



14 December 2023

MINUTES

Ordinary Council Meeting

Date: Wednesday 13 December 2023

Time: 3:00pm

Venue: Council Chamber
92 Nelson Street, Nhill

Council: Cr Brett Ireland – Mayor
Cr Wendy Bywaters – Deputy Mayor
Cr Melanie Albrecht
Cr Debra Nelson
Cr Robert Gersch
Cr Ron Ismay

Officers: Monica Revell – Acting Chief Executive Officer
Petra Croot – Acting Director Corporate & Community Services
Michael Henderson – Acting 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 Melanie Albrecht, Cr Robert Gersch OAM, Cr Ron Ismay and Cr Debra Nelson.

Officers:

Ms Monica Revell (Acting Chief Executive Officer), Mr Michael Henderson (Acting 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

Petra Croot – Acting Director Corporate & Community Services

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.

Ms M Revell declared a material conflict of interest in confidential item 14.3.

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 22 November 2023 at the Council Chamber, as circulated to Councillors be taken as read and confirmed.

MOVED: CRS D Nelson/W Bywaters

That the Minutes of the Ordinary Council Meeting held on Wednesday 22 November 2023 at the Council Chamber, 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.

Ms Fay Gordes spoke to her submission on the Draft Economic Development Strategy 2024-2028.

Ms Wendy Werner spoke to her submission on the Draft Economic Development Strategy 2024-2028.

John Jenkins, Jeparit:

Question 1:

What can be done about the fire hazard at 47 Charles Street Jeparit. For the past 10 to 11 years, I have been complaining to council about the fire hazard. I received a letter telling me I had to clean my yard and it is now the 6th December and the block at 47 Charles Street is still the same. How Come?

Officer response:

Council undertakes the following procedure for the issuing and enforcement of residential fire hazards on an annual basis.

Council proactively undertakes fire prevention property inspections in each town prior to the fire danger season. Fire prevention notices are issued to properties with identifiable fire hazards to the front, side and / or rear yards with photos take of the hazards.

Depending on the time of year, the fire prevention notice usually has a 7-to-21-day compliance time frame. Recipients can request reviews and/or extensions of Fire Prevention Notices. At the expiry of this timeframe, a second inspection is completed. If the property owner has not complied with the issued notice, then a second set of photos are taken, and the owner is issued with an infringement notice to the value of \$1,923 for the 2023/2024 financial year and advised that they have a further 14 days to comply with the notice or a contractor will be employed to undertake prevention work at the owner's cost. If there is still no compliance after 14 days, a quote is obtained by Council for the cost of the works from a mowing contractor. Once the quote is accepted by Council the mowing contractor is authorised to commence the required work. The contractor's availability and weather conditions will impact when the works are completed. In relation to 47 Charles Street Jeparit, an inspection has been conducted and the property has complied with the fire prevention notice.

Question 2:

Regarding the nature strip – it is not my property, its Council land, I don't work for the Council, and they don't pay me to cut it so it's the Councils land to keep tidy.

Officer response:

Council has an adopted Nature Strip Policy that requires residents to ensure that nature strips are well maintained and in a safe condition at all times. Council does not carry out renovation or maintenance (including mowing and watering) of nature strips. It is common, accepted practice throughout Australia that the property owners or residents of abutting properties maintain the plants (excluding trees) and any landscape features on the nature strip. Generally, this amounts to weeding, mowing and edging turf. This ensures that Council is able to use resources efficiently and effectively.

A copy of the policy is available on Council's website or can be printed by our Customer Service staff.

Wilma Smith, Jeparit:

Please a clarification on the by law concerning the number of cats and dogs allowed in town, at a residential home. I understand to be 2 dogs and 2 cats. If this is as I understand to be then why I am still, 18 months to 2 years later, still attempting to have the number of both decreased at a property in Jeparit. I contacted the local ranger on a number of occasions concerning this matter. This lady currently has 3 dogs, 5 cats and an unknown number of kittens.

Officer response:

Hindmarsh Shire Local Law, Division 5.7, Part 37, section 37.1 to 37.2 inclusive states that you are required to obtain a permit to keep more than 2 dogs and 2 cats on a residential property and that those dogs and cats must be registered. For privacy reasons we are unable to detail the exact action that is being taken, but Council's Local Laws officer is following up on the complaint and if necessary will undertake enforcement action.

6 ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: 14 November – 4 December 2023

6.1 Cr IRELAND, MAYOR

Date	Meeting/Event	Location	Comments
20/11/2023	Media report to Weekley Advertiser		Regarding Nhill being recognised as being one of the top affordable towns for rental properties throughout Victoria.
21/11/2023	Wimmera Mallee Pioneer Museum AGM	Jeparit	
22/11/2023	Council Briefing	Nhill	
22/11/2023	Council Meeting	Nhill	
23/11/2023	Mayor Matters column to Media		
28/11/2023	16 Days of Activism Livestreamed Panel	Nhill	Joined by Councillor Bywaters, Ritchie Dodds and Melissa Morris for an hour's discussion on domestic violence against women.
29/11/2023	Jeparit Cuppa Connections	Jeparit	This was a good chance to catch up with some of the local community to talk about their concerns - transport to appointments being the big one.
01/12/2023	Dimboola Progress Association Kid's Christmas Party and Town Lighting Project Launch		

6.2 Cr BYWATERS, DEPUTY MAYOR

Date	Meeting/Event	Location	Comments
14/11/2023	Homework Club	The Patch, Nhill	
15/11/2023	CoRE Leadership Meeting	Online	
16/11/2023	Horsham Rural City Council Annual Statutory Meeting	Horsham	
18/11/2023	Dimboola Pool Opening 2023/24 Season	Dimboola	
22/11/2023	Women's Health Grampians AGM	Federation University, Ballarat	
24/11/2023	Hindmarsh Landcare AGM	Dimboola Hotel	

25/11/2023	Bring on Summer Youth Council FreeZA All-ages Event	Nhill Sports Stadium	
26/11/2023	Dimboola Rowing Club Come and Try Day	Wimmera River, Dimboola	
29/11/2023	WestVic Business Progress Association AGM	Horsham	
29/11/2023	16 Days of Activism Against Gender-Based Violence Online Panel	Nhill	
29/11/2023	Homework Club	The Patch, Nhill	
30/11/2023	Walk Against Violence – WWHS		
30/11/2023	West Wimmera Health Service AGM	Online	
01/12/2023	Late Night Shopping, Christmas Party and Concert	Nhill	
04/12/2023	Dimboola Progress Association Meeting	Dimboola	

6.3 Cr ALBRECHT

Date	Meeting/Event	Location	Comments
22/11/2023	Council Briefing	Nhill	
22/11/2023	Council Meeting	Nhill	

6.4 Cr GERSCH

Date	Meeting/Event	Location	Comments
13/11/2023	NDSC Annual General Meeting	Nhill	
22/11/2023	MAV John Smith Presentation	Nhill	
22/11/2023	Council Briefing	Nhill	
22/11/2023	Council Meeting	Nhill	
24/11/2023	RCV Board Meeting	Melbourne	
28/11/2023	Zoom Regarding 16 Days of Activism		
30/11/2023	WWHS Annual General Meeting		
01/12/2023	Volunteers Tourist Information Centre	Dimboola	

	Christmas Lunch		
01/12/2023	Nhill Christmas Festivities	Goldsworthy Park	
01/12/2023	Tourism Info Centre Volunteer Day		

6.5 Cr NELSON

Date	Meeting/Event	Location	Comments
13/11/2023	Dimboola Progress Association Meeting	Dimboola	
14/11/2023	Mates Mentoring DMSC	Dimboola	
14/11/2023	Wimmera Southern Mallee LLEN finance meeting		
18/11/2023	Wimmera Equestrian dressage and show jumping	Dimboola	
22/11/2023	MAV social housing meeting	Nhill	
22/11/2023	Council Briefing	Nhill	
22/11/2023	Council Meeting	Nhill	
23/11/2023	Wimmera Southern Mallee LLEN Committee meeting	Horsham	
23/11/2023	Wimmera Southern Mallee LLEN Dinner	Horsham	
28/11/2023	Wimmera Southern Mallee Development Association Meeting	Horsham	
29/11/2023	Mates Mentoring DMSC	Dimboola	
30/11/2023	West Wimmera Health Services AGM	Online	
1/12/2023	Dimboola Christmas Event	Dimboola	

6.6 Cr ISMAY

No report provided.

7 CORRESPONDENCE

7.1 GENERAL CORRESPONDENCE

Responsible Officer: Acting Chief Executive Officer

Attachment Number: 2

Introduction:

The following correspondence is attached for noting by Council.

Inwards:

- 2023/11/03 – Letter from Gerang Hall Committee RE Management of Facility

Outwards:

- Nil

RECOMMENDATION:

That Council notes the attached correspondence, and that Council Officers prepare a response for the Gerang Hall Committee thanking them for their service.

MOVED: CRS R Gersch/R Ismay

That Council notes the attached correspondence, and that Council Officers prepare a response for the Gerang Hall Committee thanking them for their service.

CARRIED

Attachment Number: 2

8 PLANNING PERMITS

No planning permit reports.

9 REPORTS REQUIRING A DECISION

9.1 SPORTS AND RECREATION RESERVES ALLOCATION, USE AND FAIR ACCESS POLICY

Responsible Officer: Acting Chief Executive Officer
Attachment Number: 3

Introduction:

This report presents an initial draft of the *Sports and Recreation Reserve Allocation, Use and Fair Access Policy* (the Policy) to be endorsed for consultation as per Council's Community Engagement Policy.

Consultation is recommended to take place through in-person meetings over several months with the final Policy to be presented to Council for adoption in May 2024.

Discussion:

The Office for Women in Sport and Recreation (OWSR) introduced the Fair Access Policy Roadmap in 2022, which aims to improve access to and use of community sports infrastructure for women and girls. This will help level the playing field and ensure women and girls have positive experiences with community sports facilities. Local Councils are required to have in place by 1 July – 1 October 2024 a Gender Equitable Access & Use Policy (or equivalent). Council must also develop an Action Plan to achieve the objectives of the Policy and the Fair Access Policy Roadmap.

Council acknowledges that the requirement to have a gender equitable access and use policy and action plan (or equivalent) in place, and the ability to demonstrate progress against that policy and action plan (or equivalent), will form part of the eligibility criteria for Victorian Government funding programs relating to community sports infrastructure from 1 July 2024.

Council has several sporting and recreation reserves and facilities that are available for public use. The existing framework of user agreements and casual hire agreements are formalised through this policy that enables consistent and fair decision-making around use that prioritises the collective interests of the community. It also provides a key framework for the content of any agreement that manages Council's insurance, risk, safety, and compliance requirements for the use of each facility.

The policy incorporates the Fair Access requirements as contained in model documents provided by the OWSR with the realisation of these policy components requiring significant resourcing and engagement from local sporting clubs. Council officers are recommending an extensive consultation period to allow for-

- The collaborative completion of gender impact assessments relating to the implementation of the Policy actions; and

- Supported planning with sporting groups and users to ensure meaningful understanding and engagement with the principles, requirements, and actions of the Policy.

The draft policy has been developed in consultation with Council’s asset and facility management, community and economic development, contacts and procurement, and governance teams.

Council has also been participating in Community of Practice workshops with other LGAs, Sport and Recreation Victoria, and Sports Assemblies in the Grampians region through the Policy development process.

Options:

1. Council can choose to endorse the Sports and Recreation Reserves Allocation, Use and Fair Access Policy for community and stakeholder consultation; or
2. Council can choose to amend the Sports and Recreation Reserves Allocation, Use and Fair Access Policy prior to community and stakeholder consultation; or
3. Council can choose to not endorse the Sports and Recreation Reserves Allocation, Use and Fair Access policy for community and stakeholder consultation.

Link to Council Plan:

A community well informed and engaged.
 Gender equity, respect and leadership.
 Strong governance practices.

Financial Implications:

The development and progress of this policy will form part of the eligibility criteria for Victorian Government funding programs relating to community sports infrastructure from 1 July 2024.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Community Needs	Establishing this policy ensures that community facilities are accessible and available for all users fairly and equitably and supports the active and social lives of our community. It also acknowledges entrenched inequalities that impact the overall health and wellbeing of our community and proposes tangible actions that promote inclusion, equality and fair social participation.
Financial Sustainability	Establishing this policy ensures that Council is meeting its requirements under the Fair Access Policy Roadmap and remains eligible for key funding opportunities through the Victorian Government for sports community infrastructure. Maintaining and replacing assets with

	Council's own budget would divert resources from other critical projects and potentially result in the degradation of critical community resources.
Governance	Establishing a policy that enshrines the fair and consistent management of public facilities ensures that Council is adhering to its governance principles.

Relevant legislation:

Gender Equality Act 2020

Community engagement:

In-person engagement is recommended prior to the formal endorsement of this policy and will be completed over several months in early 2024 as per Council's Community Engagement Policy.

Gender equality implications:

As this policy has a direct and significant impact on the community, an initial Gender Impact Assessment (GIA) has been completed. This initial GIA will be collaboratively built on during the consultation process.

Confidential Declaration:

This Council report does not consider confidential information as defined by section 3 (1) of the Local Government Act 2020.

Conflict of Interest:

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

Officer Responsible – Monica Revell, Acting Chief Executive Officer.

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

Author – Petra Croot, Acting Director Corporate and Community Services

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

Communications Strategy:

Sporting clubs and sport and recreation reserve user groups will be provided with the draft policy via email and Council officers will conduct in-person consultation sessions.

Next Steps:

Council officers will work collaboratively to review the proposed policy with relevant stakeholders and build capacity amongst sporting clubs and user groups to implement the actions and objectives contained within the Policy and the Fair Access Policy Roadmap produced by OWSR.

RECOMMENDATION:

That Council endorses the draft Sports and Recreation Reserve Allocation, Use and Fair Access Policy for community and stakeholder consultation.

MOVED: CRS R Ismay/M Albrecht

That Council endorses the draft Sports and Recreation Reserve Allocation, Use and Fair Access Policy for community and stakeholder consultation.

CARRIED

Attachment Number: 3

9.2 HINDMARSH SHIRE COUNCIL DRAFT COMMUNITY ACTION PLAN 2024-2028

Responsible Officer: Acting Chief Executive Officer
Attachment Number: 4

Introduction:

This report seeks endorsement for the Hindmarsh Shire Council draft Community Action Plan 2024-2028 to be made available to the public for consultation for the period of Thursday 14 December 2024 to Thursday 25 January 2024.

Discussion:

The draft Hindmarsh Shire Council Community Action Plan 2024-2028 (**the Plan**) has been prepared following consultation processes with the community in late March and early April 2023. The draft plan lists all initiatives and aspirations that were raised by the community during the consultation process.

Following the initial identification process, community participants were then tasked with identifying and prioritising initiatives into two key areas:

- Strong Long Term / High Impact Initiatives, and
- Strong Immediate / Short Term / High Impact Initiatives.

This identification and prioritisation process required community participants to review the ideas that were identified during the 'brainstorming' session and consider those that were feasible and that would have a significant positive impact on their community.

A key direction within the prioritised initiatives identifies the role that Council should play in the action of implementing them. It identifies Council as either supporting, advocating, or delivering the initiative.

It is proposed to make the draft Plan available for public consultation between Thursday 14 December 2023 and Thursday 25 January 2024. This will give those community members who did not attend the consultation sessions the chance to have their say on the action items within the Plan. The final version of the Plan, along with the submissions received from this period, will be presented to the Council meeting held on 3 February 2024.

Options:

1. Council can choose to endorse the draft Community Action Plan 2024-2028 to be made available for public consultation for the period Thursday 14 December 2023 to Thursday 25 January 2024; or
2. Council can choose to make amendments to the draft Community Action Plan 2024-2028 prior to making the Plan available for public consultation for the period Thursday 14 December 2023 to Thursday 25 January 2024.

Link to Council Plan:

Theme One: Our Community.

A community well informed and engaged.

Provide arts and cultural activities that strengthen social connection.

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

Theme Two: Built and Natural Environment.

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

Attractive streetscapes.

Theme Three: Competitive and Innovative Economy.

Facilitating and supporting economic development.

Develop and promote local tourism opportunities that attract visitation.

Financial Implications:

Initiatives contained within the draft Community Action Plan 2024-2028 will be referred to Council's annual budget.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Community Needs	The draft Community Action Plan provides initiatives for Council to implement, facilitate and support community driven development within Hindmarsh Shire, setting clear pillars for Council to focus on. This ensures that community resources are being used for community initiatives, and that Council has buy-in and support from the community that can be relied on and referred to when relevant funding becomes available.

Relevant legislation:

Local Government Act 2020

Community engagement:

Community engagement was undertaken as part of the development of the draft Plan.

The report recommends an additional consultation period for the draft Community Action Plan 2024-2028, whereby the community will be able to provide feedback to Council regarding the draft Plan.

Gender equality implications:

Gender Impact Assessments will be completed as part of the implementation of initiatives contained within the Plan.

Confidential Declaration:

This Council report does not consider confidential information as defined by section 3 (1) of the Local Government Act 2020.

Conflict of Interest:

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

Officer Responsible – Monica Revell, Acting Chief Executive Officer.

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

Author – Phil King, Manager Economic and Community Development.

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

Communications Strategy:

A copy of the draft Community Action Plan 2024-2028 will be placed on Council's website, advertised in local newspapers, and published on Council's Facebook Page, along with an invitation for public submissions.

Next Steps:

Submissions and the final version of the Plan will be presented to Council at the Council meeting held on 3 February 2024.

RECOMMENDATION:

That Council endorses the draft Community Action Plan 2024-2028 to be made available for public consultation for the period of Thursday 14 December 2023 to Thursday 25 January 2024.

MOVED: CRS W Bywaters/D Nelson

That Council endorses the draft Community Action Plan 2024-2028 to be made available for public consultation for the period of Thursday 14 December 2023 to Thursday 25 January 2024.

CARRIED

Attachment Number: 4

9.3 DISCONTINUATION OF GEORGE STREET, JEPARIT, AS A PERMANENT THROUGH ROAD

Responsible Officer: Acting Chief Executive Officer

Introduction:

This report seeks Council endorsement for Council officers to take necessary steps to facilitate the closure of the noted section of George Street, Jeparit, to vehicle through traffic from the eastern boundary of the Jeparit Caravan Park to the western boundary of the Jeparit tennis courts.

Discussion:

On 27 February 2023, Council temporarily closed the section of George Street, Jeparit, noted in *Image 1.0* to all traffic (vehicles, bicycles, and pedestrians) during the construction and redevelopment phase of the Jeparit Swimming Hole precinct. As part of this process, the limestone surface of this section of George Street has been removed to enable the construction of a new public amenities building and concrete path linking it to the new camp kitchen. Removable bollards have been installed at each street closure point to enable access by emergency, service, maintenance, and construction vehicles.

It is proposed that this section of the street be permanently closed to through traffic to allow for landscaping that connects the Caravan Park, tennis courts, and Jeparit swimming hole through an open pedestrian-accessible precinct. A pop-up irrigation system is being installed and a combination of instant turf and planting of seeds will be carried along the length of George Street to establish lawn between the tennis courts, caravan park and swimming hole. The closure to through traffic will not impact on the amenity or accessibility of the area as there is a suitable alternative access route to both residential properties and surrounding public facilities.

The section of George Street from the proposed closure point at the eastern boundary of the caravan park to Upper Roy Street will not be impacted. Should this be approved, the area between the western boundary of the tennis courts, Wimmera River, and Peterson Avenue will be accessible via Peterson Avenue and will be the designated car park for the Jeparit Tennis Club and Swimming Hole precinct.

The section of George Street proposed to be closed to through traffic is approximately 82 meters in length, from the eastern boundary of the Jeparit Caravan Park to the western boundary of the Jeparit Tennis courts. This relevant area is highlighted in the following image.



Image 1.0

If Council does not close this section of George Street and leave the area open to through traffic, patrons of the Jeparit Caravan Park and visitors to the Jeparit Swimming Hole will be exposed to risks associated with vehicles driving through the site.

Options:

1. Council can endorse officers taking the necessary steps to facilitate the closure of George Street, Jeparit, as indicated in Image 1.0 to through vehicle traffic; or
2. Council can not endorse officers taking the necessary steps to facilitate the closure of George Street, Jeparit, as indicated in Image 1.0 to through vehicle traffic and require that other traffic management measures for this precinct be put in place.

Link to Council Plan:

Theme one: Our Community

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

Theme Two: Built and Natural Environment

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

Attractive streetscapes.

Theme Three: Competitive and Innovative Economy

Develop and promote local tourism opportunities that attract visitation.

Financial Implications:

There may be additional costs involved in ensuring that there is an adequate turning circle at the end of Peterson Avenue / boat ramp entrance to accommodate both standard vehicles

and caravans. Additional signage indicating a “No Through Road” and directional signage for turning vehicles will need to be installed at George Street and Peterson Avenue.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Project Management and Strategic Execution	The realisation of this community-endorsed precinct project would be limited should this road not be closed. Safety risks would also be exacerbated as traffic would be active in an area that has been designed for pedestrian use.

Relevant legislation:

Section 206 of the *Local Government Act 1989* gives Council powers over roads in its Municipal District, including powers set out in Schedule 10 of the Act. Schedule 10 (3) provides that a Council may discontinue a road, or part of a road, by notice published in the Government Gazette.

Council will not close a road if it is being used as a public road and if its closure will unduly disadvantage adjacent landowners to the road. Council must be satisfied that the road is not required for community use or other public purpose at present or in the foreseeable future.

Community engagement:

As per Council’s Community Engagement Policy, Council held a community drop-in session with residents of Jeparit on Monday 27 November 2023 at the Jeparit Tennis Club as part of a community consultation process. Additional measures included advertisements in local newspapers and on Council website inviting responses in relation to the redevelopment of the Jeparit Swimming Hole including the closure of George Street to through traffic.

No objections to the closure of George Street were received during the consultation process.

Gender equality implications:

The closure of the section of George Street as proposed has no gender equality impacts, although the redevelopment of the precinct will significantly improve safety and security through the installation of lighting, construction of pathways and construction of a new amenities building. The redevelopment also includes an all abilities car park.

A Gender Impact Assessment has been prepared for the redevelopment of the Jeparit Swimming Hole precinct.

Confidential Declaration:

This Council report does not consider confidential information as defined by section 3 (1) of the Local Government Act 2020.

Conflict of Interest:

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

Officer Responsible – Monica Revell, Acting Chief Executive Officer.

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

Author Responsible – Phil King, Manager Economic and Community Development.

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

Communications Strategy:

Council's decision will be communicated to residents of Jeparit via a media release, Council newsletter, and the Hindmarsh Shire Council website and Facebook page.

Next Steps:

Officers will take all necessary measures to facilitate the safe and compliant closure of the noted section of George Street, Jeparit (*Image 1.0*), as per this report.

RECOMMENDATION:

That Council endorses officers to take necessary steps to facilitate the closure of the noted section of George Street, Jeparit, to through vehicle traffic from the eastern boundary of the Jeparit Caravan Park to the western boundary of the Jeparit tennis courts.

MOVED: CRS R Gersch/W Bywaters

That Council endorses officers to take necessary steps to facilitate the closure of the noted section of George Street, Jeparit, to through vehicle traffic from the eastern boundary of the Jeparit Caravan Park to the western boundary of the Jeparit tennis courts.

CARRIED

9.4 DIMBOOLA MINYIP ROAD AND LORQUON NETHERBY ROAD HEAVY VEHICLE SAFETY AND PRODUCTIVITY PROGRAM GRANT APPLICATIONS

Responsible Officer: Acting Director Infrastructure Services

Introduction:

This report seeks Council approval to submit two applications for a Heavy Vehicle Safety and Productivity (HVSP) grant for the Dimboola Minyip Road and Lorquon Netherby Road, and to refer \$424,409 for a 20% Council contribution in the 2024/25 draft budget.

Discussion:

Above average rainfall in 2022 has significantly deteriorated Dimboola Minyip Road and Lorquon Netherby resulting in potholing, polishing, pavement deformation in outer wheel paths, areas of minimal cross fall, seal degradation, large drop offs from the edge of seal and pavement failure. Site inspections undertaken show at least 2.3km on Dimboola Minyip Rd and 2.335km of Lorquon Netherby Rd requires full reconstruction. Council officers have conducted a cost estimate for in-house staff and subcontractors to undertake the works, estimated at \$1,051,520 (exc. GST) for Dimboola Minyip Rd, and \$1,070,523 (exc. GST) for Lorquon Netherby Rd.

Officers have investigated funding options to rectify these issues. Unfortunately, the full reconstruction works were not claimable from the National Disaster Funding Assistance (NDF) following on-site meetings with Department of Transport and Planning staff. An alternative option is the HVSP from the Australian Government, which is open for applications, accepting proposals up to \$5,000,000 with a maximum 80% government contribution.

Should Council resolve to apply for the HVSP grant, the guidelines state a minimum 20% Council contribution equating to \$210,304 for the Dimboola Minyip Rd and \$214,105 for the Lorquon Netherby Rd, totaling \$424,409. This will be referred to the 2024/2025 budget.

Options:

1. Council makes amendments to the Officers recommendation for the Dimboola-Minyip Road and Lorquon Netherby Road HVSP application.
2. Council does not approve the Officers recommendation for the Dimboola-Minyip Road and Lorquon Netherby Road HVSP application.

Link to Council Plan:

Maintain the condition of our existing local road network prioritising capital works investment into renewal on roads and road related infrastructure.

Sealed road construction works on Dimboola Minyip Road (subject to funding).

Financial Implications:

This proposal requires Council to refer \$424,409 to the draft 2024/25 capital works budget towards the project in order to achieve a 20% contribution.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Asset Management	Both Dimboola-Minyip and Lorquon Netherby are strategic routes within Hindmarsh Shire and see significant traffic. Without directing funding to the roads, the conditions will further deteriorate.

Relevant legislation:

Road Management Act 2004

Local Government Act 1989

Community engagement:

The Dimboola-Minyip Road and Lorquon Netherby Road has been identified by assessments undertaken by staff, professional engineering reporting and information gathered by conversations had with community members.

Gender equality implications:

A Gender Impact Assessment was completed on this review as per the *Gender Equality Act 2020*, with a resultant recommendation to attempt to secure funding to complete the projects for the benefit of safety to all road users.

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 – Mick Henderson, Acting Director Infrastructure Services

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

Author – Daniel Griffiths, Manager Works and Operations

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

Communications Strategy:

Council officers will liaise with the grant body and prepare an application for submission.

Next Steps:

If Council approves the recommendation, Council officers will submit an application for the reconstruction of a section of Dimboola-Minyip Road and Lorquon Netherby Road through the HVSP grant program and report back to Council the outcome of the application.

RECOMMENDATION:

That Council approve an application for the HVSP grant for the Dimboola-Minyip Road and Lorquon Netherby Road, and refer a \$424,409 council contribution in the 2024/25 draft budget.

MOVED: CRS R Ismay/M Albrecht

That Council approve an application for the HVSP grant for the Dimboola-Minyip Road and Lorquon Netherby Road, and refer a \$424,409 council contribution in the 2024/25 draft budget.

CARRIED

9.5 COUNCIL MEETING DATES 2024

Responsible Officer: Acting Chief Executive Officer

Introduction:

This report seeks approval from Council for the 2024 meeting dates and their advertisement in the local media.

Discussion:

Each year Council advertises the meeting dates for the upcoming 12 months in the local newspapers. The advertised dates are for the Council meetings and the Annual Statutory Meeting.

It is proposed that Council hold one meeting per month, commencing at 3:00pm, except for May having two meetings due to legislative requirements to advertise and adopt the annual budget.

Council will continue to live stream Council meetings throughout 2024, which will mean that all meetings will need to be held in Nhill.

It is proposed that in keeping with practice of other councils around the state, Council does not meet in January.

It is the officers' recommendation to hold Briefing meetings twice per month, two weeks prior to the Council meeting at a time to be determined, and prior to the ordinary Council meetings, commencing at 1:00pm.

The proposed dates have also taken into consideration external organisations conferences and forums such as Municipal Association of Victoria conferences, Rural Council Victoria conferences, National General Assembly conference and LGPro conferences, to avoid clashes where possible.

Options:

Council may choose to adopt the recommended timing and location for Ordinary Council Meetings and Council Briefings or select alternative dates, times, or locations to hold its meetings.

Link to Council Plan:

Strong governance practices.

Financial Implications:

Nil

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Governance	Meetings open and livestreamed to the public ensure strong governance principles.

Relevant legislation:

Local Government Act 2020

Community engagement:

Council will continue to livestream meetings to allow community members who are unable to attend in person the opportunity to view Council meetings.

Gender equality implications:

A gender assessment was completed for the 2024 Council meetings.

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, Acting Chief Executive Officer

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

Communications Strategy:

Council meeting dates will be published in local newspapers, on Council’s website and through Council’s social media platforms.

RECOMMENDATION:

That Council That Council holds Council meetings at the Hindmarsh Shire Council, Council Chambers, 92 Nelson Street Nhill and sets the following times and dates for 2024:

DATE (WEDNESDAY)	TIME
7 February 2024	3:00pm
6 March 2024	3:00pm
3 April 2024*	3:00pm
8 May 2024	3:00pm
29 May 2024	3:00pm
26 June 2024	3:00pm
24 July 2024	3:00pm
28 August 2023	3:00pm
25 September 2024*	3:00pm
23 October 2024	3:00pm
13 November 2024 (Annual Statutory Meeting)	6:00pm
27 November 2024	3:00pm
18 December 2024	3:00pm

**School Holidays*

MOVED: CRS W Bywaters/D Nelson

That Council holds Council meetings at the Hindmarsh Shire Council, Council Chambers, 92 Nelson Street Nhill and sets the following times and dates for 2024:

<i>DATE (WEDNESDAY)</i>	<i>TIME</i>
<i>7 February 2024</i>	<i>3:00pm</i>
<i>6 March 2024</i>	<i>3:00pm</i>
<i>3 April 2024*</i>	<i>3:00pm</i>
<i>8 May 2024</i>	<i>3:00pm</i>
<i>29 May 2024</i>	<i>3:00pm</i>
<i>26 June 2024</i>	<i>3:00pm</i>
<i>24 July 2024</i>	<i>3:00pm</i>
<i>28 August 2024</i>	<i>3:00pm</i>
<i>25 September 2024*</i>	<i>3:00pm</i>
<i>23 October 2024</i>	<i>3:00pm</i>
<i>13 November 2024 (Annual Statutory Meeting)</i>	<i>6:00pm</i>
<i>27 November 2024</i>	<i>3:00pm</i>
<i>18 December 2024</i>	<i>3:00pm</i>

**School Holidays*

10 COUNCIL COMMITTEES

10.1 ADVISORY COMMITTEES

Responsible Officer: Acting Chief Executive Officer

Attachment Number: 5 - 7

Introduction:

The following Hindmarsh Shire Council Advisory Committees held meetings on the following dates:

- **Nhill Township Advisory Committee**
General meeting on 30 October 2023 (see *attachment 5*)
- **Jeparit Township Advisory Committee**
General meeting on 13 November 2023 (see *attachment 6*)
- **Rainbow Township Advisory Committee**
General meeting on 20 November 2023 (see *attachment 7*)

The purpose of this report is to note the minutes from this meeting. A copy of the minutes for each meeting are included as an attachment for the information of Council.

RECOMMENDATION:

That Council notes the minutes of the Nhill Township Advisory Committee meeting held on 30 October 2023, the minutes of the Jeparit Township Advisory Committee meeting held on 13 November 2023 and the minutes of the Rainbow Town Advisory Committee held on 20 November 2023.

MOVED: CRS D Nelson/W Bywaters

That Council notes the minutes of the Nhill Township Advisory Committee meeting held on 30 October 2023, the minutes of the Jeparit Township Advisory Committee meeting held on 13 November 2023 and the minutes of the Rainbow Town Advisory Committee held on 20 November 2023.

CARRIED

Attachment Numbers: 5 - 7

10.2 COMMUNITY ASSET COMMITTEES

Responsible Officer: Acting Chief Executive Officer
Attachment Number: 8 - 9

Introduction:

The following Hindmarsh Shire Council Community Asset Committees held meetings on the following dates:

- **Yurunga Homestead Community Asset Committee**
General meeting on 26 October 2023 (see *attachment 8*)
- **Rainbow Civic Centre Community Asset Committee**
General meeting on 8 November 2023 (see *attachment 9*)

The purpose of this report is to note the minutes from this meeting. A copy of the minutes for each meeting are included as an attachment for the information of Council.

RECOMMENDATION:

That Council notes the minutes of the Yurunga Homestead Community Asset Committee meeting held on 26 October 2023 and the Rainbow Civic Centre Community Asset Committee meeting held on 8 November 2023.

MOVED: CRS M Albrecht/D Nelson

That Council notes the minutes of the Yurunga Homestead Community Asset Committee meeting held on 26 October 2023 and the Rainbow Civic Centre Community Asset Committee meeting held on 8 November 2023.

CARRIED

Attachment Numbers: 8 - 9

11 LATE REPORTS

No late reports.

12 NOTICES OF MOTION

No notices of motions.

13 OTHER BUSINESS

MOVED: CRS R Gersch/R Ismay

That Council write a letter of congratulations to Alistair and Maree Taylor for being foster parents for over 25 years.

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 *Australia Day Awards 2024 – this report contains “personal information, being information that 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, and / or part IV of the Freedom of Information Act 1982.

- 14.2** *Contract Award 2023-2024-10 Engineering / Technical Services Panel – 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 Award of Contract for Engineering/Technical Services Panel.*
- 14.3** *Acting CEO Appointment Extension – 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 M Albrecht/D Nelson

That the meeting be closed in accordance with section 66 (2) (a) of the Local Government Act 2020, to consider reports that contain confidential information as defined by section (3) of the Local Government Act 2020, and/or Part IV of the Freedom of Information Act 1982:

- 14.1** *Australia Day Awards 2024 – this report contains “personal information, being information that 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, and / or part IV of the Freedom of Information Act 1982.*
- 14.2** *Contract Award 2023-2024-10 Engineering / Technical Services Panel – 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 Award of Contract for Engineering/Technical Services Panel.*
- 14.3** *Acting CEO Appointment Extension – 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 4:29pm.
