



3 April 2025

MINUTES

Ordinary Council Meeting

Date: Wednesday 2 April 2025

Time: 3:00pm

Venue: Nhill Council Chamber,
92 Nelson Street, Nhill

Council: Cr Ron Ismay – Mayor
Cr Chan Uoy – Deputy Mayor
Cr Roger Aitken
Cr Rosie Barker
Cr Tony Clark

Officers: Monica Revell – Chief Executive Officer
Petra Croot – Director Corporate & Community Services
Ram Upadhyaya – Director Infrastructure Services



Cr Ron Ismay - Mayor
West Ward



Cr Chan Uoy – Deputy Mayor
East Ward



Cr Roger Aitken
North Ward



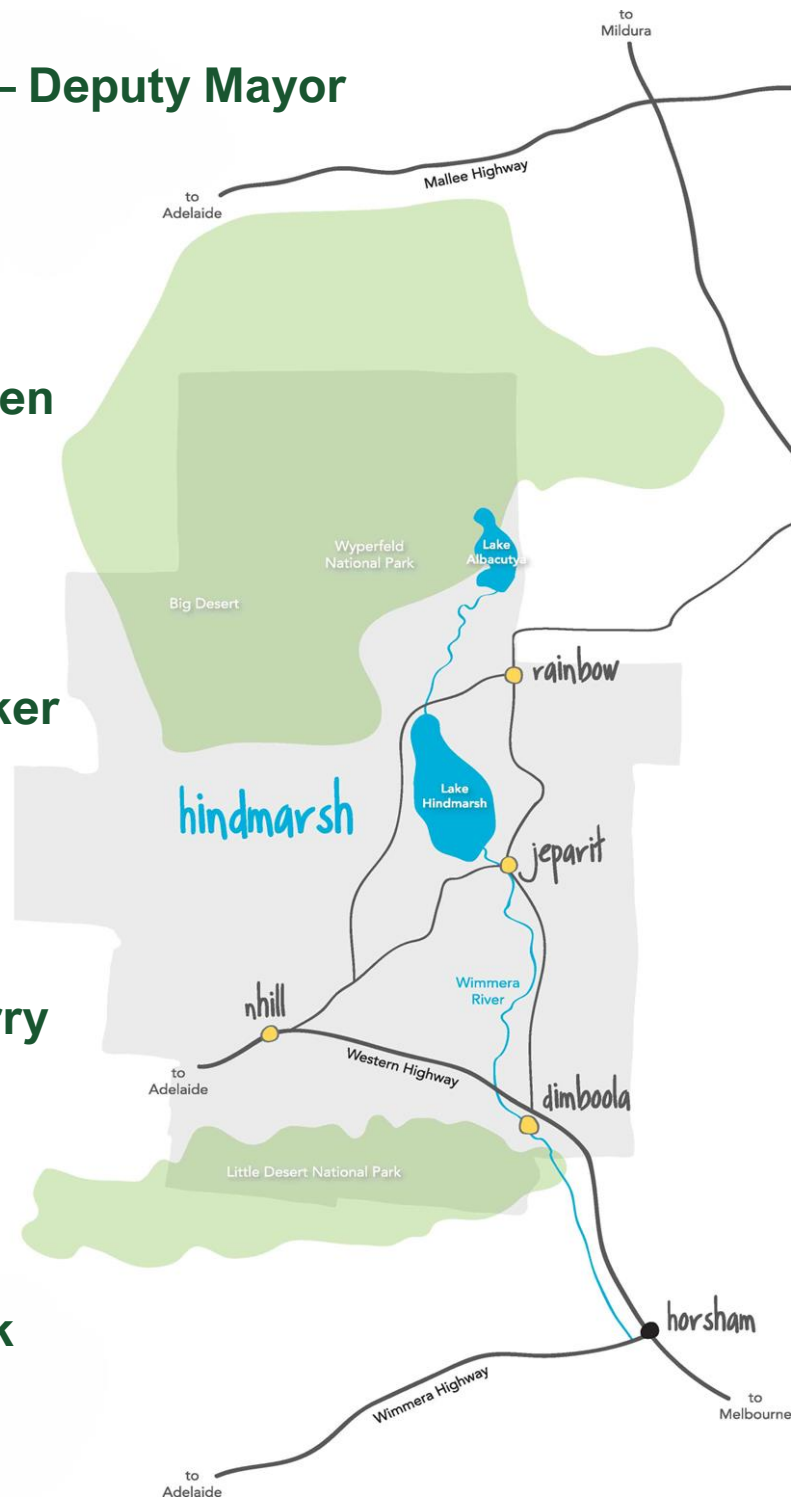
Cr Rosie Barker
West Ward



Cr James Barry
East Ward



Cr Tony Clark
North Ward



Councillor Statement of Values

Our commitment is to come prepared to every meeting, fostering a respectful and inclusive environment where accountability and approachability are at the core of our actions. We value and encourage innovation, collaboration, and open communication, always keeping in mind the well-being and needs of our community. Together, we stand united as one, working towards shared goals with mutual respect and consideration.

Vision

Working together to be a connected, inclusive and prosperous community.

We will achieve our vision through four key themes woven into our Council Plan and Vision:

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

Values

Council addresses key values through:

- Transparent and accountable actions and decisions
- Inclusion and collaboration with residents
- Showing respect and integrity to all
- Being proactive and responsible by encouraging innovation

Mission

- Increase accessible services to enable the community to be healthy, active and engaged.
- Provide infrastructure essential to support the community; and to protect and enhance our natural environment.
- Foster a sustainable and diversified local economy where economic growth is encouraged and supported.
- Promote user friendly services to ensure transparency, good governance and financial sustainability.
- Advance gender equality, equity and inclusion for all.

Purpose of Council Meetings

Council conducts its formal decision-making process through Ordinary Meetings of Council and Special Meetings of Council.

Ordinary meetings are held regularly to conduct the ongoing business of the Council and Special meetings are held from time to time for specific purposes.

Council adopts a schedule for its Ordinary Council Meetings annually. This schedule can be found on Council's website www.hindmarsh.vic.gov.au/Council-meetings.

From time to time the Mayor and Councillors may call a Special Meeting of Council to deal with urgent items. These meetings are generally held at the Council Chambers at the specified time and date advertised in the public notices in local newspapers and on Council's website.

Meetings, or parts of meetings, are only closed to the public when topics of a confidential nature are discussed, such as an individual's personal or financial circumstances, contractual or legal matters. Grounds for closing the meeting are defined in more detail within Section 3(1) and Section 66 of the *Local Government Act 2020* (the Act).

Before each Ordinary or Special Council Meeting an Agenda is prepared by the Chief Executive Officer detailing the items that are to be presented to the meeting for Council's consideration and decision.

Copies of agendas are available at the Council offices and on Council's website. The decisions of the Council become resolutions of the Council and are recorded in the official Council Minutes. Except for matters classified as confidential, all Agenda reports, Minutes and recordings of meetings are available on Council's website.

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In Attendance:**Councillors:**

Cr Ron Ismay (Mayor), Cr Chan Uoy (Deputy Mayor), Cr Roger Aitken, Cr Rosie Barker, and Cr Tony Clark.

Officers:

Ms Monica Revell (Chief Executive Officer), Ms Petra Croot (Director Corporate and Community Services), Mr Ram Upadhyaya (Director Infrastructure Services) Ms Cherylee Shandley (Manager Planning and Environment) items 6 to 10.1, Ms Mikayla Mackley (Planning Assistant) items 6 to 10.1, and Ms Mary-Ann Speakman (Customer Service and Councillor Support Officer).

1 INTRODUCTION

1.1 ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY

Cr Ron Ismay, Mayor, opened the meeting at 3:02pm by acknowledging the Indigenous Community.

1.2 LIVESTREAMING STATEMENT

Cr Ron Ismay read the Live Streaming Statement.

1.3 STATEMENT OF VALUES

Cr Rosie Barker read out the Statement of Values.

2 APOLOGIES

Cr James Barry

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 Monica Revell declared a material conflict of interest in item 15.1 as it relates to her employment.

4 CONFIRMATION OF MINUTES AND BUSINESS ARISING

4.1 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 05 March 2025 at the Nhill Council Chamber, 92 Nelson Street, Nhill, as circulated to Councillors be taken as read and confirmed.

MOVED: Cr T Clark/Cr R Barker

That the Minutes of the Ordinary Council Meeting held on Wednesday 05 March 2025 at the Nhill Council Chamber, 92 Nelson Street, Nhill, as circulated to Councillors be taken as read and confirmed.

CARRIED

Attachments:

1. 2025 03 05 MINUTES COUNCIL MEETING - MEDIA [4.1.1]
 2. CONFIDENTIAL - 2025 03 05 MINUTES COUNCIL MEETING [4.1.2]
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4.2 BUSINESS ARISING FROM PREVIOUS MINUTES

Council Meeting	Recommendation Action	Action Taken	Complete / In Progress / Delayed
18 December 2024	That Council submits a funding application to undertake upgrades for Dimboola Swimming Pool and refers \$275,000 to the draft 2025/2026 budget.	Application for Dimboola Swimming Pool Upgrade was submitted on 17 March 2025.	Complete
5 February 2025	That Council supports the development and submission of a funding application through the Community Sports Infrastructure Fund 2025 for the establishment of master plans for the Dimboola Recreation Reserve, Jeparit Tennis Club and Caravan Park Precinct and Davis Park, Nhill and refer Council's co-contribution of \$45,000 to the 2025 / 2026 annual budget.	Application has been submitted and 2025/2026 contribution referred to draft Budget.	Complete
05 March 2025	Delegations Update – S5 and S11A	Delegations updated in Council's system and relevant officers notified.	Complete
05 March 2025	That Council adopts the Councillor Expense Entitlements Policy and Fee Waiver and Reduction Policy	Added to Council's website, Councillor SharePoint and Council Meeting Wrap Up Post published on Social Media	Complete
05 March 2025	That Council advocates to Victorian State Government, the Hon. Lizzie Blandthorn, Minister for Children, to fund Phase 2 of By Five, covering program delivery from 2025-2029 and raise awareness via all forms of media of the importance of this funding and its value to the Hindmarsh and broader Wimmera community.	Letter prepared and sent to Hon. Lizzie Blandthorn, Minister for Children	Complete
05 March 2025	That Council notes the Little Desert Bushfire preliminary business impact report and continue engaging with impacted businesses.	Officers have followed up impacted business and confirmed no further action required.	Complete
05 March 2025	That Council adopts the Heavy Transport and Freight Vehicle Working Group Terms of Reference.	The terms of reference were adopted by Council. The meeting has been scheduled for 15 May 2025.	Complete

Council Meeting	Recommendation Action	Action Taken	Complete / In Progress / Delayed
05 March 2025	That Council adopts the Hindmarsh Planning Scheme Review and sends the report to the Minister for Planning in accordance with Section 12(B) of the <i>Planning and Environment Act 1987</i> .	The adopted Planning Scheme Review was sent to the office of the Minister for Planning, in accordance with Section 12B of the <i>Planning and Environment Act 1987</i> . Council officers are working on a list of potential planning projects (as recommended by the PSR), in order to brief Councillors about their options for undertaking strategic work.	Complete

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.

Stephen Wylie - Jeparit

Why is the dog registration fee not calculated on a pro-rata basis if the registration isn't for the full year? Could this be adjusted to better reflect actual period of registration?

Response:

The animal registration fee is calculated on a pro-rata basis if the registration isn't for the full year (eg if you register an animal in January the amount payable would be ¼ of the full year).

Unfortunately, Stephen was charged for the full year due to confusion amongst staff. This issue has been communicated to Stephen and Stephen has agreed to come back to council office for a refund to be processed for the excess payment amount.

Why is cat registration cheaper than dog registration, considering the only wild feral animals I see in my area of Jeparit are wild cats?

Response:

The cat registration was historically kept down to encourage residents to register their cats. The registration cost is heavily subsidised if the animal is microchipped and desexed.

6 ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: 25 February 2025 – 24 March 2025

6.1 CR RON ISMAY, MAYOR

Date	Meeting/Event	Location	Comments
25/02/2025	Vic Grid Information Session	Warracknabeal	
26/02/2025	Event Discussion ARB Big Desert Enduro 480	Online (Teams)	
28/02/2025	Wimmera Southern Mallee Regional Transport Group Meeting	Horsham	
05/03/2025	Council Briefing and Council Meeting	Council Chambers, Nhill	
11/03/2025	Anne Webster Announcement	Mecca Hall, Rainbow	
11/03/2025	Nhill Township Committee Meeting	Nhill	
12/03/2025	Council Plan Workshop	Nhill	
12/03/2025	Anne Webster Announcement	Davis Park, Nhill	
17/03/2025	ERC Discussion CEO, Mayor Independent Chair	Online (Teams)	
18/03/2025	EPA Regional Council Session	Boort	
19/03/2025	Council Briefing Session	Council Chambers, Nhill	
19/03/2025	Community Meeting discussing Little Desert Fires, Fire Services Levy and Dingo Issues	Winiam	
20/03/2025	Harmony Day Celebrations	Nhill	

6.2 CR CHAN UOY, DEPUTY MAYOR

Date	Meeting/Event	Location	Comments
25/02/2025	Yarriambiack Shire Vic Grid Information Session	Warracknabeal	
26/02/2025	Event Discussion ARB Big Desert 480	Online (Teams)	
28/02/2025	Youth Council Presentation	Civic Hub, Dimboola	
01/03/2025	Janet Pilmore's Flowering Gum Award	Arura Campsite, Dimboola	

Date	Meeting/Event	Location	Comments
05/03/2025	CEO Employment and Remuneration Committee Meeting	Council Chambers, Nhill	
05/03/2025	Council Briefing and Council Meeting	Council Chambers, Nhill	
12/03/2025	Council Plan Workshop	Council Chambers, Nhill	
12/03/2025	Anne Webster	Davis Park, Nhill	\$2.8M Announcement
19/03/2025	Council Briefing Session	Council Chambers, Nhill	
19/03/2025	Winiam Hall Meeting	Nhill-Harrow Road	
20/03/2025	Harmony Week	Nhill Memorial Community Centre	

6.3 CR ROGER AITKEN

Date	Meeting/Event	Location	Comments
24/02/2025	Youth Council Meeting	Jeparit	
24/02/2025	Meeting Friends of Lake Hindmarsh	Four Mile Beach Camp Kitchen, Jeparit	A good turn out.
25/02/2025	Vic Grid Information Session Yarriambiack Shire Council	Warracknabeal	
25/02/2025	Meeting with CFA – Our Ageing Equipment	Rainbow	
28/02/2025	Meeting Youth Council Certificate Presentation Dinner	Dimboola	
03/03/2025	Rainbow Rises Events Association AGM and General Meeting	Rainbow	
05/03/2025	Briefing and Council Meeting	Council Chambers, Nhill	
11/03/2025	Anne Webster Announcement and Meeting	Mecca Hall, Rainbow	
12/03/2025	Council Plan Workshop	Council Chambers, Nhill	
17/03/2025	Rainbow Town Committee	Rainbow	
18/03/2025	Wimmera Mallee Pioneer Museum Meeting	Jeparit	
19/03/2025	Council Briefing	Council Chambers, Nhill	
19/03/2025	Landcare Meeting and Farmer Information Evening	Rainbow	

Date	Meeting/Event	Location	Comments
20/03/2025	Rainbow Rises Events Association Meeting	Rainbow	

6.4 CR ROSIE BARKER

Date	Meeting/Event	Location	Comments
05/03/2025	Council Briefing	Council Chambers, Nhill	It was good to hear the presentation by Council Staff on their work completed and plans for Gender Diversity.
05/03/2025	Council Meeting	Council Chambers, Nhill	
05/03/2025	Nhill Dog Park Planning with Nhill Town Committee	Nhill Dog Park	On site review of plans by council operations.
11/03/2025	Davis Park Meeting	Online (Teams)	Supporting the Sporting Clubs.
11/03/2025	Nhill Township Committee Meeting	Nhill Senior Citizens	Good turn out. Organising Leo Lions Easter Egg Hunt.
12/03/2025	Planning Workshop	Council Chambers, Nhill	
12/03/2025	Anne Webster Funding Announcement	Davis Park, Nhill	
13/03/2025	Women in Leadership	Online	
16/03/2025	HSC Survey Promotion	Nhill Lions Club Market at Jaypex Park	
19/03/2025	HSC Audit and Risk Committee	Council Chambers, Nhill	
19/03/2025	Nhill Community Meeting	Winiam Hall	Good to see passionate support for positive changes in our Shire.
20/03/2025	Harmony Day	Nhill Memorial Community Centre	Great presentations by our Deputy Mayor, Chan Uoy and other community members.
21/03/2025	MAV Convention of Councillors	Cape Schnack	Comprehensive event covering the role of a Councillor

Date	Meeting/Event	Location	Comments
			and learning from other Councillors by sharing knowledge.
22/03/2025	MAV Convention of Councillors	Cape Schnack	Workshops, lectures and discussions
23/03/2025	MAV Convention of Councillors	Cape Schnack	Workshops, lectures and discussions.

Cr Rosie Barker also attended the ARB Big Desert Rainbow Rises Event meeting, CEO Employment Remuneration Committee meeting and Anne Webster's Announcement in Rainbow.

6.5 CR JAMES BARRY

Date	Meeting/Event	Location	Comments
06/02/2025	Big Desert ARB Event Discussion	Online (Teams)	
05/03/2025	CEO Employment and Remuneration Committee Meeting	Council Chambers, Nhill	
05/03/2025	Council Briefing and Council Meeting	Council Chambers, Nhill	
12/03/2025	Council Plan Workshop with Michael Tudball	Council Chambers, Nhill	
19/03/2025	Council Briefing	Council Chambers, Nhill	
19/03/2025	Community Meeting	Winiam Hall	

6.6 CR TONY CLARK

Date	Meeting/Event	Location	Comments
26/02/2025	Event Discussion ARB Big Desert 480 Meeting		
05/03/2025	Briefing Session	Council Chambers, Nhill	
05/03/2025	Council Meeting	Council Chambers, Nhill	
05/03/2025	CEO Employment and Remuneration Meeting		
10/03/2025	Jeparit Township Advisory Meeting		
11/03/2025	MP Anne Webster Announcement and Visit	Mecca Hall, Rainbow	
12/03/2025	Council Plan Workshop	Council Chambers, Nhill	

19/03/2025	Community Meeting	Winiam Hall	
19/03/2025	Briefing Session	Council Chambers, Nhill	

7 CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Introduction:

The following correspondence is attached for noting by Council.

Inwards:

- 2025/02/28 - Yarriambiack Shire Council to Council re Request for Letter of Support MAV Motion – (Attachment Number: 7.1.1)
- 2025/03/14 - Bass Coast Shire Council to Council re Request for Letter of Support MAV Motion – (Attachment Number: 7.1.2)

Outwards:

- 2025/03/07 - Council to Lizzie Blandthorn re Funding Phase 2 of the By Five Wimmera Southern Mallee Early Years Initiative – (Attachment Number: 7.1.3)
- 2025/03/14 - Council to Yarriambiack Shire Council re Support on Motion to MAV State Council Meeting – (Attachment Number: 7.1.4)
- 2025/03/17 - Council to Bass Coast Shire Council re Support on Motion to MAV State Council Meeting (Attachment Number: 7.1.5)
- 2025/03/19 - Council to Graeme Schneider re Purchase Offer – Tower Park Dimboola – CONFIDENTIAL (Attachment Number: 7.1.6)

RECOMMENDATION:

That Council notes the attached correspondence.

MOVED: Cr C Uoy/Cr T Clark

That Council notes the attached correspondence.

CARRIED

8 ASSEMBLY OF COUNCILLOR RECORDS

Responsible Officer: Chief Executive Officer

Attachments:

1. 2025 02 26 Assembly of Councillors Record [8.1.1]
2. 2025 03 05 Assembly of Councillors Record 1 of 2 [8.1.2]
3. 2025 03 05 Assembly of Councillors Record 2 of 2 [8.1.3]
4. 2025 03 19 Assembly of Councillors Record [8.1.4]

Introduction:

As required under Section 33(9) of Hindmarsh Shire Council's Governance Rules, the attached Assembly of Councillors Records are presented as attachments to the Council Agenda for the information of Councillors.

RECOMMENDATION:

That Council notes the Assembly of Councillor Records as presented.

MOVED: Cr R Aitken/Cr C Uoy

That Council notes the Assembly of Councillor Records as presented.

CARRIED

9 PLANNING PERMITS

9.1 PA1857-2024 COUNCIL REPORT - 6 BELL STREET NHILL - 2 ADDITIONAL DWELLINGS AND 3 LOT SUBDIVISION

Responsible Officer: Director Infrastructure Services

Attachments:

1. Officer Assessment Delegate Report PA1857-2024 [9.1.1]
2. PA1857-2024 Rescode Assessment [9.1.2]
3. PA1857-2024 Objection [9.1.3]
4. PA1857-2024 Plans for Endorsement REV B [9.1.4]
5. CONFIDENTIAL - PA1857-2024 Arborist Report [9.1.5]

Executive Summary:

This report seeks a decision for planning application PA1857-2024, recommending that Council issues a notice of decision to issue a planning permit. The proposal involves the development of 6 Bell Street, Nhill, with two additional dwellings fronting Ridgewell Street, along with a three-lot subdivision, fence construction, and vegetation removal. The application is brought to Council due to a standing objection from a neighbour, citing concerns including site coverage, setbacks, energy efficiency, car parking, infrastructure, street integration, storage, and impacts on neighbourhood character, overshadowing, noise, and daylight. The planning officer's assessment, included in the attachments, concludes that the proposal will result in an acceptable planning outcome. While residential developments of this nature can be controversial, this proposal aligns with the objectives of the planning scheme.

Discussion:

The planning permit application PA1857-2024, proposes '*development of land with two (2) additional dwellings on a lot, subdivision of land into three (3) lots, construction of a fence and vegetation removal*' at 6 Bell Street Nhill (Lot 1 and 2 on title Plan 628252). The application was originally lodged on 1 May 2024. Various revisions and requests were made between May 2024 to February 2025.

Subject Site

The site is located on the western side of Nhill, north of Nelson Street and south of the railway line. It consists of two lots with a total area of 1,010 sqm. The surrounding area is predominantly residential, with properties ranging from 800 to 1,000 sqm, typically containing a single dwelling, along with a few 500 sqm lots, often part of larger properties. The site currently contains an existing dwelling with frontage to Bell Street.

Planning Controls and Permit Requirements

The site with is within the General Residential Zone and is wholly covered by the Environmental Significance Overlay Schedule 6. The planning permit seeks approval under the following clauses of the planning scheme:

- Clause 32.08-3 - Subdivide Land
- Clause 32.08-7 - Construct two or more dwellings on a lot
- Clause 42.01-2 - Construct a fence that may obstruct the flow of water
- Clause 42.01-2 – Remove vegetation

Details of the Proposal

The proposal involves the construction of two new residential dwellings on a subdivided lot. Each proposed dwelling will have a total floor area of approximately 142 sqm, with a mirrored design. The dwellings will feature three bedrooms, including a master bedroom with a walk-in robe (WIR) and ensuite, as well as an open-plan kitchen, living, and dining area, a main bathroom, a laundry, and a single-car garage. Additionally, each dwelling will have a rear alfresco area, with two parking spaces, one of which will be covered. The development will allocate 36% of the site as garden area.

The subdivision will consist of three lots: Lot 1, which currently contains an existing dwelling, will remain at 508 sqm, while proposed Lots 2 and 3, each containing one of the new dwellings, will each measure 251 sqm. A 2.1m high fence is proposed along the Ridgwell Street boundary of Dwelling 1, as well as dividing fences between Dwellings 1-2 and 2-3. The proposal also includes the removal of 18 trees, including two native bottlebrush trees, as part of the development.

Public Notice and Standing Objection

The application was advertised by way of a sign on the site, notice on the website, and letters to neighbouring landowners and occupiers. One detailed submission (objection) was received from the southern neighbour who is concerned about neighbourhood character, overdevelopment of the site, inconsistency with residential policy, Insufficient infrastructure (roads and drainage), poor integration to the street, site coverage, energy efficiency, car parking, setbacks, overshadowing, noise impacts, insufficient daylight to new windows and insufficient open space.

Most of the concerns raised by the objector are valid planning concerns, and they have therefore been carefully considered as part of the planning assessment. Further details about the objection can be viewed in the officer assessment report and in the copy of the objection (see attachments).

Summary of Planning Criteria

The planning criteria for this proposal focuses on ensuring economic viability, environmental sustainability, and community amenity, as well as ensuring that the proposal meets the required standards for residential development. This includes meeting the relevant clauses of the Municipal Planning Strategy, the Planning Policy Framework, the General Residential Zone, the Environmental Significance Overlay, the Particular Provisions and the General Provisions.

Summary of Planning Assessment

The proposal is generally in accordance with the relevant clauses of the Hindmarsh Planning Scheme.

- The site is well-serviced by existing infrastructure and utility connections, and outstanding infrastructure and amenity concerns will be addressed through conditions on the planning permit.
- The proposed design is respectful of the surrounding built environment and neighbourhood character, introducing two new dwellings that will activate Ridgwell Street. It provides for a logical and efficient pattern of subdivision, which is representative of orderly planning.
- The proposal aligns with strategies promoting housing growth, addressing the housing affordability challenge, and providing diverse housing options within an established urban area.
- The development complies with Recode, ensuring that it achieves an appropriate standard of on-site amenity and facilities, adequate site layout, design, liveability etc.
- Environmentally, the development proposes to remove minimal native vegetation, and the vegetation removal proposed is unlikely to have adverse impact on surrounding catchments or ecological values.

Overall, the proposal represents a positive and orderly planning outcome that is consistent with the objectives of the Hindmarsh Planning Scheme and supports the ongoing development of Nhill in accordance with broader state and local planning goals.

Link to Council Plan:

Theme One: Our Community

A community well informed and engaged

A diverse 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

Facilitating and supporting economic development

Financial Implications:

This proposal has no financial implications for Council.

Risk Management Implications:

The assessment of the proposal has been carried out in accordance with the Hindmarsh Shire Planning Scheme and therefore does not present a risk to Council.

Relevant Legislation:

Planning and Environment Act 1987
Subdivision Act 1988

Community Engagement:

Community Engagement requirements for planning permit applications are specified in S52 of the *Planning and Environment Act 1987*. These have been adhered to.

Gender Equality Implications:

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment is not required as this decision does not have a direct and significant impact on the community.

Confidential Declaration:

Not applicable.

Conflict of Interest:

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

Officer Responsible – Ram Upadhyaya, Director Infrastructure Services

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

Author – Mikayla Farmers, Planning Assistant

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

Options:

Councillors have the option to refuse or issue the permit.

Next Steps:

Advise the applicant and objector of the decision of Council.

RECOMMENDATION:

That Council issues a Notice of Decision to Grant a Planning Permit for PA1857-2024 for development of land with two (2) additional dwellings on a lot, subdivision of land into three (3) lots, construction of a fence and vegetation removal at 6 Bell Street Nhill (Lot 1 and 2 on title Plan 628252), in accordance with the following clauses and subject to the following conditions: (1-36)

Planning Scheme Clause and matter for which the permit has been granted:

- ***Clause 32.08-3 (General Residential Zone – Schedule 1) - Subdivide land***

- **Clause 32.08-7 (General Residential Zone – Schedule 1) - Construct two or more dwellings on a lot**
- **Clause 42.01-2 (Environmental Significance Overlay – Schedule 6) - Construct a fence that may obstruct the flow of water, subdivide land, remove/destroy/lop any vegetation (including dead vegetation).**

Conditions:

Amended Plans

1. **Prior to the commencement of works or certification of the plan of subdivision, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plans will then be endorsed and form part of the permit.**

The plans must be drawn to scale and be generally in accordance with the plans dated 20 November 2024, Revision B, prepared by King Homes, but modified to show:

- a. **The tandem car parking space for each dwelling shown on the driveway in accordance with Clause 52.06 of the Hindmarsh Planning Scheme.**
- b. **The floor plan and car parking location for the retained dwelling in accordance with Clause 52.06 of the Hindmarsh Planning Scheme.**
- c. **A notation that no front fencing is proposed**
- d. **Fencing shown on the submitted plans to be no more than 2 metres in height.**
- e. **Notation of exact height of habitable room floor levels above ground level, demonstrating these are less than 800mm per Standard B22 (Clause 55.04-6) of the Hindmarsh Planning Scheme.**
- f. **Deletion of the ‘?’ notation on the streetscape elevation of unit 3.**
- g. **Renaming of ‘units’ to ‘dwellings’.**
- h. **Location of mailboxes for each dwelling.**
- i. **Location of externally secure storage for the retained dwelling in accordance with Standard B30 (Clause 55.05-6) of the Hindmarsh Planning Scheme.**
- j. **Consistency in plans regarding location of storage shed, clotheslines, bins and mailboxes.**
- k. **Amended landscaping in accordance with Condition 5 of this permit.**
- l. **Drainage and civil plans in accordance with Condition 20 of this permit.**

Endorsed Plans

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

Mandatory Residential Reticulated Gas Prohibition Conditions

- 3. Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.**
- 4. Any lot shown on the endorsed plan must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This does not apply to:**
- a. a lot that will not be used for, or include, a dwelling; or**
 - b. a lot that contains an existing dwelling or apartment; or**
 - c. a lot where a permit has been granted for a dwelling or apartment on the land in the lot.**

This condition continues to have force and effect after a statement of compliance under the Subdivision Act 1988 has been issued and the subdivision authorised by this permit has been completed.

Landscaping Conditions

- 5. Concurrent with the plans required by Condition 1 of this permit, an amended Landscape Plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. The Landscape Plan must show:**
- a. Details of surface finishes of pathways and driveways;**
 - b. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;**
 - c. Landscaping to be provided to the retained dwelling on Lot 1.**
 - d. Removal of the listed 'pittosporum' and replacement with an alternative native screening plant.**
 - e. Inclusion of a canopy tree in the rear private open space of each dwelling.**
 - f. Provision of 2 canopy trees to the retained dwelling.**

- g. Canopy trees to be of advanced stock (minimum 35cm pot size and 2 metre tall at time of planting).*
- h. landscape plan must be annotated to show that all trees are to be planted using best practice methods.*
- i. All species selected must be to the satisfaction of the responsible authority.*

When approved, the plan will be endorsed and will then form part of the permit.

- 6. No other trees on site that are protected by the Planning Scheme may be destroyed, felled, lopped or uprooted without the written consent of the responsible authority. All existing trees to be retained and trees required by this permit to be planted shall be maintained to the satisfaction of the responsible authority.*
- 7. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of is to any tree to be retained be done by hand by a qualified arborist.*
- 8. Before the development is occupied, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority.*

The responsible authority may consent in writing to vary this requirement.

- 9. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.*

Buildings and Works Conditions

- 10. Once building works have commenced, they must be completed to the satisfaction of the Responsible Authority.*
- 11. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.*
- 12. Before the development starts, the area(s) set aside for the parking of vehicles and bicycles, and access lanes as shown on the endorsed plans must be:*
 - a. Constructed;*
 - b. properly formed to such levels that they can be used in accordance with the plans;*

- c. surfaced with an all-weather-seal coat; and***
- d. drained***

to the satisfaction of the responsible authority.

At all times car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of the responsible authority.

Vegetation Removal Conditions

13. Before the commencement of any works, the permit holder must advise all persons undertaking the vegetation removal, development or works on site of all relevant permit conditions and associated statutory requirements or approvals.

14. Vegetation removal and disposal must not cause damage to vegetation stands to be retained or to drainage lines or watercourses to the satisfaction of the responsible authority.

15. Before the development starts, tree protection fencing must be erected around any trees identified for retention on the approved and endorsed plans in accordance with the approved vegetation management plan and Australian Standard AS4970-2009 - Protection of Trees on Development Sites, to the satisfaction of the responsible authority.

16. At all times during the carrying out of the development:

- a. the tree protection fencing must remain in place and be maintained around any trees identified for retention on the approved and endorsed plans, in accordance with the approved vegetation management plan and Australian Standard AS4970-2009 - Protection of Trees on Development Sites to the satisfaction of the responsible authority***
- b. development, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction materials and vehicles of any kind must not occur on or over and must be excluded from any areas inside the tree protection fencing***

to the satisfaction of the responsible authority.

The responsible authority may consent in writing to the variation of these requirements.

Subdivision Conditions

17. The owner of the land must enter into an agreement with:

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

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

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

18. The applicant or owner must make a contribution for public open space in accordance with the schedule to Clause 53.01 of the planning scheme in the form of a five (5) per cent by monetary contribution.

Before the Statement of Compliance is issued under the Subdivision Act 1988, the monetary contribution must be paid.

The responsible authority may delay the time for payment of the monetary contribution by agreement in writing with the applicant or owner.

19. Before a Statement of Compliance for the plan of subdivision is issued under the Subdivision Act 1988, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987. The agreement must provide the following:

- a. each lot must only be developed in accordance with the development approved under planning permit PA1857-2024 unless otherwise agreed in writing by the responsible authority**
- b. the agreement will cease to apply to any lot 12 months after the completion of the development.**
- c. this requirement will not apply to any lot if construction of development under planning permit PA1857-2024 on that lot has been completed to the satisfaction of the responsible authority before the statement of compliance is issued.**

The owner of the land must pay all of the responsible authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Engineering Conditions

20. Before the commencement of works or certification of the plan of subdivision, detailed civil 'for construction' plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. All construction plans submitted for approval must be consistent with this permit and must conform with the requirements of all relevant servicing authorities. The plans must be drawn to scale with dimensions and an electronic copy (PDF) must be provided. The plans must show:

- a. Drainage of the subject land, including levels or contours of the land (including relevant external catchments) and all hydraulic computations. The drainage plan must be prepared in accordance with the requirements of the Infrastructure Design Manual (IDM) as amended and must provide for the following:**
 - i. How each dwelling will be drained for a 20% AEP storm event to the legal point of discharge.**
 - ii. All stormwater and surface water discharging from the site for the approved development, must be directed to the legal point of discharge (LPOD). Being the northern side of Lot 2 and the northern side of Lot 3 to the open table drain in the Ridgewell Street road**

reserve to the satisfaction of the Responsible Authority. LPOD can be applied with the building permit application.

- iii. Provision of over-land surcharge routes for all storm events up to the 1% AEP. This must include cut-off drains and associated infrastructure for the safe and effective passage of stormwater flows arising from areas upstream of the subject land discharging into Council's drainage system.***
- iv. No part of any above ground stormwater detention system is to be located within a stormwater drainage easement or a sewerage easement unless with the responsible authority's written approval.***
- v. Photographic evidence of the legal point of connection to Council's drainage system must be provided if Council inspection cannot be arranged prior to backfilling.***
- vi. "As Constructed" drawings in .pdf and CAD format must be provided and include levels to AHD for any new Council assets constructed with the development.***

b. Vehicle access and car parking to the satisfaction of the responsible authority including:

- i. The section of Ridgewell Road from Bell Street to the Western Boundary of the subject land, must be upgraded and sealed, to a minimum 6.8m wide sealed surface with 300mm compacted paving material to Council Standard at the permit holder/owner's cost. To the satisfaction of the Responsible Authority.***
- ii. Vehicle access to each dwelling to be designed in accordance with the relevant IDM standard. Clearance from obstructions including existing street trees, service authority assets, footpaths, kerb and channel, poles, rain gardens, pits, cables, pipes, bus shelters / stops, street furniture, signs, etc. must be shown on the plans.***

21. Before the issue of an Occupancy Permit or Statement of Compliance, all stormwater discharging from the buildings must be conveyed to the legal point of discharge to the satisfaction of the responsible authority.

22. Before the issue of a Statement of Compliance for this subdivision under the Subdivision Act 1988, the following works must be completed to the satisfaction of the responsible authority including all necessary permits being obtained and inspections undertaken:

- a. All civil construction works, must be constructed in accordance with the civil design plans for the property as endorsed by the responsible authority pursuant to this planning permit.*
- b. All drainage works in accordance with the endorsed civil plans.*
- c. Areas for vehicle access and car parking within the land must be constructed in accordance with the endorsed civil design plans.*
- d. All proposed vehicle crossings (including existing crossovers) must be constructed in accordance with the endorsed plans and IDM standards,*
- e. All redundant infrastructure (including vehicle crossings) abutting the site shall be removed and nature strip be reinstated.*

23. No mud, dirt, sand, soil, clay, stones, oil, grease, scum, litter, chemicals, sediments, gross pollutants, animal waste or domestic waste shall be washed into, allowed to enter or discharged to the stormwater drainage system, receiving waters or surrounding land and road reserves, during the construction works hereby approved to the satisfaction of the responsible authority.

24. The onsite stormwater drainage system including stormwater detention, installed in accordance with the endorsed plans, must not be removed or modified without the further approval (in writing) of the responsible authority.

GWM Water Conditions

25. The owner/applicant must provide individually metered water services to each lot/dwelling in accordance with GWMWater's requirements.

26. The owner/applicant must provide individual sewer services to each lot/dwelling in accordance with GWMWater's requirements.

27. The owner/applicant is responsible for verifying the condition of any existing sewer connection point/s to determine their suitability for use.

28. The owner/applicant must provide written notification of commencement of the works to enable GWMWater to organise inspections and coordinate with its staff.

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

30. The owner/applicant must provide GWMWater with an updated drainage plan for each lot/dwelling submitted by a qualified plumber.

31. The owner/applicant must ensure any existing water or sewer services and GWMWater assets made redundant by this development are abandoned, at the owner's cost, in accordance with GWMWater's standards.

32. The owner/applicant must ensure the existing sanitary drain directly adjacent to proposed western lot boundary is not impacted by the development.

Powercor Conditions

33. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.

34. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

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

Time Limit Condition

36. The subdivision and development hereby approved by this permit will expire if any of the following circumstances apply:

- a. The development and vegetation removal is not commenced within two (2) years of the date of this permit; or**
- b. The development and vegetation removal is not completed within four (4) years of the date of this permit; or**
- c. The plan of subdivision has not been certified under the Subdivision Act 1988 within two (2) years of the issued date of this permit; or**
- d. The subdivision is not completed within five (5) years of the date of certification.**

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

MOVED: Cr C Uoy/Cr T Clark

That Council issues a Notice of Decision to Grant a Planning Permit for PA1857-2024 for development of land with two (2) additional dwellings on a lot, subdivision of land into three (3) lots, construction of a fence and vegetation removal at 6 Bell Street Nhill (Lot 1 and 2 on title Plan 628252), in accordance with the following clauses and subject to the following conditions: (1-36)

Planning Scheme Clause and matter for which the permit has been granted:

- ***Clause 32.08-3 (General Residential Zone – Schedule 1) - Subdivide land***
- ***Clause 32.08-7 (General Residential Zone – Schedule 1) - Construct two or more dwellings on a lot***
- ***Clause 42.01-2 (Environmental Significance Overlay – Schedule 6) - Construct a fence that may obstruct the flow of water, subdivide land, remove/destroy/lop any vegetation (including dead vegetation).***

Conditions:***Amended Plans***

1. ***Prior to the commencement of works or certification of the plan of subdivision, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plans will then be endorsed and form part of the permit.***

The plans must be drawn to scale and be generally in accordance with the plans dated 20 November 2024, Revision B, prepared by King Homes, but modified to show:

- a. ***The tandem car parking space for each dwelling shown on the driveway in accordance with Clause 52.06 of the Hindmarsh Planning Scheme.***
- b. ***The floor plan and car parking location for the retained dwelling in accordance with Clause 52.06 of the Hindmarsh Planning Scheme.***
- c. ***A notation that no front fencing is proposed***
- d. ***Fencing shown on the submitted plans to be no more than 2 metres in height.***
- e. ***Notation of exact height of habitable room floor levels above ground level, demonstrating these are less than 800mm per Standard B22 (Clause 55.04-6) of the Hindmarsh Planning Scheme.***
- f. ***Deletion of the ‘?’ notation on the streetscape elevation of unit 3.***

- g. Renaming of 'units' to 'dwellings'.*
- h. Location of mailboxes for each dwelling.*
- i. Location of externally secure storage for the retained dwelling in accordance with Standard B30 (Clause 55.05-6) of the Hindmarsh Planning Scheme.*
- j. Consistency in plans regarding location of storage shed, clotheslines, bins and mailboxes.*
- k. Amended landscaping in accordance with Condition 5 of this permit.*
- l. Drainage and civil plans in accordance with Condition 20 of this permit.*

Endorsed Plans

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

Mandatory Residential Reticulated Gas Prohibition Conditions

- 3. Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.*
- 4. Any lot shown on the endorsed plan must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This does not apply to:*
 - a. a lot that will not be used for, or include, a dwelling; or*
 - b. a lot that contains an existing dwelling or apartment; or*
 - c. a lot where a permit has been granted for a dwelling or apartment on the land in the lot.*

This condition continues to have force and effect after a statement of compliance under the Subdivision Act 1988 has been issued and the subdivision authorised by this permit has been completed.

Landscaping Conditions

- 5. Concurrent with the plans required by Condition 1 of this permit, an amended Landscape Plan to the satisfaction of the responsible authority must be*

submitted to and approved by the responsible authority. The Landscape Plan must show:

- a. Details of surface finishes of pathways and driveways;***
- b. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;***
- c. Landscaping to be provided to the retained dwelling on Lot 1.***
- d. Removal of the listed 'pittosporum' and replacement with an alternative native screening plant.***
- e. Inclusion of a canopy tree in the rear private open space of each dwelling.***
- f. Provision of 2 canopy trees to the retained dwelling.***
- g. Canopy trees to be of advanced stock (minimum 35cm pot size and 2 metre tall at time of planting).***
- h. landscape plan must be annotated to show that all trees are to be planted using best practice methods.***
- i. All species selected must be to the satisfaction of the responsible authority.***

When approved, the plan will be endorsed and will then form part of the permit.

- 6. No other trees on site that are protected by the Planning Scheme may be destroyed, felled, lopped or uprooted without the written consent of the responsible authority. All existing trees to be retained and trees required by this permit to be planted shall be maintained to the satisfaction of the responsible authority.***
- 7. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of is to any tree to be retained be done by hand by a qualified arborist.***
- 8. Before the development is occupied, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority.***

The responsible authority may consent in writing to vary this requirement.

- 9. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.***

Buildings and Works Conditions

- 10. Once building works have commenced, they must be completed to the satisfaction of the Responsible Authority.***
- 11. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.***
- 12. Before the development starts, the area(s) set aside for the parking of vehicles and bicycles, and access lanes as shown on the endorsed plans must be:***
- a. Constructed;***
 - b. properly formed to such levels that they can be used in accordance with the plans;***
 - c. surfaced with an all-weather-seal coat; and***
 - d. drained***

to the satisfaction of the responsible authority.

At all times car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of the responsible authority.

Vegetation Removal Conditions

- 13. Before the commencement of any works, the permit holder must advise all persons undertaking the vegetation removal, development or works on site of all relevant permit conditions and associated statutory requirements or approvals.***
- 14. Vegetation removal and disposal must not cause damage to vegetation stands to be retained or to drainage lines or watercourses to the satisfaction of the responsible authority.***
- 15. Before the development starts, tree protection fencing must be erected around any trees identified for retention on the approved and endorsed plans in accordance with the approved vegetation management plan and Australian Standard AS4970-2009 - Protection of Trees on Development Sites, to the satisfaction of the responsible authority.***

16. At all times during the carrying out of the development:

- a. the tree protection fencing must remain in place and be maintained around any trees identified for retention on the approved and endorsed plans, in accordance with the approved vegetation management plan and Australian Standard AS4970-2009 - Protection of Trees on Development Sites to the satisfaction of the responsible authority**
- b. development, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction materials and vehicles of any kind must not occur on or over and must be excluded from any areas inside the tree protection fencing**

to the satisfaction of the responsible authority.

The responsible authority may consent in writing to the variation of these requirements.

Subdivision Conditions**17. The owner of the land must enter into an agreement with:**

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

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

- c. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**

d. a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

18. The applicant or owner must make a contribution for public open space in accordance with the schedule to Clause 53.01 of the planning scheme in the form of a five (5) per cent by monetary contribution.

Before the Statement of Compliance is issued under the Subdivision Act 1988, the monetary contribution must be paid.

The responsible authority may delay the time for payment of the monetary contribution by agreement in writing with the applicant or owner.

19. Before a Statement of Compliance for the plan of subdivision is issued under the Subdivision Act 1988, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987. The agreement must provide the following:

- a. each lot must only be developed in accordance with the development approved under planning permit PA1857-2024 unless otherwise agreed in writing by the responsible authority***
- b. the agreement will cease to apply to any lot 12 months after the completion of the development.***
- c. this requirement will not apply to any lot if construction of development under planning permit PA1857-2024 on that lot has been completed to the satisfaction of the responsible authority before the statement of compliance is issued.***

The owner of the land must pay all of the responsible authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Engineering Conditions

20. Before the commencement of works or certification of the plan of subdivision, detailed civil 'for construction' plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. All construction plans submitted for approval

must be consistent with this permit and must conform with the requirements of all relevant servicing authorities. The plans must be drawn to scale with dimensions and an electronic copy (PDF) must be provided. The plans must show:

- a. Drainage of the subject land, including levels or contours of the land (including relevant external catchments) and all hydraulic computations. The drainage plan must be prepared in accordance with the requirements of the Infrastructure Design Manual (IDM) as amended and must provide for the following:***
 - i. How each dwelling will be drained for a 20% AEP storm event to the legal point of discharge.***
 - ii. All stormwater and surface water discharging from the site for the approved development, must be directed to the legal point of discharge (LPOD). Being the northern side of Lot 2 and the northern side of Lot 3 to the open table drain in the Ridgewell Street road reserve to the satisfaction of the Responsible Authority. LPOD can be applied with the building permit application.***
 - iii. Provision of over-land surcharge routes for all storm events up to the 1% AEP. This must include cut-off drains and associated infrastructure for the safe and effective passage of stormwater flows arising from areas upstream of the subject land discharging into Council's drainage system.***
 - iv. No part of any above ground stormwater detention system is to be located within a stormwater drainage easement or a sewerage easement unless with the responsible authority's written approval.***
 - v. Photographic evidence of the legal point of connection to Council's drainage system must be provided if Council inspection cannot be arranged prior to backfilling.***
 - vi. "As Constructed" drawings in .pdf and CAD format must be provided and include levels to AHD for any new Council assets constructed with the development.***
- b. Vehicle access and car parking to the satisfaction of the responsible authority including:***

- i. The section of Ridgewell Road from Bell Street to the Western Boundary of the subject land, must be upgraded and sealed, to a minimum 6.8m wide sealed surface with 300mm compacted paving material to Council Standard at the permit holder/owner's cost. To the satisfaction of the Responsible Authority.*
- ii. Vehicle access to each dwelling to be designed in accordance with the relevant IDM standard. Clearance from obstructions including existing street trees, service authority assets, footpaths, kerb and channel, poles, rain gardens, pits, cables, pipes, bus shelters / stops, street furniture, signs, etc. must be shown on the plans.*

21.*Before the issue of an Occupancy Permit or Statement of Compliance, all stormwater discharging from the buildings must be conveyed to the legal point of discharge to the satisfaction of the responsible authority.*

22.*Before the issue of a Statement of Compliance for this subdivision under the Subdivision Act 1988, the following works must be completed to the satisfaction of the responsible authority including all necessary permits being obtained and inspections undertaken:*

- a. All civil construction works, must be constructed in accordance with the civil design plans for the property as endorsed by the responsible authority pursuant to this planning permit.*
- b. All drainage works in accordance with the endorsed civil plans.*
- c. Areas for vehicle access and car parking within the land must be constructed in accordance with the endorsed civil design plans.*
- d. All proposed vehicle crossings (including existing crossovers) must be constructed in accordance with the endorsed plans and IDM standards,*
- e. All redundant infrastructure (including vehicle crossings) abutting the site shall be removed and nature strip be reinstated.*

23.*No mud, dirt, sand, soil, clay, stones, oil, grease, scum, litter, chemicals, sediments, gross pollutants, animal waste or domestic waste shall be washed into, allowed to enter or discharged to the stormwater drainage system, receiving waters or surrounding land and road reserves, during the construction works hereby approved to the satisfaction of the responsible authority.*

24.*The onsite stormwater drainage system including stormwater detention, installed in accordance with the endorsed plans, must not be removed or modified without the further approval (in writing) of the responsible authority.*

GWM Water Conditions

- 25. The owner/applicant must provide individually metered water services to each lot/dwelling in accordance with GWMWater's requirements.***
- 26. The owner/applicant must provide individual sewer services to each lot/dwelling in accordance with GWMWater's requirements.***
- 27. The owner/applicant is responsible for verifying the condition of any existing sewer connection point/s to determine their suitability for use.***
- 28. The owner/applicant must provide written notification of commencement of the works to enable GWMWater to organise inspections and coordinate with its staff.***
- 29. The plan of subdivision submitted for certification must be referred to GWMWater in accordance with Section 8 of the Subdivision Act.***
- 30. The owner/applicant must provide GWMWater with an updated drainage plan for each lot/dwelling submitted by a qualified plumber.***
- 31. The owner/applicant must ensure any existing water or sewer services and GWMWater assets made redundant by this development are abandoned, at the owner's cost, in accordance with GWMWater's standards.***
- 32. The owner/applicant must ensure the existing sanitary drain directly adjacent to proposed western lot boundary is not impacted by the development.***

Powercor Conditions

- 33. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.***
- 34. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.***

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

Time Limit Condition

36. The subdivision and development hereby approved by this permit will expire if any of the following circumstances apply:

- a. The development and vegetation removal is not commenced within two (2) years of the date of this permit; or***
- b. The development and vegetation removal is not completed within four (4) years of the date of this permit; or***
- c. The plan of subdivision has not been certified under the Subdivision Act 1988 within two (2) years of the issued date of this permit; or***
- d. The subdivision is not completed within five (5) years of the date of certification.***

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

CARRIED

10 REPORTS REQUIRING A DECISION

10.1 SUMMARY OF PLANNING PERMITS APPROVED UNDER DELEGATION - Q1 2025

Responsible Officer: Director Infrastructure Services

Attachments:

Nil

Executive Summary:

This report summarises the planning permit applications approved by the CEO under delegation from the period of 1 January 2025 to 31 March 2025 (Q1 2025). It includes planning permits approved under the VicSmart process. A total of 5 planning permits were approved during this period.

Discussion:

Planning permit applications undergo a rigorous assessment process under Hindmarsh Planning Scheme. Delegations set by the Council allow the CEO to approve planning permits following the assessment and recommendation from town planners. Complex planning permits are presented to the Council for decision making.

When eligible, some low impact and straightforward planning permits are assessed through the VicSmart process for faster approval. The VicSmart statutory planning permit process aims to streamline the assessment of simple planning permit applications. Key features of VicSmart include a 10-business day permit process, no public notice or external referrals, and a decision by the CEO under delegation.

Regular planning permits have a time limit of 60 statutory days, while Vicsmart applications have a time limit of 10 statutory days.

The following Planning Permit Applications and VicSmart applications were approved by the CEO between 1 January 2025 and 31 March 2025. VicSmart applications are identified by a 'VS' in the application number.

App No.	Address	Proposal	Date Rec'd	Planning Permit Trigger	Date Appr'd	Stat Days
PA1872-2024	27-33 Leahy Nhill VIC 3418 Australia	Partial demolition and works for an education centre, removal of a tree and a reduction in carparking	23 Oct 2024	<ul style="list-style-type: none"> Clause 32.08-10 Buildings and works associated with a Section 2 use Clause 42.01-3.0 Vegetation removal within an Environmental Significance Overlay (ES06) Clause 52.06-3 Reduction in carparking spaces 	8 Jan 2025	48

App No.	Address	Proposal	Date Rec'd	Planning Permit Trigger	Date Appr'd	Stat Days
PA1875-2024	Lot 3 Faith Street Dimboola VIC 3414 Australia	Use and development of land for a dwelling and associated outbuildings.	20 Nov 2024	<ul style="list-style-type: none"> 35.07-2 Use of land for a dwelling 35.07-4 Building and works for a Section 2 use. 	21 Feb 2025	12
PA1878-2024	Lot 1 Faith Street Dimboola VIC 3414 Australia	Use and development of land for a dwelling and associated outbuildings.	16 Dec 2024	<ul style="list-style-type: none"> Clause 35.07-1 Use of the land for a dwelling Clause 35.07-4 Buildings and works associated with a Section 2 Use Clause 42.01-2 Works 	18 Mar 2025	50
PA1859-2024	Krahe Road Dimboola VIC 3414	Use and development of the land for Extractive Industry (limestone quarry)	21 Jun 2024	<ul style="list-style-type: none"> 35.07-1: Use of land for Industry 35.07-4: Buildings and Works associated with a section 2 use. 42.01-2 & Schedule 6 of ESO: Earthworks 52.08-1: Use and develop land for earth and energy resources industry 	7 Feb 2025	29
VS250002	7-9 Lochiel Street Dimboola Vic 3414	Buildings and works in a heritage overlay (install exterior lamps)	19 Feb 2025	<ul style="list-style-type: none"> Clause 43.01-2: buildings and works in the Heritage Overlay 	5 Mar 2025	10

Link to Council Plan:

Theme Three: Competitive and Innovative Economy

Facilitating and supporting economic development

Financial Implications:

None.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Governance	Risk is managed appropriately by adhering to the assessment process during approval of all planning applications including VicSmart. Complicated planning permits with higher levels of risk are presented to Council for decision.

Relevant Legislation:

Planning and Environment Act 1987

Community Engagement:

Where there is the potential for an application to cause material detriment, the application is advertised to neighbouring properties and sometimes the wider community. This is not applicable for a VicSmart permit application.

Gender Equality Implications:

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment is not required as this decision does not have a direct and significant impact on the community.

Confidential Declaration:

Not applicable.

Conflict of Interest:

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

Officer Responsible – Ram Upadhyaya, Director Infrastructure Services

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

Author – Mikayla Farmers, Planning Assistant

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

Communications Strategy:

Not applicable.

Next Steps:

Next Report to be provided at the end of Q2 2025.

RECOMMENDATION:

That Council notes the Planning Applications approved by the CEO under delegation for the period 1 January 2025 to 31 March 2025.

MOVED: Cr T Clark/Cr R Aitken

That Council notes the Planning Applications approved by the CEO under delegation for the period 1 January 2025 to 31 March 2025.

CARRIED

10.2 COMMUNITY ACTION GRANTS ROUND TWO 2024/2025

Responsible Officer: Director Corporate and Community Services

Attachments:

1. Community Action Grant 24 25 Round Two Grading [10.2.1]
2. CONFIDENTIAL - Community Action Grant Application Round Two 24-25 [10.2.2]

Executive Summary:

This report seeks a Council decision regarding allocation of funding through Round 2 of the 2024/2025 Community Action Grants Program to eligible community organisations and groups.

\$11,996.64 of the annual \$20,000 Community Action Grant allocation is remaining after the awarding of funds through Round 1 in late 2024. A cumulative amount of \$4,896.00 is recommended to be allocated to the following applicants:

Community Assistance

1. A grant of \$1,000.00 – Nhill-Dimboola Band
2. A grant of \$1,000.00 – Nhill Basketball Association – Raptors

Event Sponsorship

1. A grant of \$500.00 – Winiam CFA
2. A grant of \$500.00 – Nhill South Landcare Group
3. A grant of \$500.00 – Nhill A & P Society Inc.

Small Equipment

1. A grant of \$900.00 – 1st Rainbow Scout Group
2. A grant of \$496.00 – Winiam Hall Incorporated

Due to ineligibility, an allocation is not recommended for Angela Snowden Cat Rescue due to not meeting the criteria of being an incorporated association.

Discussion:

The Community Action Grants Program was established to support communities to provide services and to assist with community development, social action, and connectedness. \$20,000 has been allocated to the program for the 2024/2025 financial year and is categorised into three (3) areas:

- Community Assistance
- Event Sponsorship
- Small Equipment

At the time of closing on Friday 28 February 2025, eight (8) applications were received requesting funds totaling **\$5,896.00**. The recommendation is to award funds of **\$4,896.00**.

Community Assistance

Up to \$1,000.00 to assist with eligible projects that do not fit under the two other categories of the Community Action Grants Program.

There were three (3) applications in this category for this round, requesting a total of **\$3,000.00**.

Applicants:

1. The **Nhill-Dimboola Band** is seeking funding of \$1000.00 to assist with the hire of St Andrews Hall from the Uniting Church in Dimboola. The hall is to be used for band practice with the group aiming to promote live music within the community as the Shire's only community-based band. Based on the application and the applicant's eligibility, the recommendation is to grant \$1,000.00 towards this project.

Assessment Score – 24/26

2. **Angela Snowden Cat Rescue** is seeking funding of \$1,000.00 to assist with the rescue of cats in Hindmarsh. To complete the project, they require funds to desex and rehome the cats. The entire project cost \$1,000.00. The applicant is not an incorporated association and is applying privately (as an individual) and is therefore not eligible for funding.

Assessment Score – Ineligible

3. The **Nhill Basketball Association – Raptors** is seeking funding of \$1,000.00 to assist with subsidising the cost of uniforms for Raptors basketball representatives. Financial assistance will ensure that no families are excluded due to economic constraints and that basketball is accessible to all those who wish to participate. Based on the application and the association's eligibility, the recommendation is to grant \$1,000.00 towards this project.

Assessment Score – 24/26

Event Sponsorship

Up to \$500.00 to assist with an event within Hindmarsh Shire which demonstrates social and economic benefit.

There were three (3) applications received in this category, with total funding requested being **\$1,500.00**

Applicants:

1. The **Winiam CFA*** is seeking funding of \$500 for the Little Desert National Park Bushfires Volunteer Thank You event. The event will be held at the Winiam Hall on Sunday 4 May 2025 with food provided by Maggies Pizza. Based on the application and assessment of eligibility the recommendation is to grant \$1,000.00 towards this event. As insurance documentation has not been provided, it is recommended that funding is subject to the submission of the relevant Certificate of Currency.

Assessment Score – 25/26

2. The **Nhill South Landcare Group*** seeks funding of \$500.00 for the Little Desert National Park Bushfires Volunteer Thank You event. The total cost for this project will be \$1,000.00. Based on the application and assessment of eligibility the recommendation is to grant \$1,000.00 towards this event. As insurance documentation has not been provided, it is recommended that funding is subject to the submission of the relevant Certificate of Currency.

Assessment Score – 25/26

**Please note that these applications are from separate applicants but for the same event. As there is nothing in the guidelines to preclude this, the recommendation is to allocate funding as per the applications, subject to the provision of insurance documentation.*

3. The **Nhill A & P Society** is seeking funding of \$500.00 towards face painting and hair braiding for children at the 139th Annual Show in Nhill this year. They are booking Giggles & Grins, a local Horsham business. The total cost for this project will be \$950.00. Based on the application and an assessment of eligibility, the recommendation is to grant \$500.00 for this event.

Assessment Score – 22/26

Small Equipment

Up to \$1,000.00 towards the purchase of small equipment items.

There were two (2) applications for this category with a total funding request of **\$1,396.00**

Applicants

1. The **1st Rainbow Scout Group** is seeking funding of \$900.00 towards the purchase of a fridge/freezer combination. This purchase will assist with a variety of events and

activities. Based on the application and assessment of eligibility the recommendation is to grant \$900.00 towards this project.

Assessment Score – 22/26

2. **Winiam Hall Incorporated** is seeking funding of \$496.00 to upgrade their kitchen equipment. The project will upgrade fire equipment and replace the broken microwave oven that has become a safety concern. Based on the application and eligibility criteria, the recommendation is to grant \$496.00 to Winiam Hall Incorporated.

Assessment Score – 21/26

Link to Council Plan:**Theme One: Our Community**

A community well informed and engaged

Communities that feel safe and are resilient

Provide arts and cultural activities that strengthen social connection

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

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

Financial Implications:

Council has allocated \$20,000.00 to the Community Action Grants Program for the 2024/2025 financial year. The recommended allocation through Round 2 is within the total budgeted amount.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Community Needs	The delivery of Community Action Grants ensures that Council provides timely and targeted support to groups working within the community to strengthen services, connection and opportunities. The funding enables self-determination and groups an identify their own projects and needs when requesting support.

Relevant Legislation:

Local Government Act 2020

Community Engagement:

Round Two of the 2024/2025 Community Action Grants Program was promoted through direct emailing to community groups; media releases on Council's website and local media;

advertisements in local media; promotion on Council's website as well as Facebook promotions on Council's Facebook page.

Gender Equality Implications:

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment is not required as this decision does not have a direct and significant impact on the community. A Gender Impact Assessment would be warranted should Council be reviewing the Guidelines for this program.

Confidential Declaration:

Not applicable.

Conflict of Interest:

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

Officer Responsible – Petra Croot, Director Corporate and Community Services

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

Author – Nan Da San Bleu Dah, Community Wellbeing & Youth Officer

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

Communications Strategy:

The Community Action Grants Program has been promoted through the following channels:

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

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

Next Steps:

Inform applicants of the outcome of their application, advising successful applicants of reporting and acquittal requirements, distribute media and communications promoting successful applicants.

RECOMMENDATION:

That Council

- 1. approves the following funding allocations through Round 2 of the Community Action Grants Program 2024/2025, subject to the provision of outstanding documentation:**
 - a) Community Assistance**
 - i. A grant of \$1,000.00 – Nhill-Dimboola Band;**
 - ii. A grant of \$1,000.00 – Nhill Basketball Association – Raptors;**
 - b) Event Sponsorship**
 - i. A grant of \$500.00 – Winiam CFA;**
 - ii. A grant of \$500.00 – Nhill South Landcare Group;**
 - iii. A grant of \$500.00 – Nhill A & P Society;**
 - c) Small Equipment**
 - i. A grant of \$900.00 – 1st Rainbow Scout Group;**
 - ii. A grant of \$496.00 – Winiam Hall Incorporated; and**
- 2. does not approve funding for Angela Snowden Cat Rescue as the applicant is not an incorporated association and is applying privately (as an individual), therefore not eligible for funding.**

MOVED: Cr R Barker/Cr T Clark

That Council

- 1. approves the following funding allocations through Round 2 of the Community Action Grants Program 2024/2025, subject to the provision of outstanding documentation:**
 - a) Community Assistance**
 - i. A grant of \$1,000.00 – Nhill-Dimboola Band;**
 - ii. A grant of \$1,000.00 – Nhill Basketball Association – Raptors;**
 - b) Event Sponsorship**
 - i. A grant of \$500.00 – Winiam CFA;**
 - ii. A grant of \$500.00 – Nhill South Landcare Group;**
 - iii. A grant of \$500.00 – Nhill A & P Society;**
 - c) Small Equipment**
 - i. A grant of \$900.00 – 1st Rainbow Scout Group;**
 - ii. A grant of \$496.00 – Winiam Hall Incorporated; and**
- 2. does not approve funding for Angela Snowden Cat Rescue as the applicant is not an incorporated association and is applying privately (as an individual), therefore not eligible for funding.**

CARRIED

10.3 COUNCIL ADVISORY TOWN COMMITTEE TERMS OF REFERENCE, HINDMARSH PRIDE ADVISORY COMMITTEE AND ADVISORY COMMITTEE POLICY REVIEW

Responsible Officer: Director Corporate and Community Services

Attachments:

1. Gender Impact Assessment - Council Advisory Committees [**10.3.1**]
2. Terms of Reference Town Advisory Committee March 2025 Draft [**10.3.2**]
3. Hindmarsh Pride Committee Terms of Reference [**10.3.3**]
4. C020 Advisory Committee Policy [**10.3.4**]

Executive Summary:

In accordance with the Advisory Committee Policy, the following documents have been reviewed and are presented to Council for endorsement for a period of public consultation from 3 –18 April 2025:

- the Terms of Reference for Hindmarsh Shire Council's Town Advisory Committees of Jeparit, Nhill and Rainbow;
- the Hindmarsh Pride Committee Terms of Reference; and
- and the Advisory Committee Policy.

Minor changes have been made to the documents, including:

- Aligning the term of appointment across all documents; and
- Noting that unspent funds allocated to Advisory Committees may not be carried forward to the next financial year.

Discussion:

In accordance with the implementation of *The Local Government Act (2020)*, Advisory Committees were established by Council Resolution on 19 August 2020. The Advisory Committee Policy, established in September 2021, requires Council review Advisory Committees within 6 months of a general election.

Hindmarsh Advisory Town Committee Terms of Reference

The role of these committees in each of the towns of Jeparit, Nhill and Rainbow, is to:

- provide leadership in the promotion of the town and district, the improvement of the businesses to identify and help coordinate community's liveability and its economic development, liaising with sporting clubs, community organisations and any such opportunities;
- advise Council of necessary service delivery and infrastructure improvements in its community, and to prioritise such requests and submit them in early December of each year for consideration in Council's budget;
- provide a means of effective and efficient communication between Council and the community;
- facilitate local activities and events, including welcome functions for new residents;

- provide advice to Council as to how the funds of the Town Committee are expended; and
- to establish clearer lines of communication between Council and residents to support future development and operational activities in each town.

Proposed changes to these terms of reference are mainly administrative in nature to reflect changes in position titles, and changes to the term of appointment in line with Policy and current practice. Removal of Dimboola from the list of town committees is administrative following their incorporation as Dimboola Progress Association.

The addition of a clear set of guidelines for assessing any applications will enhance the fair and transparent appointment process and ensure that Council has adequate information to assess applicant suitability.

Section 4.3 has been amended to reflect the emphasis is on town committees contributing to the improvement of community liveability and in doing so, facilitating local activities, projects and events. The proposed clause would now require an expenditure proposal be submitted and approved by Council before any funds remaining in the Town Committees ledger at the end of the financial year be carried forward to the following year.

Hindmarsh Pride Committee Terms of Reference

The Hindmarsh Pride Committee was formed to strengthen the voice of the LGBTIQ+ community. The Hindmarsh Pride Committee Terms of Reference set the purpose for this committee as to:

- Provide a representative sample of independent and authentic voices of people from the LGBTIQ+ community, with an ability to advise on current and emerging issues and priorities;
- Provide feedback and advice to Council on broader policy issues;
- Promote and assist Council to celebrate LGBTIQ+ days of significance and host events within Hindmarsh Shire;
- Assist Council to promote the benefits of diversity and enhance understanding about the barriers to equality facing LGBTIQ+ communities; and
- Report to Council via the tabling of minutes at Council meetings after each meeting.

After reviewing the Terms of Reference there are no material changes proposed.

Advisory Committee Policy

This policy supports Council in ensuring good governance and appropriate management of all advisory committees. Upon review, the recommended changes to this policy are administrative in nature and do not materially change the intent of the policy.

Amendments to reflect the quantity of members being stated in each of their Terms of Reference will alleviate any conflicts where different committees are limited to varying member numbers.

All documents are recommended to be endorsed for a period of public consultation to enable community review and input. Once this has been completed, the documents will be presented to Council, with any relevant amendments, for adoption.

Link to Council Plan:**Theme One: Our Community**

A community well informed and engaged

Theme Four: Good Governance and Financial Sustainability

Strong governance practices

Financial Implications:

Funds for Advisory Committee use are considered as part of the annual budget setting process. There are no material changes to allocation as a result of this decision.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Community Needs Governance	This review ensures the clear, transparent and appropriate operation of Council's Advisory Committees.

Relevant Legislation:

Local Government Act 2020

The Gender Equality Act 2020

Community Engagement:

This report recommends a consultation period, whereby the community will be able to provide feedback to Council regarding the revised Terms of Reference and Council Advisory Committee Policy.

Community consultation will be conducted in accordance with Council's Community Engagement Policy. Have Your Say Hindmarsh will be utilised as a tool for gathering feedback and will be open for contributions from 3 – 18 April.

Gender Equality Implications:

Gender Impact Assessment Attached.

Confidential Declaration:

N/A

Conflict of Interest:

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

Officer Responsible – Director Corporate and Community Services

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

Author – Janelle Reichelt, Manager People & Performance

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

Communications Strategy:

Council will utilise its website and social media to alert the community to the draft documents for viewing and to invite feedback through Have Your Say Hindmarsh. This will also be advertised in local newspapers.

Next Steps:

- Make draft documents available for viewing.
- Invite community feedback through Have Your Say Hindmarsh.
- Consider feedback and present draft Terms of Reference Town Committees (Nhill/Jeparit/Rainbow), Terms of Reference Hindmarsh Pride Committee, and Advisory Committee Policy, to Council for adoption.

RECOMMENDATION:

That Council endorses the draft Town Advisory Committee Terms of Reference, draft Hindmarsh Pride Committee Terms of Reference and Advisory Committee Policy for public consultation from 3 – 18 April 2025.

MOVED: Cr R Barker/Cr R Aitken

That Council endorses the draft Town Advisory Committee Terms of Reference, draft Hindmarsh Pride Committee Terms of Reference and Advisory Committee Policy for public consultation from 3 – 18 April 2025.

CARRIED

10.4 AUDIT AND RISK COMMITTEE CHARTER

Responsible Officer: Director Corporate and Community Services

Attachments:

1. Audit and Risk Committee Charter [**10.4.1**]
2. CONFIDENTIAL - 2025 03 21 Audit and Risk Committee Minutes 19 March 2025 [**10.4.2**]

Executive Summary:

This report presents the Audit and Risk Committee Charter, recommended for Council adoption, and the minutes of the Audit and Risk Committee meeting held on 19 March 2025 for Council noting.

At the meeting held on 19 March 2025, the Audit and Risk Committee endorsed the revised Audit and Risk Committee Charter and recommended that it be presented to Council for adoption.

Key changes to the Charter include:

- Directly reflecting the Act in describing the Committee's role;
- Clarifying the responsibilities of the Committee to better describe specific actions to be undertaken by the Committee, reflected in the Annual Work Plan;
- Clarifying the extent of the Committee's authority and how this is enacted through accepted and legislated processes;
- Providing for silences in governance matters.

Discussion:

In accordance with S54(1-2) of the *Local Government Act 2020*, the Charter must specify the functions and responsibilities of the Committee, as well as:

1. monitor the compliance of Council policies and procedures with—
 - a) the overarching governance principles; and
 - b) this Act and the regulations and any Ministerial directions;
2. monitor Council financial and performance reporting;
3. monitor and provide advice on risk management and fraud prevention systems and controls; and
4. oversee internal and external audit functions.

The Charter has been reviewed in accordance with the review schedule and was endorsed by the Audit and Risk Committee on 19 March 2025.

Key changes include:

- Directly reflecting the Act in describing the Committee's role;
- Clarifying the responsibilities of the Committee to better describe specific actions to be undertaken by the Committee, reflected in the Annual Work Plan;

- Clarifying the extent of the Committee's authority and how this is enacted through accepted and legislated processes;
- Providing for silences in governance matters.

Link to Council Plan:**Theme Four: Good Governance and Financial Sustainability**

Strong governance practices

Financial Implications:

None.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Governance	An effective Audit & Risk Committee will assist with Council's risk management through independent advice and assurance on internal corporate governance, risk management, internal control and compliance. The reviewed Charter clearly articulated Committee functions and enables the effective undertaking of Committee responsibilities in accordance with the <i>Local Government Act 2020</i> .

Relevant Legislation:

Local Government Act 2020

Community Engagement:

Not applicable.

Gender Equality Implications:

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment is not required as this decision does not have a direct and significant impact on the community.

Confidential Declaration:

Not applicable.

Conflict of Interest:

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

Officer Responsible – Petra Croot, Director Corporate and Community Services

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

Author – Petra Croot, Director Corporate and Community Services

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

Communications Strategy:

If adopted, the Charter will be provided to Audit and Risk Committee members and relevant staff and published on Council's website.

Next Steps:

As above.

RECOMMENDATION:***That Council***

- 1. adopts the Audit and Risk Committee Charter; and***
- 2. notes the Minutes of the Audit and Risk Committee meeting held on 19 March 2025.***

MOVED: Cr T Clark/Cr R Barker***That Council***

- 1. adopts the Audit and Risk Committee Charter; and***
- 2. notes the Minutes of the Audit and Risk Committee meeting held on 19 March 2025.***

CARRIED

10.5 COUNCIL DONATION TO BLAZE Aid

Responsible Officer: Chief Executive Officer

Attachments:

Nil

Executive Summary:

Following the recent Little Desert Bushfire, Council officers have been working with residents seeking information on property losses and impacts, including fencing damage. Information obtained has identified that there is significant kilometres of fencing damaged or destroyed. Volunteer organisation BlazeAid are assisting with the restoration and replacement of fencing and are anticipating they will be in the region for at least three months.

This report seeks Council approval to provide a \$2,500 (excl GST) donation to BlazeAid, to assist with expenses incurred.

Discussion:

On Monday 27 January 2025 a fire commenced in the Little Desert National Park due to dry lightning, quickly spreading, impacting both public and private land. The fire has destroyed and damaged a significant amount of fencing for Hindmarsh residents, who have properties that border the Little Desert National Park.

BlazeAid established a base camp at the Nhill A&P Society on Friday 21 March, where they are now able to service Hindmarsh residents more efficiently than the previous base camp which was located at Gorokey.

BlazeAid are a not-for-profit organisation who provide support after a natural disaster to impacted communities, establishing base camps that host the many volunteers who offer their time to help communities recover.

BlazeAid do not invoice for their services, with countless hours spent providing support, and volunteers providing an economic benefit to communities.

To show appreciation for the assistance BlazeAid are providing to Hindmarsh residents, it is recommended that Council provide a \$2,500 (excl GST) donation to assist with expenses incurred. Expenses include food for volunteers and utility expenses paid to host organisations.

Link to Council Plan:

Theme Two: Built and Natural Environment

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

Financial Implications:

Council has allocated \$20,000 in the 2024/2025 budget for Community Assistance Grants. Following two rounds of advertising there is funding available in the Community Assistance Grants allocation to cover the \$2,500 donation.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Community Needs	The Little Desert Bushfire had a significant impact on the natural and built environment. There is significant community need for support to assist residents clean up damaged fencing and replace fencing.

Relevant Legislation:

Not applicable.

Community Engagement:

Council has advertised BlazeAid support through social media, in Council newsletters and directly contacted impacted residents.

Gender Equality Implications:

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment is not required as this decision does not have a direct and significant impact on the community.

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, Chief Executive Officer

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

Author – Monica Revell, Chief Executive Officer

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

Communications Strategy:

Council will notify the community of the donation through social media and in Council's newsletter.

Next Steps:

Officers will arrange for the donation to be made to BlazeAid.

RECOMMENDATION:

That Council makes a financial donation of \$2,500 (excl GST) to BlazeAid, in appreciation of the countless hours volunteers will spend in Hindmarsh assisting impacted residents from the Little Desert Bushfire.

MOVED: Cr T Clark/Cr R Aitken

That Council makes a financial donation of \$2,500 (excl GST) to BlazeAid, in appreciation of the countless hours volunteers will spend in Hindmarsh assisting impacted residents from the Little Desert Bushfire.

CARRIED

11 COUNCIL COMMITTEES

11.1 ADVISORY COMMITTEE

No Council Advisory Committee business presented.

11.2 COMMUNITY ASSET COMMITTEE

Responsible Officer: Chief Executive Officer

Attachments:

1. Wimmera Mallee Pioneer Museum Minutes 18 February 2025 [11.2.1]
2. Yurunga Homestead Minutes 24 February 2025 [11.2.2]

Introduction:

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

- **Wimmera Mallee Pioneer Museum Community Asset Committees**
General Meeting on 18 February 2025
- **Yurunga Homestead Community Asset Committees**
General Meeting on 24 February 2025

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 following Community Asset Committees:

- 1. Wimmera Mallee Pioneer Museum meeting held on 18 February 2025; and***
- 2. Yurunga Homestead meeting held on 24 February 2025***

MOVED: Cr R Barker/Cr T Clark

That Council notes the minutes of the following Community Asset Committees:

- 1. Wimmera Mallee Pioneer Museum meeting held on 18 February 2025; and***
- 2. Yurunga Homestead meeting held on 24 February 2025***

CARRIED

12 LATE REPORTS

No late reports.

13 NOTICES OF MOTION

No notices of motions.

14 OTHER BUSINESS

No other business.

15 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. 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, and following consideration of items 15.1 to 15.3 close the Council meeting:

- 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”;**
- 15.2 EXTENSION OF CONTRACT 2022-2023-02 – this report contains “private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and**
- 15.3 EXTENSION OF DEPARTMENT OF TRANSPORT AND PLANNING CONTRACT – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released”.**

MOVED: Cr R Barker/Cr T Clark

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, and following consideration of items 15.1 to 15.3 close the Council meeting:

- 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”;**
- 15.2 EXTENSION OF CONTRACT 2022-2023-02 – this report contains “private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and**
- 15.3 EXTENSION OF DEPARTMENT OF TRANSPORT AND PLANNING CONTRACT – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released”.**

CARRIED

16 LATE CONFIDENTIAL REPORTS

No late confidential reports.

17 MEETING CLOSE

There being no further business, Cr R Ismay declared the meeting closed at 4:03pm.
