permit					

8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR

8.1 Welcome to Rainbow booklet printing quote

- The quote of \$392.15 was discussed and accepted
Moved that the quote for the Welcome to Rainbow Booklets be accepted Graham/Callum AiF C

9. COUNCILLOR REPORT

- Progress at the caravan park with
 - Cec Hopper & Sons successful with the tender for the electrical upgrade
 - sewers are hooked up with Bruce Miller coming back to complete plumbing..
 - with the other 2 cabins out to tender..
 - first cabin needs electricity hooked up

10. OFFICER REPORT

- Initial drawings & designs for the silo have been presented to the community
- Swimming pool upgrade
 - Mobility hoist to be installed across from the slide
 - Automated vacuum, filter and chemical system
 - New security lighting
- New purple glass bins to be rolled out by mid year 2023..there will be promotions and information sessions
- Footpath in railway Street to connect to Lake street
- Footpath out the front of the school in Taverner Street
- Discussion on the quality of the gravel
- *..and a very bizarre discussion on a stump in the middle of a lane?*

11. URGENT BUSINESS

Organisation of the date, time & location of New Residence Welcome

- Location to be at the Rainbow Recreation Reserve with 6:30pm start
- Date preferences either Monday 14th Nov or Monday 21st Nov
- Need to work on a list of new residence – Graham to look into that
- Letter drop – invitation to go into letterboxes – Allira to tweak this
- BYO drinks
- Looking at BBQ and salads
- Greg to book Lions BBQ

- The budget is \$250 (down on previous years)
- Ron to speak about what is happening in the town..new developments
- Need to RSVP by 9th November for catering purposes (to Greg Roberts)
- Committee members to bring salads

12. FINANCE REPORT

12.1 Summary of Balances in Finance Report.

- The turbo gallery invoice payment has gone out of the TC funds
- Request for updated invoice from Turbo gallery for progress on murals be presented at the next meeting

RECOMMENDATION:

That the Finance Report (for September) as provided with this Agenda be approved.

Moved that the Finance report be approved Callum/Graham AiF C

12.2 Purchase Orders to be raised - \$2,000 or less

RECOMMENDATION:

That the Council Officer raise the following Purchase Orders, being a value of \$2,000 or less.

Moved

Seconded

Creditor	Value \$	Description of Goods or Services
Rainbow Community Learning Group	\$392.15	Printing & binding of Rainbow booklets for New Residents

12.3 Purchase Orders to be raised – Greater than \$2,000

RECOMMENDATION:

That the Council Officer, following approval by Council or the CEO, raise the following Purchase Orders greater than \$2,000.

Moved

Seconded

Creditor	Value \$ (> \$2,000)	Description of Goods or Services

13. DECISIONS TO BE MADE

The following decisions are recommendations to Council for endorsement:

ITEM NO.	DESCRIPTION	DECISION
4	Minutes	Confirmation of the Minutes
5	Business Arising from Minutes	
6	Correspondence	Approving the Outward Correspondence and Noting the Inward.
7	Events	
8	General Business as Notified to the Chair	
9	Councillor's Report	
10	Officer's Report	
11	Urgent Business	
12.1	Finance Report	That the Finance Report as provided with the Agenda be approved.
12.2	Purchase Orders to be Raised (\$2,000 or less)	That the Council Officer raise the Purchase Orders listed.
12.3	Purchase Orders to be Raised (above \$2,000)	That the Council Officer, following approval by Council or the CEO, raise the following Purchase Orders listed which are greater than \$2,000.

14. MEETING CLOSED

The meeting closed at 20:18pm

15. COUNCIL OFFICER AUTHORISATION

*to be completed by the Council Officer

I Michael Henderson accept the following recommendations made by the Rainbow Town Committee at this meeting held on 17/10/2022

ITEM NO.	DESCRIPTION	DECISION
4	Minutes	Confirmation of the Minutes
5	Business Arising from Minutes	

6	Correspondence	Approving the Outward Correspondence and Noting the Inward.
7	Events	
8	General Business as Notified to the Chair	
9	Councillor's Report	
10	Officer's Report	
11	Urgent Business	
12.1	Finance Report	That the Finance Report as provided with the Agenda be approved.
12.2	Purchase Orders to be Raised (\$2,000 or less)	That the Council Officer raise the Purchase Order listed.

I _____ advise that the following items:

ITEM NO.	DESCRIPTION	DECISION
12.3	Purchase Orders to be Raised (above \$2,000)	That the Council Officer, following approval by Council or the CEO, raise the following Purchase Orders listed which are greater than \$2,000.

- Need to be referred to a Council Meeting / CEO for a decision
- Require more Information
- Do Not align with the Hindmarsh Shire Council Plan

SIGNED: Council Officer _____



Dated: _____ 24/10/2022

Yurunga Homestead Community Asset Committee

General Meeting, Thursday, August 18, 2022 via Zoom

Minutes

Welcome and Opening at 7:30 pm

Members present: Jenny Solly - Chair, Peter Solly – Secretary/Treasurer, Col Drendel, Heather Drendel, Lou Ravenhorst.

Visitors: Cr Brett Ireland, Jeff Woodward, Robyn Ravenhorst

Apologies: Nil

Additional items for General Business (to be accepted at Chairperson's discretion)

- Process for filling in required volunteer forms
- Duty on Father's Day

Declaration by a Councillor, Officer or Committee Member of any direct or indirect interest in any item on the agenda

Nil

Minutes of the previous meeting as circulated

Moved: Col Drendel, Lou Ravenhorst - That the minutes of the general meeting held on July 28th 2022 as circulated be accepted as a true and accurate record.
c/d

Business Arising:

- Aug 1: Jan Edelsten delivered the new bedroom curtains. Thank you so much to Jan for making them. She also glued the end of the original Liesfield bamboo curtain rod for the maid's room. The curtains look lovely.
- Aug 5: Peter emailed the AGM Chairperson's Report to Sam Smith at The Argus for publication when space allows.
- Aug 6: The new curtains were put up and some existing ones were shifted. Thanks to Peter for putting hooks on the end of two long handles to make the job easier
- Aug 8: Peter emailed the Chairperson's Report and Treasurer's Report as well as names of our Office Bearers and Committee Members to Shauna Johnson at Council, for reporting to the CEO. Shauna replied Aug 15th including a letter from the CEO with details of forms to be completed by Heather.
- Aug 9: Brooke Mellington rang Peter re a good quantity of Baltic pine flooring being stored locally. He will talk to co-owners of the timber re

making the flooring available to Yurunga for use in the coach house and small areas of the house for the conservation works

- Aug 11: Phone call from a new operator, Southern Star Tours of Melbourne, requesting a group booking. A tour for 13ppl and 2 crew was later booked for Tuesday, August 23
- Aug 16: Phone call from Louise at Community Options Horsham. Interested in lunch and tours for elderly people later this year. Probably groups of 10.

Correspondence In (Emails)

- Aug 10 (x1) and Aug 12 (x2): Ally McGlashan, Trade Travel, Qld to Peter re new booking on October 4, 2022, for lunch and tour for 22 ppl and 2 crew
- Aug 12 (x2): David Barbey, Southern Star Tours to Peter re booking on Tuesday, August 23

Late Correspondence In (Emails)

- Aug 15: David Barbey, Southern Star Tours to Peter re revised arrival time on Aug 23, now 12 noon.
- Aug 15: Shauna Johnson and Greg Wood – Hindmarsh Shire re Acknowledgement of receipt of AGM minutes and Heather Drendel's election to Committee. Details of forms for Heather to complete – attached
- Aug 17: Petra Croot, Hindmarsh Shire Governance and Human Services to Peter re Volunteer Registration Forms, Police Checks and Working With Children Checks

Correspondence Out (Emails)

- Aug 5: Peter to Sam Smith, The Argus, re publishing the attached Chairperson's AGM Report
- Aug 8: Peter to Shauna Johnson, Hindmarsh Shire Council re thanks and copies of Chairperson's and Treasurer's AGM reports and names of Committee Members and Office Bearers for 2022-3
- Aug 8: Peter to "Draft Governance Rules and Election Period Policy feedback" at Council re requesting clarification about the role and responsibilities of the Treasurer of Community Asset Management Committees and guidance on financial management
- Aug 12: Peter to Ally McGlashan re booking on Tuesday, October 4, Mt Waverley Gardens Probus Club
- Aug 12: Peter to David Barbey, Southern Star Tours re booking on Tuesday, August 23

Late Correspondence Out (Emails)

- Aug 14: Peter to David Barbey, Southern Star Tours re payment for tour on August 23

- Aug 15: Peter to Wimmera Mallee News re death notice for Ross Heinrich to appear in The Argus
- Aug 17 Peter to Petra Croot, Hindmarsh Shire Governance and Human Services re Volunteer Registration Forms, Police Checks and Working With Children Checks. Clarifying and simplifying the process
- Aug 18: Peter to Sam Smith, "The Argus" re copy of Chairperson's report – again!
- Peter to all volunteers re process for completing Volunteer Registration Forms, Police Checks and Working With Children Checks. Copies to Jeff and Brett

Moved Lou Ravenhorst, Col Drendel - That the incoming correspondence be received and the outgoing endorsed. c/d

Reports ~ Financial

Yurunga Homestead Community Asset Committee

Financial Report

July 1st 2022 to July 31st 2022

Opening Balance per statement at 1st July \$15,706.62

Plus Income:

Entries:	
General entries	\$87.50
Produce	
Quince Paste	\$16.00
Books	\$15.00
Donation	\$30.00
Total Income	\$148.50

Less Expenses:

Origin Energy Power Bpay \$171.91

Total Expenses \$171.91

Closing Balance per statement at 31st July \$15,683.21

Term Deposit reinvested with interest on July 27th 2022
at 0.30 % interest pa for 3 months \$5,044.20

Peter Solly Secretary/Treasurer, Yurunga Homestead Community Asset Committee

Moved Peter Solly, Lou Ravenhorst - That the financial report be received. c/d

Hindmarsh Shire Reports

~ Jeff Woodward

- Jeff is dealing with Dr Gary Hill with variations due to timing for our restoration grant work.
- Extra funding has been obtained for extra cabins for Rainbow.
- The new Wimmera Mallee tourism officer started today.

~ Deputy Mayor, Cr Brett Ireland

- Rainbow Caravan Park is getting 2 more cabins. Funding is through for the new toilet block. There is a plan to be followed as funding becomes available
- The Architect for Lew's silo has been appointed. The proposal will go to community for consultations early in October. Work is to be completed by 2024 – builders are hard to get
- Cr Brett visited the Albacutya silo last week. New sign boards are in place
- Shire Community Action Grants are available and easy to get. Yurunga is not eligible
- Cr Brett attended the 101st annual meeting of Yanac Hall Committee recently.

Moved Col Drendel, Lou Ravenhorst - That the Hindmarsh Shire reports be received. c/d

General Business

- Volunteer Registration Forms, Police Checks and Working With Children Checks. Peter provided details by email to all volunteers on Wednesday Aug 17 . Details were also taken to the Rainbow Customer Service Centre, including copies of all paperwork, a list of volunteers, Page 5 of the police check with Hindmarsh Shire's details and Petra Croot's email. Volunteers were advised to bring appropriate proof of identity documents to the Customer Service Centre. Staff will assist with completing documents. This should be a once only requirement.
- Duty on Father's Day – Jenny and Peter will be away. Thanks Robyn

Bookings

Tuesday, August 23, 2022, Southern Star Tours, Melbourne, 13ppl & 2 crew, tour only, 11am arrival – revised to 12 noon

Contact: [REDACTED] [REDACTED]

Tuesday, October 4, 2022, Trade Travel Qld, Mt Waverley Gardens Probus Club,
lunch and tour, 22ppl & 2 crew, 12pm arrival

Contact: [REDACTED] [REDACTED] [REDACTED]

Sunday, November 13, 2022, Trade Travel Qld, 25ppl & 2 crew, lunch and tour,
12:30pm arrival

Contact: [REDACTED] [REDACTED] [REDACTED]

Next Meeting: Thursday, September 22, 2022

If you have an idea or would like some action taken, please notify the Secretary or Chairperson so that it can go on the agenda for discussion at the meeting. If something comes up after the agenda goes out (usually a week before the meeting), it can be listed on the night.

Meeting closed 8:03 pm

Jennifer Solly, Chairperson, September 21st 2022

Yurunga Homestead Community Asset Committee

General Meeting, Thursday, October 27, 2022, Yurunga dining room, 7:30pm

Draft Minutes

Welcome and Opening at 7:40 pm

Members present: Jenny Solly – Chair, Peter Solly – Secretary/Treasurer, Col Drendel, Heather Drendel, Lou Ravenhorst

Visitors:

- Cr Brett Ireland, Deputy Mayor – Hindmarsh Shire Council
- Jeff Woodward – Hindmarsh Shire Council
- Bernard Young (Rainbow representative, appointed by Hindmarsh Shire Council, member Project Control Group to develop Llew Schilling's silo as a tourist attraction)
- Amaya Woodward

Apologies: Nil

Additional items for General Business (to be accepted at Chairperson's discretion)

- Picket Fence Painting

Declaration by a Councillor, Officer or Committee Member of any direct or indirect interest in any item on the agenda

Nil

Minutes of the previous meeting as circulated

Moved: - Col Drendel, Heather Drendel - That the minutes of the general meeting held on September 21st 2022 as circulated be accepted as a true and accurate record. c/d

Presentation by Bernard Young and discussion, including

- ~how our Committee runs Yurunga as a tourist attraction
- ~options for Llew's silo

Bernard gave an overview of the project including architects drawings. Work being done is just about the build at this stage.

Potentially this project will get visitors to stay longer in the area.

What are the challenges in operating a tourism facility? Bernard posed the following three questions that were discussed:

1. Given your experience as a volunteer group running a historic site on behalf of the Council and the community, a site that is a well known visitor destination, what issues do you see, what things does the PCG need to consider as their work progresses in 2023, hopefully towards a build towards the end of the year, and an opening in 2024?
2. How should the Rainbow community be kept up to date about the project during 2023?
3. Should the community representation back to the shire be expanded from a one man band (me) to a more representative town group? Is that a role for the Town Committee? Would your committee be better placed to advise both the shire and the town?

Our operating model, open with a volunteer on duty 2 pm to 4 pm Sundays and by appointment was shared. A large number of our visitors are on group tours.

It was suggested that moves could be made to establish a Community Asset Committee or similar to develop an operational plan for the silo project.

Bernard left at 8:35 pm

Business Arising:

- Sept 23: Peter set up a Yurunga email address on our computer, as required in the new Community Asset Committee manual – accessible from any computer
- Sept 23: Jenny cleaned the house. There was a small area of damp floorboards in the south-west corner of the underground room after the rain.
- Many thanks to Deputy Mayor, Cr Brett Ireland for encouraging Council to cover the shortfall (now about \$10,000) in the budget for the grant conservation works. Thank you to Council for your support
- Sept 28: Brooke Mellington visited with a sample of the Baltic pine flooring the family have in storage. They are deciding on a price. Oct 6: Brooke messaged that more flooring is available than first thought – about 40 square metres. No asking price to hand yet
- Oct 4: Very successful lunch and tour, Mt Waverley Gardens Probus Club. Thanks to team Cynthia, Heather, Peter and Jenny
- Oct 4: Thanks to Heather Drendel for offering to check the fruit fly traps in the orchard
- Oct 4: Heather and Col Drendel, Jenny and Peter Solly attended the Council Committee Governance Training session in Dimboola Peter spoke to Mick Coyne re a much needed termite check by Krahe's of Warracknabeal and replacement of a broken bait station
- Oct 7: Dr Gary Hill rang. The permit exemption from Heritage Victoria to install the "temporary" floor in the coach house groom's room has come through
- Oct 14: Tim Elliot (painter from Warracknabeal) rang. He will contact us when he is coming over to look at the conservation painting and the picket fence

- Oct 17: Peter represented us at the Council Community Consultation Meeting at the Mecca supper room
- Oct 17: The Trade Travel lunch and tour for November 13 has been cancelled and may rebook later
- Oct 19: Peter met Marcus Feher (master builder) at the coach house re planning the temporary floor in the groom's room and securing the tack room for storage. Dr Gary Hill is providing advice. No completion date as yet
- Oct 20: Jan Edelsten is very happy to repair the hessian on the Coolgardie safe for us. Thanks Jan
- October 26: Peter put a sign up on the orchard – "Fruit Fly monitoring and management"

Correspondence In (Emails)

- Sept 22: Bernard Young (Project Control Group for Llew's silo) to Peter & Jenny re attending a Yurunga meeting
- Sept 29: Ally McGlashan, Trade Travel to Peter re updated numbers and dietary requirements for Oct 4 lunch and tour
- Oct 10: Dr Gary Hill, Minerva Heritage to Peter re copy of permit exemption for groom's room floor
- Oct 10: Ally McGlashan to Peter re invoice for Oct 4 to be paid
- Oct 17: Linda Huang, Trade Travel to Peter re tour group not proceeding on Nov 13, please cancel booking

Late Correspondence In (Emails)

- October 26: Jeff Woodward to Jenny and Peter re tag of #visitwimmeramallee on Yurunga Facebook posts.
- October 26th: Bernard Young to Peter re discussion at tonight's meeting re Llew's silo development

Correspondence Out (Emails)

- Sept 22: Peter to Ally McGlashan re update on numbers and dietary requirements for Oct 4
- Sept 22: Peter to Shauna Johnson re four members to attend the Council training session on Oct 4 in Dimboola
- Sept 22: Peter to Bernard Young re welcome to attend our meeting on Oct 27
- Oct 9: Peter to Ally McGlashan re invoice for lunch and tour on Oct 4
- Oct 17: Peter to Linda Huang re booking cancelled

Late Correspondence Out (Emails)

- October 26th: Peter to Jeff Woodward re #visitwimmeramallee – will do

- October 27th: Peter to Bernard Young and Committee re discussion tonight on Llew's silo

Moved:- Lou Ravenhorst, Heather Drendel - That the incoming correspondence be received and the outgoing endorsed. c/d

Reports

~ Financial

Yurunga Homestead Community Asset Committee

Financial Report

September 1st 2022 to September 30th 2022

Opening Balance per statement at 1st September \$15,970.81

Plus Income:

Entries:

General entries \$147.50

Produce

Quince Paste \$8.00

Craft Shop - Jam \$5.60

Donations \$10.00

Total Income \$171.10

Less Expenses:

Wimmera Mallee News

Death Notice Ross Heinrich \$21.00

Total Expenses \$21.00

Closing Balance per statement 30th September \$16,120.91

Term Deposit reinvested with interest on July 27th 2022

at 0.30 % interest pa for 3 months .

To be reinvested by October 27th \$5,044.20

Was reinvested October 21st effective October 27th at 1.45% interest for 3 months

Peter Solly Secretary/Treasurer, Yurunga Homestead Community Asset Committee

Moved:- Peter Solly, Col Drendel - That the financial report be received as a true and accurate record. c/d

~ Jeff Woodward and Deputy Mayor Cr Brett Ireland: The recent Australian Regional Tourism Conference released statistics finding the number of overnight stays in Wimmera Mallee are up 2% where the State average is down 50%.

Two more cabins for Rainbow Caravan Park went out to tender yesterday. Completion time is 28 weeks.

Power upgrade is required at the caravan park to allow connection to the new cabins.

Wimmera River Discovery Trail work is out to tender. Most of the work is at the ends of the trail - Jeparit and Dimboola.

New Rainbow Tourism brochures are available.

Jeff Woodward departed at 8:50 pm

Moved Lou Ravenhorst, Col Drendel – That the Hindmarsh Shire reports be received. c/d

General Business

- Update on volunteer forms – No info at present on who has done these. Peter will email Petra for information.
- Mowing - Peter will mow the area next to the South fence. Lions will be asked to mow the Northern area. We will do what we can when we can!
- Termite bait stations and termite check – Do we approach Krahe's directly? Aiden Dent responded to email but there has been no action in the short to medium term. Cr Brett will contact Aiden Dent. The last email was September 16th
- Big shift to the coach house – Temporary floor in the working man's room. Dr Gary Hill has obtained necessary permits. Marcus Feher – Auspro has ordered materials. Do we need to formally ask council for permission to spend more than \$2,000,00 as moved at the last meeting. \$6,500.00 with 10% buffer.

Moved Lou Ravenhorst, Heather Drendel – That we write to the CEO with details and seeking approval.

- Picket Fence Painting – Ray from Hopetoun rang back on Friday October 21st. Ray and Tim Elliot (Warracknabeal) plan to come over to quote.

- Harvest break... There will be a November meeting on 24th. No December meeting?

Bookings

Sunday, November 13, 2022, Trade Travel lunch and tour: CANCELLED

Wednesday, March 22, 2023, Marulan Coaches (NSW), Historical Society and CWA, lunch and tour, approx 35ppl & 2 crew, midday arrival

Contact: [REDACTED] [REDACTED]

Next Meeting: Thursday, November 24, 2022 Heather invited us out for dinner.

Meeting closed 9:35 pm

If you have an idea or would like some action taken, please notify the Secretary or Chairperson so that it can go on the agenda for discussion at the meeting. If something comes up after the agenda goes out (usually a week before the meeting), it can be listed on the night.



November 9, 2022

To Committee Members,
“as addressed”

The Wimmera Mallee Pioneer Museum Community Asset Committee Annual General Meeting of the Hindmarsh Shire Council was held at the Wimmera Mallee Pioneer Museum on October 18, 2022 commencing at 7.30pm.

MINUTES

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY

We acknowledge the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagalk Nations 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

None

3. CONFLICTS OF INTEREST

None

4. CONFIRMATION OF MINUTES

Recommendation:

That the Minutes of the Wimmera Mallee Pioneer Museum Community Asset Committee Meeting held on October 19, 2021 at the Jeparit Memorial Town Hall as circulated to Committee Members be taken as read and confirmed.

Moved: MaryAnne Paech

Seconded: Wendy Werner

5. CHAIR HANDOVER REPORT

The President provided a verbal update on the Museum for the preceding year.

After a two year break due to the Coronavirus pandemic the Museum held a successful two day rally over the Queen's birthday weekend. Visitors and exhibitors were eager to join the celebration of our history again this year. The entry fee was increased by \$5 and we offered Eftpos for the first time. In addition to the Rally, and daily entrance fees, the sale of firewood raised over \$4000 for the museum.

The committee held a number of successful working bees throughout the year, cleaning up the grounds and fixing ongoing maintenance issues. The exterior painting of the buildings has been an ongoing process for several years now, and will continue to protect the original buildings and brighten the grounds in the coming year

I'd like to thank all the volunteers: the ones that man the front desk during the week and all the other volunteers here that helped on various days or weeks etc -as it is all time consuming, and thank you to anyone else that does the hard yards to make it all happen.

6. NOMINATION OF COMMUNITY REPRESENTATIVES

The following Community representatives were nominated:

Clem Paech, MaryAnne Paech, Tige Mannington, Peter Pumpa, Wendy Werner, Craige Proctor

7. ELECTION OF OFFICER BEARERS

The following office bearers were elected

- 1. Chairperson: Wendy Werner**
ViceChairperson: Peter Pumpa

- 1. Secretary: Craige Proctor**

- 1. Treasurer: MaryAnne Paech**

8. CORRESPONDENCE

- 1. Inward**
HSC: AGM agenda template and attachments for volunteer checks

- 1. Outward**
Committee members AGM Minutes from 2021
Committee members: AGM Agenda for October 18, 2022

Recommendation:

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

Moved: MaryAnne Paech

Seconded: Peter Pumpa

9. GENERAL BUSINESS

None

10. FINANCE REPORT

1. Summary of balances in finance report

**WIMMERA MALLEE PIONEER MUSEUM
TREASURERS REPORT
FOR THE FINANCIAL YEAR 2021 – 2022**

Opening Balance	30/06/2021	As per Bank	Statement	\$ 21,599.63
Income				
Museum Entry	\$ 5,494.00			
Souvenirs	\$ 972.40			
Ice-creams/drinks	\$ 837.40			
Wood Sales	\$ 4,100.00			
Rally Sponsorship	\$ 200.00			
Group Entry	\$ 638.00			
Catering	\$ 910.00			
Rally Float	\$ 3,500.00			
Donations	\$ 514.65			
Lions Club Donation	\$ 2,000.00			
Rally Entry	\$ 5,710.00			
Flexi Pay	\$ 1.00			\$24,877.45
	\$24,877.45			\$46,477.08
Expenses			Petty Cash opening Balance \$56.45	
Supermarket	\$ 358.31			
Elgas/Gas supplies	\$ 79.20			
Catering Supplies	\$ 749.75			
Fuel	\$ 164.96			
Magazine Subs	\$ 69.00			
Maintenance	\$ 354.63			
Printing etc	\$ 489.00			
Kitchen repairs	\$ 4,058.12			
Miscellaneous	\$ 195.00		\$ 40.30	
Rally misc expense	\$ 160.00			
Souvenirs	\$ 618.90		Total: \$16.15	
Significance Assessment	\$ 8,450.00		Closing balance \$16.15	
Office Supplies	\$ 65.95			
Rally Float	\$ 3,500.00			
	\$ 19,312.82			-\$ 19,312.82
				\$ 27,164.26
Unpresented Chq's	1159,1160,1162, 1165,1166	\$ 1,167.26		+\$ 1,167.26
	Bank Balance 30.06.2022	as per Bank	Statement	\$28,331.52
			Petty Cash	\$ 7.45
		Interest rec TD's		
Term Deposits	\$14,117.14 \$ 5,197.80	\$ 26.63 \$ 15.10	Term Deposits	\$19,314.94
Total Investment	\$ 19,314.94	\$ 41.73		
			Total	\$47,653.91

Balanced and found correct from records supplied
9/10/2022

RECOMMENDATION:

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

Moved: MaryAnne Paech

Seconded: Clem Paech

11. MEETING CLOSED

Wimmera Mallee Pioneer Museum

AGM Report 2021-22 FY

President: Peter Pumpa

Vice President/Secretary: Wendy Werner

Treasurer: MaryAnne Paech

Introduction:

Name: Wimmera Mallee Pioneer Museum

Nature: Community Museum

Tag Line: Community Museum presenting an extensive array of items showing life in the Wimmera Mallee during the first 100 years of European settlement.

Description:

The Wimmera Mallee Pioneer Museum is set on 4.5 hectares nestled in the lower reaches of the Wimmera River at Jeparit. It comprises 9 original buildings and 7 large sheds filled with items from the pioneering days in the Wimmera Mallee region. The Museum includes an original homestead and items used by the squatters and selectors from the mid 1840's, through to closer settlement from the end of the 19th century including items and honor rolls from the second world war. Exhibits include an extensive array of horse drawn vehicles and machinery, all used in the early days of broadacre farming in what is now northwest Victoria.

Address: 70 Charles St, Jeparit Vic, 3423

Email: WMPMJeparit@gmail.com

Facebook: WMPMJeparit

Achievements.

- QR codes made by Jeparit Primary school were framed and displayed
- Policy and procedure manual: a folder containing our current forms, policies and procedures was assembled and is stored in Briarley kitchen filing cabinets
- Christmas Party; meet and greet. A Pizza party for Committee members, and volunteers was held at BBQ area 17th December
- The collection was assessed for its significance by Euan McGillivray, The assessment was funded with a local history grant and the final report was received January 18, 2022. At 104 pages it is a comprehensive document with many specific recommendations.
- A volunteer appreciation morning tea was held in March.
- Our Aboriginal artefacts were itemised and photographed by FP-SR and we are awaiting the final report.
- We welcomed two new committee members, and three volunteers attained a food handling certificate to facilitate catering for larger groups.
- Three Story boards were installed (The Stafford Hearse, The Shepherds Hut, The Horse Trough).
- We held a successful 2 day Rally with over 700 visitors, with sponsorship from Wimmera Bearings and SMS rural. An emphasis on Storytelling this year was well received, and volunteers and patrons were encouraged to dress in period costumes.
- Dimboola print Museum printed posters for the Rally, and a video for the printing process was used for advertising.
- We began offering Eftpos (rally, and subsequently for daily visitors).
- The new kitchen cabinets were installed to provide better facilities for catering.
- A floodlight was installed to light up Albacutya Homestead, this was subsequently vandalised and replaced. This wrapped up the Security grant obtained for a total of solar 'street' lights to improve lighting. This is especially useful for the rally.
- Conducted interview for future stories. Gwenda Morris (Detpa School) Nita Natt (nee

- McKenzie Glenlee), Col Clee (former volunteer/Jeparit resident).
- Collaboration with the Menzies Institute was initiated.
- A new Blacksmith demonstrates on an occasional basis in our period Blacksmith shop.

Donations: Staffords and Sons Jig (Flavel)

Photos of push harvester (Peter Ballenger)

China for catering (Merilyn Lowe)

Sanders Rentsch Family (book- Merilyn Lowe)

Grave surround from Cemetery (Cemetery trust- Clem Paech)

Maintenance: HSC & Volunteers- Repair

Restumping Northwest corner of Albacutya homestead

The drum for our water pumps was upgraded.

Painting: Werrap hall Gable ends and trim

School trim

Chemist exterior walls

Volunteer hours: 2684 +

Purchases:

Future Vision:

Committee is currently working to:

- Write further storyboards
- Find a path forward with the Masterplan. Continue to lobby for Curator.
- Use the results of the significance assessment for restoration projects, marketing and new exhibits
- Follow up Significance assessment with Preservation needs grant.
- Improve the street appeal with artwork on the staff entrance (cyclone wire fencing)
- Initiate cataloguing of domestic items. This part of the catalogue is severely lacking.
- Find a way to digitize and find a suitable home for the Darwin Museum Ryko the Byko exhibit. This is a long banner documenting Ted Reichenbach's world record ride from Adelaide to Darwin.
- Recruitment of new committee members/volunteers.
- Expand marketing and advertising with an emphasis on group bookings, tap into Silo Art trail visitors.
- Hold the Kings birthday open (rally) weekend, possible School holiday programs.
- Strengthen partnerships with other organizations eg DSO, MAVEC , blacksmith etc.NAHC, RVHS

Conclusion:


COVID continued to play a large roll in the management of the Museum. We were lucky to be able to hold our annual Queens birthday rally. This was well attended and enjoyed. This year we added Eftpos to our normal cash only entry. The period costumes and expanded storytelling were well received by patrons. We continue to enjoy improved visitation rates post pandemic, which we believe will be consolidated with the addition of the Albacutya and Arkona Silo Art, bringing increased passing traffic. We will continue to enhance the exhibits on offer by utilising the information in the Masterplan and Significance assessment.

WIMMERA MALLEE PIONEER MUSEUM

TREASURERS REPORT

FOR THE FINANCIAL YEAR 2021 – 2022

<u>Opening Balance</u>	30/06/2021	As per Bank	Statement	\$ 21,599.63
<u>Income</u>				
Museum Entry	\$ 5,494.00			
Souvenirs	\$ 972.40			
Ice-creams/drinks	\$ 837.40			
Wood Sales	\$ 4,100.00			
Rally Sponsorship	\$ 200.00			
Group Entry	\$ 638.00			
Catering	\$ 910.00			
Rally Float	\$ 3,500.00			
Donations	\$ 514.65			
Lions Club Donation	\$ 2,000.00			
Rally Entry	\$ 5,710.00			
Flexi Pay	\$ 1.00			<u>\$24,877.45</u>
	\$24,877.45			\$46,477.08
<u>Expenses</u>			Petty Cash opening Balance \$56.45	
Supermarket	\$ 358.31			
Elgas/Gas supplies	\$ 79.20			
Catering Supplies	\$ 749.75			
Fuel	\$ 164.96			
Magazine Subs	\$ 69.00			
Maintenance	\$ 354.63			
Printing etc	\$ 489.00			
Kitchen repairs	\$ 4,058.12			
Miscellaneous	\$ 195.00		\$ 40.30	
Rally misc expense	\$ 160.00			
Souvenirs	\$ 618.90		Total: \$16.15	
Significance Assessment	\$ 8,450.00		Closing balance \$16.15	
Office Supplies	\$ 65.95			
Rally Float	\$ 3,500.00			
	\$ 19,312.82			<u>-\$ 19,312.82</u>
				\$ 27,164.26
Unpresented Chq's	1159,1160,1162, 1165,1166	\$ 1,167.26		<u>+\$ 1,167.26</u>
	Bank Balance 30.06.2022	as per Bank	Statement	\$28,331.52
			Petty Cash	\$ 7.45
		Interest rec TD's		
Term Deposits	\$14,117.14 \$ 5,197.80	\$ 26.63 \$ 15.10	Term Deposits	\$19,314.94
Total Investment	\$ 19,314.94	\$ 41.73		
			Total	\$47,653.91

Balanced and found correct from records supplied
9/10/2022 

GENERAL MEETING

31st March 2021

PRESENT Ross Heinrich Bill Hutson Kate Hutson Graham Petschel Mike Sullivan Shirley Petschel

APOLOGISE -----T Snell R Koning
G Petschel moved that the apology be accepted. Seconded by
M Sullivan Carried

MINUTES OF LAST MEETING

M Sullivan----- moved that the minutes be accepted. Seconded
by - -----Ross Heinrich
----- Carried

CORRESPONDENCE

No Correspondents
Moved by Seconded by – ----- Carried

TREASURES REPORT Bank Balance \$ -----\$4053.84

S Petschel moved that the treasures report be accepted. Seconded by
M Sullivan ----- Carried

GENERAL BUSINESS

Changing From CBA Bank to NAB Bank as the CBA Bank has closed.

Graham moved that we Change to the NAB Bank

Seconded by Ross Heinrich.

Request to shire to look at the 2 Doors on the east of the Hall as they need some repair work on them.

Meeting closed 7.40 pm



30 August 2022

To Committee Members,
"as addressed"

NOTICE is hereby given that a Civic Centre Community Asset Committee Annual General Meeting of the Hindmarsh Shire Council will be held at the [Small Meeting Room on 30th August 2022 commencing at 7:30pm.

AGENDA

Attending: Graham Petschel, Kate Hutson, Shirley Petschel, Michael Sullivan, Bill Hutson.

Visitors, Deputy Mayor Cr Brett Ireland

1 ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY

We acknowledge the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagalk Nations 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 Rob Koning Tricia Snell

Michel Sullivan moved that apologies be received

Seconded by Graham Petschel

3 CONFLICTS OF INTEREST none recorded

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Rainbow Community Asset annual Committee Meeting held on 21st November 2019 at the civic Small meeting room circulated to Committee Members be taken as read and confirmed.

Moved: K Hutson

Seconded: Michael Sullivan - carried

5 CHAIR HANDOVER REPORT

G Petschel moved report be accepted Seconded Kate Hutson - carried

6 NOMINATION OF COMMUNITY REPRESENTATIVES

7 ELECTION OF OFFICER BEARERS Officiated by Cr Brett Ireland

7.1 Chairperson

Bill Hutson

Nominated by Graham Petschel

7.2 Secretary

Shirley Petschel

Nominated by Michael Sullivan

7.3 Treasurer

Shirley Petschel

Nominated by Michael Sullivan

Committee: M Sullivan, Kate Hutson, G Petschel, B Hutson, and R Koning

8 CORRESPONDENCE

8.1 Inward Nil

8.2 Outward Nil

RECOMMENDATION

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

Moved:

Seconded:

9 GENERAL BUSINESS

10 FINANCE REPORT \$4535.70

10.1 Summary of balances in finance report

As no meetings were held during the Pandemic and the hall was closed for some considerable time

Hence presenting balance sheets 2020, 2021 and 2022 at this AGM with 2022 being shortened to

Bring into line with the financial year.

Balance Sheet 2019 –20 \$4127.70

2020 – 21 \$4307.80

2021 – 22 \$4538.70

Motion: to approve 2019 / 2020 / 2021 Balance Sheets

S Petschel Moved That the Finance Reports as provided with this Agenda be approved:

Seconded: M Sullivan - carried

10.2 Approval of Expenditure – more than \$1,000

RECOMMENDATION:

The committee seek approval from the Council or CEO for the following expenditure greater than \$1,000.

Moved

Seconded

Creditor	Value \$ (over \$1,000)	Description of Goods or Services

11 MEETING CLOSED 8.10 pm



30 August 2022

To Committee Members,
"as addressed"

NOTICE is hereby given that a Rainbow Community Asset Committee **General** Meeting of the Hindmarsh Shire Council will be held at the Civic Small meeting room on 30th August 2022 commencing at following the Annual meeting approximately 8:00pm.

AGENDA

Attending: Graham Petschel, Kate Hutson, Shirley Petschel, Michael Sullivan, Bill Hutson.

Visitors, Deputy Mayor Cr Brett Ireland

1 ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY

We acknowledge the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagalk Nations 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

Tricia Snell and Rob Koning

Moved: Michael Sullivan

Second: Graham Petschel - carried

3 CONFLICTS OF INTEREST nil

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Rainbow Community Asset Committee Meeting held on 31 March 2021 at the civic small meeting room circulated to Committee Members be taken as read and confirmed.

Moved: Kate Hutson

Seconded: Michael Sullivan - carried

5 CORRESPONDENCE

5.1 Inward nil

5.2 Outward nil

RECOMMENDATION

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

Moved:

Seconded:

6 GENERAL BUSINESS

6.1 Set hire fees for 2022 – 2023

G Petschel moved that Hall charges stay as they are.

Seconded: K Hutson - Carried

6.2 List infrastructure / repairs to advise council in December

Door repairs on east wall in the hall.

Remove old coolers in the hall.

Request to be sent to council in December.

6.3 See what options are available to decommission old air conditioners and re-establish windows.

7 FINANCE REPORT

7.1 Summary of balances in finance report

\$4535.70

RECOMMENDATION:

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

Moved: M Sullivan

Seconded: G Petschel

7.2 Approval of Expenditure – more than \$1,000

RECOMMENDATION:

The committee seek approval from the Council or CEO for the following expenditure greater than \$1,000.

Moved

Seconded

Creditor	Value \$ (over \$1,000)	Description of Goods or Services

8 MEETING CLOSED 8.20 pm

Rainbow Civic Centre Chair Report 2022

In presenting my report I find that we have experienced the most unusual circumstances with the problems of the Covid 19 Pandemic descending on us. Very strict and comprehensive council covid policy, we elected not to have meetings during this period, also effected was the fact that the hall was not used for quite some time drastically effecting the income of the committee. This means that we will present several balance sheets covering the time frame from 2019, 2020 ,2021 and finally 2022 post pandemic. The Pandemic has virtually put an end to the Rainbow Dance Club which unfortunately was our biggest source of income.

I would like to take the opportunity to thank the Rainbow Dance Club for their contributions to the Hall not only financially but every week they would clean the premisses make sure every thing was in top condition.

I would like to thank the Rainbow Players for their major contribution to the new split system along with a contribution from the Rainbow Dance club. Thanks must go to the Hindmarsh Shire Council for their generous contribution to the split system project which has made the Hall far more comfortable for those in the community that hire it.

RAINBOW CIVIC CENTRE MANAGEMENT COMMITTEE

BALANCE SHEET

1/10/2019 –30/09/2020

INCOME

OPENING BALANCE \$ 3517.20

Bank Interest	\$ 0.00
Meeting Room Hire	\$ 9.09
Supper Room Hire	\$ 540.91
Hall S/Room/Kitchen Hire	\$ 200.00
Bain Marie Hire	\$ 0.00
Tax Control	\$ 80.00
Bond payment	\$ 0.00
Donation (Catering)	\$ 0.00
Table Hire	\$ 0.00
Insurance	\$ 0.00
Term Deposit	\$ 0.00
Donation (split sys)	\$ 0.00

\$ 4347.20

Unpresented CHQs **\$ 0.00**

Bank Balance 30/09/20

Cheque Account **\$4127.70**

Term Deposit \$00.00

EXPENDITURE

Advertising	\$ 29.09
Bond refund	\$ 0.00
Apra Licence	\$ 00.00
PO Box Rent	\$ 121.82
Tax Control	\$ 68.59
Purchase	\$ 00.00
Insurance	\$ 00.00
Lights Foyer/S Room	\$ 00.00
Maintenance	\$ 0.00
Hindmarsh Shire Split System	\$ 0.00

Total **\$ 219.00**

Closing Bank Balance **\$ 4127.70**

\$ 4347.20

Shirley Petschel – Secretary/Treasurer

RAINBOW CIVIC CENTRE MANAGEMENT COMMITTEE

BALANCE SHEET

1/10/2020 –30/9/2021

INCOME

OPENING BALANCE \$ 4127.70

Bank Interest \$ 0.00
Meeting Room Hire \$ 0.00
Supper Room Hire \$ 180.00
Hall S/Room/Kitchen Hire \$ 230.00
Bain Marie Hire \$ 0.00
Tax Control \$ 62.00
Bond payment \$ 0.00
Donation (Catering) \$ 0.00
Table Hire \$ 0.00
Insurance \$ 0.00
Term Deposit \$ 0.00
Donation (split sys) \$ 0.00

EXPENDITURE

Advertising \$ 00.00
Bond refund \$ 00.00
Apra Licence \$ 00.00
PO Box Rent \$ 123.64
Tax Control \$ 56.53
Purchase \$ 111.73
Insurance \$ 00.00
Lights Foyer/S Room \$ 00.00
Maintenance \$ 00.00
Hindmarsh Shire Split System \$ 00.00

Total **\$ 291.90**

\$ 4599.70

Closing Bank Balance \$ 4307.80

\$4599.70

Unpresented CHQs **\$ 0.00**

Bank Balance 30/09/21

Cheque Account **\$4307.80**

Term Deposit \$00.00

Shirley Petschel – Secretary/Treasurer

RAINBOW CIVIC CENTRE MANAGEMENT COMMITTEE

BALANCE SHEET

1/10/2021 –30/6/0022

INCOME

OPENING BALANCE \$ 4272.35

Bank Interest \$ 0.00
Meeting Room Hire \$ 118.19
Supper Room Hire \$ 287.27
Hall S/Room/Kitchen Hire \$ 0.00
Bain Marie Hire \$ 0.00
Tax Control \$ 47.81
Bond payment \$ 0.00
Donation (Catering) \$ 0.00
Table Hire \$ 72.73
Insurance \$ 0.00
Term Deposit \$ 0.00
Donation (split sys) \$ 0.00

EXPENDITURE

Advertising \$ 00.00

Bond refund \$ 0.00
Apra Licence \$ 70.59
PO Box Rent \$ 126.36
Tax Control \$ 62.70
Purchase \$ 00.00
Insurance \$ 00.00
Lights Foyer/S Room \$ 00.00
Maintenance \$ 0.00
Hindmarsh Shire Split System \$ 0.00

Total **\$ 259.65**

\$ 4798.35

Closing Bank Balance \$ 4538.70

\$ 4798.35

Unpresented CHQs **\$ 0.00**

Bank Balance 30/06/20

Cheque Account **\$4538.70**

Term Deposit \$00.00

Shirley Petschel – Secretary/Treasurer



MINUTES of the Dimboola Town Advisory Committee meeting held on 2 November 2022 at the Dimboola Library Meeting area.

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY

Acknowledgement of the Indigenous Community

We acknowledge the Shire's Indigenous community as the first owners of this country.

We recognise the important ongoing role that indigenous people have in our community and pay our respects to their elders and people both living and past.

2. PRESENT AND APOLOGIES

PRESENT: Kaylene Pietsch, Heather Boyd (HSC officer), Owen Pietsch, Sharyn Cook, Cr Deb Nelson (HSC), Melissa Haby, Pru Cook, Karen Bennett, Chan Uoy

GUESTS: Greg Proud

APOLOGIES:

ABSENT: Tony Schnieder, Heidi Bruce

3. DECLARATION OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA

- Melissa Haby declared a conflict with the Twilight Market agenda item as a stallholder at the market

4. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the DTAC Committee Meeting held on *Tuesday 4th October 2022* at the Dimboola Library, circulated to Committee Members be taken as read with amendments noted below and confirmed.

Moved - Melissa Haby **Seconded** - Pru Cook **Carried**

Amendments to be made to October Minutes

- **Item 8d:** Melissa Haby will not be managing the twilight market due to a

conflict of interest. Other members of the DTA committee will undertake management

- **Item 8h:** Bill Schneider should read Bill Eldridge

5. BUSINESS ARISING FROM THE MINUTES

6. CORRESPONDENCE

A. INWARD

- a. Phil King email received to notify committee that soundshell funding submission was unsuccessful
The Soundshell will be placed on agenda for December meeting
- b. Steve Nicholson email with approval of permits for twilight market
- c. Cr Deb Nelson email with a suggestion for a performer at Twilight Market

B. OUTWARD

None

7. EVENTS

Event:	Location:	Date	
<i>Relevant documents</i>			
	Responsibility	Due date	Status
Risk assessment			
Food permit			
Local Law permit			

8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR

- a. Riverfront Twilight Market and others
Twilight market has receive 40 enquiries and 30 applications for stalls
Monies are needed for committee to operate food stall - \$500 IGA
Following market will be 6 Dec
- b. Working Bees
Karen Bennett to lead the working bees
Date set for next working bee - **Saturday 26th November**
Purchase of materials necessary to the value of \$500
- c. Feedback for A&P Dimboola Show
Great day was had although a relatively small turnout

Location in shed was great and we banked \$710.00

Special thank you to the volunteers who worked on the day.

d. Slasher request

Guest Greg Proud proposed that the committee purchase a slasher to aid the volunteers in the town and the job they do to keep grasses kept particularly around walking trails within Dimboola. Currently he uses his own equipment to cut around walking trails at the moment.

ACTION: DTAC to write a letter in support of these volunteers to Council to be presented by Cr Deb Nelson at the next council meeting on 23 November. **(Owen Pietsch)**

The DTAC acknowledged their appreciation for the work done at the meeting.

e. Soundshell update

Funding submission to contribute additional resources to the development of the existing Soundshell was unsuccessful. Council and DTAC contributions remain to be discussed as how best to move forward.

ACTION: Soundshell to be agenda item at December meeting.

f. Budget

Concerns raised that the budget and plan are not clearly followed.

A planning and budgetary process will be presented in upcoming meetings for the DTAC to make decisions on.

It was noted that roadside cropping monies are due for distribution in December and that the DTAC could be at the top of the pile to receive some.

9. COUNCILLOR REPORT

Cr Deb Nelson

- Council Report is published on website
- Council newsletter is also out and is available on the website, HSC facebook page and in local businesses
- Pets desexing available to eligible concession card holders
- St Kilda Film Festival travelling to Nhill
- Council's free green waste period has been extended further and transfer stations will be accepting green waste FREE of charge until Saturday 31 December 2022
- Shade structure at skatepark in Dimboola to be installed before Christmas

10. OFFICER REPORT

Heather Boyd

- Financial report presented

11. URGENT BUSINESS**12. FINANCE REPORT****12.1 Summary of Balances in Finance Report.**

- Attached to minutes

Moved - Seconded -

12.2 Purchase Orders to be raised - \$2,000 or less

Creditor	Value \$	Description of Goods or Services
IGA	500	Food for Twilight Market
Dimboola Stockfeeds	500	Working bee materials
R Kossena	900	Entertainment for Twilight Market

12.3 Purchase Orders to be raised – Greater than \$2,000

Creditor	Value \$ (> \$2,000)	Description of Goods or Services

13. DECISIONS TO BE MADE

The following decisions are recommendations to Council for endorsement:

ITEM NO.	DESCRIPTION	DECISION
4	Minutes	
5	Business Arising from Minutes	
6	Correspondence	
7	Events	
8	General Business as Notified to the Chair	
9	Councillor's Report	
10	Officer's Report	
11	Urgent Business	
12.1	Finance Report	
12.2	Purchase Orders to be Raised (\$2,000 or less)	
12.3	Purchase Orders to be Raised (above \$2,000)	

14. MEETING CLOSED

The meeting closed at 9.05pm

15. COUNCIL OFFICER AUTHORISATION

I Heather Boyd advise there were no recommendations made at the Dimboola Town Committee on 2 November 2022.

ITEM NO.	DESCRIPTION	DECISION
4	Confirmation of Minutes	That the Minutes of the DTAC Committee Meeting held on Tuesday 4th October 2022 at the Dimboola Library, circulated to Committee Members be taken as read with amendments noted below and confirmed.
12	Purchase Orders to be raised - \$2,000 or less	IGA: \$500 - Food for Twilight Market Dimboola Stockfeeds: \$500 – Working bee materials R Kossena: \$900 - Entertainment for Twilight Market

SIGNED: Council Officer  _____

Dated: 11/11/2022