



1 September 2023

MINUTES

Ordinary Council Meeting

Date: Wednesday 30 August 2023

Time: 3:00pm

Venue: Nhill Memorial Community Centre
77-79 Nelson Street, Nhill

Council: Cr Brett Ireland – Mayor
Cr Melanie Albrecht – Deputy Mayor (*apology*)
Cr Debra Nelson
Cr Robert Gersch OAM
Cr Ron Ismay
Cr Wendy Bywaters

Officers: Greg Wood – Chief Executive Officer
Monica Revell – Director Corporate and Community Services
Michael Tudball – Director Infrastructure Services

Acknowledgement of Indigenous Community

Hindmarsh Shire Council acknowledges 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 and present.



Public Access

This meeting is open to members of the public and will be livestreamed from Council's Facebook page at www.facebook.com/hindmarshshirecouncil

Live Streaming Statement

This meeting will be streamed live on the internet and the recording of this meeting will be published on Council's website and/or social media pages after the meeting.

Members of the public attending this meeting may be filmed.

By remaining in the public gallery once the meeting commences, members of the public give their consent to being filmed, and for the recording of them to be made publicly available and used by Council.

Information about the broadcasting and publishing recordings of Council meetings is available in the Council's Live Streaming and Publishing Recordings of Council Meetings Policy is available on the Council's website.

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In Attendance:

Councillors:

Cr Brett Ireland (Mayor), Cr Wendy Bywaters, Cr Robert Gersch OAM, Cr Ron Ismay and Cr Debra Nelson.

Officers:

Mr Greg Wood (Chief Executive Officer), Ms Monica Revell (Director Corporate and Community Services), Mr Michael Tudball (Director Infrastructure Services) and Ms Shauna Johnson (Executive Assisant).

1 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY & LIVE STREAMING STATEMENT

Cr B Ireland opened the meeting at 3:00pm by acknowledging the Indigenous Community and by reading out the live streaming statement.

2 APOLOGIES

Cr Melanie Albrecht (Deputy Mayor) was an apology.

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 interest declared.

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 26 July 2023 at the Nhill Memorial Community Centre, as circulated to Councillors be taken as read and confirmed.

MOVED: CRS R Gersch/D Nelson

That the Minutes of the Ordinary Council Meeting held on Wednesday 26 July 2023 at the Nhill Memorial Community Centre, 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, questions which have been recently answered, or questions that may contain defamatory comments, 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 and submissions received.

6 ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: 18 July – 21 August 2023

Cr IRELAND, MAYOR

Date	Meeting/Event	Location	Comments
18/07/2023	Hindmarsh Business Networking Session	Jeparit	
18/07/2023	Wimmera Mallee Pioneer Museum Meeting		
20/07/2023	ABC Radio Interview		On Nhill Railway Station
24/07/2023	Meeting in Shire Offices with Committee Members of WMPM	Nhill	
24/07/2023	Interview with Horsham Times		Re Nhill Railway Station
26/07/2023	Cuppa Connections	Jeparit	
26/07/2023	Council Briefing Meeting	Nhill	
26/07/2023	Council Meeting	Nhill	
27/07/2023	Yurunga Homestead AGM	Civic Centre Rainbow	
27/07/2023	Mayoral Matters Column		
31/07/2023	Rainbow Civic Centre AGM	MECCA Supper Room	
09/08/2023	Wimmera Southern Mallee Meeting	Zoom	The Sandon report relating to new initiatives for council meetings was the main item on the agenda.
10/08/2023	CEO and Mayors Quarterly Lunch and Meeting		We had the land council representative via zoom talking about the recent recognition agreement with State Govt.
10/08/2023	Round Table Renewables MAV Meeting	Zoom	
12/08/2023	Tower Park Markets	Dimboola	
14/08/2023	Jeparit Advisory Committee Town Meeting		
15/08/2023	Wimmera Mallee Pioneer Museum Meeting		
16/08/2023	Meeting with	Zoom	

	Consultant and Independent Chair of CEO Recruitment Committee		
16/08/2023	Australian Citizenship Ceremony	Nhill Community Centre	
16/08/2023	Meeting with Councillors to Discuss Shortlist of Potential New CEO's	Zoom	
21/08/2023	Meeting with Jeparit Heritage Walk Chairperson		To assist with grant application.
21/08/2023	Meeting with Representatives from Melbourne		Regarding future of Nhill railway station.

Cr ALBRECHT, DEPUTY MAYOR

Date	Meeting/Event	Location	Comments
18/07/2023	Hindmarsh Business Networking Session	Jeparit	Thank you to those that attended to hear the interesting presentations on Tourism and Economic development.
19/07/2023	Hindmarsh Pride Committee Meeting	Dimboola	All allies are welcome to join.
26/07/2023	Council Briefing	Nhill	
28/06/2023	Council Meeting	Nhill	
31/07/2023	Nhill Town Committee AGM	Nhill	Due to quorum requirements this meeting will be rescheduled.
15/08/2023	Nhill & District Historical Society Annual General Meeting	Nhill	Congratulations to Kay Scott who was elected President for the year ahead and to all those that were appointed to the Executive and General Committee.
16/08/2023	Hindmarsh CEO Shortlisting meeting	Online	
16/08/2023	Nhill Silo Heritage Project Annual General Meeting	Nhill	Congratulations to Peter Duperouzel who was again elected as President and to all those that were appointed to the Executive and General Committee.

Cr NELSON

Date	Meeting/Event	Location	Comments
18/07/2023	Wimmera Southern Mallee LLEN Finance Committee		
24/07/2023	Book Launch – Ebenezer Mission	Dimboola	

	Diaries		
25/07/2023	Mates Mentoring	DMSC	
26/07/2023	Council Briefing	Nhill	
26/07/2023	Council Meeting	Nhill	
27/07/2023	Wimmera Southern Mallee LLEN COM Meeting	Horsham	
08/08/2023	Mates Mentoring	DMSC Dimboola	
16/08/2023	CEO Recruitment Shortlist Meeting		

Cr GERSCH

Date	Meeting/Event	Location	Comments
18/07/2023	Visit Nhill Railway Station		
26/07/2023	Council Meeting		
28/07/2023	Wimmera Regional Roads Meeting		
28/07/2023	RCV Board Meeting		
28/07/2023	JP with Council		
07/08/2023	Tourist Info Centre Duty		
15/08/2023	AGM Historical Society		
16/08/2023	Australian Citizenship Ceremony		
16/08/2023	CEO Short List		

Cr ISMAY

Date	Meeting/Event	Location	Comments
25/07/2023	WMT Meeting	Goroke	
25/07/2023	WMT AGM	Goroke	
26/07/2023	Briefing Meeting	Nhill	
26/07/2023	Council Meeting	Nhill	
09/08/2023	Rainbow Rises Meeting	Rainbow	
12/08/2023	Working Bee Rainbow Rises		
16/08/2023	CEO Short List Meeting	Zoom	
18/08/2023	Working Bee Rainbow Rises		

19/08/2023	Rainbows Rises 240 Day One		
19/08/2023	ATPA Tractor Pull Test and Tune Day		
20/08/2023	Rainbow Rises 240 Day Two		
21/08/2023	Rainbow Town Committee Meeting		

Cr BYWATERS

Date	Meeting/Event	Location	Comments
18/07/2023	Homework Club	Nhill	
18/07/2023	Hindmarsh Business Networking Session	Jeparit	
18/07/2023	Wimmera Mallee Pioneer Museum General Meeting	Jeparit	
25/07/2023	Meeting with Director Infrastructure Services	Nhill	
26/07/2023	Council Briefing and Council Meeting	Nhill Community Centre	
27/07/2023	Wimmera Southern Mallee Local Learning and Employment Networking Committee of Management Meeting	Horsham	
01/08/2023	Homework Club	Nhill	
01/08/2023	Nhill Lawn Tennis Club Meeting	Nhill	
02/08/2023	Mallee Machinery Field Days	Speed	
12/08/2023	Nhill Lake Committee Working Bee	Nhill Lake	
12/08/2023	Tower Park Market	Dimboola	
15/08/2023	Homework Club	Nhill	
15/08/2023	Nhill Historical Society AGM	Nhill	
16/08/2023	CEO Recruitment Committee Meeting	Zoom	
16/08/2023	Nhill Heritage Silo Restoration	Nhill Silo	

	Committee AGM		
21/08/2023	Meeting at the Nhill Train Station	Nhill	With Kim Boundey, the Community and Stakeholder Engagement Advisor for Australian Rail Track Corporation (ARTC) and Michael Borillo, General Manager of Property, and Finance for ARTC, Nhill Community Members, Mayor and Council Directors.

7 CORRESPONDENCE

7.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer
Attachment Numbers: 2 – 6

Introduction:

The following correspondence is attached for noting by Council.

Inwards:

- 2023/07/20 – Letter from Peter Taylor Memorial Events Committee
- 2023/07/25 – Congratulatory Letter to Cr Gersch from West Wimmera Shire Council
- 2023/08/07 – Letter from Minister Suleyman MP RE Public Holiday Gazettal

Outwards:

- 2023/07/28 – Letter to Nhill A&P Society RE Show Day Public Holiday
- 2023/07/28 – Letter to Rainbow A&P Society RE Show Day Public Holiday

RECOMMENDATION:

That Council notes:

1. ***the attached correspondence; and***
2. ***that the letter from Peter Taylor Memorial Events Committee will be addressed in item 9.3 of this agenda.***

MOVED: CRS R Ismay/D Nelson

That Council notes:

1. ***the attached correspondence; and***
2. ***that the letter from Peter Taylor Memorial Events Committee will be addressed in item 9.3 of this agenda.***

CARRIED

Attachment Numbers: 2 – 6

8 PLANNING PERMITS

8.1 VICSMART REPORT AND PLANNING APPLICATIONS APPROVED UNDER CEO DELEGATION JANUARY – MARCH 2023

Responsible Officer: Director Infrastructure Services

Introduction:

This report provides Council with an update on VicSmart permits processed for the period 01 January 2023 to 31 March 2023.

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

Discussion:

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

Key features of VicSmart include:

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

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

- There have been no VicSmart permits approved within this period.

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
PA1792-2022	277 Albrecht Road, Gerang Gerung	Expansion of existing cattle feedlot to 10,000 standard cattle units (SCU)	17/08/2022	Clause 35.07-1 – A permit is required to use the land for a Section 2 Use (Cattle Feedlot). Clause 35.07-4 – A permit is required for buildings and works associated with a Section 2 Use (Cattle Feedlot). Clause 42.01-2 – A permit is required	14/12/2022 Notice Of Decision (NOD) issued 13/01/2023 Permit issued	102

Permit No.	Address	Proposal	Date Lodged	Trigger	Date approved	Statutory Days
				to construct or carry out works.		
PA1739-2021-A1	Road Reserve, Albacutya	Amendment for Removal of vegetation	03/10/2022	Clause 42.01-2 (ESQ) - A permit is required to remove, destroy or lop any vegetation, including dead vegetation Clause 52.17-1 (Native Vegetation) - A permit is required to remove, destroy or lop native vegetation	24/01/2023	113
PA1808-2022	60 Charles Street, Jeparit	Buildings and works associated with an existing dwelling (carport and outbuilding)	01/12/2022	Clause 44.04-2 (Land Subject to Inundation Overlay) -A permit is required to construct a building or to construct or carry out works.	24/01/2023	53
PA1810-2022	2A Rethus Drive, Nhill	Double sided externally illuminated major promotion sign	01/12/2022	Clause 52.05-2 (Signs) - Section 2 Sign	08/02/2023	36
PA1809-2022	33 Roy Street, Jeparit	Demolish existing door and construct new door and ramp	09/12/2022	A planning permit is required for the demolition of part of the building and to construct buildings and works for non-disabled access and alterations to the building under Clause 32.05-10 (TZ) Clause 43.01-1 (HO)	20/03/2023	35
PA1814-	1141	Buildings	16/01/2023	Clause 35.07-1	30/03/2023	39

Permit No.	Address	Proposal	Date Lodged	Trigger	Date approved	Statutory Days
2023	Coker Dam Road, Gerang Gerung	and works - replacement dwelling		(Farming Zone) - A permit is required for the use of land for a dwelling, as the Section 1 condition is not met. It is noted that this only applies for the limited time when there are 2 dwellings on the land which would be controlled through conditions of a permit. Clause 35.07-4 (Farming Zone) - A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 35.07-1		
PA1762-2021-A1	Rainbow Rises Road, Rainbow	Place of Assembly - change date of race event	25/02/2023	An amended planning permit is required for the amended date for the approved use for a Place of Assembly as it is a Section 2 (Permit required) use under Clause 35.07-1 of the Farming Zone (FZ) pursuant to Section 72 of the Planning Environment Act 1987	09/03/2023	3

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:

Strategic Risk Description	Risk Management Discussion
Governance	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 – Robert Huxley, Manager Regulatory Services

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

Officer Responsible – Michael Tudball, 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 in July 2023.

RECOMMENDATION:

That Council notes the Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 1 January 2023 to 31 March 2023.

MOVED: CRS D Nelson/W Bywaters

That Council notes the Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 1 January 2023 to 31 March 2023.

CARRIED

8.2 VICSMART REPORT AND PLANNING APPLICATIONS APPROVED UNDER CEO DELEGATION APRIL – JUNE 2023

Responsible Officer: Director Infrastructure Services

Introduction:

This report provides Council with an update on VicSmart permits processed for the period 01 April 2023 to 30 June 2023.

This report also lists the Planning Applications approved under delegation by either the CEO, Director of Infrastructure or Manager of Regulatory Services for the same period.

Discussion:

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

Key features of VicSmart include:

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

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

Permit No.	Address	Proposal	Date Lodged	Trigger	Date approved	Stat Days
VS1817-2023	6A Lochiel Street, Dimboola	Demolition of sewer pump station building	14/02/2023	Environmental Significance Overlay Schedule 6 (ESO6) Heritage Overlay Schedule 34 (HO34)	14/04/2023	24

The following Planning Permit Applications were approved under delegation by an Authorised Officer, during this period.

Permit No.	Address	Proposal	Date Lodged	Trigger	Date approved	Stat Days
PA1794-2022	Bywaters Rd Nhill	Use and Development of land for a rural industry and reduction in car parking requirements	02/09/2022	Clause 35.07-1 (Farming Zone) – A permit is required to use the land for a Section 2 Use (Rural Industry) as the floor area exceeds the Section 1 condition requirement. Clause 35.07-4 (Farming Zone) – A permit is required to construct a	05/04/2023	54

Permit No.	Address	Proposal	Date Lodged	Trigger	Date approved	Stat Days
				building or to construct or carry out works associated with a Section 2 Use. Clause 52.06-3 (Car Parking) - A permit is required to reduce the number of car parking spaces required under Clause 52.06-5		
PA1790-2022	3751 Nhill Jeparit Road, Jeparit	Use and development of a dwelling	09/08/2022	A building or works associated with a use in Section 2 of Clause 35.07-1.	06/04/2023	82
PA1814-2023	1141 Coker Dam Rd, Gerang Gerung	Buildings and works (replacement dwelling)	11/01/2023	Clause 35.07-1 (Farming Zone) - A permit is required for the sue of land for a dwelling, as the section 1 condition is not met. It is noted that this only applies for the limited time when there are two dwellings on the land which would be controlled through conditions of a permit. Clause 35.07-4 (Farming Zone) – A permit is required to construct a building or construct or carry out works for a use in Section 2 of of Clause 35.7-01.	03/04/2023	39
PA1795-2022	7 Middleton Avenue, Nhill	Development of a store	21/09/2022	Clause 33.01-1 (Industrial 1 Zone) – A permit is required to use the land for a transfer station (section 2 use). Clause 33.01-4 (Industrial 1 Zone) – A permit is required to construct a building or construct or carry out works	04/05/2023	30
PA1803-2022	13 Bow St,	Use and development	15/10/2022	A permit is required to construct a building or	03/05/2023	50

Permit No.	Address	Proposal	Date Lodged	Trigger	Date approved	Stat Days
	Rainbow	of a Place of Assembly (Tourism facility with viewing platform for the Mallee Silo Art Trail)		construct or carry out works for a use in Section 2 of Clause 32.05-2.		
PA1647-2019	CA5 Kurnbrunin Road Rainbow	Construction of shed to store gypsum	26/10/2022	Clause 35.07 (Farming Zone) of the Hindmarsh Planning Scheme for mineral extraction (Section 2 use)	04/05/2023	76
PA1812-2022	9 Lloyd Street, Dimboola	Construct Shed	08/12/2022	A planning permit is required to construct buildings and works for an outbuilding for the dwelling under Clause 44.04-2 of the LSIO	10/05/2023	8
PA1813-2022	64 Tarranyurk West Road, Jeparit	Additional dwelling	14/12/2022	A planning permit is required for the earthworks associated with the construction of the building (dwelling) under the ESO6.	09/06/2023	13
PA1806-2022	1 St Leonards Ave Dimboola	1 St Leonards Ave Dimboola	04/10/2022	Clause 44.04-2 (LSIO) – A permit is required to construct a building or to construct or carry out works.	15/06/2023	131

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:

Strategic Risk Description	Risk Management Discussion
Governance	Risk is managed appropriately by adhering to the VicSmart

	process.
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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 – Robert Huxley, Manager regulatory Services

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

Officer Responsible – Michael Tudball, 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 in October 2023.

RECOMMENDATION:

That Council notes the Planning Applications approved under delegation by an Approved Officer as listed above, for the period 1 April 2023 to 30 June 2023.

MOVED: CRS R Gersch/R Ismay

That Council notes the Planning Applications approved under delegation by an Approved Officer as listed above, for the period 1 April 2023 to 30 June 2023.

CARRIED

9 REPORTS REQUIRING A DECISION

9.1 GOVERNANCE UPDATES

Responsible Officer: Director Corporate and Community Services

Attachment Numbers: 7 – 9

Introduction:

This report seeks endorsement of the reviewed **Public Transparency Policy** and the new **Councillor Interaction with Developers Policy** to be made available for public consultation from 31 August 2023 to 15 September 2023 to be brought for approval at the Council Meeting on 27 September 2023.

This policy also seeks formal revocation of the **Conflict of Interest Policy**.

Discussion:

Conflict of Interest Policy

Council's Conflict of Interest Policy was adopted in 2020 in line with the new provisions around Conflicts of Interest in the *Local Government Act 2020*. Conflict of Interest (COI) management is an integral component of good governance within Council and is articulated through a number of policies and procedures. The substantive content of the current Conflict of Interest Policy is a reiteration of the provisions around COIs in the *Local Government Act 2020*, Hindmarsh Shire Council Governance Rules, Councillor Code of Conduct, Employee Code of Conduct, and various other policies including the Recruitment Procedure, Councillor Interaction with Developers Policy, Councillor Expenses Entitlement, Councillor Gifts and Hospitality Policy and the Procurement Policy. A standalone Conflict of Interest policy is not a requirement under the *Local Government Act 2020*.

It is therefore recommended that Council formally revoke the Conflict of Interest Policy in recognition that it does not provide any additional structure or scope to Council's existing function-specific COI provisions in alternative documents. Critical compliance requirements around gifts and hospitality, reporting and recording conflict of interest declarations and personal interest returns are effectively managed through other mechanisms. The State Government has published numerous guides around Conflicts of Interest that have been made available to Councillors.

A copy of the existing policy has been provided for reference.

Public Transparency Policy

Council is required to maintain a Public Transparency Policy under s57 of the *Local Government Act 2020*. The public transparency principles that underpin the policy remain unchanged since the initial adoption of the policy in 2020, however this review has provided an opportunity to consider amendments and provisions that strengthen Council's commitment to, and practice of, public transparency. Changes include:

- A policy statement that asserts the principles and values that underpin local government

transparency;

- Added definition of Closed Meetings to provide greater clarity to the community on this process;
- Inclusion of two provisions around Freedom of Information –
 - Reference to the Freedom of Information Part II Statement that comprehensively details the types of information held by Council;
 - Reference to Council's Freedom of Information obligations and processes to identify a method by which the community can access Council information.
- A clear discussion around the Public Interest Test to both ensure consistency and a greater understanding of how this exemption may be applied.

Councillor Interaction with Developers Policy

To ensure consistent and transparent practice, and in line with recommendations from the Local Government Inspectorate, Council officers have developed a *Councillor Interaction with Developers Policy* for community consideration. Councillors are often required to make decisions about planning and developments in their municipality and as part of seeking information, may interact with developers on upcoming projects. Council acknowledges that interactions with developers are a necessary and essential part of a healthy democracy and every person, organisation, and interest group have a right to put a case forward to elected officials as part of the land use planning decision-making process.

This policy provides guidance for how Councillors should interact with developers to maintain integrity, transparency, and good governance in their decision-making whilst also promoting development for the social and economic benefit of Hindmarsh Shire. The policy also gives rise to the creation of a Councillor Interaction with Developers register that will be made available to the public. Maintaining the public register is in line with best practice recommendations, complements Council's commitment to public transparency and ensures that Council is taking a proactive approach to changing regulatory environments.

Options:

1. Council can choose to endorse the Public Transparency Policy for community consultation;
2. Council can choose to amend the Public Transparency Policy and Councillor Interaction with Developers Policy prior to release for community consultation;
3. Council can choose to not endorse the Public Transparency Policy and Councillor Interaction with Developers Policy for community consultation; and:
4. Council can choose to revoke the Conflict of Interest Policy;
5. Council can choose to retain the Conflict of Interest Policy.

Link to Council Plan:

Strong governance practices

A community well informed and engaged

Financial Implications:

NIL

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Governance	<p>The revocation of the Conflict of Interest policy does not impact the practice or principles around conflict of interest declarations and management for Councillors or staff. Additional operational policies around COI management will be explored, and additional resources developed by the State Government and Local Government Inspectorate have been made available to Councillors to ensure that information around COIs is readily available.</p> <p>The introduction of a Councillor Interaction with Developers Policy ensures that risks that might impact the appropriate and transparent undertaking of planning decisions are mitigated. It provides Councillors a uniform set of standards and expectations around these interactions that should reasonably prevent instances of real or perceived conflicts of interest. This also increases planning decision-making efficiency, ensuring that there are no unreasonable delays due to investigations into impartiality or inappropriate conduct.</p> <p>The amended Public Transparency Policy gives rise to Council's commitment to public transparency principles. Maintaining and implementing this policy ensures that Council is compliant and adhering to its own values and goals. It also ensures that Council is meeting its obligations and governance requirements under the <i>Local Government Act 2020</i> and supplementary regulations.</p>

Relevant legislation:

- Local Government Act 2020*
- Local Government Act 1989*
- Planning and Environment Act 1987*
- Freedom of Information Act 1982*
- Privacy and Data Protection Act 2014*

Community engagement:

Should they be endorsed by Council, the Public Transparency Policy and Councillor Interaction with Developers Policy will be made available for public consultation for the period 31 August 2023 to 15 September 2023.

Gender equality implications:

Gender impact assessments are required when the program, policy or service have a direct and significant impact on the community. The revocation of the Conflict of Interest policy does not meet this criterion as all provisions around conflict of interest declarations and

management remain unchanged and governed by alternative policies, procedures and legislation.

The Public Transparency Policy has a general impact on the public, however the provisions are strictly guided by legislation (*Privacy and Data Protection Act 2014, Freedom of Information Act 1982* and the *Local Government Act 2020*). While Council can take measures to ensure that information is accessible to all members of the community equitably, those measures and mechanisms belong to other policies, process and procedures.

The **Councillor Interaction with Developers Policy** only has minor impacts on the public, with the significant components of planning decisions is guided by Council's planning scheme, the *Planning and Environment Act 1987* and operational development decision-making procedures that guide Officer's recommendations. Consultation periods for proposed planning decisions ensure that public views, including those of all genders, are taken into account.

Conflict of Interest:

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

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

Author – Petra Croot, Manager Governance and Human Services
In providing this advice as the Author, I have no disclosable interests in this report.

Communications Strategy:

All policies will be made available on Council's website with consultation periods advertised in the Nhill Free Press, Dimboola Banner and the Rainbow/Jeparit Argus.

Next Steps:

As above.

RECOMMENDATION:

That Council endorses the Public Transparency Policy and Councillor Interaction with Developers Policy for community consultation from 31 August 2023 to 15 September 2023 and revokes the Conflict of Interest Policy.

MOVED: CRS D Nelson/R Ismay

That Council endorses the Public Transparency Policy and Councillor Interaction with Developers Policy for community consultation from 31 August 2023 to 15 September 2023 and revokes the Conflict of Interest Policy.

CARRIED

Attachment Numbers: 7 – 9

9.2 PROPOSED ASSET DISPOSAL – 41 VICTORIA STREET DIMBOOLA (SENIOR CITIZENS CENTRE)

Responsible Officer: Director Infrastructure Services

Introduction:

This report proposes that Council advertises its intention to sell the property currently known as the Dimboola Senior Citizens Centre, located at 41 Victoria Street Dimboola.

Discussion:

Council has a number of buildings across the Shire that are approaching end of life or at end of life. This report discusses an option to reduce the number of buildings by selling assets that are surplus to Council's needs.

The last condition and valuation audit on Council facilities showed many were in fair to poor condition – with operation and maintenance costs increasing to meet user demand or in the Dimboola Senior Citizens Centre case, no demand.

Over the past few years usage of this facility has dropped considerably and there has been little usage over the past two financial years.

During March 2022 Council undertook discussions with members of the community seeking the re-establishment of the Senior Citizens. No support was achieved at the meeting.



Options:

1. Council can propose the sale of the asset as surplus to requirements and undertake participative engagement including seeking submissions;
2. Council can resolve not to proceed, noting that significant maintenance is required on the building that will need to be referred to a future budget.

Link to Council Plan:

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

Financial Implications:

Council will incur selling and legal fees for the sale of the property. Upon the sale of the property rates and charges may be able to be levied. Council will no longer be responsible for the Fire Services Levy and maintenance on the property. Costs will be re-couped through any ultimate sale of the property.

There are significant financial implications from the current needs of the buildings that Council is responsible for. Many of these buildings are non-revenue generating and are approaching or are at the end of life. There are minimal grants available for many of these buildings and Council buildings all have condition audits and valuations undertaken on them every four years with the next audit to take place in the 23/24 financial year.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Asset Management	It is critical that Council and the community understand the principles around Asset Lifecycle and the financial implications of the cycle for Council. The appropriate planning for the buildings includes asking the community what they need for the future. This can sometimes be a difficult discussion if we are attempting to be aspirational but dealing with population decline or if there is a change to state policy.

Relevant legislation:

Under Section 114 of the *Local Government Act 2020* (Act) Restriction on power to sell or exchange land

- (2) Before selling or exchanging the land, the Council must—
 - (a) at least 4 weeks prior to selling or exchanging the land, publish notice of intention to do so—
 - (i) on the Council's Internet site; and
 - (ii) in any other manner prescribed by the regulations for the purposes of this subsection; and
 - (b) undertake a community engagement process in accordance with its community engagement policy; and

- (c) obtain from a person who holds the qualifications or experience specified under section 13DA(2) of the **Valuation of Land Act 1960** a valuation of the land which is made not more than 6 months prior to the sale or exchange.

Community engagement:

Initial engagement with the affected community via the Dimboola Senior Citizens occurred on Thursday 17 March 2022 and the meeting did not gain support for the re-establishment of the Dimboola Senior Citizens.

Council is proposing in this report to formally propose its sale and seek submissions on the proposal.

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 & Officer Responsible – Michael Tudball, Director Infrastructure Services

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

Communications Strategy:

Under the Local Government Act Council is required to resolve an asset as surplus to requirements and advertise publicly its intention and in accordance with Councils Community Engagement Policy, any asset sales will undertake participatory engagement including direct discussions, public advertising and seeking submissions prior to resolving the disposal.

Next Steps:

If the surplus to requirements is resolved, Council will publicly advertise and advise appropriate community/township groups and seek submissions which Council will then consider any submissions at a future meeting a decide a further course of action.

RECOMMENDATION:

That Council:

1. **gives public notice by advertising for a minimum of 28 days Council's intention to sell 41 Victoria Street Dimboola – Senior Citizens Centre, under section 114(2)(a) of the Local Government Act 2020;**
2. **Council undertakes a community engagement process in accordance with its community engagement policy in accordance with s114(2)(b) of the Local Government Act 2020;**

3. ***Council obtains a valuation of this building for sale, from a registered valuer in accordance with s114(2)(c) of the Local Government Act 2020; and***
4. ***A further report to be presented to Council at the end of the notice period.***

MOVED: CRS D Nelson/W Bywaters

That Council:

1. ***gives public notice by advertising for a minimum of 28 days Council's intention to sell 41 Victoria Street Dimboola – Senior Citizens Centre, under section 114(2)(a) of the Local Government Act 2020;***
2. ***Council undertakes a community engagement process in accordance with its community engagement policy in accordance with s114(2)(b) of the Local Government Act 2020;***
3. ***Council obtains a valuation of this building for sale, from a registered valuer in accordance with s114(2)(c) of the Local Government Act 2020; and***
4. ***A further report to be presented to Council at the end of the notice period.***

CARRIED

9.3 REGIONAL COMMUNITY EVENT GRANTS PROGRAM 2023/24

Responsible Officer: Director Corporate and Community Services

Attachment Numbers: 2 & 10 (11 – 15 Confidential Attachments)

Introduction:

This report seeks Council approval to provide funding through the 2023/2024 Regional Community Events grants program to eligible community organisations / groups.

Discussion:

The Regional Community Events (RCE) grants program has been established to support community organisations / groups with funding for events that bring economic benefit to Hindmarsh Shire. The aim of this funding is to support community events which celebrate culture, heritage, and community wellbeing, boost the economy, and increase visitation to Hindmarsh Shire. Total annual funding of \$30,000 has been allocated with grant recipients able to apply for funding of up to \$7,500 (made up of cash and in-kind determined by Council) for their event if they meet the eligibility and selection criteria.

The RCE program was promoted through Council’s website, Facebook page, and through local media.

Council has received five (5) applications requesting total funding of \$37,500. The recommendation is to award funds of \$30,000.

Although no closing date was advertised, officers believe that all known major events have submitted an application for this year. For the avoidance of doubt, next year applications will be called for in early July closing on 31 August 2024.

Community Group / Organisation	Event	Funding Sought	Total Event Budget
Dimboola Boating & Ski Club	Peter Taylor Memorial Barefoot Ski Event	\$7,500*	\$51,296
Rainbow Playgroup	George the Farmer	\$7,500	\$7,500
Rainbow Rises Events Committee	Rainbow Desert Enduro	\$7,500	\$8,500**
The Oasis Rainbow	Big Sky Festival	\$7,500	\$13,160
Nhill Aviation Heritage Centre (NAHC)	Nhill Airshow	\$7,500	\$150,700
Total:		\$37,500	\$226,656

* In addition, Council have also received a letter from the Dimboola Boating and Ski Club requesting an extra \$7,500 (\$15,000 total) for the successful running of the event.

** Does not include specific race related budget from VORRA

Funding applications have been assessed against the following eligibility criteria:

All applications must:

- Be holding the event within Hindmarsh Shire and supported by a committee/organisation based within Hindmarsh Shire.
- Have relevant followed and obtained any relevant permit processes/liquor licences and comply with all relevant regulations and council requirements.
- Be an incorporated not for profit organisation based in Hindmarsh Shire.
- Have public liability insurance and complete a risk assessment for the event seeking funding.
- Be an event open to the public, and also be inclusive and accessible for everyone.

Ineligible applications:

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

- Any organisation that is not located within Hindmarsh Shire or supported a committee/organisation based within Hindmarsh Shire.
- Any organisation owing money to council.
- Private events and functions.
- Events which exclude parts of the community.
- Government bodies and subsidiaries (eg parents and friends).
- Events which have been held/completed (retrospective funding is not available).
- Events taking place outside Hindmarsh Shire.
- Anyone who has received council funding/regional community events grant funding in the same financial year.

Assessment Criteria:

Applications will be assessed against the following assessment criteria:

- Events which will actively promote Hindmarsh Shire and deliver community and/or tourism, visitor and economic outcomes.
- Events which encourage partnerships and collaborations between groups and businesses within Hindmarsh Shire.
- Compliance with council and other authority requirements (eg permits, traffic management plans, insurance)
- Have an event management plan and budget.
- Provide evidence of community support and community engagement.
- Events which celebrate cultural, heritage, and community wellbeing.

Applicants were also asked to submit a detailed Event Management Plan and detailed Budget.

Out of a possible total score of 20, the event applications returned the following scores:

- Dimboola Boating and Ski Club = 20
- Nhill Aviation Heritage Centre = 20
- The Oasis Rainbow = 19
- Rainbow Rises Events Association = 18

- Rainbow Playgroup = 15

The Dimboola Boating and Ski Club – Peter Taylor Memorial Barefoot Ski Event

This event has been held previously in 2022 and attracted an estimated 2,500 people with competitors from around Australia. Originally planned for 2021 the event had commitment from both the Australian and USA barefoot waterski teams to attend as a practice event leading up to the international titles, however the COVID-19 Pandemic caused this inaugural event to be cancelled. The event is run with support from the South Australian Barefoot Ski association and attracts a significant number of interstate competitors and supporters.

In relation to the letter received by Council requesting funding in addition to the maximum \$7,500, Council should consider:

- With a total event grant funding budget of \$30,000, awarding half of that budget to one event would:
 - Set a precedence and open the option for other events to ask for the same.
 - Limit the spread and opportunity for other events to gain funding.
- In comparison of neighbouring Councils event support, the \$7,500 grant limit is significantly generous:
 - West Wimmera Shire Council Community Events Funding is for a maximum of \$1,200.
 - Yarriambiack Shire Council Community Events Funding is up to \$1,500.
 - Horsham Rural City Council offer event funding through their general community grants with a maximum of \$10,000, with most events being awarded less than \$6,000.
- The club has in previous years been awarded Visit Victoria event funding that was impacted by event cancellation due to COVID. They have been encouraged by Council staff to re-apply for this grant, and Sport and Recreation event grant funding which is currently open for applications.
- The club should be encouraged to develop a sustainable financial model for the event, including corporate sponsorship opportunities.

The recommendation is to provide \$5,000 cash and \$2,500 in-kind to support the event. (Final ratio to be determined after the event)

Rainbow Playgroup – George the Farmer

The Rainbow Playgroup have applied for \$7,500 in support of running an even featuring George the Farmer. George the Farmer recently performed at the Birchip Playgroup and provides entertainment and education around agriculture targeted at younger children.

Council should consider that whilst this event would be great for families in the Rainbow Community it is likely to have a limited impact on attracting visitation outside of Rainbow and the Shire, and limited impact on generating significant increases to the visitor economy.

The recommendation is to not provide funding for this event. This type of event may be better suited to a Community Action Grant through Council.

Rainbow Rises Events Association - Rainbow Desert Enduro

The Rainbow Desert Enduro Off-Road race for buggies and cars was first planned and subsequently held in August 2017. The support of the local Rainbow community has been simply overwhelming. Despite the 2017 Rainbow Desert Enduro being the first event, organisers were able to secure national championship status, hosting Victoria's round of the BF Goodrich Australian Off-Road Championship. The event has become an annual event, although the 2021 was cancelled due to the COVID-19 pandemic. It continues to attract spectators, competitors including drivers, co-drivers and support crews from across Australia.

The support of the local community, sporting groups, and organisations through volunteer catering efforts provides them with significant economic and social benefits which where possible is transferred to local businesses such as supermarkets, butchers, bakers etc as local suppliers.

The Rainbow Rises Events Centre has been developed into a leading off-road racing events staging area through the support of government Grants, Council, and an extremely passionate and proactive volunteer group. Support of this event would not only assist the growth of the event but also demonstrate recognition to the significant amount of volunteer hours put into the event and staging area.

The recommendation is to provide \$4,000 cash and \$3,500 in-kind to support the event due to the significant work involved with traffic management (noting that any in-kind expenditure above the \$3,500 will need to be invoiced - final ratio to be determined after the event)

Oasis Rainbow – 2024 Big Sky Event

The 2024 Big Sky Festival will build upon the success of the previous two events held in 2018 and 2022, which each attracting around 500 visitors from the local area, intrastate and interstate. The festival is held as a single day event that brings the Rainbow community together by offering something for everyone. The program includes a market, workshops, art activities and world class live music.

The Big Sky Festival has a strong branding already established, with a consistent 'look' developed during the previous festivals. The Oasis Rainbow Facebook page has 900 followers.

All profits will go directly towards the sustainability of the Oasis and future events/festivals.

The recommendation is to provide \$6,500 cash and \$1,000 in-kind to support the event. (Final ratio to be determined after the event)

Nhill Aviation Heritage Centre – 2024 Nhill Airshow

The third Nhill Airshow will be a spectacular regional event drawing over 3,000 spectators from all over Victoria and interstate. The Airside Program will be delivered by Paul Bennet Airshows featuring spectacular aerobatics, vintage aircraft maneuvers, and a range of aircraft flyovers. A DC3 will fly passengers in from Melbourne, and Helicopter and Tiger Moth joy flights will be offered during the day.

An extensive ground program will feature a 'Crafters Fair' set up in the historic Bellman Hangar, children's activities and the popular musical trio the 'Pacific Belles'. Other displays will include vintage cars, military vehicles, along with flight simulators and memorabilia from various air museums. The Nhill Aviation Heritage Centre will be open for visitors, and a wide choice of food will be on offer. Special children's activities will also run throughout the day.

Previous Nhill Airshows have proven to be significant events for the region and have demonstrated significant increases in the visitor economy.

The recommendation is to provide \$5,000 cash and \$2,500 in-kind to support the event. (Final ratio to be determined after the event)

Application Summary:

Community Group / Organisation	Amount Requested	Total Event Budget	Recommended Allocation
Dimboola Boating & Ski Club	\$7,500	\$51,296	\$7,500
Rainbow Playgroup	\$7,500	\$7,500	\$0
Rainbow Rises Events Committee	\$7,500	\$8,500	\$7,500
The Oasis Rainbow	\$7,500	\$13,160	\$7,500
Nhill Aviation Heritage Centre (NAHC)	\$7,500	\$150,700	\$7,500
Total:	\$37,500	\$226,656	\$30,000

Options:

Council can choose to support some or all, partly or in full, or none, of the applications for funding through the Regional Community Events Grant.

Link to Council Plan:

Develop and promote local tourism opportunities that attract visitation: Support community initiatives such as markets, pop up shops and appropriate events / activities

Financial Implications:

Council has allocated \$30,000 to the Regional Community Events grants for the 2023/2024 financial year.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
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Governance	Event guidelines were prepared to ensure the funding is awarded based on evaluation criteria that is consistent for all applications. Event management, risk management and occupational health and safety requirements will need to be demonstrated by all successful applicants.
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Relevant legislation:

Local Government Act 2020

Community engagement:

The funding program was communicated through Council's facebook page, newsletters and in local newspapers. Officers have been liaising with community groups/organisations who have contacted Council in relation to the funding.

Gender equality implications:

No gender impact assessment has been completed on the requests for funding. The event guidelines ensure the events promote inclusion and gender equality.

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 – Jeff Woodward, Tourism and Economic Development Officer.
In providing this advice as the Author, I have no disclosable interests in this report.

Communications Strategy:

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

Next Steps:

N/A

RECOMMENDATION:

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

- 1. Dimboola Barefoot Water Ski Club - \$7,500 (approximately cash \$5,000 in-kind \$2,500) to support the 2024 Peter Taylor Memorial event;***
- 2. The Oasis Rainbow - \$7,500 (approximately cash \$6,000 in-kind \$1,000) to support the 2024 Big Sky Festival;***

3. ***Rainbow Desert Enduro - \$7,500 (approximately cash \$4,000 in-kind \$3,500) to support the 2024 Rainbow Desert Enduro; and***
4. ***Nhill Aviation Heritage Centre - \$7,500 (approximately cash \$5,000 in-kind \$2,500) in support of the 2024 Nhill Airshow.***

Unsuccessful Applications:

1. ***Rainbow Playgroup - \$7,500 to support George the Farmer.***

TOTAL RECOMMENDED FUNDING ALLOCATED: \$30,000.

MOVED: CRS W Bywaters/R Ismay

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

1. ***Dimboola Barefoot Water Ski Club - \$7,500 (approximately cash \$5,000 in-kind \$2,500) to support the 2024 Peter Taylor Memorial event;***
2. ***The Oasis Rainbow - \$7,500 (approximately cash \$6,500 in-kind \$1,000) to support the 2024 Big Sky Festival;***
3. ***Rainbow Desert Enduro - \$7,500 (approximately cash \$4,000 in-kind \$3,500) to support the 2024 Rainbow Desert Enduro; and***
4. ***Nhill Aviation Heritage Centre - \$7,500 (approximately cash \$5,000 in-kind \$2,500) in support of the 2024 Nhill Airshow.***

Unsuccessful Applications:

1. ***Rainbow Playgroup - \$7,500 to support George the Farmer.***

TOTAL RECOMMENDED FUNDING ALLOCATED: \$30,000.

CARRIED

Attachment Numbers: 2 & 10 (11 – 15 Confidential Attachments)

10 COUNCIL COMMITTEES

10.1 JEPARIT TOWNSHIP ADVISORY COMMITTEE

Responsible Officer: Chief Executive Officer

Attachment Number: 16

Introduction:

The Jeparit Township Advisory Committee held a meeting on 14 August 2023. 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 14 August 2023.

MOVED: CRS R Gersch/R Ismay

That Council notes the minutes of the Jeparit Township Advisory Committee Meeting held on 14 August 2023.

CARRIED

Attachment Number: 16

10.2 HINDMARSH PRIDE COMMITTEE

Responsible Officer: Chief Executive Officer

Attachment Number: 17

Introduction:

The Hindmarsh Pride Committee held a meeting on 19 July 2023. As there wasn't a quorum, the purpose of this report is to note the notes from this meeting. A copy of the notes is included as an attachment for the information of Council.

RECOMMENDATION:

That Council notes the notes of the Hindmarsh Pride Committee Meeting held on 19 July 2023.

MOVED: CRS W Bywaters/D Nelson

That Council notes the notes of the Hindmarsh Pride Committee Meeting held on 19 July 2023.

CARRIED

Attachment Number: 17

10.3 COMMUNITY ASSET COMMITTEES

Responsible Officer: Chief Executive Officer

Attachment Numbers: 18 – 28

Introduction:

The following Hindmarsh Shire Council Community Asset Committee's held meetings on the following dates:

- **Wimmera Mallee Pioneer Museum Community Asset Committee:**
General meetings on 20 June 2023 and 18 July 2023. *See attachments 18 and 19.*
- **Yurunga Homestead Community Asset Committee:**
Annual General Meeting on 27 July 2023 and general meetings on 27 July 2023 and 22 June 2023. *See attachments 20 – 24.*
- **Rainbow Civic Centre Community Asset Committee:**
Annual General Meeting and general meetings on 31 July 2023. *See attachments 25 – 28.*

The purpose of this report is to note the minutes and reporting documents from these meetings. A copy of all the minutes and reporting documents are included as attachments for the information of Council.

RECOMMENDATION:

That Council:

1. ***notes the minutes of the Wimmera Mallee Pioneer Museum Community Asset Committee general meetings held on 20 June 2023 and 18 July 2023;***
2. ***notes the minutes and reporting documents of the Yurunga Homestead Community Asset Committee Annual General Meeting held on 27 July 2023 and general meetings held on 27 July 2023 and 22 June 2023; and***
3. ***notes the minutes and reporting documents of the Rainbow Civic Centre Community Asset Committee Annual General Meeting and general meetings held on 31 July 2023.***

MOVED: CRS R Ismay/D Nelson

That Council:

1. ***notes the minutes of the Wimmera Mallee Pioneer Museum Community Asset Committee general meetings held on 20 June 2023 and 18 July 2023;***
2. ***notes the minutes and reporting documents of the Yurunga Homestead***

Community Asset Committee Annual General Meeting held on 27 July 2023 and general meetings held on 27 July 2023 and 22 June 2023;

- 3. notes the minutes and reporting documents of the Rainbow Civic Centre Community Asset Committee Annual General Meeting and general meetings held on 31 July 2023; and***
- 4. writes a letter of appreciation to the president and the secretary of the Rainbow Civic Centre Community Asset Committee.***

CARRIED

Attachment Numbers: 18 – 28

11 LATE REPORTS

No late reports.

12 NOTICES OF MOTION

No notices of motion.

13 OTHER BUSINESS

No other business.

14 CONFIDENTIAL REPORTS

In accordance with Section 66 (2) (a) of the *Local Government Act 2020*, Council may close the meeting to the public to consider confidential information. Confidential information is defined by 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 CONTRACT AWARD 2022-2023-19 CONSTRUCTION OF MECHANICS WORKSHOP AT JEPARIT DEPOT & EVALUATION REPORT CONTRACT 2022-2023-16 DIMBOOLA DEPOT SHED REDEVELOPMENT – 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**
- 15.1 CEO EMPLOYMENT AND REMUNERATION COMMITTEE – 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 CEO employment 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 CONTRACT AWARD 2022-2023-19 CONSTRUCTION OF MECHANICS WORKSHOP AT JEPARIT DEPOT & EVALUATION REPORT CONTRACT 2022-2023-16 DIMBOOLA DEPOT SHED REDEVELOPMENT – 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**
- 15.1 CEO EMPLOYMENT AND REMUNERATION COMMITTEE – 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 CEO employment matters.**

CARRIED

15 LATE CONFIDENTIAL REPORTS

16 RESUMING INTO PUBLIC SESSION

17 MEETING CLOSE

There being no further business, Cr B Ireland declared the meeting closed at 4:15pm.
