



ATTACHMENTS

ITEM 4 CONFIRMATION OF MINUTES

- Item 4 Attachment 1 – Minutes for Council Meeting 2 February 2022

ITEM 7 CORRESPONDENCE

- Item 7.1 Attachment 2 – Letter to Councillors from Anne Simms

ITEM 8 PLANNING PERMITS

- Item 8.1 Attachment 3 – PA1753-2021 Plan for endorsement
- Item 8.2 Attachment 4 – PA1757-2021 Plan for endorsement
- Item 8.3 Attachment 5 – PA1758-2021 Plan for endorsement
- Item 8.4 Attachment 6 – PA1747-2021 Subdivision Plans and Site Plan
- Item 8.4 Attachment 7 – PA1747-2021 Dwelling Plans and Shed Plans

ITEM 9 REPORTS REQUIRING DECISION

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- Item 9.4 Attachment 8 – Audit and Risk Committee Chairs Report
- Item 9.5 Attachment 9 – Business Assistance Grants Rating Criteria
- Item 9.6 Attachment 10 – Community Action Grants Rating Criteria

ITEM 10 COUNCIL COMMITTEES

- Item 10.1 Attachment 11 – Nhill Town Committee Minutes 21 February 2022
 - Item 10.2 Attachment 12 – Dimboola Town Committee Minutes 7 February 2022
 - Item 10.3 Attachment 13 – Yurunga Committee Minutes 28 October 2021
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**MINUTES OF THE COUNCIL MEETING OF HINDMARSH SHIRE COUNCIL HELD
WEDNESDAY 2 FEBRUARY 2022 AT THE NHILL MEMORIAL COMMUNITY CENTRE,
77-79 NELSON STREET NHILL, COMMENCING AT 3:00PM.**

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

In Attendance:

Mr Greg Wood (Chief Executive Officer), Ms Monica Revell (Director Corporate and Community Services), Ms Angela Hoy (Director Infrastructure Services), Ms Shauna Johnson (Executive Assistant) and Mr Jeff Woodward (Tourism and Economic Development Officer).

1 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Cr M Albrecht opened the meeting at 3:00pm by acknowledging the Indigenous Community and offering the opening prayer.

2 APOLOGIES

No apologies.

3 DECLARATION OF INTERESTS

A Councillor or Officer with a conflict of interest in an item on the Agenda must indicate that they have a conflict of interest by clearly stating:

- the item for which they have a conflict of interest;
- whether their conflict is **general** or **material**; and
- the circumstances that give rise to the conflict of interest.

Declaration of material or general conflict of interest must also be advised by Councillors and Officers at the commencement of discussion of the specific item.

Cr W Bywaters declared a general conflict of interest in items 5 and 8.3 as the objector to the planning permit application is a close friend.

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 15 December 2021 at the Nhill Memorial Community Centre Nhill, as circulated to Councillors be

taken as read and confirmed.

MOVED: R Gersch/B Ireland

That the Minutes of the Ordinary Council Meeting held on Wednesday 15 December 2021 at the Nhill Memorial Community Centre Nhill, as circulated to Councillors be taken as read and confirmed.

CARRIED

Attachment Number: 1

5 PUBLIC QUESTION AND SUBMISSION TIME

Community members wishing to ask questions at council meetings may do so, in writing, at least 24 hours prior to the council meeting. Both the question and answer will be read out at the meeting. Questions may be submitted by mail, email info@hindmarsh.vic.gov.au or delivered in person to a council customer centre but are limited to two questions and 100 words including any pre-amble. Offensive, trivial and repetitive questions or questions, which have been recently answered, may be excluded at the discretion of the Mayor.

The question must be accompanied by a name and the locality where the questioner resides or works, which will be read out at the meeting. By submitting a question, the questioner gives consent to this information being read out in public. Anonymous questions will not be answered.

Cr W Bywaters declared a material conflict of interest and left the meeting at 3:02pm.

SUBMISSIONS:

Sonny Hoang spoke to the application for a Planning Permit in item 8.3.

Cr W Bywaters returned to the meeting at 3:06pm.

6 ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: DECEMBER 2021/JANUARY 2022

Cr ALBRECHT, MAYOR

Date	Meeting	Location	Comments
14/12/2021	Wimmera Development Association Annual General Meeting	Zoom	The Wimmera Development Association (WDA) Annual General Meeting officially closed the incorporation transferring over to a company model. There are five initial directors of WDA, with recruitment for a chair and other directors

			to occur in early 2022.
15/12/2021	Council Briefing	Nhill	
15/12/2021	Council Meeting	Nhill	
16/12/2021	Wimmera Development Association Board Meeting	Zoom	Session focused on governance models for the new company structure.
10/1/2022	Wimmera Development Association Meeting	Zoom	Review of skills of current directors and recruitment models for new independent chair.
20/1/2022	Tour of Noske Silo's	Nhill	It was very interesting to tour the Noske Silo complex and see the progress that the volunteers have undertaken to secure the building for the Nhill community. It will be wonderful to watch this project over the coming decade.
20/1/2022	Celebration of the 135 years of the Overland train	Nhill	Thanks to the passion of Helen Woodhouse – Herrick, more than forty people were gathered to celebrate the Overland train's birthday. With balloons and a couple of rounds of 'happy birthday' sung, it is obvious that there is strong support for the train to continue stopping in Nhill and providing this important public transport option. Thank you to everyone that attended.

Cr IRELAND, DEPUTY MAYOR

Date	Meeting	Location	Comments
14/12/2021	Dimboola Secondary College Awards Night	Dimboola	Honoured to represent the shire in giving out the Rea Keam award.
15/12/2021	Council Briefing Meeting	Nhill	
15/12/2021	Council Meeting	Nhill	
16/12/2021	Rainbow P-12 College Awards Night	Rainbow	Honoured to give out various awards including the Rae Keam award on behalf of the shire
23/12/2021	Hindmarsh Shire Xmas BBQ		For staff and outdoor workers
25/01/2022	Youth Council Interviews	Rainbow	With Councillor Ismay

Cr BYWATERS

Date	Meeting	Location	Comments
13/12/2021	Victorian Multicultural Commission (VMC) end of year wrap up event	Zoom	

15/12/2021	Council briefing and Council Meeting	Nhill	
15/12/2021	Council and Senior management team Christmas Party	Nhill	
18/12/2021	Nhill Town Committee Carols in the Park	Jaypex Park Nhill	
19/12/2021	Kiata Progress Association Christmas Party	Kiata	
23/12/2021	Hindmarsh Staff awards and Christmas Party	Nhill Golf Club	

Cr GERSCH

Date	Meeting	Location	Comments
10/12/2021	RCV Board Meeting	Castlemaine	
14/12/2021	WDA Annual Meeting		
15/12/2021	Meeting Housing Regional Institute	Zoom	
15/12/2021	Council Meeting	Nhill	
15/12/2021	Council Xmas Dinner	Nhill	
17/12/2021	Nhill Fire Brigade Xmas Break Up		
18/12/2021	Nhill Carols		
23/12/2021	Shire Xmas Break Up		
26/12/2021	Nhill Boxing Day Races		
20/01/2022	Nhill Silo Tour		
20/01/2022	Community Gathering Over Lander 135 Years		
20/01/2022	Tour Property Development	Dimboola	Ross Johns

Cr ISMAY

Date	Meeting	Location	Comments
25/01/2022	WT Meeting	Zoom	
25/01/2022	Youth Council Interview One		
25/01/2022	Youth Council Interview Two		

7 CORRESPONDENCE

7.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Attachment Numbers: 2 – 4

Introduction:

The following correspondence is attached for noting by Council.

Inwards:

- 02/12/2021 – Letter from Dimboola Football Netball Club RE Dimboola Recreation Reserve Master Plan
- 16/12/2021 – Letter from City of Monash RE the Future of School Crossings

Outwards:

- 13/12/2021 – Letter to Dimboola Football Netball Club RE Dimboola Recreation Reserve Master Plan

RECOMMENDATION:

That Council notes the attached correspondence.

MOVED: CRS R Gersch/D Nelson

That Council notes the attached correspondence.

CARRIED

Attachment Numbers: 2 – 4

8 PLANNING PERMITS

8.1 VICSMART REPORT AND PLANNING APPLICATIONS APPROVED UNDER CEO DELEGATION

Responsible Officer: Director Infrastructure Services

Introduction:

This report is presented to Council to inform Council, and provide an update on VicSmart permits processed by Council for the period 01 October 2021 to 31 December 2021.

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

Discussion:

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

Key features of VicSmart include:

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

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

Permit No.	Address	Proposal	Date Lodged	Trigger	Date approved	Statutory Days
VS1744-2021	32 Ellerman Street, Dimboola VIC 3414	Development of land with a fence	09/09/21	Clause 42.01-2 – Fence that may obstruct the flow of water. Clause 59.05 - Buildings and works in an Overlay	8/10/21	3
VS1746-2021	88 Lloyd Street Dimboola VIC 3414	External painting of the façade and awning and the display of business identification signs	21/10/21	Clause 43.01-1 - External painting and display of signs - Heritage Overlay Schedule 34 (H034)	4/11/21	9

In addition, the following Planning Permit Applications were approved under delegation by the Chief Executive Officer.

Permit No.	Address	Proposal	Date Lodged	Trigger	Date Approved	Statutory Days
PA1739-2021	Albacutya Road Rainbow VIC 3424 200542	Removal of Native Vegetation	14/10/21	Clause 52.17-1 (Native Vegetation) - A permit is required to remove, destroy or lop native vegetation.	10/11/21	41

PA1741-2021	17 Faith St Dimboola VIC 3414	Development of an outbuilding ancillary to a dwelling	19/09/21	Clause 35.07-4 Farming Zone: Buildings and works. Building within 100m of RZ1. Building within 100m of a dwelling not in the same ownership	08/10/21	4
PA1748-2021	1063 Warrack-nabeal Rainbow Road Rainbow VIC 3424	Construction of a machinery shed within 100m of a waterway	29/09/21	Clause 35.07-4 Farming Zone: Works within 100m of waterway Clause 42.01-2 ESO: Building and works	11/10/21	10
PA1751-2021	94-96 Victoria St Nhill VIC 3418	Construction and putting up for display replacement business identification panel internally illuminated sky signage	15/10/21	Internally illuminated sign is larger than 1.5m ² and higher than 3.7m above pavement level. Signs fixed to a structure [not a building] exceeding 7m in height (Clause 52.05-2)	1/12/21	47
PA1752-2021	64 Nelson St Nhill VIC 3418	Construction and putting up for display replacement business identification panel internally illuminated sky signage	15/10/21	Internally illuminated sign is larger than 1.5m ² and higher than 3.7m. (Clause 52.05-2)	1/12/21	47

PA1755-2021	Western Highway Nhill VIC 3418 Lot 1-2 TP 568771	Removal of Native Vegetation	11/11/21	Clause 42.01 (ES06) Vegetation removal. Clause 52.17-1 (Native Vegetation) – Remove, destroy or lop native vegetation.	9/12/21	10
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Options

N/A

Link to Council Plan:

Facilitating and supporting economic development.

Financial Implications:

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

Risk Management Implications:

Risk is managed appropriately by adhering to the VicSmart process.

Conflict of Interest:

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

Author – Janette Fritsch, Manager Development

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

Officer Responsible – Angela Hoy, Director Infrastructure

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

Communications Strategy:

Nil

Next Steps:

Next Report to be provided April 2022.

RECOMMENDATION:

That Council notes the:

- *VicSmart permits issued; and*
- *Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 01 October 2021 to 31 December 2021.*

MOVED: CRS B Ireland/D Nelson

That Council notes the:

- *VicSmart permits issued; and*
- *Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 01 October 2021 to 31 December 2021.*

CARRIED

8.2 PLANNING PERMIT APPLICATION PA1750-2021 – USE AND DEVELOPMENT FOR A BREWERY AND DEVELOPMENT FOR A BAR, CONSTRUCT FENCES, DEMOLITION OF PART OF THE BUILDING AND EXTERNAL PAINTING, THE DISPLAY OF SIGNS, A REDUCTION IN THE REQUIRED CAR PARKING SPACES AND USE OF THE LAND TO SELL AND CONSUME LIQUOR AT 121 LLOYD STREET, DIMBOOLA, VIC 3414

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 84300
Application No. **PA1750-2021**
Applicant: Mr Stoph Pilmore, C/- Mr Matthew Elefanty, BSP Lawyers
Owner: Wayne Raymond Jackson
Subject land: 121 Lloyd Street Dimboola VIC 3414
(Lots 1 & 2 on TP339644A, Lot 1 on TP242516 and Lot 1 on TP532726V)
Proposal: Use and development for a Brewery and development for a Bar, construct fences, demolition of part of the building and external painting, the display of signs, a reduction in the required car parking spaces and use of the land to sell and consume liquor
Zoning and Overlays: Commercial 1 Zone (C1Z)
Environmental Significance Overlay Schedule 6 (ESO6)
Heritage Overlay Schedule 34 (HO34)
Relevant Clauses: Clause 52.27 Licensed Premises
Attachment Number: 5

Summary:

This report recommends that Council approve Planning Permit PA1750-2021 for the Use and development for a Brewery and development for a Bar, construct fences, demolition of part of the building and external painting, the display of signs, a reduction in the required car parking spaces and use of the land to sell and consume liquor, at 121 Lloyd Street Dimboola

VIC 3414, subject to standard conditions.

Background:

Planning Application PA1750-2021 was lodged with Council on 27 September 2021. The application fee was paid on 12 October 2021. The planning application form and plans submitted were amended on 22 November 2021.

The site was formerly occupied by a curtain and blind manufacturing business and the building has been vacant for a few years.

Proposal details:

The proposal is for the use and development for a Brewery and development for a Bar, construct fences, demolition of part of the building and external painting, the display of signs, a reduction in the required car parking spaces and use of the land to sell and consume liquor. The applicant has summarised the proposal as including the following:

- *Operation of a Bar with 200 patrons maximum capacity.*
- *Use of part of the back-of-house facilities for an on-site brewery.*
- *The supply and consumption of liquor on the premises until 1:00am on any given day.*
- *The supply and consumption of liquor for consumption off the licensed premises until 11:00pm on any given day.*
- *Provision of live music internal to the premises, with all music after 10:00pm at a background level only.*
- *Provision of two (2) staff car parking spaces and four (4) bicycle parking spaces.*
- *Loading bay and waste disposal storage area at the north west of the site.*
- *Construction of a picket fence at the property frontage.*

The applicant has also summarised the external alterations and signage as including the following:

- *External alterations and signage.*
- *Particulars of the proposed external works and signage are as follows:*
- *Timber Slat work on the façade*
- *Grey painted brick*
- *Rust coloured flat metal treatments*
- *Other painting works*
- *Picket fence*
- *The frontage will feature an illuminated business identification sign and a promotional sign in accordance with the enclosed eastern elevation plans.*

Use

The proposal is to operate the Brewery and Bar between the hours of 7.00am to 1.00am Monday to Saturday and 10.00am to 1.00am Sunday, with lesser hours of 12noon to 11.00pm on Good Friday and Anzac Day (not being a Saturday or Sunday). There will be a maximum capacity of 200 patrons on the site.

Demolition and External Painting

The demolition of part of the existing building comprises some existing windows and frames, internal demolition of the existing toilet block, and partial removal of steel clad wall of the building. The external walls and roof of the existing building will also be painted as summarised above.

Signs

The proposed signage consists of three business identification signs, which have the following approximate dimensions and areas.

- One sign with dimensions of 2.35m by 1.86m and an area of 4.37m², with the letters 'LDBC'. This sign will be non-illuminated.
- Two signs each with dimensions of 3.715m by 0.46m and an area of 1.7m² and a total of 3.4 m², with the words 'Fox & Pheasant'. One sign with black lettering will be non-illuminated and one sign with orange lettering will be illuminated.
- Total signage area of approximately 7.77m².

Reduction in Car Parking

Two (2) staff car parking spaces are proposed at the rear of the site adjacent to a loading bay and waste storage area. Access to the staff parking will be via Chapel Street to the west. A total of 80 car spaces are required for the maximum of 200 patrons for the Bar. A reduction of 78 car spaces for the required number of car parking spaces has been sought in the application. The provision of car parking for the Brewery must be to the satisfaction of Council.

Liquor Licence

The proposed hours and days of trading for the proposed liquor licence (Producer's Licence) are as follows:

- Sunday: 10.00am to 1.00am the following day.
- Good Friday: 12.00noon to 11.00pm.
- ANZAC Day (not being a Saturday or Sunday): 12.00noon to 11.00pm.
- Any other day: 7.00am-1.00am the following day.

The proposed red line area includes the bar and brewery areas within the building and the outdoor area to the north of the building. A maximum capacity of 200 patrons is proposed.

Bicycle Parking

Four (4) bicycle spaces are proposed to be located adjacent to the outdoor eating area and near the staff car parking area on the site.

Supporting Reports

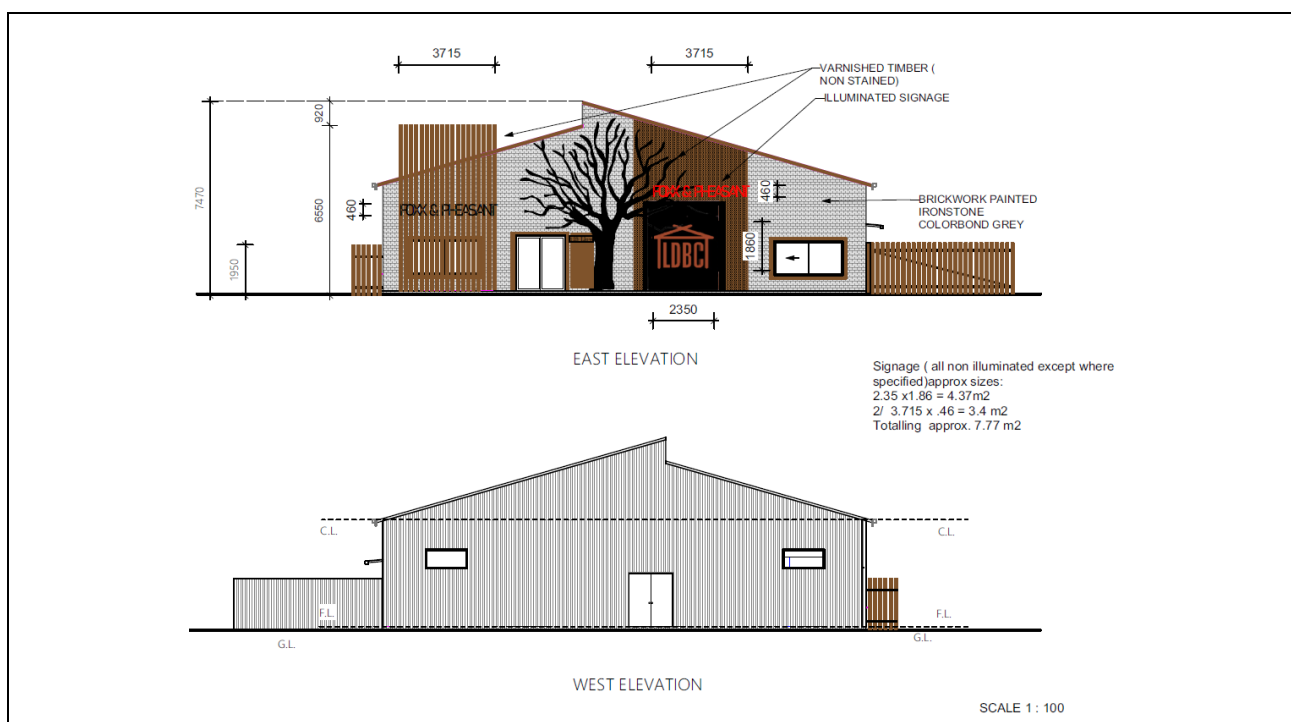
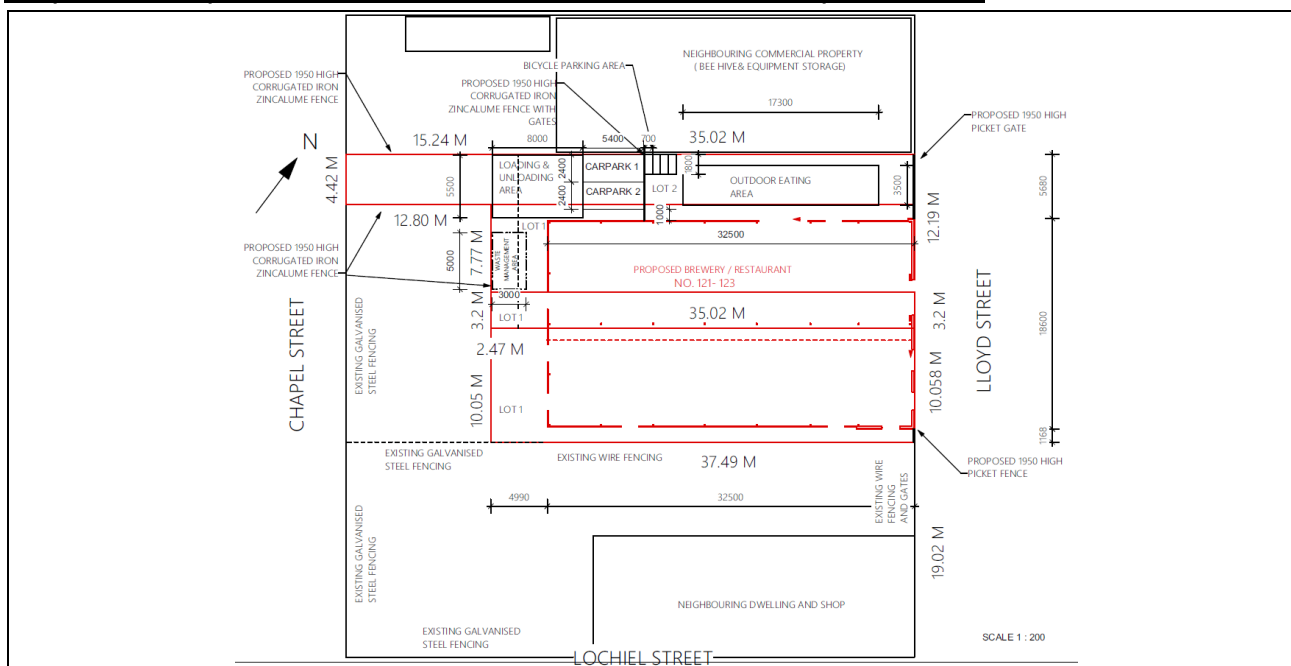
The application is supported by a Noise Impact Assessment prepared by Enfield Acoustics (the Acoustic Report) and a Transport Impact Assessment prepared by GTA consultants (Traffic Report).

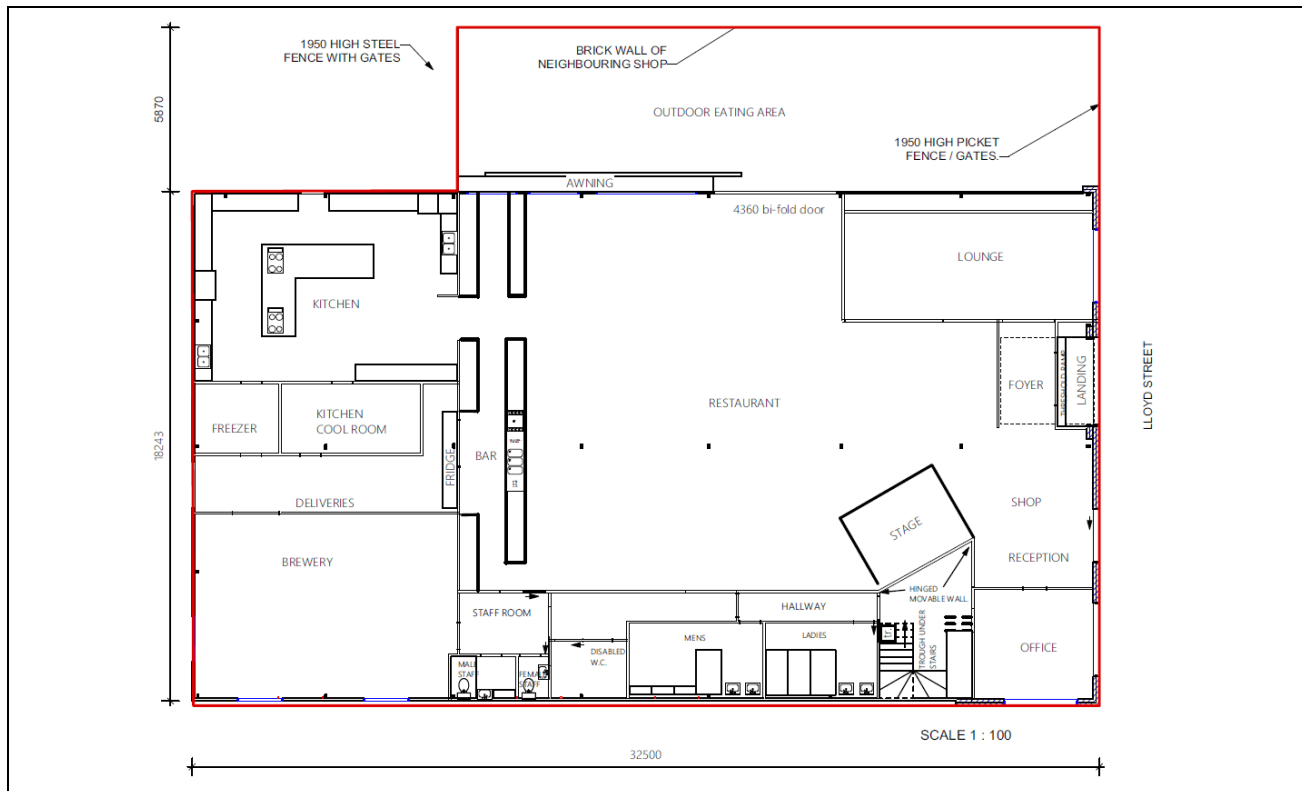
The applicant has advised that he will adopt the recommendations in the Acoustic Report that pertain to the provision of music entertainment noting that music will be limited to background music after 10pm, rather than 11pm as recommended in the Report.

The application was also supported by a Traffic Report, prepared by GTA Consultants. The report provides an assessment of the car parking and bicycle parking requirements for the proposed Bar and Brewery to accommodate up to 200 patrons at any one time. The report determined that peak traffic movements were expected to occur after the weekday afternoon peak hour period. The report also notes the reduction of car parking spaces is satisfactory from a traffic engineering perspective and the provision of bicycle parking on site is acceptable.

There is also a loading bay and waste collection facilities for storage of waste and garbage collection to be provided on the land.

Proposed site plan, east and west elevations and red line plan below:





Requirement for Permit:

The subject land is located within the Commercial 1 Zone, the Environmental Significance Overlay Schedule 6 (ESO6) and the Heritage Overlay Schedule 34 (HO34).

The planning permit requirements are listed below.

- A planning permit is required to use the land for a Brewery, which is a non-specified use in Clause 34.01-1 of the Commercial 1 Zone. The planning permit is also required to construct buildings and works (development) for the Brewery and Bar uses pursuant to Clause 34.01-4 of the Commercial 1 Zone.
- A planning permit is also required to construct fences pursuant to Clause 42.01-2 of the Environmental Significance Overlay and Schedule 6 of the Overlay.
- A planning permit is also required for demolition of part of the building, external painting, to construct buildings and works and to display signs pursuant to Clause 43.01-1 of the Heritage Overlay Schedule 34.
- A planning permit is also required to display the illuminated business identification sign pursuant to Clause 52.05-11 – Category 1 Commercial areas - Signs.
- A planning permit is also required for a reduction in the required car parking spaces pursuant to Clause 52.06-3 Car Parking.
- A planning permit is also required to use land to sell or consume liquor as the following applies:
 - A licence is required under the *Liquor Control Reform Act 1998*.

A planning permit is not required to use the land for a Bar, as this is listed under the definition of Retail Premises as a Section 1 use (Permit not required) in Clause 34.01-1 of the Commercial 1 Zone.

Restrictive Covenant or Section 173 Agreement

The subject site is not burdened by a Restrictive Covenant or Section 173 Agreement.

Cultural Heritage Management Plan (CHMP)

The proposal is exempt from requiring a CHMP as the proposal is not within land affected by Aboriginal Cultural Heritage Sensitivity pursuant to the *Aboriginal Heritage Regulations 2018*.

Subject Site and Locality

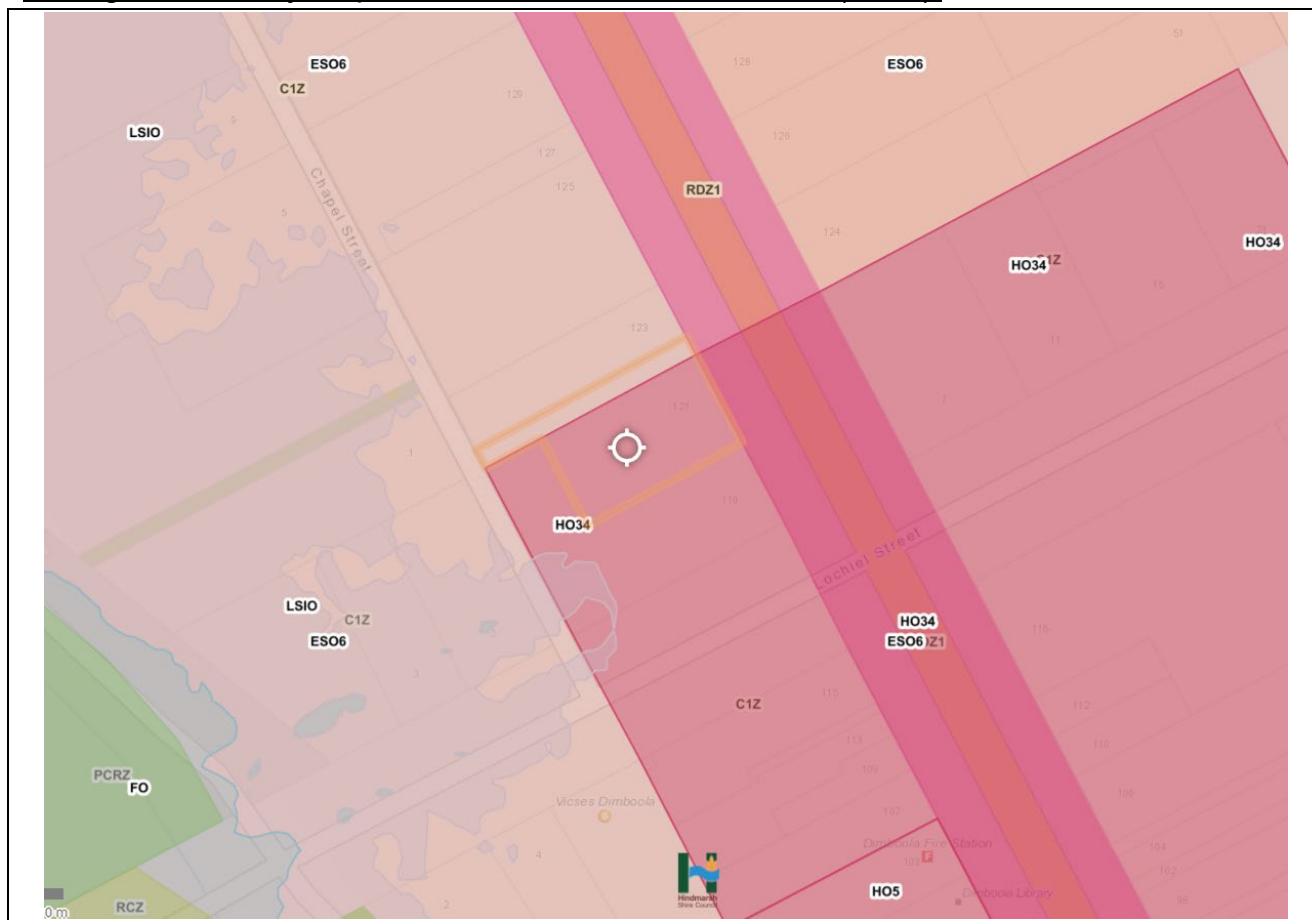
The subject site is located on the south-western side of Lloyd Street, Dimboola and is occupied by a vacant single storey building. The site is situated within the centre of the commercial area of Dimboola. The site comprises four lots known as Lots 1 and 2 on Title Plan 339644A, Lot 1 on Title Plan 242516 and Lot 1 on Title Plan 532726V. The site is within the Commercial 1 Zone, the Environmental Significance Overlay Schedule 6 (ESO6) and the Heritage Overlay Schedule 34 (HO34). It is noted that the HO34 only affects the three lots to the south and not the fourth adjoining lot to the north. The site is also identified as being within a Bushfire Prone Area.

The adjacent land to the south, north-west and east is also within the same zone and overlays. The site adjoins a Road Zone Category 1 (Western Highway) to the east, which is the main highway from Dimboola to Nhill and between Melbourne and Adelaide. The nearby land to the north-east on the opposite side of Lloyd Street is within the General Residential 1 Zone.

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



Zoning and Overlay Map of the site and surrounds below (POZI):



Advertising:

Section 52 Notice of Application

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

- Sending notices to the owners and occupiers of the adjoining land.
- Placing two public notices on the site including one public notice on site fronting Lloyd Street and one public notice fronting Chapel Street for a period of 28 days.
- Placing a public notice in The Dimboola Banner newspaper.
- The application being made available for public viewing on Council's website.

The notification has been carried out correctly by Council (letters, public notice in The Dimboola Banner newspaper and on the website) and the applicant (public notices).

A statutory declaration form has been received from the applicant to confirm the advertising signs have been erected on site for 28 days as required due to the extended timeframe over the Christmas and New Year period.

Council has not received any objections to date.

Referrals

External Referrals

Section 55

Wimmera Catchment Management Authority – No objections to the proposal and note on the permit.

Section 52

VCGLR – Response received - Does not intend to offer any comment or submission on the above application.

Dimboola Police - No response received.

Internal Referrals

The application was referred internally to the following Departments:

- Building – Comments provided that a building permit will be required for the proposed alterations and possible change of use.
- Environmental Health – Comments provided as follows:
 - Brewery must be registered with the Council under the Food Act 1984.
 - Also, if planning to cook and serve food then it must be registered under Food Act 1984.
- Heritage Adviser - Comments provided as follows:
 - 121 Lloyd Street is a post-World War II single storey cream brick building with a gabled roof forming a clerestory along the ridge line. Within the HO34 heritage precinct it may be considered a Non-contributory property (that is, it does not contribute to the heritage values of the precinct) as it is not built within the period of significance (which is c.1870 to c.1940) and the building does not display any of the architectural characteristics that are typical of the Victorian, Federation and

Interwar buildings that collectively create the distinctive historic character of the precinct.

- Because of this, the proposed new signage, painting and alterations/additions are acceptable and will not result in any heritage impacts:
 - It is a Non-contributory building and the changes will not affect any heritage place.
 - The proposed colours and materials are sympathetic to the streetscape character and will not be visually obtrusive.
 - The proposed signage is limited in size and number and does not project above the roofline.
- The proposed alterations and additions will enhance what is a rather plain building in a manner that is respectful and sympathetic to the heritage precinct.

Planning Scheme:

Municipal Planning Strategy (MPS)

Clause 02.02 Vision

Clause 02.03 Strategic Directions

Clause 02.03-1 Settlement and housing

Council's strategic directions for settlement includes to:

- *Promote and enhance the role of Dimboola as a key service and tourist centre in the Shire.*

Clause 02.03-5 Building Environment and heritage

Council's strategic directions for built environment and heritage includes the need to:

- *Promote urban design and architecture that reflects the characteristics, aspirations and cultural identity of the community.*
- *Protect those places in Hindmarsh Shire that are of historic and cultural significance.*

Clause 02.03-6 Economic Development

Council's strategic directions for economic development include to:

- *Facilitate increased employment opportunities within and adjacent to the towns.*

Clause 02.03-8 Infrastructure

Clause 02.04 Strategic Framework Plans

Dimboola Framework Plan

Planning Policy Framework (PPF)

Clause 11.01-1S Settlement

Clause 11.01-1R Settlement- Wimmera Southern Mallee

Clause 13.05-1S Noise abatement

Clause 13.07-1S Land use compatibility

Clause 13.07-3S Live music

Clause 14.02-1S Catchment planning and management

Clause 15.01-2S Building Design

Clause 15.01-5S Neighbourhood character

Clause 15.03-1S Heritage conservation

Clause 17.01-1S Diversified economy

Clause 17.01-1R Diversified economy - Wimmera Southern Mallee
Clause 17.02-1S Business
Clause 17.04-1S Facilitating tourism
Clause 17.04-1R Tourism - Wimmera Southern Mallee
Clause 18.02-4S Car Parking
Clause 19.03-2S Infrastructure design and provision
Clause 19.03-3S Integrated water management

Planning Response:

The proposal is supported by the relevant planning policies in the MPS and PPF relating to Settlement, Built Environment, Economic Development, Transport and Infrastructure.

The proposal will enable the redevelopment of the site for a commercial business that will revitalise this commercial area and will encourage tourism and economic development and employment opportunities. The proposal is consistent with the Municipal Planning Strategy including Clauses 02.03-5 and 02.03-6.

The potential noise and other amenity impacts from live music and patrons consuming liquor will be managed by conditions to protect the closest residential uses and to comply with Clauses 13.05-1S, 13.07-1S and 13.07-3S. The proposal will not adversely affect the water catchment to comply with Clause 14.02-1S. The proposed development will enhance and protect the built form and will not adversely impact on the heritage character and amenity of the area to comply with Clauses 15.01-2S, 15.05-1S and 15.03-1S. The proposal will provide economic opportunities for the proposed business and encourage tourism within Dimboola in accordance with Clauses 17.01-1S, 17.01-1R, 17.02-1S, 17.04-1S and 17.04-1R. There will be two spaces for staff on the site and adequate space for on-street parking for the proposed uses and the infrastructure required will be managed by conditions to comply with Clauses 18.02-4, 19.03-2s and 19.03-3S.

Clause 34.01 – Commercial 1 Zone

34.01-1 Table of uses

- Bar – Section 1 – Permit not required – nested under Retail Premises (other than Shop)
- Brewery - Section 2 – Permit required – non-specified use

34.01-4 Buildings and works

A permit is required to construct buildings and works.

34.01-8 Decision guidelines

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

Planning Response:

The re-development of the site will enhance the existing built form and scale of this vacant commercial building and will respect the commercial, nearby residential and heritage

character of the area. The proposal will result in a vibrant retail use that complements the role and scale of the commercial centre. The hours of operation for the brewery liquor licence (Producer's Licence) will be restricted to between 7.00am to 11.00pm Sunday to Tuesday and 7.00am to 1.00am Wednesday to Saturday, which will ensure the use does not adversely impact on the adjoining residential uses.

Conditions will be required to control the hours of operation/licensed hours and the maximum number of patrons on the site. The proposal will therefore be consistent with the objectives and decision guidelines of the Commercial 1 Zone subject to conditions.

Clause 42.01 Environmental Significance Overlay

42.01-2 Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.

42.01-5 Decision guidelines

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

Schedule 6 to the ESO – Catchments of Wetlands Conservation Value

3.0 Permit requirement (relevant to application)

A permit is required for:

- Construction of a fence that may obstruct the flow of water.

A permit is not required for:

- Construction of a building

5.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Incorporated Document titled *Shire of Hindmarsh, Wetlands and Catchments of Conservation Value (WCMA 2007) Decision Guidelines*.

Planning Response:

The proposed picket fence along part of the front boundary will have physical spacing in between the wooden pickets and there will be minimal risk of obstruction of the flow of water. The timber fences along part of the side boundaries may reduce the flow of water, but this will not adversely impact on the flow of water into the water catchment within the area.

The Wimmera CMA has also advised they have no objections to the proposal.

The proposal therefore complies with the decision guidelines of the Environmental Significance Overlay and the decision guidelines in Schedule 6 of the Overlay.

Clause 43.01 Heritage Overlay

43.01-1 Permit requirement

A permit is required to:

- Demolish or remove a building.
- Construct a building or construct or carry out works, including
- A fence, if the fence is visible from a street (other than a lane) or public park
- Externally alter a building by structural work, rendering, sandblasting or in any other way.
- Construct or display a sign.
- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.
- Externally paint an unpainted surface.
- Externally paint a building if the painting constitutes an advertisement.

43.01-8 Decision guidelines

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

Schedule 34 of the Heritage Overlay - Dimboola Town Centre Heritage Precinct

- External paint controls apply.
- No internal alteration controls apply.
- No tree controls apply.

Planning Response:

The proposal will enhance the appearance of the existing building. The demolition of some windows and doors is reasonable to allow the proposed alterations and additions to be constructed. Council's Heritage Adviser has advised that the proposed new signage, painting and alterations/additions will not result in any heritage impacts and are acceptable. The Heritage Adviser has also noted that the proposed alterations and additions will enhance what is a rather plain building in a manner that is respectful and sympathetic to the heritage precinct.

The proposal will comply with the relevant decision guidelines of the Heritage Overlay Schedule 34 for the Dimboola Town Centre Heritage Precinct.

Particular Provisions

Clause 52.05 Signs

52.05-8 Decision guidelines

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

52.05-11 Category 1 – Commercial areas

Minimum limitation

Section 1 - Permit not required

A Business Identification Sign is a Section 1-Permit not required sign if the following condition is met.

- The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.

An Internally Illuminated Sign is a Section 1-Permit not required sign if the following condition is met.

- The total display area to each premises must not exceed 1.5 sqm. No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.

Section 2 – Permit required

Any sign not in Section 1.

Planning Response:

- The two non-illuminated business identification signs do not require a permit as they are less than 8m² in total area.
- The illuminated sign requires a permit as it is 1.7m² and exceeds 1.5m² in area.
- The proposed signs will provide reasonable identification of the uses on the land and will respect the character and advertising themes in the area in a manner that does not impact on views from the public realm.
- The proposed signs will be in proportion, scale and form to the streetscape, the commercial setting and the surrounding landscape and will not cause visual clutter.
- The one illuminated sign will be located on the front wall of the building and will not impact on the safety of pedestrians, vehicles and the amenity of the area.
- The proposed signage package will comply with the relevant decision guidelines in Clause 52.05-8.

Clause 52.06 Car Parking

52.06-3 Permit requirement

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

52.06-5 Number of carparking spaces required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

Table 1: Carparking requirement

- Bar = 0.4 car spaces to each patron permitted

52.06-6 Number of car parking spaces required for other uses

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority.

52.06-10 Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, relevant matters, as appropriate.

Planning Response:

The submitted plans show the provision of two (2) staff car parking spaces on the site.

A total of 80 car spaces are required for the maximum of 200 patrons for the Bar. Therefore, a reduction of 78 car spaces for the required number of car parking spaces has been sought under Clause 52.06-3. The provision of car parking for the Brewery use must be to the satisfaction of Council under Clause 52.06-6.

The allocation of two (2) car parking spaces on the site for staff will reduce the likely demand from staff to park directly in front of the site. There is adequate parking on the street that would be available at peak demand times after standard business hours to accommodate the likely demand for parking for patrons. There is also likely to be multi-purpose trips by patrons visiting the site who may be visitors to other retail and commercial premises within walking distance of the site.

The proposed reduction in car parking spaces required is acceptable and the proposal complies with this Clause.

Clause 52.27 Licensed Premises

Permit required (relevant to the application)

A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the *Liquor Control Reform Act 1998*.

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.
- The impact of the hours of operation on the amenity of the surrounding area.
- The impact of the number of patrons on the amenity of the surrounding area.
- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

Planning Response:

- There is no Section 55 Referral required under Clause 66 of the Scheme as the proposed hours will not extend past 1am.
- The proposal complies with Municipal Planning Strategy and the Planning Policy Framework as discussed above.
- The sale or consumption of liquor permitted by the Producer's liquor licence will not adversely impact on the amenity of the surrounding commercial area and conditions are required to manage any potential noise issues that may impact on the nearby residential uses within the Commercial 1 Zone and the General Residential Zone.
- The proposed number of patrons (200) to be sold liquor on the site and for consumption of liquor produced on the site is reasonable in this commercial location and the number of patrons will be limited by a condition.
- There will be no cumulative impacts from proposed licensed premises and the nearby existing licensed premises on the amenity of the surrounding area.

Clause 52.34 Bicycle Parking

52.34-1 Provision of bicycle facilities

A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land

52.34-5 Required bicycle facilities

- Retail premises other than specified in this table = 1 to each 300 sq m of leasable floor area for employee/resident and 1 to each 500 sq m of leasable floor area for visitor/shopper/student.

Planning Response:

The requirement for bicycle parking is three (3) spaces for staff and one (1) space for patrons which is a total of four (4) spaces.

The provision of four (4) bicycle parking spaces on the site therefore complies with this Clause.

Clause 53.06 Live Music Entertainment Venues

53.06-3 Requirements to be met

A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

53.06-5 Decision guidelines

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

- The extent to which the siting, layout, design and construction minimise the potential for noise impacts.
- Whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.
- Whether the proposal adversely affects any existing uses.
- The social and economic significance of an existing live music entertainment venue.

- The impact of the proposal on the functioning of live music venues.

Planning Response:

The Acoustic Report details measures required to minimise noise impacts to sensitive uses to ensure that there will be no adverse impacts associated with the use of the land. The Acoustic Report recommended the following conditions should apply to the permit:

1. The use and operation shall at all times comply with the EP Regulations 2021 and Publication 1826 (Noise Protocol).
2. Music noise would need to be limited to background music after 11pm (and 10pm Sunday).
3. Live entertainment and elevated program music amplification above background:
 - a) Should cease by 11pm (and 10pm Sunday)
 - b) Should be managed using an in-house amplification system, and restricted to amplified acoustic music (i.e. without drums, amplified bass guitar, etc).
4. Mechanical plant should be reviewed by a suitably qualified acoustic consultant during later phases of the project once plant schedules and equipment have been finalised to mitigate risk of non-compliance, in particular refrigeration plant.

Later discussions with the Applicant have resulted in a proposal to limit music noise to background music after 10pm, rather than 11pm.

Conditions will be required to manage noise levels generated by the use and to restrict amplified live music.

The proposal will comply with the decision guidelines of this Clause subject to conditions.

General Provisions

Clause 65 - Decision Guidelines

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

Clause 65.01 Approval of an application or plan

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

Planning Response:

The proposal complies with the Municipal Planning Strategy and Planning Policy Framework, having regard to the economic benefit the proposal will allowing a vacant commercial building to be occupied by a business that will attract locals and tourists to the region. The hours of operation and noise levels will be managed by conditions. The proposal will not impact on the amenity of the area and will facilitate the orderly planning of the area to comply with this Clause.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the Municipal Planning Strategy and Planning Policy Framework, the Commercial 1 Zone, the Environmental Significance Overlay Schedule 6, the Heritage Overlay Schedule 34, Clause 52.05, Clause 52.06, Clause 52.27, Clause 53.06 and Clause 65 of the Hindmarsh Planning Scheme.

Report to Council:

The Manager of Development advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

Processing Times:

27/09/2021 Application lodged
12/10/2021 Application fee paid
25/10/2021 Further information requested
22/11/2021 Response to further information and amended application and amended plans received pursuant to Section 50 of the *Planning and Environment Act 1987*
13/12/2021 Public Notice instructions sent to applicant
13/12/2021 Public notification commenced – letters sent
13/12/2021 External referrals to VCGLR and Police sent and Internal referrals to Infrastructure, Environmental Health, Building and Heritage Adviser sent.
14/12/2021 Public notices (signs) erected on site by the applicant
14/01/2022 External referrals and internal referrals all received
21/01/2022 Statutory declaration for the advertising received from the applicant
02/02/2022 Presented to Council for approval

The report is being presented to Council for approval at the meeting held 02 February 2022 (33 statutory days).

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

Link to Council Plan:

Facilitating and supporting economic development.

Develop and promote local tourism opportunities that attract visitation.

Financial Implications:

The proposal will have positive financial implications through the commencement of a new business and potential to attract visitors to Dimboola.

Risk Management Implications:

There are no risks to be managed by Council, except if the planning permit is not approved, Council could be seen to be restricting business opportunities within the municipality.

Conflict of Interest:

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

Officer Responsible – Angela Hoy, Director Infrastructure Services

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

Author – Bernadine Pringle, Consultant Town Planner

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

Communications Strategy:

Advise the applicant of the Council's decision.

Next Steps:

Issue a Planning Permit and endorse the plans if approved by Council

RECOMMENDATION:

That Planning Permit PA1750-2021 be approved, for Use and development for a Brewery and development for a Bar, construct fences, demolition of part of the building and external painting, the display of signs, a reduction in the required car parking spaces and use of the land to sell and consume liquor, at 121 Lloyd Street Dimboola VIC 3414 (Lots 1 & 2 on TP339644A, Lot 1 on TP242516 and Lot 1 on TP532726V), subject to the following conditions:

Endorsed Plans

- 1. The use 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.*

Hours of Operation

- 2. The use and the production, sale and consumption of liquor must not occur outside the following hours:*
 - Sunday: between 10.00am - 11.00pm.*
 - Good Friday: between 12.00noon - 11.00pm.*
 - ANZAC Day: between 12.00noon - 11.00pm (or 1:00am the following day where Anzac Day is Wednesday to Saturday).*
 - Monday and Tuesday: between 7.00am - 11.00pm.*
 - Any other day, being Wednesday to Saturday and including New Year's Eve/New Year's Day also if on a Sunday, Monday or Tuesday: between 7.00am - 1.00am the following day.*

Unless otherwise approved in writing by the Responsible Authority.

Maximum Patrons

- 3. No more than 200 patrons may be present on the premises at any one time, unless otherwise approved in writing by the Responsible Authority.*

General Requirements

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

Amenity

6. *The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:*
 - a) *Transport of materials, goods or commodities to or from the land.*
 - b) *Appearance of any building, works or materials.*
 - c) *Artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*
 - d) *Presence of vermin.*
7. *The use for the production, sale and consumption of liquor approved by this permit is to be managed so that the amenity of the area is not detrimentally affected, to the satisfaction of the Responsible Authority.*
8. *The owner/operator must take all responsible measures to ensure that patrons consuming alcohol remain within the licensed area, so as not to breach conditions of the liquor licence, and that patrons' behaviour is acceptable, so as not to create a nuisance to pedestrians or road users, all to the satisfaction of the Responsible Authority.*
9. *The owner/operator must take all responsible measures to ensure that any organised groups, particularly any groups arriving or departing by bus, are appropriately managed to ensure no detrimental amenity impacts or nuisance to the surrounding area, all to the satisfaction of the Responsible Authority.*
10. *The use and operation must at all times comply with the with the relevant Environment Protection Regulations 2021, the Environment Protection Act 2017 and the 'Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment values' Publication 1826.4 dated 20 May 2021 or any relevant alternative, to the satisfaction of the Responsible Authority.*
11. *Music noise must be limited to background music after 10.00pm, to the satisfaction of the Responsible Authority.*
12. *Live entertainment and elevated program music amplification above background must comply with the following:*
 - a) *Cease by 10.00pm Monday to Sunday.*
 - b) *Be managed using an in-house amplification system, and restricted to amplified acoustic music (i.e. without drums, amplified bass guitar, etc).*
13. *Before the use commences, the mechanical plant must reviewed by a suitably qualified acoustic consultant during later phases of the project once plant schedules and equipment have been finalised to mitigate risk of non-compliance, in particular refrigeration plant, and a written assessment must be submitted to confirm compliance to the satisfaction of the Responsible Authority.*

- 14. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.**
- 15. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.**

Access:

- 16. Before the development commences for the removal, repair and reinstatement the access / Crossovers and kerb and channel, a consent to works within road reserve permission must be issued by the Responsible Authority.**
- 17. Before the use commences, the existing access / crossover at the main entrance (roller door) of the premise must be removed and the kerb and channel reinstated to the satisfaction of the Responsible Authority.**
- 18. Before the use commences, the existing access / crossover at the proposed picket fence must be repaired and kerb and channel, together with one concrete panel on the left side of crossover must be reinstated to the satisfaction of the Responsible Authority.**

Car Parking and Bicycle Parking:

- 19. Before the use commences, two (2) car parking spaces and four (4) bicycle parking spaces must be constructed on site in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.**
- 20. Before the use commences, new car parking bay line marking and signage must be installed at the front of the site at the applicant/permit holder's expense, with the size and alignment of bays to be determined by and approved to the satisfaction of the Responsible Authority.**
- 21. Car spaces and parking areas, access lanes and driveways must be maintained in a good condition and must remain unobstructed and available for their intended use at all times, to the satisfaction of the Responsible Authority.**

Drainage

- 22. Before the use commences, the existing Legal Point of Discharge at the proposed picket fence and the left side of crossover must be repaired and reinstated at the applicant/permit holder's expense to the satisfaction of the Responsible Authority.**
- 23. Stormwater drainage must be constructed and connected the Legal Point of Discharge to the satisfaction of the Responsible Authority.**

Tree Removal:

- 24. No tree removal is permitted without the written consent of the Responsible Authority.**

Permit Expiry – Use and Development

- 25. This permit will expire if one of the following circumstances applies:**
 - a) The development is not started within two years of the date of this permit.**

- b) The development is not completed within four years of the date of this permit.*
- c) The use is not started within four years of the date of this permit.*

In accordance with Section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

Notes:

Planning

- *A copy of this permit and endorsed plans must be provided to all builders and contractors who are to work on site, so they are aware of the conditions to which this approval applies.*

Engineering

- *A Consent to Works Within Road Reserve Permit must be obtained from Council's Engineering Department (Phone: 03 5391 4444) for the construction or alteration of any vehicle crossovers prior to the construction of each crossover.*
- *Standard designs / drawings of vehicle crossovers can be obtained from Council's Engineering Department.*
- *The Legal Point of Discharge (LPD) is to the kerb and channel to the left side of the crossover which must be repaired and reinstated along the Lloyd Street road reserve.*

Environmental Health

- *The Brewery must be registered with the Council under the Food Act 1984.*
- *If planning to cook and serve food, then it must be registered under Food Act 1984.*

Building

- *A building permit will be required for the proposed alterations and possible change of use.*
- *This permit is not a Building Permit. A Building Permit is required for the proposal. Please consult a Building Surveyor and ensure a Building Permit is obtained before any works commence.*

Wimmera Catchment Management Authority

- *The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent, than the 1% AEP flood, may occur in the future.*

MOVED: CRS R Ismay/W Bywaters

That Planning Permit PA1750-2021 be approved, for Use and development for a Brewery and development for a Bar, construct fences, demolition of part of the

building and external painting, the display of signs, a reduction in the required car parking spaces and use of the land to sell and consume liquor, at 121 Lloyd Street Dimboola VIC 3414 (Lots 1 & 2 on TP339644A, Lot 1 on TP242516 and Lot 1 on TP532726V), subject to the following conditions:

Endorsed Plans

- 1. The use 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.**

Hours of Operation

- 2. The use and the production, sale and consumption of liquor must not occur outside the following hours:**
 - **Sunday: between 10.00am - 11.00pm.**
 - **Good Friday: between 12.00noon - 11.00pm.**
 - **ANZAC Day: between 12.00noon - 11.00pm (or 1:00am the following day where Anzac Day is Wednesday to Saturday).**
 - **Monday and Tuesday: between 7.00am - 11.00pm.**
 - **Any other day, being Wednesday to Saturday and including New Year's Eve/New Year's Day also if on a Sunday, Monday or Tuesday: between 7.00am - 1.00am the following day.**

Unless otherwise approved in writing by the Responsible Authority.

Maximum Patrons

- 3. No more than 200 patrons may be present on the premises at any one time, unless otherwise approved in writing by the Responsible Authority.**

General Requirements

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

Amenity

- 6. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:**
 - a) Transport of materials, goods or commodities to or from the land.**
 - b) Appearance of any building, works or materials.**
 - c) Artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.**
 - d) Presence of vermin.**
- 7. The use for the production, sale and consumption of liquor approved by this**

permit is to be managed so that the amenity of the area is not detrimentally affected, to the satisfaction of the Responsible Authority.

- 8. The owner/operator must take all responsible measures to ensure that patrons consuming alcohol remain within the licensed area, so as not to breach conditions of the liquor licence, and that patrons' behaviour is acceptable, so as not to create a nuisance to pedestrians or road users, all to the satisfaction of the Responsible Authority.*
- 9. The owner/operator must take all responsible measures to ensure that any organised groups, particularly any groups arriving or departing by bus, are appropriately managed to ensure no detrimental amenity impacts or nuisance to the surrounding area, all to the satisfaction of the Responsible Authority.*
- 10. The use and operation must at all times comply with the with the relevant Environment Protection Regulations 2021, the Environment Protection Act 2017 and the 'Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment values' Publication 1826.4 dated 20 May 2021 or any relevant alternative, to the satisfaction of the Responsible Authority.*
- 11. Music noise must be limited to background music after 10.00pm, to the satisfaction of the Responsible Authority.*
- 12. Live entertainment and elevated program music amplification above background must comply with the following:*
 - a) Cease by 10.00pm Monday to Sunday.*
 - b) Be managed using an in-house amplification system, and restricted to amplified acoustic music (i.e. without drums, amplified bass guitar, etc).*
- 13. Before the use commences, the mechanical plant must reviewed by a suitably qualified acoustic consultant during later phases of the project once plant schedules and equipment have been finalised to mitigate risk of non-compliance, in particular refrigeration plant, and a written assessment must be submitted to confirm compliance to the satisfaction of the Responsible Authority.*
- 14. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.*
- 15. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.*

Access:

- 16. Before the development commences for the removal, repair and reinstatement the access / Crossovers and kerb and channel, a consent to works within road reserve permission must be issued by the Responsible Authority.*
- 17. Before the use commences, the existing access / crossover at the main entrance (roller door) of the premise must be removed and the kerb and channel reinstated to the satisfaction of the Responsible Authority.*
- 18. Before the use commences, the existing access / crossover at the proposed picket fence must be repaired and kerb and channel, together with one concrete panel on the left side of crossover must be reinstated to the satisfaction of the*

Responsible Authority.

Car Parking and Bicycle Parking:

- 19. Before the use commences, two (2) car parking spaces and four (4) bicycle parking spaces must be constructed on site in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.***
- 20. Before the use commences, new car parking bay line marking and signage must be installed at the front of the site at the applicant/permit holder's expense, with the size and alignment of bays to be determined by and approved to the satisfaction of the Responsible Authority.***
- 21. Car spaces and parking areas, access lanes and driveways must be maintained in a good condition and must remain unobstructed and available for their intended use at all times, to the satisfaction of the Responsible Authority.***

Drainage

- 22. Before the use commences, the existing Legal Point of Discharge at the proposed picket fence and the left side of crossover must be repaired and reinstated at the applicant/permit holder's expense to the satisfaction of the Responsible Authority.***
- 23. Stormwater drainage must be constructed and connected the Legal Point of Discharge to the satisfaction of the Responsible Authority.***

Tree Removal:

- 24. No tree removal is permitted without the written consent of the Responsible Authority.***

Permit Expiry – Use and Development

- 25. This permit will expire if one of the following circumstances applies:***
 - a) The development is not started within two years of the date of this permit.***
 - b) The development is not completed within four years of the date of this permit.***
 - c) The use is not started within four years of the date of this permit.***

In accordance with Section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

Notes:

Planning

- A copy of this permit and endorsed plans must be provided to all builders and contractors who are to work on site, so they are aware of the conditions to which this approval applies.***

Engineering

- *A Consent to Works Within Road Reserve Permit must be obtained from Council's Engineering Department (Phone: 03 5391 4444) for the construction or alteration of any vehicle crossovers prior to the construction of each crossover.*
- *Standard designs / drawings of vehicle crossovers can be obtained from Council's Engineering Department.*
- *The Legal Point of Discharge (LPD) is to the kerb and channel to the left side of the crossover which must be repaired and reinstated along the Lloyd Street road reserve.*

Environmental Health

- *The Brewery must be registered with the Council under the Food Act 1984.*
- *If planning to cook and serve food, then it must be registered under Food Act 1984.*

Building

- *A building permit will be required for the proposed alterations and possible change of use.*
- *This permit is not a Building Permit. A Building Permit is required for the proposal. Please consult a Building Surveyor and ensure a Building Permit is obtained before any works commence.*

Wimmera Catchment Management Authority

- *The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent, than the 1% AEP flood, may occur in the future.*

CARRIED

Attachment Number: 5

Cr W Bywaters declared a general conflict of interest and left the meeting at 3:27pm.

8.3 APPLICATION TO AMEND PLANNING PERMIT PA0039-1999 - AMEND ENDORSED PLANS TO ALLOW ADDITIONAL DUCK SHEDS AND AMEND CONDITIONS TO REFLECT WORKS – 142 DRAPERS ROAD NHILL VIC 3418

Responsible Officer:	Director Infrastructure Services
File:	Planning – Applications
Assessment:	200136
Application Number:	PA0039-1999
Application Received:	4 September 2021 (Fee paid 9 September 2021)
Applicant:	Mr Sonny Hoang - Scolexia Pty Ltd
Owner:	Rosina Fine Foods Pty Ltd
Subject Land:	142 Drapers Road Nhill VIC 3418 (Lot 1 PS 432916L Parish of Winiam)

Proposal: Amend endorsed plans to allow additional duck sheds and amend conditions to reflect works

Zoning & Overlays: Farming Zone (FZ)
Bushfire Management Overlay (BMO) – does not apply to development area

Attachment Numbers: 6 – 8

Summary:

This report recommends that Council issue a Notice of Decision to Amend Planning Permit PA0039-1999 to amend the endorsed plans to allow additional duck sheds and conditions on the subject land known as 142 Drapers Road, Nhill VIC 3418 Lot 1 PS432916L Parish of Winiam).

Background:

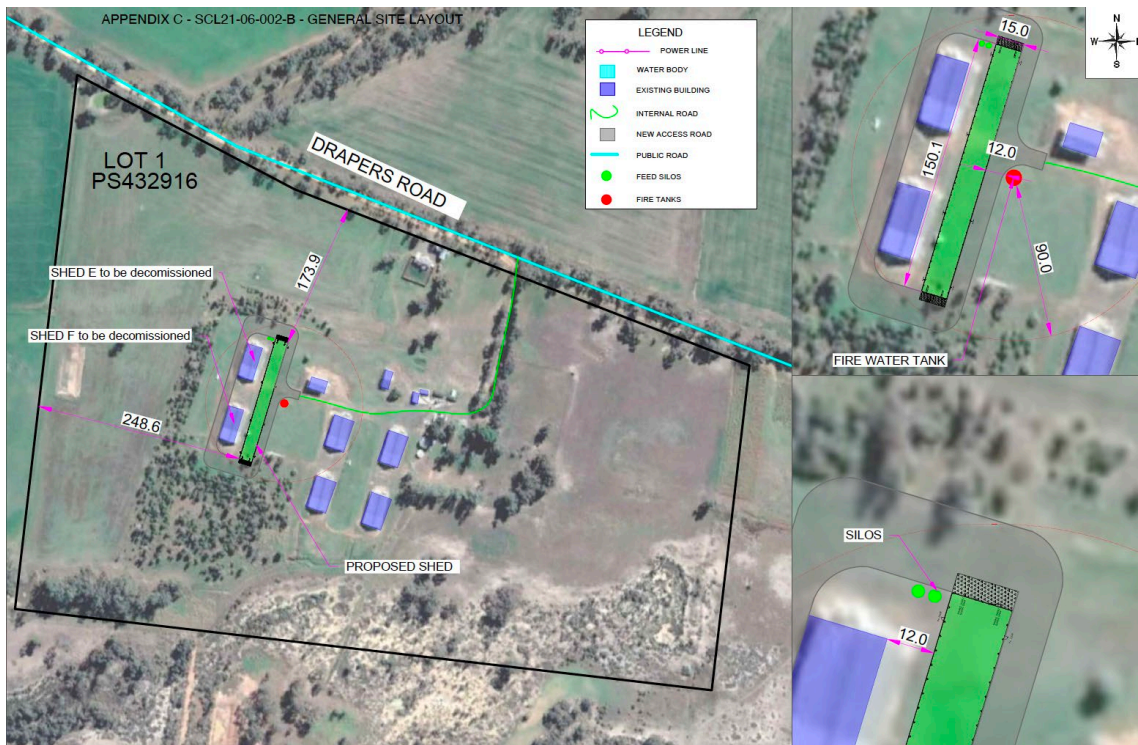
On 4 September 2021, Scolexia Pty Ltd on behalf of Luv-a-Duck lodged a planning application to the Responsible Authority to amend Planning Permit PA0039-1999, seeking to develop a new duck shed and decommission 2 existing duck sheds on the land. This application was originally lodged as a new permit application (PA1735-2021), but was withdrawn and pursued as the current amendment application to ensure that approvals were consistent on the land.

Proposal Details:

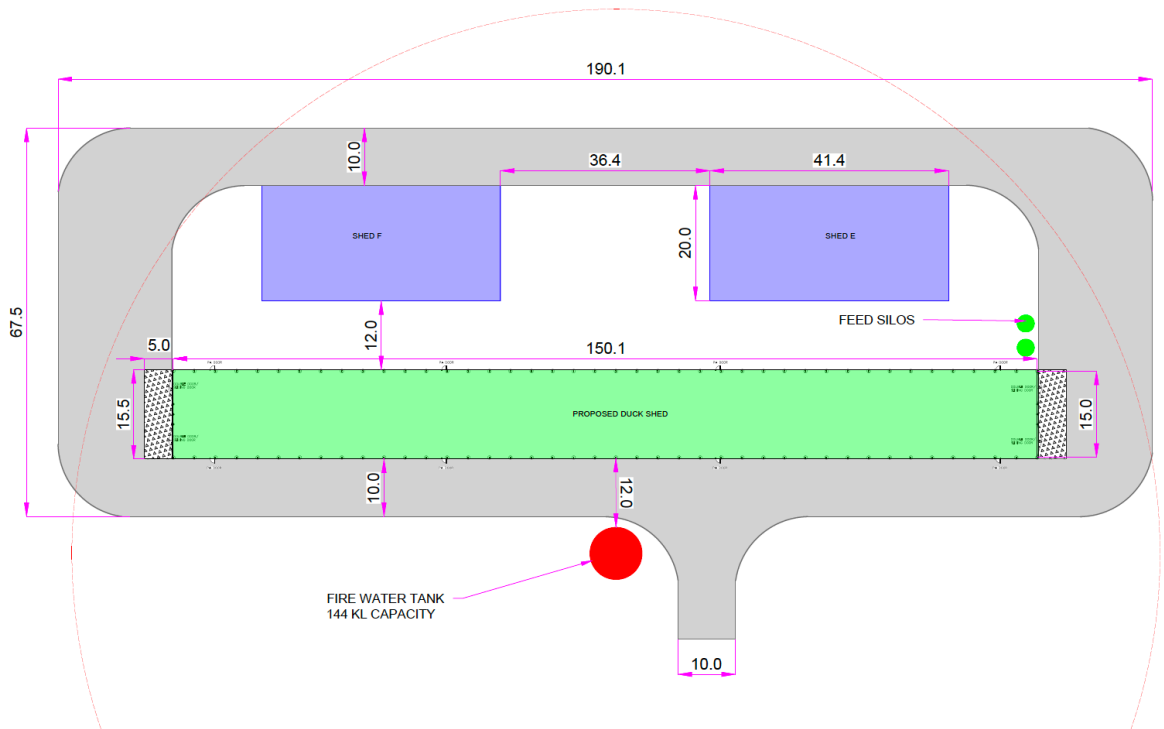
The permit applicant, Scolexia Pty Ltd seeks approval to amend Planning Permit PA0039-1999, so as to permit the development of a new duck shed with dimensions of 150.1 metres x 15.5 metres on the land (total floor area of approximately 2,326 square metres). Decommissioning of two (2) sheds to the west of the new building is proposed, by way of conversion into machinery/storage sheds. Each of the 6 existing sheds houses 3,000 ducks for a total of 18,000; with the new shed total stocking numbers are proposed to be 20,000. As part of the amendment, consequential changes to the existing permit conditions will be required.

Plans of the proposed works are provided below:

Site Plan

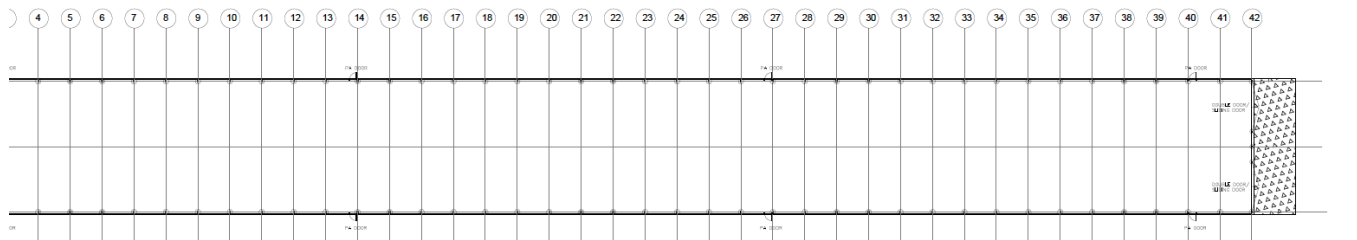
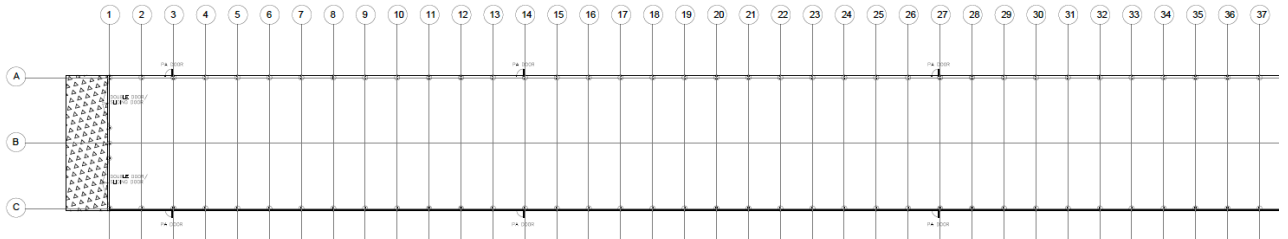
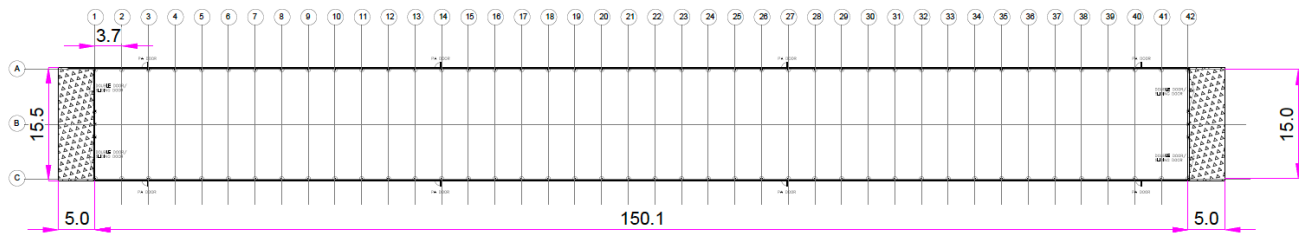


Layout Plan



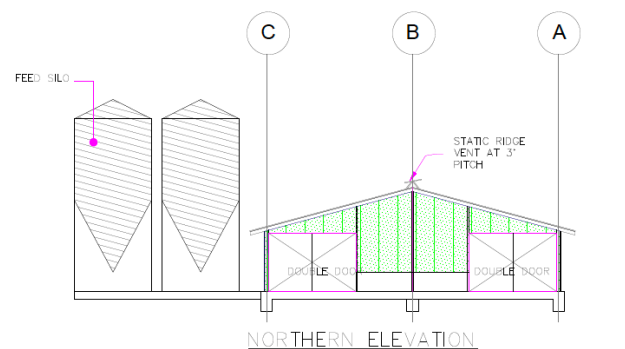
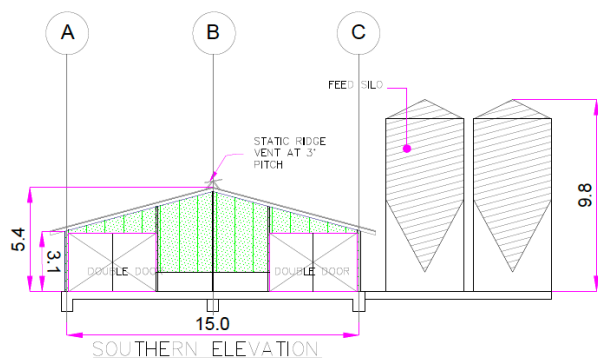
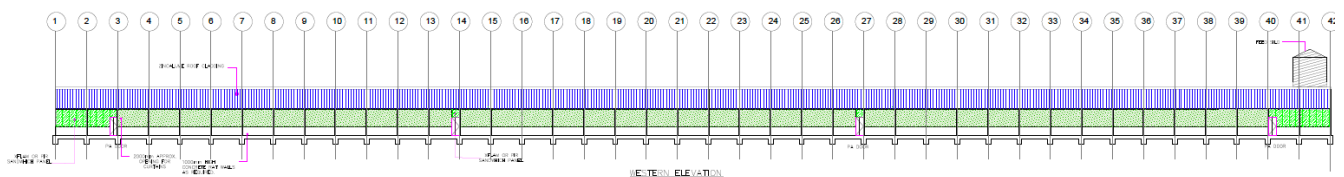
Floor Plan

APPENDIX E - SCL21-06-004-B - FLOOR PLAN



Elevation Plan

APPENDIX F - SCL21-06-005-B - ELEVATION PLAN



Requirement for Permit:

A Planning Permit is required under the following clauses of the Hindmarsh Planning Scheme:

- Clause 35.07-4 (Farming Zone) – A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 35.07-1.

Definitions:

Poultry Farm – *Land used to keep or breed poultry.*

Restrictive Covenant or Section 173 Agreement:

The subject site is not affected by any Covenants or Section 173 Agreements.

Cultural Heritage Management Plan (CHMP):

The proposal is exempt from requiring a CHMP pursuant to the *Aboriginal Heritage Regulations 2018*, as the proposal is in association with an activity that was lawfully occurring on the land before 28 May 2007, and the works are not located in an area of Aboriginal Cultural Heritage Sensitivity.

Subject site & locality:

The subject site is known as 142 Drapers Road Nhill (Lot 1 PS432916L Parish of Winiam), which comprises a single title of 41.67 hectares. The land is generally flat, with minimal fall across the site. The land is currently improved by the existing Luv-a-Duck facilities on the land, and takes the benefit of Planning Permit PA0039-1999, which allows the use of the land for a poultry farm with a capacity of up to 24,000 birds.

The subject site adjoins farming zoned land in all directions. Surrounding land holdings are typically (but not exclusively) used for agricultural production, with the majority of holdings comprising broadacre farming activities. To the south of the land are stands of remnant native vegetation, with the Little Desert National Park located approximately 1.4km south of the subject land.

Heavy vehicle access to the land is provided via Drapers Road, L Creek Road and Winiam East Road to the Western Highway.

The site appears to have access to reticulated power, telecommunications, but not water and sewer.

Aerial Map below – Hindmarsh POZI (2016)



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



Section 52 Notice of Application

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

- Letters to adjoining and nearby property owners; and
- A notice in the 'Nhill Free Press'

One (1) objection and one (1) submission has been received to the application. The objection raises the following concerns:

- Existing non-compliances with the site;
- Increase in duck numbers will adversely affect the amenity of the surrounding area from noise, odour, dust and glare from roofing;
- Lack of information about compliance with EPA Regulations/Environment Protection Act;
- Decommissioning of sheds may result in them being reinstated in future;
- Impacts to Creek Road and Drapers Road; and
- Inaccuracies in application documents.

These concerns will be discussed further in this assessment.

The submission relates to traffic impacts and road quality – not a formal objection.

Referrals:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	
No Section 55 referrals were required for this application.	

Section 52 and Internal Notices	
Engineering	No additional Engineering requirements needed. Previous Engineering conditions have been met. Satisfactory Traffic Impact Assessment Report (TIAR) received 22/08/2019 thereby meeting Condition 12 of the Amended Planning Permit.
Environmental Health	No specific conditions from EHO perspective as general amenity and environment already covered in permit conditions.

Planning Assessment:

Planning Scheme Requirements:

Planning Policy Framework:

Clause 11.01-1L Settlement – Hindmarsh

Clause 14.01-1S Protection of agricultural land

Clause 14.01-2S Sustainable agricultural land use

Clause 14.01-2R Agricultural productivity – Wimmera Southern Mallee

Zoning Provisions:

Clause 35.07 – Farming Zone (FZ)

35.07-4 Buildings and works

A permit is required to construct a building or construct or carry out works associated with a use in Section 2 of Clause 35.07-1.

Planning Response:

The proposal represents an amendment to an existing permit that authorises the use of the land for a Poultry Farm, with capacity for up to 24,000 ducks. In this context, the assessment required to be undertaken by Council is limited only to the amendments sought; which are to develop a single new duck shed associated with the approved use. No modification to the capacity numbers of the permit are required, and as such questions relating to the overall intensity of the use are not relevant to the assessment of the application.

The proposed works will support agricultural use of the subject land, by facilitating modern duck shedding to be developed on the land in an existing cleared area, with no conflict between agricultural values and natural systems values. The works will not limit agricultural production on adjoining or nearby properties. The works are well setback from waterways and remnant native vegetation, with eleven small trees required to be removed (which is exempt under the provisions of Clause 52.17-7).

The built form of the development appears commensurate with typical agricultural uses and developments within Hindmarsh Shire, where zincalume shedding on larger agricultural holdings is common place. The works are well separated from the public realm and sensitive land uses, and clustered within existing development on the site. The site is not located in area identified as being of special landscape value (i.e. through application of a Significant Landscape Overlay, Design and Development Overlay or the like) that would warrant alterations to the proposed materials or scale of the development.

Environmental issues that may arise from the works will be managed by the existing requirement for an Environmental Management Plan to manage the use; the requirement of which will not be removed or reduced by the proposed works.

Based on the above factors, the proposed amendments are considered to be acceptable and will facilitate the ongoing operation of the Luv-a-Duck facility on the subject land.

Overlay Provisions:

The subject land is partially covered by the Bushfire Management Overlay, however the proposed works are not in the area covered by the BMO, nor is agricultural development a permit trigger under this Clause. As such, the provisions of the BMO are not discussed further in this report.

Particular Provisions:

Clause 53.09 – Poultry Farm

Clause 53.09-1 – Application

This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

Clause 53.09-6 – Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines (June 2018).

Planning Response:

The proposed works are located within the Farming Zone, well sited away from sensitive land uses; where the purpose of the zone encourages such uses to be located. The proposed amendments to the permit will support and enhance agricultural production on the land, and represent the construction of modern duck shedding to maintain and continue the operation of the use on the land.

In terms of setbacks and design, the proposed shed is setback 173.9 metres from Drapers Road, within an existing cluster of buildings on the site. While there will be visibility of the structure from Drapers Road and other properties, this will be obscured in part by vegetation in the surrounding area. The works will generally appear as a typical agricultural/rural outbuilding in a rural landscape, which can be found on many other lots in the area.

Regarding use impacts, it is considered that the proposal is likely to lead to a reduction in off-site impacts emanating from the site. The amendment does not seek to increase duck capacity of the land, with the existing approval allowing for 24,000 ducks to be housed while remaining compliant with the Planning Permit. While the site will operationally increase capacity from 18,000 to 20,000, this remains consistent with the Planning Permit. The installation of modern shedding facilities will include modern ventilation, feeding equipment and the like, which will manage environmental impacts and offsite amenity. The Environmental Management Plan for the site will enforce this outcome.

For the reasons discussed above, the amendments are considered to be consistent with the provisions of Clause 53.09.

General Provisions

Clause 65 - Decision Guidelines

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

Clause 65.01– Approval of an application or plan

Before deciding on an application or approval of a plan, the Responsible Authority must consider, as appropriate (relevant to the application):

- The matters set out in Section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

Planning Response:

As previously discussed, it is considered that the proposal is supported by the relevant provisions of the Municipal Planning Strategy and the Planning Policy Framework. As explored through this report, the development provides for modern duck shedding to be provided, which is considered likely to lead to an improved environmental outcome on the land in the longer term. No natural hazards issues are identified in relation to the site and no staging or common property is required. The application is therefore considered to be reflective of orderly planning.

Response to Objection:

(Objection in italics, response in standard text)

Existing non-compliances with the site

Response: The objection states that the facility should have no more than 12,000 ducks, but houses 18,000 ducks instead. The existing permit allows up to 24,000 ducks on the site, such that the overall capacity of the ducks is within that allowed on the site already.

Increase in duck numbers will adversely affect the amenity of the surrounding area from noise, odour, dust and glare from roofing

Response: The quantity of ducks that can be housed on the land is not increasing, such that this concern is not relevant to the assessment of the amendment. Further, the development

of new, modern shedding will incorporate environmental management measures such as modern automated ventilation that is not found in older shedding.

Lack of information about compliance with EPA Regulations/Environment Protection Act

Response: Compliance with the EPA Regulations is a separate matter governed under other legislation. Approval of this application does not obviate any requirements under the Environment Protection Act that need be met.

Decommissioning of sheds may result in them being reinstated in future

Response: The plans submitted show these building decommissioned. If they were to be reinstated in future, this would necessitate a further amendment to the Permit, or would otherwise be a compliance matter to be addressed.

Impacts to Creek Road and Drapers Road

Response: No changes to vehicle movements or roads travelled are proposed under this amendment.

Inaccuracies in application documents.

Response: Council has undertaken an independent assessment of the application, and does not rely on descriptions of the surrounding area or land uses provided by the applicants. As such, while there may be some errors in some application material, this has not influenced the assessment undertaken.

Discussion:

Planning Policy Framework (PPF) and Municipal Planning Strategy (MPS)

The proposal meets the objectives of the relevant provisions of the PPF and MPS for the reasons discussed earlier in this report.

Clause 35.07 Farming Zone

The proposal complies with the purpose and decision guidelines of Clause 35.07 for the reasons outlined in the planning response to the zone as discussed above.

Clause 53.09 Poultry Farm

The proposal complies with the relevant decision guidelines of Clause 53.09 for the reasons outlined in the planning response to this clause as discussed above.

Clause 65 Decision Guidelines

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

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the Planning Policy Framework and the Municipal Planning Strategy, including the Farming Zone and Clause 53.09 of the Hindmarsh Planning Scheme.

Report to Council:

The Manager Development advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

Processing Times:

28/07/2021 Application for a new Planning Permit (PA1735-2021) lodged for proposed works
17/08/2021 Further information requested in relation to PA1735-2021
04/09/2021 Application PA1735-2021 withdrawn
04/09/2021 Application to amend Planning Permit PA0039-1999 lodged
09/09/2021 The fee was paid.
06/10/2021 The application was referred to Engineering and Environmental Health.
06/10/2021 The application was notified.
07/10/2021 Engineering referral response provided.
12/10/2021 Objection to the application received.
12/10/2021 Submission (not objecting) to the proposal received.
29/10/2021 Advertising period completed for the proposal.
21/01/2022 Environmental Health Officer referral response received.
02/02/2021 The report is being presented to Council at the meeting held 2 February 2022 (123 days).

The statutory processing time requirements of the *Planning and Environment Act 1987* have not been satisfied in this instance.

Conflict of Interest:

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

Officer Responsible: Angela Hoy, Director Infrastructure Services

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

Author: Tim Berger, Consultant Town Planner, on behalf of Janette Fritsch, Manager Development.

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

Link to Council Plan:

Facilitating and supporting economic development.

Financial Implications:

Nil

Risk Management Implications:

Nil

Communications Strategy:

Advise the Applicant of Council's decision.

Next Steps:

Issue a Notice of Decision to Amend the Planning Permit if approved by Council.

RECOMMENDATION:

That Council issues a Notice of Decision to Amend Planning Permit PA0039-1999, for amended plans received 04 September 2021:

- ***Site Plans - Feature Survey Map, General Site Layout, General Arrangement***
- ***Development Plans – Elevations Plan and Floor Plan***
- ***Environmental Management Plan Version July 2021***

to be endorsed to the amended Planning Permit, pursuant to Section 72 of the Planning and Environment Act 1987, on the subject land known as 142 Drapers Road Nhill VIC 3418 (Lot 1 PS432916L Parish of Winiam), in accordance with the following conditions:

- 1. The use and development must be undertaken in accordance with the endorsed Environmental Management Plan (EMP) to the satisfaction of the responsible authority.**

Department of Natural Resources and Environment Conditions

- 2. That all works be carried out in accordance with the submitted plans and specifications.**
- 3. On site waste management shall be in line with EPA guidelines thereby minimising the risk of waste movement from the site.**
- 4. That all pest plant and animal infestations are actively controlled.**

Environmental Protection Authority Conditions

- 5. The buffer distance to the nearest residence from the nearest poultry sheds should be at least 500 metres, as recommended in the Authority's Publication No AQ2/86 "Recommended Buffer Distances for Industrial Residual Air Emissions".**

Responsible Authority Conditions

- 6. The use and development shall be in accordance with the plan and documentation submitted with the application, which shall not be altered or amended without the approval of the Responsible Authority.**
- 7. The number of ducks housed at the facility shall not exceed 24,000, without the written consent of the Responsible Authority.**
- 8. A Building Permit is required for the construction of the buildings.**

Amenity

- 9. The construction of the proposed extensions must be managed so that the amenity of the area is not detrimentally affected through the:**
 - a) Transport of materials, goods or commodities to or from the land;**
 - b) Appearance of any buildings, works or materials;**

- c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil;
 - d) Presence of vermin; or
 - e) In any other way.
10. The site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area.
11. All loading and unloading of vehicles and delivery of goods to and from the premises must occur on site.

Engineering

12. Within 3 months of the date of the amended permit, the applicant must submit to the satisfaction of the Responsible Authority a Traffic Impact Assessment Report (TIAR) in accordance with the Infrastructure Design Manual (IDM) published by Local Government Infrastructure Design Association (LGIDA), dated 11 January 2018 assessing L Creeks Rd and Drapers Rd from the datum of Winiam East Rd intersection through to the entrance to the subject site. The assessment must be undertaken by a suitably qualified engineer and must consider and make recommendations regarding:
- a) The current road condition and the likely future impact due to increased traffic volumes and type as a result of the permitted farm capacity increase;
 - b) Any safety issues associated with the expected traffic increase and type as a result of the permitted farm capacity increase;
 - c) Suitability of the access/crossover to the subject site according to the IDM in association to the traffic type and drainage; and
 - d) Mitigation measures to limit the burden of increased road maintenance demands on Council resulting from traffic impacts due to increased traffic volumes and type as a result of the permitted farm capacity increase.

Once approved, the report will be endorsed and will then form part of the permit

13. Any recommendations identified by the Traffic Impact Assessment Report shall be undertaken at the cost of the applicant and within a timeframe to the satisfaction of the Responsible Authority.
14. The applicant is to provide an independent condition assessment of L Creeks Rd and Drapers Rd from the datum of Winiam East Rd intersection through to the entrance to the subject site prior to the commencement of works and is to meet any costs associated with remedial works resulting from damage caused by construction traffic associated with the development of the site to the satisfaction of the Responsible Authority.
15. Traffic associated with construction to be limited to daylight hours on L Creeks Rd and Drapers Rd from the datum of Winiam East Rd intersection through to the entrance to the subject site to the satisfaction of the Responsible Authority.
16. Any further external lighting proposed must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

17. Within 3 months of the commencement of use of the shed shown in green on drawing number SCL21-06-002, sheds E and F as shown on that plan must be decommissioned so as to not house ducks and evidence of decommissioning provided to the satisfaction of the Responsible Authority.
18. This permit as it relates to use of land will expire if the use ceases for a period of two (2) or more years.
19. This permit as it relates to development will expire if:
 - a) The works are not commenced within two (2) years of the date of this permit.
 - b) The works are not completed within four (4) years of the date of this permit.

In the case where subsequent buildings and works are approved under an amendment to this permit, those works will expire if not commenced within two (2) years of the date of amendment, or completed within four (4) years of the date of amendment.

~END OF CONDITIONS~

Notes

1. This permit is not a Building Permit. Please consult a Building Surveyor and ensure a Building Permit is obtained.
2. A copy of this permit and endorsed plans must be provided to all builders and contractors who are to work on site so they are aware of the conditions to which this approval is subject.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of Amendment	Brief Description of Amendment	Name of Responsible Authority that approved the amendment
17 May 2019	1. Amending the preamble of the permit to Use and Construction of Poultry Farm (Duck Farm).	Hindmarsh Shire Council
	2. Inserting Condition 1 as per VCAT Order dated 17 May 2019.	VCAT
	3. Amending Condition 7 to allow for 24,000 ducks and to insert secondary consent provision.	Hindmarsh Shire Council
	4. Amending endorsed plans to show proposed extension to sheds, new amenities building and associated works.	Hindmarsh Shire Council
	5. Adding Conditions, 1, 9, 10, 11, 12, 13, 14, 15, 16 to the permit	Hindmarsh Shire Council
	6. Adding notes 1 and 2	Hindmarsh Shire Council

The above conditions are as per the Order of VCAT, Reference No. P49/2019, order of 17 May 2019.

Amended Permit issued 27 May 2019.

02 February 2022 – Notice of Decision	<p>This permit will be amended pursuant to Section 74 of the <i>Planning and Environment Act 1987</i>, having regard to the following:</p> <ul style="list-style-type: none"> (a) Previous endorsed plans superseded, excluding sheet 6 of 6 dated 26/05/2019, and new plans endorsed; (b) Previous Condition 1 relating to the amended Environmental Management Plan (EMP) deleted and new condition 1 relating to new EMP (July 2021) inserted. (c) Condition 12 updated for clarity, as this condition was previously satisfied and unaffected by amendment. (d) Condition 17 added to require sheds E and F to be decommissioned and evidence provided within 3 months of occupancy of new shed. (e) Conditions 18 and 19 added to make clear expiry provisions for new and existing works and use 	Hindmarsh Shire Council
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MOVED: CRS R Gersch/B Ireland

That Council issues a Notice of Decision to Amend Planning Permit PA0039-1999, for amended plans received 04 September 2021:

- ***Site Plans - Feature Survey Map, General Site Layout, General Arrangement***
- ***Development Plans – Elevations Plan and Floor Plan***
- ***Environmental Management Plan Version July 2021***

to be endorsed to the amended Planning Permit, pursuant to Section 72 of the Planning and Environment Act 1987, on the subject land known as 142 Drapers Road Nhill VIC 3418 (Lot 1 PS432916L Parish of Winiam), in accordance with the following conditions:

- 1. The use and development must be undertaken in accordance with the endorsed Environmental Management Plan (EMP) to the satisfaction of the responsible authority.**

Department of Natural Resources and Environment Conditions

- 2. That all works be carried out in accordance with the submitted plans and specifications.**
- 3. On site waste management shall be in line with EPA guidelines thereby minimising the risk of waste movement from the site.**
- 4. That all pest plant and animal infestations are actively controlled.**

Environmental Protection Authority Conditions

- 5. The buffer distance to the nearest residence from the nearest poultry sheds should be at least 500 metres, as recommended in the Authority's Publication No AQ2/86 "Recommended Buffer Distances for Industrial Residual Air Emissions".**

Responsible Authority Conditions

- 6. The use and development shall be in accordance with the plan and documentation submitted with the application, which shall not be altered or amended without the approval of the Responsible Authority.**
- 7. The number of ducks housed at the facility shall not exceed 24,000, without the written consent of the Responsible Authority.**
- 8. A Building Permit is required for the construction of the buildings.**

Amenity

- 9. The construction of the proposed extensions must be managed so that the amenity of the area is not detrimentally affected through the:**
 - a) Transport of materials, goods or commodities to or from the land;**
 - b) Appearance of any buildings, works or materials;**
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil;**
 - d) Presence of vermin; or**
 - e) In any other way.**
- 10. The site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area.**

11. All loading and unloading of vehicles and delivery of goods to and from the premises must occur on site.

Engineering

12. Within 3 months of the date of the amended permit, the applicant must submit to the satisfaction of the Responsible Authority a Traffic Impact Assessment Report (TIAR) in accordance with the Infrastructure Design Manual (IDM) published by Local Government Infrastructure Design Association (LGIDA), dated 11 January 2018 assessing L Creeks Rd and Drapers Rd from the datum of Winiam East Rd intersection through to the entrance to the subject site. The assessment must be undertaken by a suitably qualified engineer and must consider and make recommendations regarding:
- a) The current road condition and the likely future impact due to increased traffic volumes and type as a result of the permitted farm capacity increase;
 - b) Any safety issues associated with the expected traffic increase and type as a result of the permitted farm capacity increase;
 - c) Suitability of the access/crossover to the subject site according to the IDM in association to the traffic type and drainage; and
 - d) Mitigation measures to limit the burden of increased road maintenance demands on Council resulting from traffic impacts due to increased traffic volumes and type as a result of the permitted farm capacity increase.

Once approved, the report will be endorsed and will then form part of the permit

13. Any recommendations identified by the Traffic Impact Assessment Report shall be undertaken at the cost of the applicant and within a timeframe to the satisfaction of the Responsible Authority.
14. The applicant is to provide an independent condition assessment of L Creeks Rd and Drapers Rd from the datum of Winiam East Rd intersection through to the entrance to the subject site prior to the commencement of works and is to meet any costs associated with remedial works resulting from damage caused by construction traffic associated with the development of the site to the satisfaction of the Responsible Authority.
15. Traffic associated with construction to be limited to daylight hours on L Creeks Rd and Drapers Rd from the datum of Winiam East Rd intersection through to the entrance to the subject site to the satisfaction of the Responsible Authority.
16. Any further external lighting proposed must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
17. Within 3 months of the commencement of use of the shed shown in green on drawing number SCL21-06-002, sheds E and F as shown on that plan must be decommissioned so as to not house ducks and evidence of decommissioning provided to the satisfaction of the Responsible Authority.
18. This permit as it relates to use of land will expire if the use ceases for a period of two (2) or more years.

19. This permit as it relates to development will expire if:

- a) The works are not commenced within two (2) years of the date of this permit.
- b) The works are not completed within four (4) years of the date of this permit.

In the case where subsequent buildings and works are approved under an amendment to this permit, those works will expire if not commenced within two (2) years of the date of amendment, or completed within four (4) years of the date of amendment.

~END OF CONDITIONS~

Notes

- 3. This permit is not a Building Permit. Please consult a Building Surveyor and ensure a Building Permit is obtained.
- 4. A copy of this permit and endorsed plans must be provided to all builders and contractors who are to work on site so they are aware of the conditions to which this approval is subject.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of Amendment	Brief Description of Amendment	Name of Responsible Authority that approved the amendment
17 May 2019	1. Amending the preamble of the permit to Use and Construction of Poultry Farm (Duck Farm). 2. Inserting Condition 1 as per VCAT Order dated 17 May 2019. 3. Amending Condition 7 to allow for 24,000 ducks and to insert secondary consent provision. 4. Amending endorsed plans to show proposed extension to sheds, new amenities building and associated works. 5. Adding Conditions, 1, 9, 10, 11, 12, 13, 14, 15, 16 to the permit 6. Adding notes 1 and 2	Hindmarsh Shire Council VCAT Hindmarsh Shire Council Hindmarsh Shire Council Hindmarsh Shire Council Hindmarsh Shire Council
The above conditions are as per the Order of VCAT, Reference No. P49/2019, order of 17 May 2019. Amended Permit issued 27 May 2019.		
02 February 2022 – Notice of Decision	This permit will be amended pursuant to Section 74 of the <i>Planning and Environment Act</i>	Hindmarsh Shire Council

	<p>1987, having regard to the following:</p> <ul style="list-style-type: none">(f) Previous endorsed plans superseded, excluding sheet 6 of 6 dated 26/05/2019, and new plans endorsed;(g) Previous Condition 1 relating to the amended Environmental Management Plan (EMP) deleted and new condition 1 relating to new EMP (July 2021) inserted.(h) Condition 12 updated for clarity, as this condition was previously satisfied and unaffected by amendment.(i) Condition 17 added to require sheds E and F to be decommissioned and evidence provided within 3 months of occupancy of new shed.(j) Conditions 18 and 19 added to make clear expiry provisions for new and existing works and use	
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CARRIED

Attachment Numbers: 6 – 8

Cr W Bywaters returned to the meeting at 3:32pm.

9 REPORTS REQUIRING A DECISION

9.1 REQUEST FOR OFFICERS TO REVIEW THE REQUEST FROM NHILL AVIATION HERITAGE CENTRE INC. WITH REGARDS TO TAKING OWNERSHIP OF THE NHILL TRANSMITTER STATION NAVIGATION FACILITY

Responsible Officer: Director Infrastructure Services

Introduction:

Officers are seeking a time extension on Councils request to prepare a report/reports for the Ordinary Council Meeting to be held on 2 February 2022 in relation to taking on the ownership of the Nhill Transmitter Station navigation facility.

Discussion:

At the Council meeting held on Wednesday 15 December 2021, under section 13 – Other Business the following resolution was carried:

MOVED: CRS W Bywaters/R Gersch

That Council:

- 1. Requests that officers review the request for the Nhill Aviation Heritage Centre Inc. to determine any costs associated with taking ownership of the Nhill Transmitter Station navigation facility;***
- 2. Requests that officers contact Air Services Australia and investigate the possibility of taking ownership of the surrounding land and the navigation facility; and***
- 3. Requests that a report or reports be prepared on this motion for the Ordinary Council meeting to be held on 2 February 2022.***

Officers have attempted to contact Air Services on numerous occasions (via email and phone calls) requesting them to contact us in regard to the above matters. Most recently (19 Jan 2022) we have received our first e-mail response, advising that the Property Officer in charge of Land and Buildings managed and owned by Air Services is on leave until February 2022.

Unfortunately, Officers have been unable to obtain any written confirmation that Air Services is willing to transfer ownership of the Nhill transmitter Station navigation facility, nor have they been able to gather all of the financial information required to fully ascertain all the costs which may be associated with taking the ownership of the infrastructure and its surrounds.

Options:

1. Council approves an extension on the February requirement that a report/reports be prepared on this motion for a future Ordinary Council Meeting at a date deemed suitable by the CEO.

Link to Council Plan:

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

Long-term financial sustainability.

Financial Implications:

Full amount unknown at this time, however legal costs for transfer of land/buildings could be up to \$2,000.

Risk Management Implications:

Unknown at this point in time until further investigations can be completed.

Relevant legislation:

Local Government Act 2020

Community engagement:

Discussions have taken place with the Nhill Aviation Heritage Centre Inc.

Gender equality implications:

N/A

Conflict of Interest:

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

Author – Wayne Schulze, Manager Operations

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

Officer Responsible – Angela Hoy, Director Infrastructure Services

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

Communications Strategy:

Officers will continue to make contact with Air Services and will advise Council of the outcome of their discussions.

Next Steps:

Interested parties will be informed of the Officers progress with regards to this matter.

RECOMMENDATION:

That Council approves an extension on the February requirement for a report to be prepared for Council on the possible transfer of ownership of the Nhill Transmitter Navigation Facility to a future Council meeting following discussions with Air Services Australia.

MOVED: CRS R Gersch/R Ismay

That Council approves an extension on the February requirement for a report to be prepared for Council on the possible transfer of ownership of the Nhill Transmitter Navigation Facility to a future Council meeting following discussions with Air Services Australia.

CARRIED

9.2 COUNCIL PLAN 2021-2025 PROGRESS REPORT

Responsible Officer: Director Corporate and Community Services

Introduction:

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

Discussion:

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

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

Theme One – Our Community

Action Item	Update on Action
Monthly and fortnightly e-newsletters distributed through emails and available on Council's website	Q1: Council continues to distribute monthly and fortnightly e-newsletters. Hard copies of the monthly newsletters are placed at various businesses throughout Hindmarsh and also Council's Customer Service Centres.
Redevelopment of Council's website making it easier for our community to navigate	Q1: Council staff are working through the development of pages on Council's new website.
Councillors and Council Officers attend advisory committees including Town Committees, Wimmera Mallee Pioneer Museum and Yurunga Homestead meetings	Q1: On-line meetings have taken place in lieu of meeting in person due to COVID-19 restrictions on gathering numbers. Officers and Councillors have been attending these meetings.
Partner with Wimmera Pride to ensure LGBTIQ+	Q1: On-line workshop conducted with

barriers and views are considered	Elite Counselling and attended by Senior Staff.
Develop the Hindmarsh Shire Youth Strategy	Q1: Youth Strategy 2021-2025 draft complete and will be presented to Council in October. Karen translation commissioned by the Migration Translators. Q2: Youth Strategy 2021-2025 was adopted by Council on 15 December 2021. A version of the Youth Strategy was also prepared and adopted in Karen.
Upgrades to the Nhill Library to encourage use by our multicultural community, children and youth	Q1: In progress, at permit stage for minor structural changes. Electrical upgrades (excluding lighting) have been completed. Currently reviewing fixture upgrades. Q2: Works have commenced at the Nhill library with electrical works completed and new furniture and shelving ordered. The library will be closed for 1 week in early February to allow for the entry way to be increased allowing all abilities to easily access the large room.
Continue to support early years services in Hindmarsh Shire	Q1: Facility upgrades recently completed at Dimboola & Nhill Early Years Centres.
Partner with Nhill Learning Centre to ensure barriers and views of the Karen and other multicultural communities are considered	Q1: Meeting occurred between Coordinator Libraries, Youth and Community Development Officer and NNHLC Director Annette Creek. Discussion included potential collaboration; and training sessions.
Ensure the Municipal Emergency Management Committee includes membership from key stakeholders	Q1: The MEMC committee includes membership from external stakeholders including a community representative. Hindmarsh meetings are held 3 times per year, along with 1 combined meeting including Hindmarsh, Horsham, Yarriambiack and West Wimmera Shire.
Support our ageing community through hosting seniors concert, social connection activities including movie matinees and morning teas, and	Q1: Due to the COVID-19 pandemic the 2021 Seniors Concert was postponed and will be held in early

delivery of community care services	2022, senior's week activities moved online for 2021. Movie Matinees are held, when possible, which included morning tea prior to the movie. Council continues to deliver community care services to our community and also continue with the social outreach service for vulnerable and isolated community members.
Support local community events including the Rainbow Desert Enduro, Great Victorian Bike Ride, Dimboola inaugural Steampunk Festival, Nhill Friday Fiestas in February, Peter Taylor Barefoot Tournament etc.	<p>Q1: Unfortunately due to the COVID-19 pandemic, many events have been cancelled (Rainbow Desert Enduro, Great Victorian Bike Ride, Dimboola Steam Punk Festival etc) and or postponed. Support for these and other community events will continue in the future.</p> <p>Q2: To compliment the range of events and functions already mentioned, there will be additional community events held in response to funding received through the Regional Recovery Fund.</p> <p>Reconnecting Communities through Small Events in Hindmarsh Shire will support some existing and new events across the shire.</p> <p>Dimboola will have a series of events including an evening concert at the Barefoot Skiing tournament and Friday night events at the Dimboola Visitor Node.</p> <p>Jeparit will utilise funds to support the MOPKE Christmas function and an evening concert following the Easter Fishing competition.</p> <p>Nhill will utilise finds to support their Christmas Carols and other concerts while Rainbow is planning for the return of the Big Sky Festival in March 2022.</p>
Celebrate volunteers week	
Construction of Rainbow Library	Q1: In progress. Framing and roof beams erected. Landscape design prepared.

	Q2: Electrical wiring and plastering has been completed. Painting is well underway. Furniture and shelving have been ordered.
Provide community action grants to support Hindmarsh community groups and organisations	Q1: Round 1 of the Community Action Grants is currently open. Youth Grants have also been established using FReeZA funding to support Youth outcomes. Q2: Round 1 of the Community Action Grants awarded grants to 13 local organisations. Round 2 of the Community Action Grants will be advertised early in 2022.
Continue to support the Rural Outreach Program	Q1: Council continues to support the Rural Outreach Program. Outreach officers have attended movie mornings.
Provide school holiday activities throughout Hindmarsh	Q1: Due to the Covid-19 pandemic September school holiday activities were unable to be held. Take home packs were prepared with over 140 packs distributed. Activities are being planned for the remainder of the year once restrictions have eased.
Support and coordinate the volunteer taxi service in Nhill	Q1: Council continues to support and coordinate the volunteer taxi service in Nhill.
Establish and maintain relationships with Barengi Gadjin Land Council (BGLC) and local indigenous groups	Q1: Council staff are working closely with BGLC on projects such as the Wimmera River Discovery trail and will continue to maintain and build on the relationships already established through these and future projects. Q2: Council staff are liaising with BGLC regarding internal cultural awareness training for all staff.
Provide public computers and free Wi-Fi at Hindmarsh Shire Libraries	Q1: Public computers and free Wi-Fi are available at Dimboola, Jeparit & Nhill Libraries.

Theme Two – Built & Natural Environment

Action Item	Update on Action
Review and update Council's asset	

management plan	
Implement recycling bins in Dimboola, Jeparit, Nhill and Rainbow main business districts	Q2: A strategic plan is to be developed to assist with the identification and roll out of suitable bins for rubbish, recycling, and glass bottles across the municipality.
Review Council's road management plan	
Construction of Albacutya Bridge and associated road works	Q2: Construction has commenced on the bridge works, due for completion in early 2022. The roadworks will also commence in early 2022.
Hold free green waste month in September and encourage residents to tidy their properties prior to the fire season	Q1: Free Green waste month was held from 10 September to 10 October.
Consider for adoption of Nhill streetscape plan	Q2: The Draft Nhill Streetscape Plan was presented to Council in December 2021 and endorsed.
Installation of solar heating on Rainbow swimming pool	Q1: Quotations have been obtained for installation of solar heating on Rainbow Swimming Pool.
Advocate for improved water quality in the regional lakes and rivers	
Construction of new clubrooms at Nhill Tennis Club	Q1: Due to two unsuccessful tender advertising rounds works is currently underway for design and approval of permits prior to re-advertising. Q2: Council has completed design and is in the process of obtaining a building permit to then go to tender as a construction only project.
Review and update Waste Management Strategy	
Installation of pedestrian safety fencing at Nhill Early Years Centre	Q1: Pedestrian fencing has been installed at Nhill Early Years Centre.
Installation of seating and electric barbeques at Rainbow Lake	Q1: Awaiting change of use application (planning permit will be included in October Council meeting). Following approval works will be able to commence. Q2: Design for Amenities Building in progress to obtain a building permit then quote for construction. Once costs finalised then work will commence on BBQ & picnic tables.
Consider opportunities and seek funding for lighting in public areas	Q2: Plans are being prepared to support a funding application in early

	2022 for improved street lighting across the shire.
Ensure Council representation on Western Highway Action Committee, Wimmera Regional Transport Group and Grampians Central West Waste, Resource Recovery Group and Hindmarsh Landcare Network	Q2: Councillors and Council staff attend Western Highway Action Committee, Wimmera Regional Transport Group and Grampians Central West Waste, Resource and Recovery Group Meetings. A Councillor attends the Hindmarsh Landcare Network meetings.
Continue to advocate for funding for Davis Park improvements	Q1: Council continues to advocate both state and federal government for funding to improve Davis Park. Q2: A series of schematic plans and cost plans have been developed for various aspects associated with the redevelopment of Davis Park. Council will be holding further discussions with NDSC in early 2022 to determine an appropriate direction.

Theme Three – Competitive and Innovative Economy

Action Item	Update on Action
Upgrades to ensuites at Dimboola Caravan Park	Q2: Upgrades to two ensuites have been completed, the other two are scheduled for the new year.
Provide the business assistance grants program	Q1: Round 1 applications for the Business Assistance Grants Program will be presented to Council in October. Q2: Round 1 applications for the Business Assistance Grants Program were awarded at the October 2021 Council meeting. Round 2 will be advertised in early 2022.
Promote Hindmarsh as a tourism destination to stop, stay and play	Q1: New and updated Visit Hindmarsh webpage is under development as part of the Hindmarsh Shire website development. Regional marketing campaigns being development by WMT through external grant funding. New brochures have been designed and printed. Q2: Radio and print advertising was undertaken leading up to the

	<p>Christmas/new year period.</p> <p>A regional television campaign is penciled in for March/April 2022.</p> <p>Work is continuing on the funded Silo Art Trail projects.</p> <p>Increased social media undertaken on Albacutya Silo (videos cross-shared by Visit Victoria).</p>
Host business networking session to encourage Hindmarsh businesses to come together and network	<p>Q1: This has been delayed due to the COVID-19 pandemic.</p> <p>Q2: Planning is underway to host a business networking session at the end of February 2022.</p>
Construction of a camp Kitchen at Jeparit riverbank precinct	<p>Q1: Currently delayed due to slow landowner consent via Parks Victoria.</p> <p>Q2: Draft master plan has been prepared indicating where the camp kitchen is to be located.</p> <p>As indicated above, Parks Vic are currently processing landowner consent.</p>
Installation of cabin accommodation (including all abilities) at caravan parks within Hindmarsh Shire (subject to funding)	<p>Q2: Council awarded the contract for design, construction, and installation of cabins at the November 2021 Council meeting. It is anticipated cabins will be on site at the end of May / early June 2022.</p> <p>A funding application for Regional Tourism Investment Fund is currently being developed (in replace of unsuccessful BBRF application).</p>
Commence review on Council's economic development strategy	
Participate in Wimmera Development Association housing strategy meetings	<p>Q1: Council continues to participate in the WDA housing strategy meetings.</p>
Enhance Council's Procurement Policy to support Council purchasing locally	<p>Q1: Council adopted the updated Procurement Policy on 4 August 2021. The policy includes local and regional weighting to support our local and neighbouring businesses.</p>
Commence Silo Art at Llew Schilling Silo in Rainbow and Arkona Silo	<p>Q1: A Silo Art Project Coordinator has been appointed.</p> <p>Arkona Silo Art art curator/artist management has been appointed.</p> <p>Q2: Comprehensive engineering</p>

	assessment of the Llew Schilling Silo is completed, awaiting final report. Preliminary Budget in development, site being cleared of items belonging to Llew. Expecting to develop EOI for appointment of architect in Q1 2022. Arkona Silo Art awaiting 3 artist options/quotes, expected January 2022. Aiming for April installation.
Provide a calendar of events to assist community groups and event organisers to promote their events	Q1: As part of the development of the new Hindmarsh Shire website a calendar of events will be established making it easy for community groups to register their events.
Provide business concierge services to assist business understand COVID-19 restrictions	Q1: Under the funding received Council has employed a business concierge and hospitality officer until 30 November to assist businesses and community groups understand the COVID-19 restrictions and roadmap.

Theme Four – Good Governance & Financial Sustainability

Action Item	Update on Action
Develop a workforce plan	Q1: Work has commenced on the development of a workforce plan. Q2: The workforce plan was adopted by the CEO in December 2021.
Online streaming of Council meetings through Council's Facebook page	Q1: Council continues to stream Council meetings through Council's Facebook page
Consideration for employing a trainee, or apprentice when vacancies arise throughout the year	
Community conversation sessions held annually in our four main towns	Q1: Due to the COVID-19 pandemic restrictions have not allowed for community meetings to be held in person. Q2: A community meeting was held in Jeparit in November to discuss the Riverbank precinct.
Drop in sessions held allowing for community input to Council on key documents or projects	Q1: Drop-in sessions were scheduled to be held for the Council Plan but due to the COVID-19 pandemic restrictions have not allowed for community meetings and therefore

	sessions were required to be cancelled.
Develop a ten (10) year long term financial plan	Q1: The Long-Term Financial Plan has been prepared and was adopted by Council on 20 October 2021
Quarterly finance reporting to Council	Q1: Council's first quarter finance report will be presented to the October Council meeting. Q2: Council's second quarter finance report will be presented to the February 2022 Council meeting.
Review Council's Complaints Policy	Q2: The complaints policy was updated and adopted in December 2021. A copy is available on Council's website.
Ensure Council representation on Wimmera Development Association, Rural Council's Victoria, and Municipal Association of Victoria	Q1: Council continues to have representation on WDA, RCV and MAV.
Quarterly Council Plan reporting to Council	Q1: The first quarterly report to Council will presented to Council in November 2021. Q2: The second quarterly report to Council will presented to Council in February 2022.
Develop a gender equality action plan	Q1: Work has commenced on the development of a gender equality action plan.
Collaborate with Horsham Rural City Council, West Wimmera Shire Council and Loddon Shire Council to implement the Rural Council Transformation Project	Q1: RCTP is progressing with evaluation of potential software completed and a recommendation prepared for the board. Q2: A recommendation of the preferred software will be presented to the February 2022 board meeting.
Audit & Risk Committee meetings review and consider Council risks at each meeting	Q1: Risk management is a standing item on Audit & Risk Committee meetings

Link to Council Plan:

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

Financial Implications:

Council's annual budget allocates funding to complete initiatives.

Risk Management Implications:

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

Relevant legislation:

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

Community engagement:

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

Gender equality implications:

A gender impact assessment was not required.

Conflict of Interest:

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

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

RECOMMENDATION:

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

MOVED: CRS R Ismay/B Ireland

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

CARRIED

9.3 FINANCIAL REPORT FOR THE PERIOD ENDING 31 DECEMBER 2021

Responsible Officer: Director Corporate and Community Services
Attachment Number: 9

Introduction:

The Financial Report for the second quarter of 2021/2022 financial year has been prepared, including explanations of variances where applicable, and is presented for the information of Council.

RECOMMENDATION:

That Council notes the Financial Report for the period ending 31 December 2021 as presented.

MOVED: CRS R Ismay/D Nelson

That Council notes the Financial Report for the period ending 31 December 2021 as presented.

CARRIED

Attachment Number: 9

10 COUNCIL COMMITTEES

10.1 DIMBOOLA TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Number: 10

Introduction:

The Dimboola Town Committee held its meeting on 12 January 2022. The purpose of this report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

RECOMMENDATION:

That Council notes the minutes of the Dimboola Town Committee meeting held on 12 January 2022.

MOVED: CRS D Nelson/W Bywaters

That Council notes the minutes of the Dimboola Town Committee meeting held on 12 January 2022.

CARRIED

Attachment Number: 10

11 LATE REPORTS

No late reports.

12 NOTICES OF MOTION

No notices of motions.

13 OTHER BUSINESS

No other business.

14 CONFIDENTIAL REPORTS

In accordance with Section 66 (2) (a) of the *Local Government Act 2020*, Council may close the meeting to the public to consider confidential information. Confidential information is defined by Section 3 of the *Local Government Act 2020* as being:

- a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
- c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;
- d) law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;
- e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;
- f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
- g) private commercial information, being information provided by a business, commercial or financial undertaking that—
 - i. relates to trade secrets; or
 - ii. if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
- h) confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);
- i) internal arbitration information, being information specified in section 145;
- j) Councillor Conduct Panel confidential information, being information specified in section 169;
- k) information prescribed by the regulations to be confidential information for the

purposes of this definition;

- l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989

RECOMMENDATION:

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

- 14.1 2022 HINDMARSH SHIRE YOUTH COUNCIL NOMINATIONS – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it contains personal information;**

MOVED: CRS W Bywaters/D Nelson

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

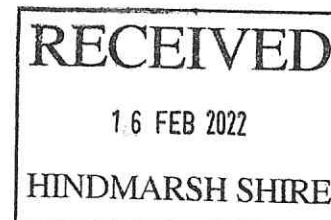
- 14.1 2022 HINDMARSH SHIRE YOUTH COUNCIL NOMINATIONS – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it contains personal information;**

CARRIED

15 MEETING CLOSE

There being no further business, Cr M Albrecht declared the meeting closed at 4:25pm.

53 Taverner St.
RAINBOW 3424
12.2.2022



To All Councillors

Hindmarsh Shire Cuhncil

NHILL 3414

ASSESS #	
ACTION	EA
INFO	
X REF	

Councillors.

re: Taverner Street Rainbow.

I request this letter be tabled, read and fully discussed at the next shire meeting as any other letter to the shire is treated, not as has happened with the last four letters sent to the Council on this subject, and that have never appeared in the minutes of the shire's meetings, and if were discussed, it must have been behind closed doors.

I wish to point out to Council sections of the Hindmarsh Shire Local Laws which as previously advised apply to the situation in Taverner Street with the continued excessive amount of B Double and Heavy vehicles using this street and which do virtually nothing for the township of Rainbow and certainly not for its environs.

Municipal Local Law No2.

Section B to promote the health and wellbeing of the people living in the municipal district and to provide a safe and healthy environment that give the residents of the Council municipal district the opportunity to enjoy a quality of life that meets the general expectations of the community.

Section C to prohibit, regulate and conrol activities that may be dangerous, unsafe, detrimental or undesirable to the quality of life in council's municipal district.

Section D to control nuisance caused by noise, odour and smoke emissions and other discharges to the environment which may adversely affect enjoyment of life. health, safety and welfare of persons within Council's municipal district.

Section H to provide generally for the peace, order and good government of the

municipal district in a way which enhances the environment and quality of life.

With these laws passed by your council which we as ratepayers must abide by - then why does this not apply to those who made said laws - the Hindmarsh Shire Council.

As previously advised to Council each of the above are not being applied to the heavy vehicles using Taverner Street. They are causing thundering noise, odour, smoke emissions and dust from the vehicles, the speeding and tailgating which are extremely unsafe actions, ignoring speed restrictions and unsafe actions.

Where is the enjoyment of life being experienced by the residents of Taverner St with all the above being occurring at least 6 days a week, up to 16-17 hours per day for months on end, starting at 6am and going non stop till 10.30 at night - which is 1 vehicle every 2 minutes of the day using Taverner Street as a 'go to anywhere'.

All this is causing unreasonable interference to all residents also in adjoining areas of the township.

The ratepayer residents of Rainbow wish to be advised exactly what the Hindmarsh Shire Council is doing about this situation, and when can we see any results.

Mr M Bailey of Vic Roads has advised he and the Shire are working to address the concerns of the local residents - so please advise exactly what those discussions have resulted in, as far as we can see absolutely nothing.

What further work has been done with detouring the heavy vehicles off Taverner Street and on to the easy solution of Wheatlands Road West to the 3 Chain road to the Tip and then to Nhill road or the Dimboola Road, and if this is not the best solution to the problem then what exactly is the shire's intention. Please advise.

You advise that your employees have visited the area and say it is not viable in its present form. Fine then I suggest you use the monies that were given to the shire recently of \$623,986 untied, to make this a viable option. The land is crown land and therefore immediately available to the project.

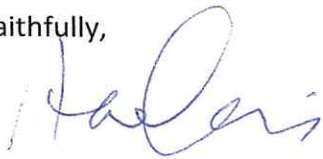
The land is earthen, but that is no different to any of the roads recently listed by the shire for use with B Doubles and heavy vehicles, nor any different than the roads used by the vehicles from the mines to the bitumen.

I was also advised by the CEO in August 2021 that Mr. Ireland would be contacting me to discuss this situation. When may I ask will this momentous event take place - as it is now February 2022 - six months later!

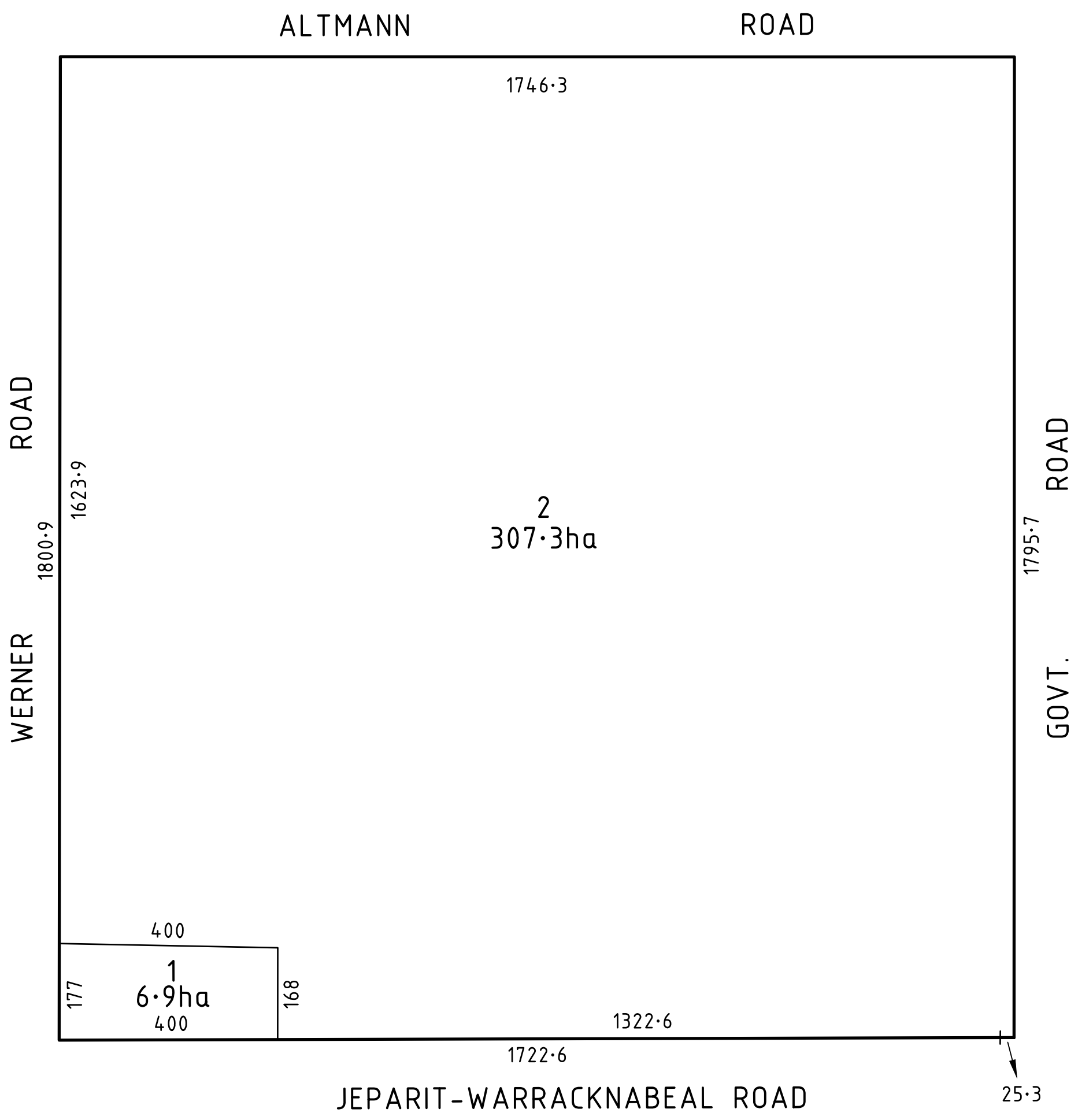
Any delay in finding an adequate solution to the problem we face is causing further

damage to our homes, so will the shire, because of your inaction, take responsibility for restitution to our homes..Please advise your intention in this matter,

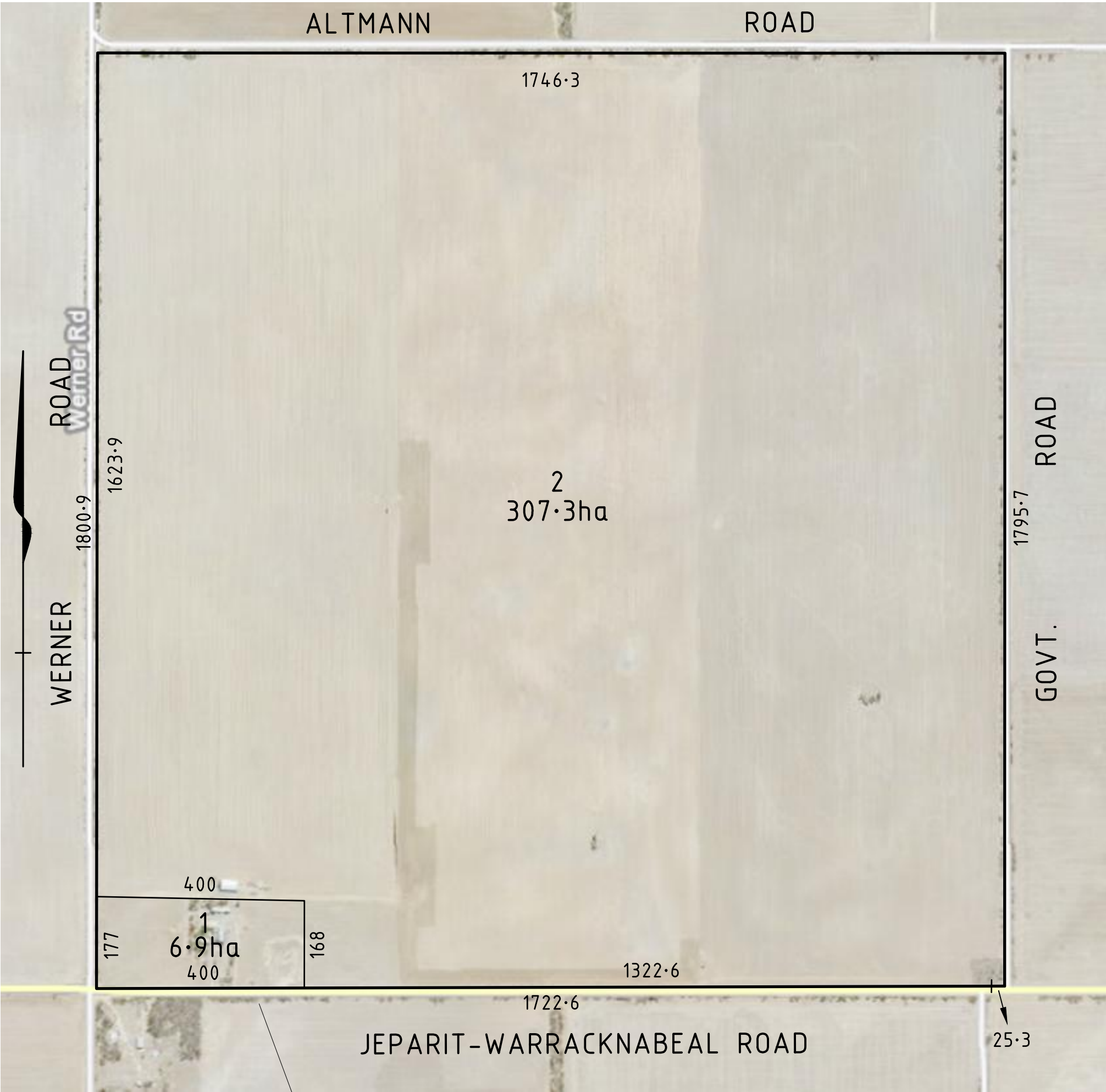
Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Anne Simms', written in a cursive style.

Anne Simms....Ratepayer.



NOTATIONS			PLAN OF PROPOSED SUBDIVISION			
THE DIMENSIONS SHOWN HEREON ARE APPROXIMATE AND ARE SUBJECT TO SURVEY.			COUNTY OF BORUNG PARISH OF BATYIK CROWN ALLOTMENT 22			
<div><div><div>Ferguson Perry Surveying Pty Ltd 62 McLachlan Street Horsham, Victoria 3400 ABN 76126 194 483</div><div><div>T (03) 5382 2023 F (03) 5381 1544 E admin@fergusonperry.com.au</div><div>A member of Alexander Symonds Group</div><div>+ Property + Land Development + + Construction + Mining + + Spatial Information Management +</div></div></div><div><div>Ferguson Perry Surveying</div></div></div>	SUBDIVISION BOUNDARIES HAVE BEEN ESTIMATED FROM AERIAL PHOTOGRAPHY FOR CONCEPTUAL PURPOSES. SURVEY WILL ACCORD WITH THE BOUNDARY LAYOUT, BUT DISTANCES MAY VARY IN EXCESS OF 10m.					
	SURVEYORS REF. 21H0307 VERSION 2 07-12-21 DRAWN BY: T.H.				OFFICE USE ONLY	
					ORIGINAL SHEET SIZE A3	



SEE SHEET TWO FOR ENLARGEMENT

NOTATIONS

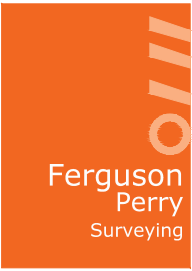
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SUBDIVISION BOUNDARIES HAVE BEEN ESTIMATED FROM AERIAL PHOTOGRAPHY FOR CONCEPTUAL PURPOSES. SURVEY WILL ACCORD WITH THE BOUNDARY LAYOUT, BUT DISTANCES MAY VARY IN EXCESS OF 10m.

SURVEYORS REF.
21H0307
VERSION 2
07-12-21
DRAWN BY: T.H.

OFFICE USE ONLY

ORIGINAL SHEET SIZE **A3**

PLAN OF PROPOSED SUBDIVISION
SHOWING EXISTING FEATURES

COUNTY OF BORUNG

PARISH OF BATYIK

CROWN ALLOTMENT 22

SHEET 1 OF 2 SHEETS



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21H0307
VERSION 2
07-12-21
DRAWN BY: B.F.

NOTATIONS

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**PLAN OF PROPOSED SUBDIVISION
SHOWING EXISTING FEATURES**

**COUNTY OF BORUNG
PARISH OF BATYIK
CROWN ALLOTMENT 22**

SHEET 2 OF 2 SHEETS

PLAN OF SUBDIVISION				EDITION 1		PS900860E	
<div>LOCATION OF LAND</div> <div>PARISH: WERRAP</div> <div>TOWNSHIP: _____</div> <div>SECTION: _____</div> <div>CROWN ALLOTMENT: 7B</div> <div>CROWN PORTION: _____</div> <div>TITLE REFERENCE: VOL.11066 FOL.761</div> <div>LAST PLAN REFERENCE: PS545680J (LOT 2)</div> <div>POSTAL ADDRESS: FULLER ROAD, RAINBOW 3424 (at time of subdivision)</div> <div>MGA CO-ORDINATES: E: 589160 ZONE: 54 (of approx centre of land in plan) N: 6029400 GDA 2020</div>							
VESTING OF ROADS AND/OR RESERVES				NOTATIONS			
IDENTIFIER		COUNCIL/BODY/PERSON		<div>THE DIMENSIONS SHOWN UNDERLINED HAVE BEEN ADOPTED FROM TITLE AND ARE NOT THE RESULT OF THIS SURVEY.</div> <div>THE AREA OF LOT 2 HAS BEEN DEDUCED FROM TITLE.</div> <div>PROVISIONAL PLAN</div>			
Nil.		Nil.					
NOTATIONS							
DEPTH LIMITATION: 15.24 METRES BELOW THE SURFACE APPLIES TO ALL THE LAND IN THE PLAN							
<div>SURVEY: This plan is based on survey.</div> <div>STAGING: This is not a staged subdivision. Planning Permit No. _____</div> <div>This survey has been connected to permanent marks No(s). _____</div> <div>In Proclaimed Survey Area No. _____</div>							
EASEMENT INFORMATION							
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)							
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of			
E-1	WATER SUPPLY & DRAINAGE	60.35	CROWN GRANT VOL.6393 FOL.531	STATE RIVERS AND WATER SUPPLY COMMISSION			
E-2	WATER SUPPLY	SEE DIAG.	PS545680J	LOT 1 ON PS545680J			
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FULLER ROAD

90°18'

1073.8

M.G.A. 2020 ZONE 54
VIDE GNSS OBSERVATIONS

GOVT. ROAD

14°04'

1547.4

2
186.4ha
(BY DEDUCTION)

PROVISIONAL PLAN

RAILWAY

A699.58

R1222.10

95.15

189°30'

10m

E-2

10m

269°59'

454.78

10.21

162°29'30"

319.13

168°24'40"

A162.98

C162.85

R1191.90

1111.6

269°59'

1210.9

359°13'32"35'

180.22

80.51

418.76

5815m²

SCALE 1:7500

75 0 75 150 225 300
LENGTHS ARE IN METRES

SEE ENLARGEMENT

2
186.4ha
(BY DEDUCTION)

123°62'21"11

56.6

179°13'

180.22

19°55'10"120.4

120.4

56.6

179°13'

180.22

149°35'80.51

99.31

5815m²

1111.6

269°59'

1210.9

WHEATLANDS ROAD

ENLARGEMENT SCALE 1:2000

20 0 20 40 60 80
LENGTHS ARE IN METRES

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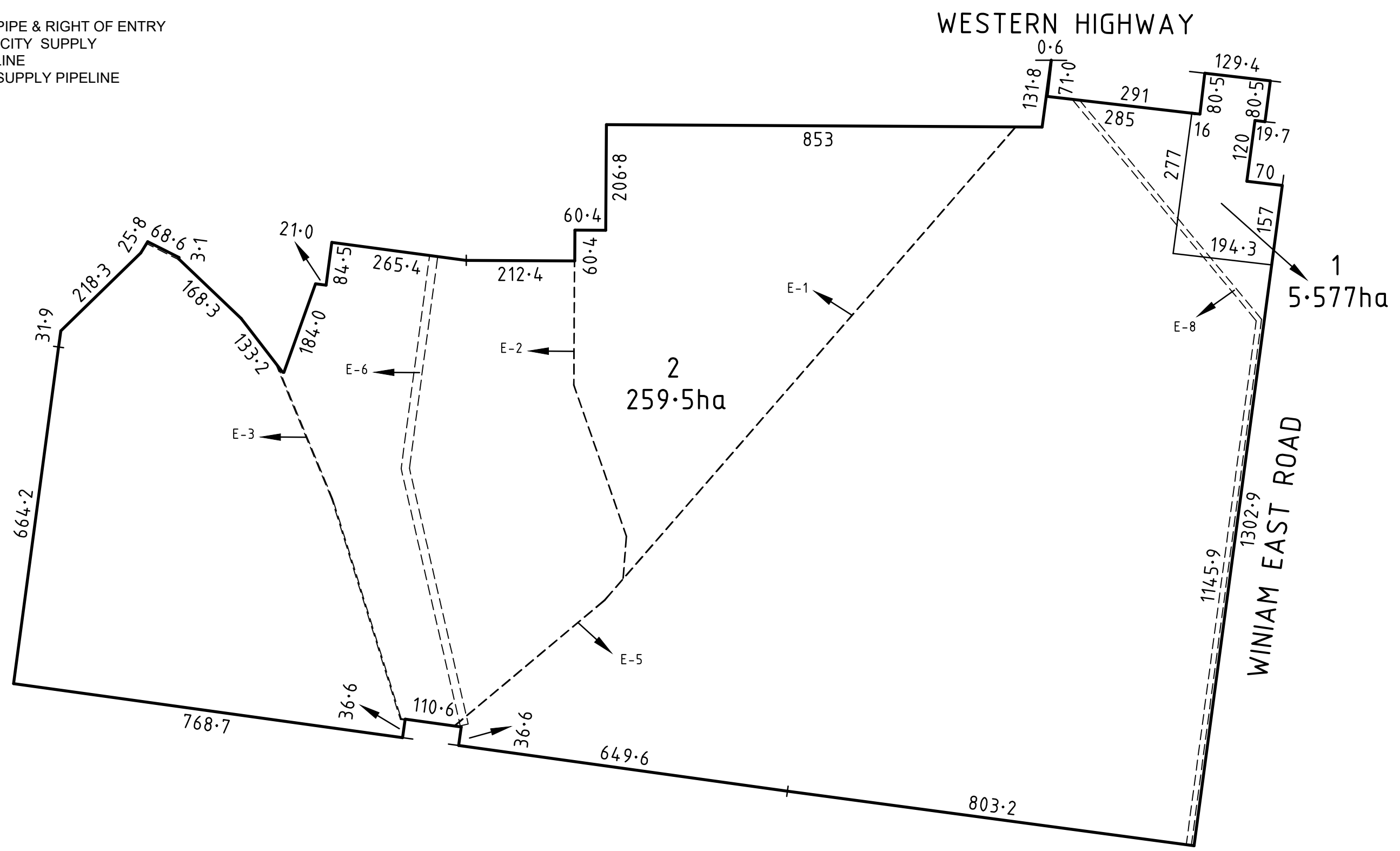
SCALE
AS SHOWN

THOMAS JAMES HARDMAN VERSION 1

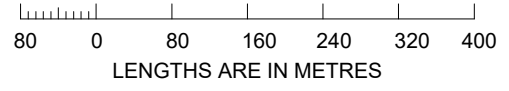
ORIGINAL SHEET
SIZE: A3

SHEET 2

E-1=WATER PIPE & RIGHT OF ENTRY
E-3=ELECTRICITY SUPPLY
E-5=POWERLINE
E-8=WATER SUPPLY PIPELINE



SCALE 1:8000



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21H0328
05-10-21
DRAWN BY: MH

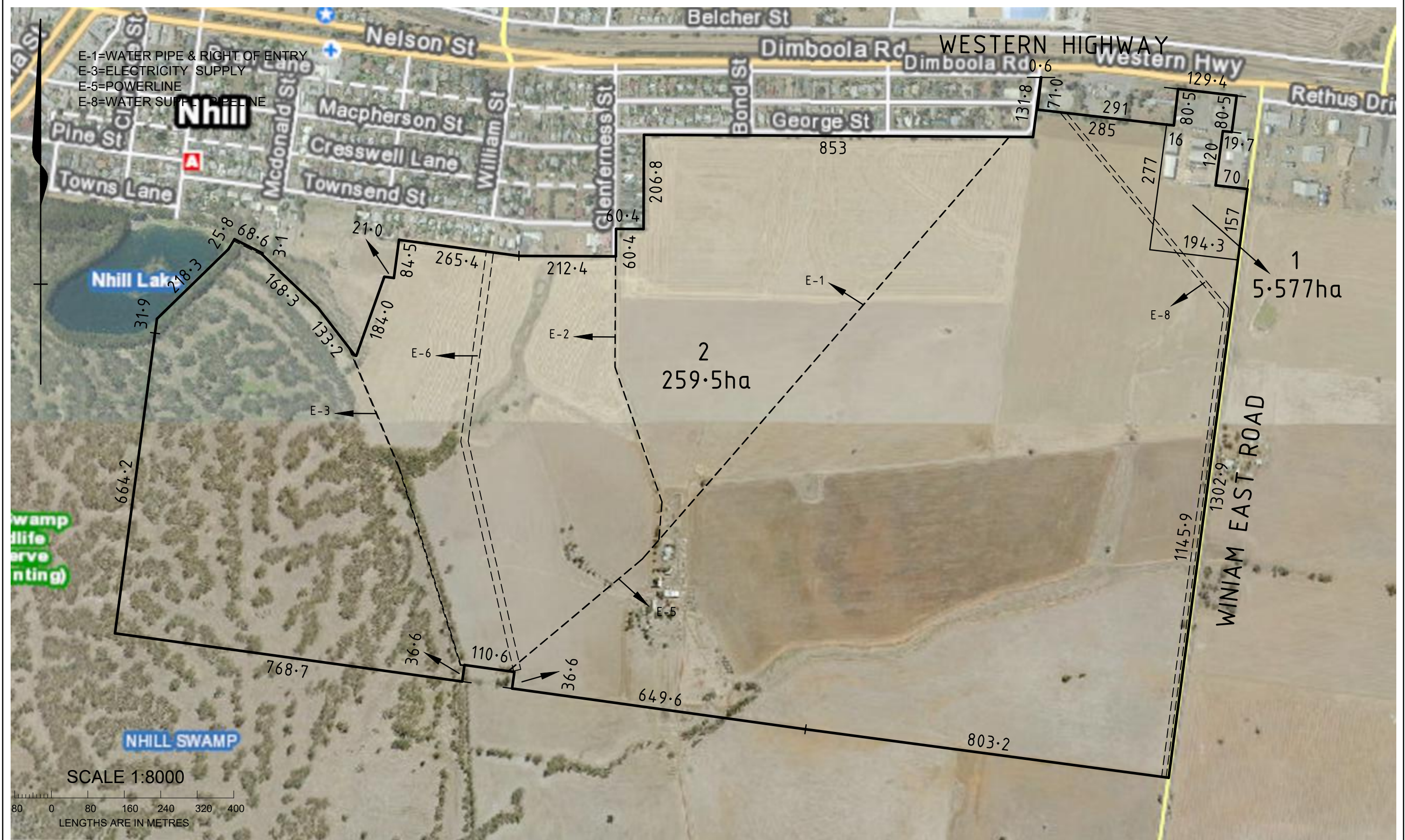
NOTATIONS

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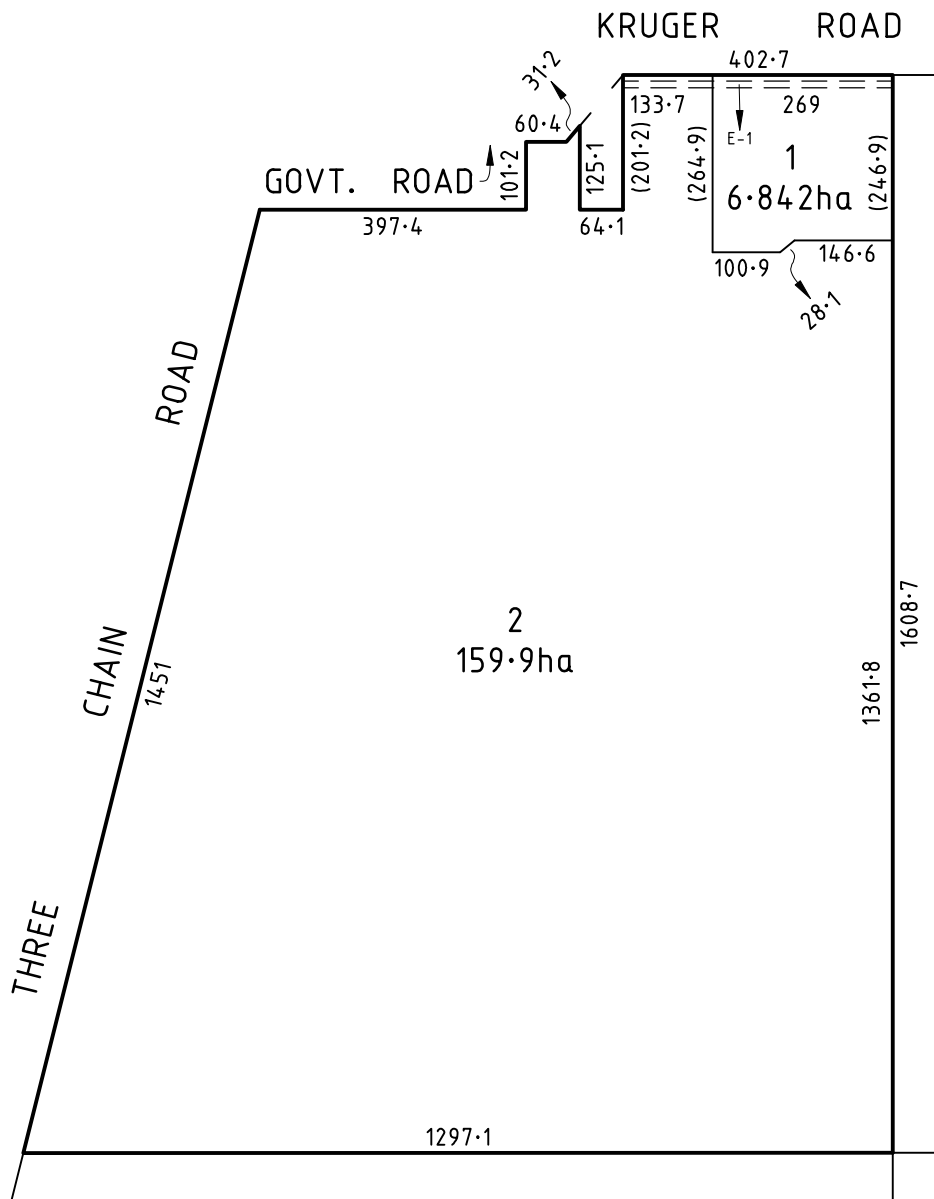
SUBDIVISION BOUNDARIES HAVE BEEN ESTIMATED FROM
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PLAN OF PROPOSED SUBDIVISION

COUNTY OF LOWAN
PARISH OF BALROOTAN
CROWN ALLOTMENTS A, 16, 18 & 19 (PARTS)



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SCALE 1:7500
75 0 75 150 225 300 375
LENGTHS ARE IN METRES

NOTATIONS

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E-1 : EXISTING WATER SUPPLY EASEMENT
(SEE TP596185T FOR FURTHER DETAILS)

SURVEYORS REF.

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21H0030

21-06-21
DRAWN BY: B.F.

ORIGINAL SHEET SIZE A3

PLAN OF PROPOSED SUBDIVISION

PARISH OF WERRAP
CROWN ALLOTMENT 25

TOWNSHIP OF RAINBOW
CROWN ALLOTMENT 5



SCALE 1:7500

75 0 75 150 225 300 375

LENGTHS ARE IN METRES

NOTATIONS

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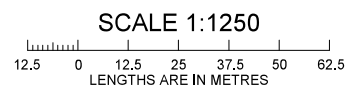
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ORIGINAL SHEET SIZE A3

PLAN OF PROPOSED SUBDIVISION SHOWING EXISTING FEATURES

PARISH OF WERRAP
CROWN ALLOTMENT 25

TOWNSHIP OF RAINBOW
CROWN ALLOTMENT 5



NOTATIONS

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E-1 : EXISTING WATER SUPPLY EASEMENT
(SEE TP596185T FOR FURTHER DETAILS)

SURVEYORS REF.

21H0030

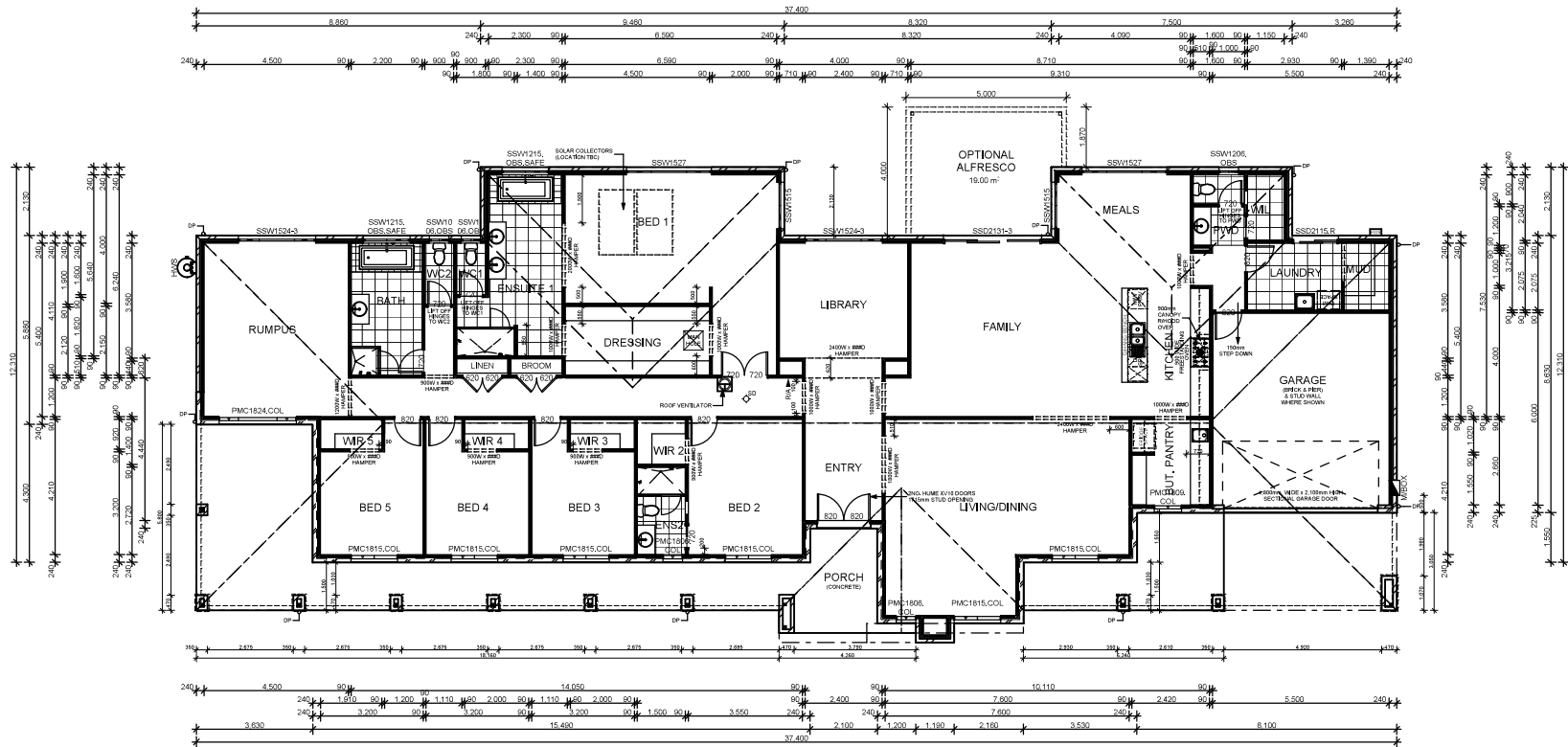
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ORIGINAL SHEET SIZE A3

SITE PLAN

PARISH OF WERRAP
CROWN ALLOTMENT 25
TOWNSHIP OF RAINBOW
CROWN ALLOTMENT 5



GROUND FLOOR PLAN

SCALE 1:150



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HAMPTONS FACADE

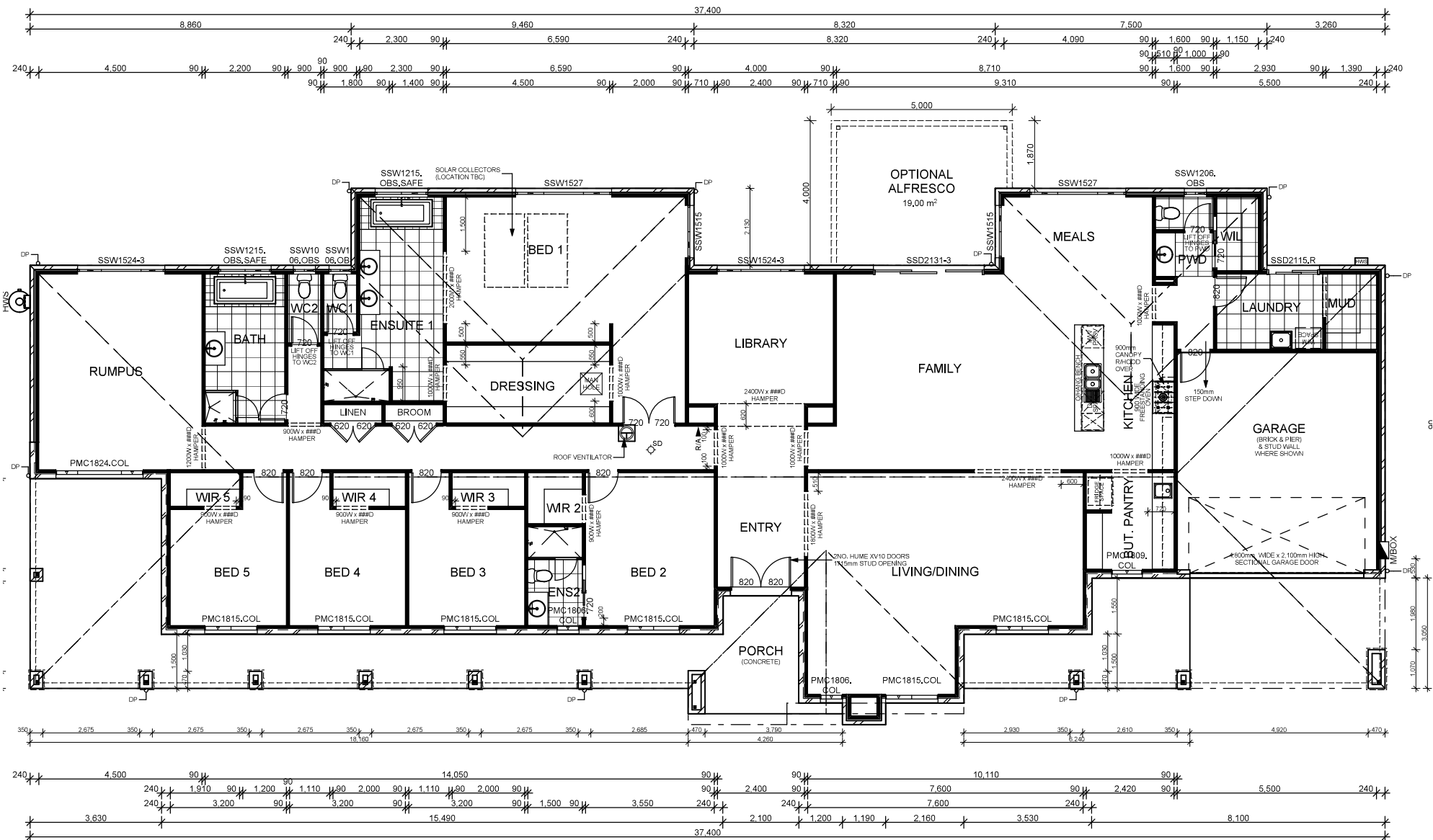
HAMPTONS FLOOR 360.09
HAMPTONS VERANDAH 52.17
HAMPTONS GARAGE 35.73
HAMPTONS VERANDAH 13.56
TOTAL 461.55 m²

John G. King
COLLECTION

HUNTER 395 HOMESTEAD FACADE

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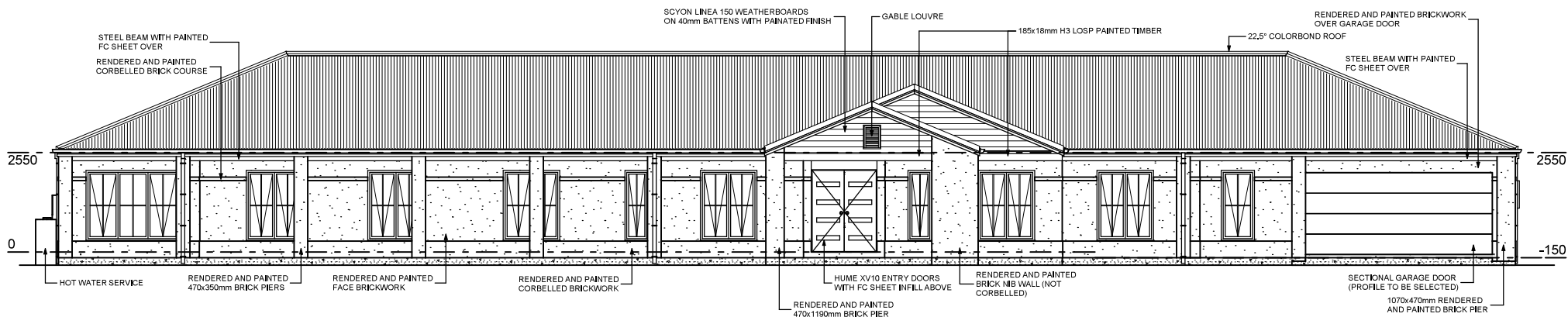
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COLLECTION

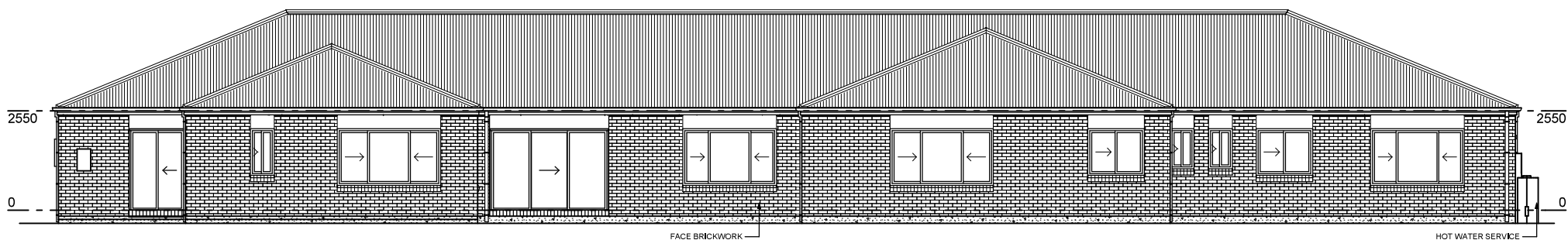
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FRONT ELEVATION SCALE 1:100



REAR ELEVATION SCALE 1:100



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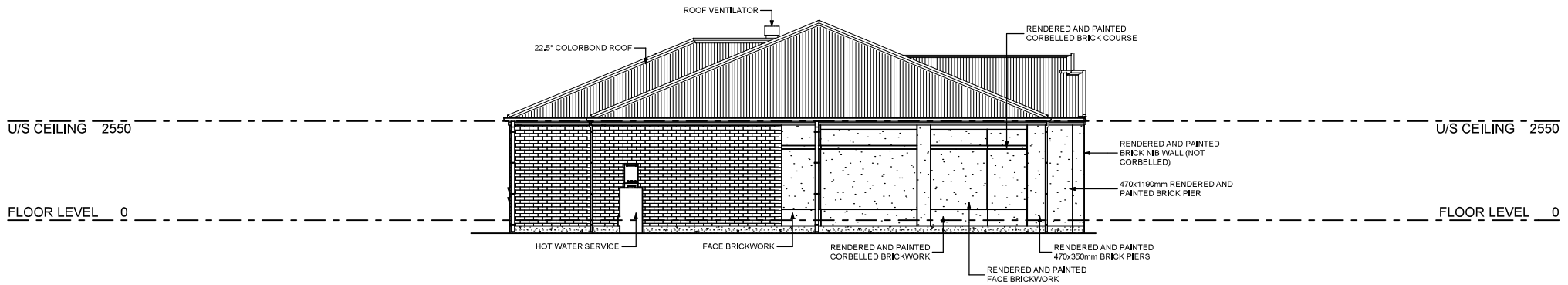
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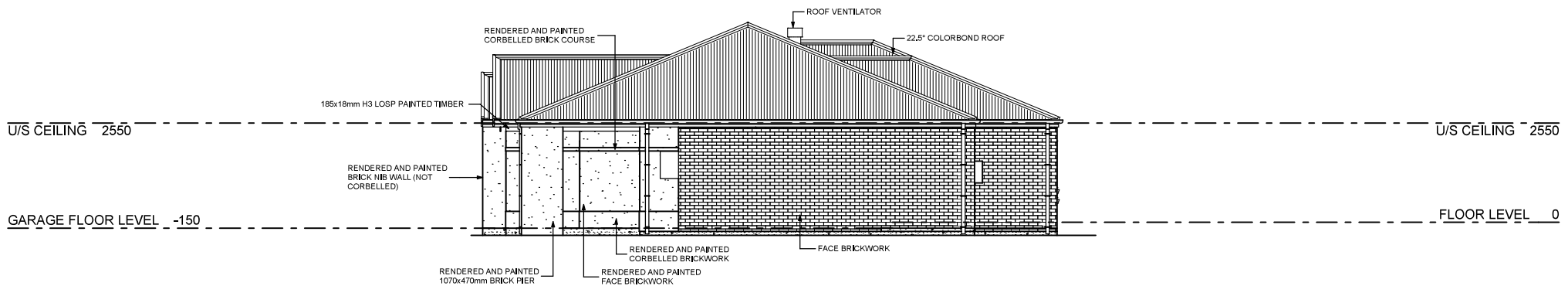
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LEFT ELEVATION SCALE1:100



RIGHT ELEVATION SCALE1:100



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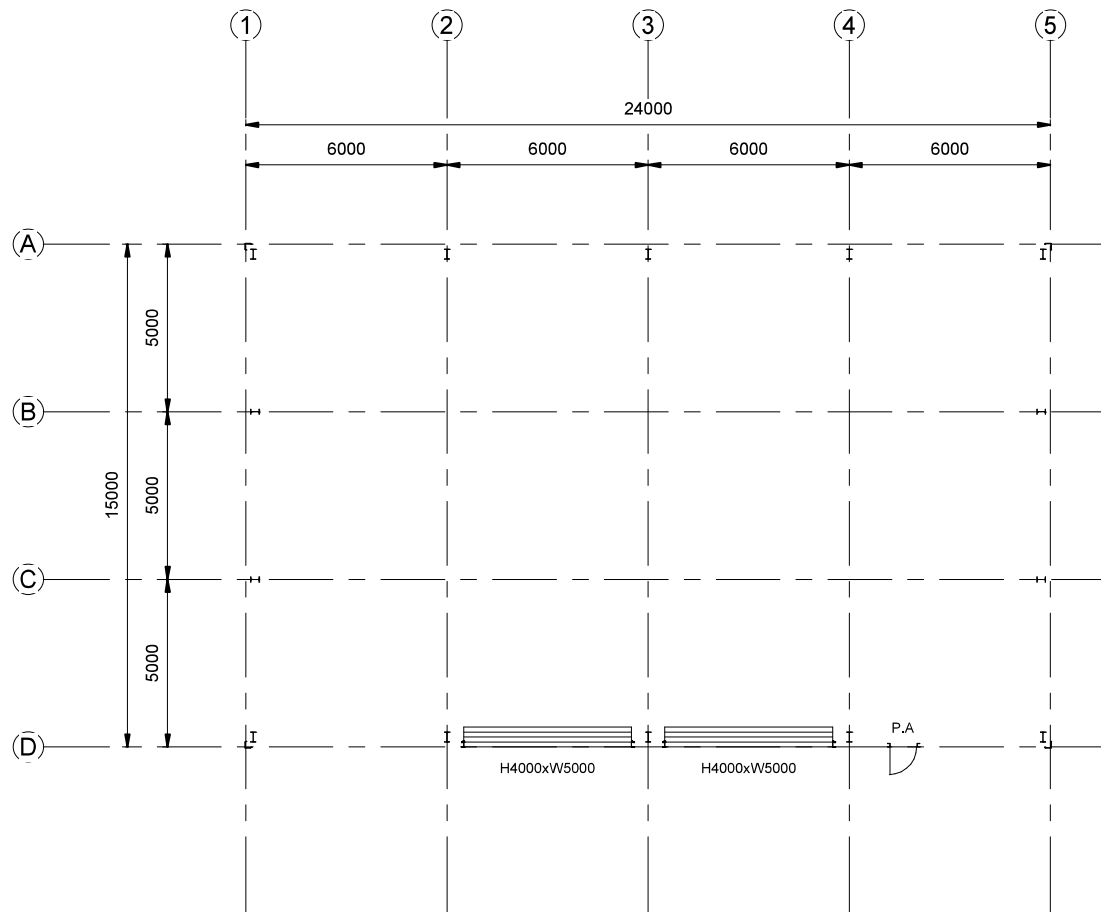
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HAMPTONS FACADE

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LAYOUT PLAN

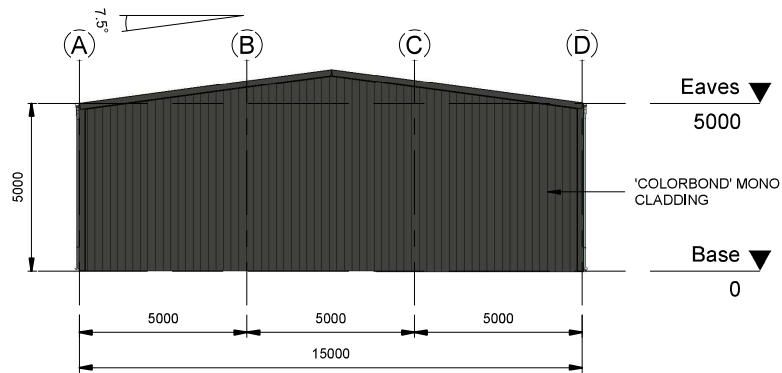


No.	Description	Date
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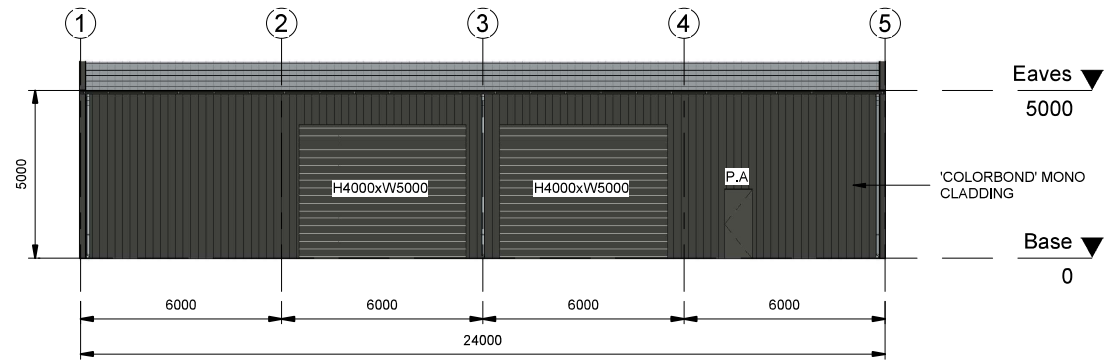
Anthony Heinrich

LAYOUT PLAN

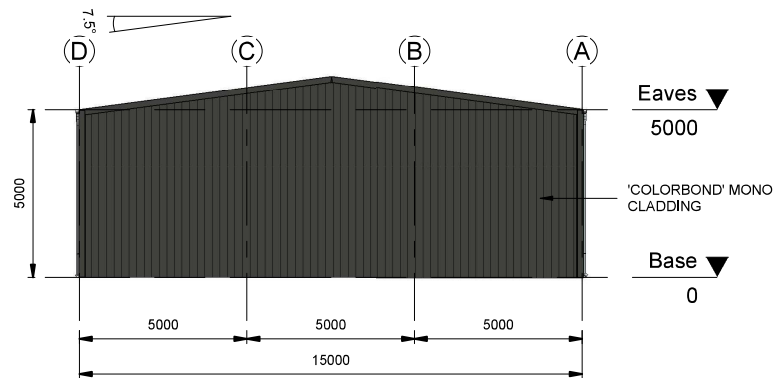
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Date	23/04/2021		
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Checked by	Checker		
Scale		Rev	A



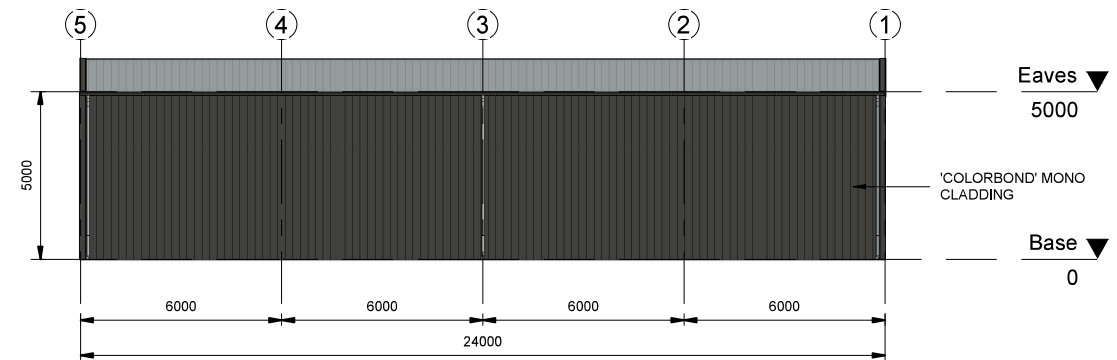
LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



BACK ELEVATION

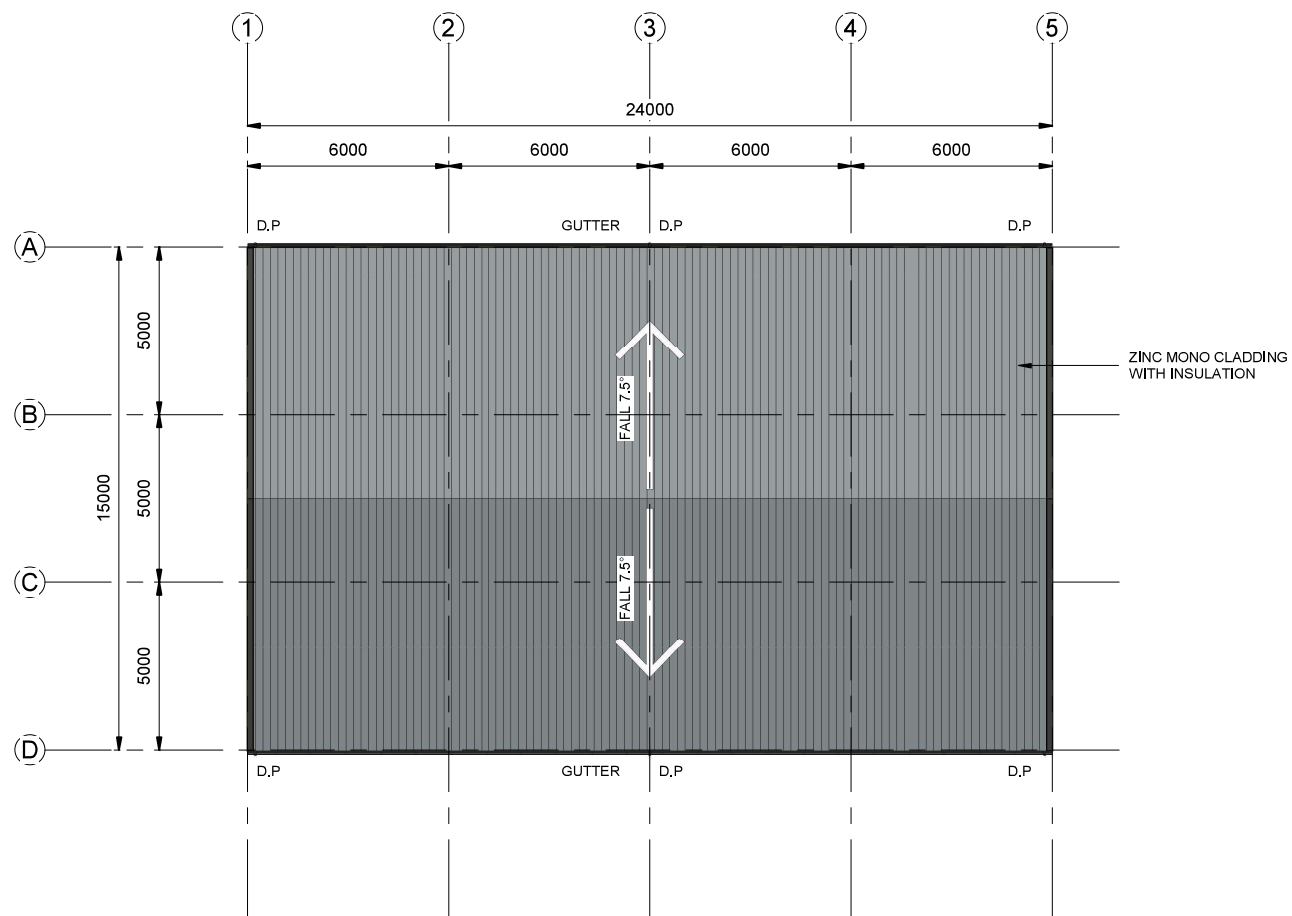


No.	Description	Date
A	Issue For Approval	23/04/2021

Anthony Heinrich

ELEVATIONS

Project number		A101	
Date	23/04/2021		
Drawn by	Author	Scale	Rev A
Checked by	Checker		



ROOF PLAN



No.	Description	Date
A	Issue For Approval	23/04/2021

Anthony Heinrich

ROOF PLAN

Project number		A102
Date	23/04/2021	
Drawn by	Author	
Checked by	Checker	
Scale		Rev A

HINDMARSH SHIRE COUNCIL

AUDIT AND RISK COMMITTEE CHAIR'S REPORT: March 2022

PURPOSE

To advise Councillors and the Chief Executive Officer at Hindmarsh Shire Council of the activities of the Audit and Risk Committee since June 2021.

INTRODUCTION

The Hindmarsh Shire Council Audit and Risk Committee Charter provides that the Chair will prepare a biannual audit and risk report that "describes the activities of the Audit and Risk Committee and includes its findings and recommendations." The Charter also provides that this report will be tabled at the next Council meeting by the Chief Executive Officer and that the Chair may present the report to Councillors at that meeting if desired.

The Audit and Risk Committee is established in accordance with s53 and 54 of the Local Government Act 2020. The committee is an independent advisory committee, and assists to strengthen Council to ensure Council's commitment to good governance, public transparency, and accountability.

The key purpose of this report is to provide Council with an overview of the Committee's primary functions and activities during the past 9 months.

AUDIT AND RISK COMMITTEE CHARTER

The Charter outlines the Scope of Authority, Composition and Responsibilities of the Committee. The Charter was last reviewed in 2020.

COMMITTEE MEMBERSHIP

The membership of the Committee comprises four members – two councillors and four external, independent members. The committee was established by Council resolution on 15 July 2020 for the term up until 1 November 2024.

The four Independent members are: Bernard Young – Chairperson, Darren Welsh, Ashley Roberts, and Krista Thiele.

Cr Debra Nelson and Cr Melanie Albrecht are the councillors who have served on the Committee during this reporting period.

The Committee met on one occasion during this period, on September 21, Darren Welsh was an apology.

Again, the Committee has been supported by the Council's capable and professional staff who have ensured there has been the timely provision of reports and requested information thus supporting the Committee to meet its stated objectives.

AUDIT FUNCTIONS

The Committee continues to assist the Council in addressing financial, strategic, and operational risks and also ensuring that the Council maintains a reliable system of internal controls.

GOVERNANCE

To ensure accountability, compliance and transparency, in addition to this biannual report, the minutes of each Committee meeting are presented to the next available Ordinary Council meeting.

The ARC meetings are usually attended by Hindmarsh Shire Council Chief Executive Officer (apology March 2021), Director Corporate & Community Services, Manager Finance & Customer Services, and Manager Governance & Human Services. Council officers are available to answer questions of the committee regarding any legal issues, significant OH&S issues, fraud events, or any other events or issues affecting Council as an organisation at a strategic level.

EXTERNAL AUDITORS

In accordance with the Local Government Act, the Victorian Auditor General (VAGO) appoint Council's Auditor.

HINDMARSH SHIRE ANNUAL ACCOUNTS

The Committee met on 21st September 2021 and received the Victorian Auditor General's Agent's Closing Report on the 2020-2021 Financial Report and Performance Statements of the Hindmarsh Shire Council. This meeting was held via Zoom.

At that meeting, the Committee also received and approved in principle the 2020/21 financial statement and performance statement for that financial year.

The Committee also received, reviewed, and recommended to Council the draft Long Term Financial Plan 2021/22 to 2030/31.

The Council staff are to be commended for the outstanding work they did to ensure that the draft financial and performance statements were ready for the external auditor given the difficult times of 2021.

INTERNAL AUDITORS

Hindmarsh Shire Council engages RSD Audit Bendigo as its current Internal Auditors. The Committee receives a regular Internal Audit Committee Update Report which provides not only a progress report on the Hindmarsh internal audit program but also a very useful summary of recent reports from public bodies.

During this reporting period The Committee also reviewed the scope of the Cyber Security Audit and recommended that Council undertake the audit.

The Audit Program is regularly reviewed to ensure that it remains current to the needs of the Council.

MANAGEMENT REPORTS

In addition to the External and Internal audit functions of the Committee, to meet its advisory functions, the Committee also receives regular management reports at each meeting which included the following at the September meeting:

- A risk management update was also presented to the Committee.
- Governance Compliance. A report was received by the Committee on Legislative Compliance, required by the Local Government Act 2020. A feature of this Act is that Council is required to develop its own various policies, strategies and plans having regard to the Act. The regular

updating of the legislative compliance register is an important tool for Council to be assured that it is meeting its legal obligations established by the Act. A similar reporting process will be followed in respect implementation of the requirements on Council of the Gender Equality Act 2020.

CONCLUSION

The work of the Audit and Risk Committee in this reporting period has been greatly assisted by the diligence, professionalism and contribution of both Councillors and officers.

Bernard Young

Chair

Audit and Risk Advisory Committee

Hindmarsh Shire Council



Project Number	Date Received	Council Meeting	Doc ID	Organisation	Project Name (Description?)	Amount Requested	Total Project Cost	Cash Contribution	Eligible (Y/N)	WHY 30%		WHAT 30%			HOW 40%				Total Assessment Score (22)	Recommended Allocation for Funding Round - \$6,000	Allocated Amount	Completion Report Submitted	Extension Date	Comments				
									3	Demonstrated need	How will the project improve the business operations and economic situation?	4	Project summary	2	Risk Assessment	2	Acknowledgement	2							Quotes/ Information	2	Measure of success	2
1	10-Feb-22	March	353173	Andrew Barteluit Photography	Drone for Photo Book	\$3,000.00	\$4,200.00	\$1,200	Y	2	3	3	2	2	2	2	2	2	2	2	2	2	21	\$3,000.00				
2	17-Feb-22	March	353381	BP Roadhouse Nhill	Walk in Freezer Repair	\$3,000.00	\$,6,000.00	\$3,000.00	y	3	3	2	2	2	to cc	2	2	1	?		\$3,000 (pending quote)							
							\$ 4,200.00	\$ 4,200.00											\$3,000.00									

Project Number	Date Received	Council Meeting	Doc ID	Organisation	Project Name (Description?)	Amount Requested	Total Project Cost	In-Kind/Cash Contribution	Eligible (Y/N)	Reason for Ineligibility
14	18/02/2022	March	353462	Milk Blossom	Tracey's World's Greatest Shave Family Fun Day	\$500.00	\$3,456.00	\$2,956.00	N	Not an incorporated association.
<div><div><div>Community Need 4 Community Wellbeing 3 Social Connectedness 3 Economic Benefit 3</div><div>WHY</div></div><div><div>Community Participation 3 Risk Assessment 2 Project summary 4 Acknowledgement 2</div><div>WHAT</div></div><div><div>Quotes/ Information 1 Budget (BS) and In-Kind 1</div><div>HOW</div></div><div>Total Assessment Score</div><div>Community/ Council Plan Reference</div><div>Recommended Allocation \$500</div><div>Allocated Amount</div></div>										

Small Equipment

[illegible]

Hindmarsh Shire Council																								
Community Action Grants																								
Community Assistance																								

Project Number	Date Received	Council Meeting	Doc ID	Organisation	Project Name (Description?)	Amount Requested	Total Project Cost	Cash/in kind Contribution	Eligible (Y/N)	Reason for Ineligibility	WHY				WHAT				HOW		Total Assessment Score	Community/ Council Plan Reference	Recommended Allocation \$1,000.00	Allocated Amount
											Community Need 4	Community Wellbeing 3	Social Connectedness 3	Economic Benefit 3	Community Participation 3	Risk Assessment 2	Project summary 4	Acknowledgement 2	Quotes/ Information 1 Budget (BS) and In-Kind 1					
4	16/02/2022	March	353149	Gallery Central Rainbow Rises Events	New laptop	1000	1186.85	186.85	y	NA	4	3	3	2	3	2	4	2	1	1	25		900	The funding request is above the limit of \$1000, but this particular project benefits multiple community groups in Rainbow
5	16/02/2022	March	353452	Association St. John's Lutheran Church Pella	Laptop and Printer	1000	1459	459	y	NA	4	3	3	3	3	2	4	2	1	1	26		900	
6	16/02/2022	March	353452		New P/A System	1000	1200	200	y	NA Applied successfully in Round One	4	3	3	1	3	2	4	2	1	1	25		900	
7	16/02/2022	March	353451	Nhill & District Historical Society	New Multifunction Printer	500	1,067	567	n		0	0	0	0	0	0	0	0	0	0	0		\$0	
8	16/02/2022	March	353449	Nhill Urban Fire Brigade	Driving lights for vehicles	1000	985	0	y	NA	4	3	3	3	3	2	4	2	1	1	26		\$900	
9	17/02/2022	March	353404	Rainbow men's Shed	Table Saw	1000	1539.23	539.23	y	NA	4	3	3	3	2	2	4	2	1	1	25		900	
10	7/02/2022	March	352443	Nhill Bowling Club	Rink Numbers and Ditch Markers	1000	1672	672	y	NA	3	2	2	2	3	2	4	2	1	1	22		900	
11	17/02/2022	March	353423	Rainbow Recreation Reserve	New Catering Equipment	1882.21	2,207.21	325	y	NA	4	3	3	2	3	2	4	2	1	1	25		900	
12	18/02/2022	March	353448	Rainbow Innovation Centre	Pipe Instrument Project	1000	5600	4600	y	NA	2	3	3	2	3	2	4	2	1	1	24		900	
13	18/02/2022	March	353429	St. Stephen's Lutheran Church	Soup Hot Pots Operation	894.01	1194.01	300	y	NA	3	2	3	1	2	2	4	2	1	1	21		894.01	
14	18/02/2022	March	353486	Hindmarsh Ski Club	Sunsmart	808.8	808.8	0	y	NA	2	3	2	2	2	2	4	2	1	1	21		808.8	
																							\$8,902.81	

The funding request is above the limit of \$1000, but this particular project benefits multiple community groups in Rainbow



MINUTES OF THE NHILL TOWN COMMITTEE HEALTH MONDAY 21 FEBRUARY 2022 AT THE NHILL MEMORIAL COMMUNITY CENTRE, 77-79 NELSON STREET NHILL AND VIA ZOOM, COMMENCING AT 8.00PM.

Members:

Alana Storey (Chair), Brock Stephens (Assistant Chair), Jenny Dufty, Cr Melanie Albrecht (Mayor).

In attendance:

Catherine Bates, Emily Graham, Pauline McCracken, Daniel Griffiths

1. Acknowledgement of the Indigenous Community

A Storey opened the meeting at 8.00pm by acknowledging the Indigenous Community.

2. Apologies

Rhys Webb, Darryl Hall and Vicki Natt were noted as apologies.

**3. Disclosure by Committee members or Councillors or Council Officers of any interest or conflicts of interest in any item on the agenda
Confirmation of minutes**

A Member 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 the conflict is **general** or **material**; and
- The circumstances that give rise to the conflict of interest.

Declaration of material or general conflicts of interest must also be advised by Members at the commencement of the discussion of a specific item.

There were no conflicts declared.

4. Confirmation of minutes

RECOMMENDATION:

That the Minutes of the Nhill Town Committee Meeting held on Monday 18 October 2021 at the Nhill Memorial Community Centre circulated to Committee Members be taken as read and confirmed.

Moved: Cr M Albrecht/B Stephens

That the Minutes of the Nhill Town Committee Meeting held on Monday 18 October 2021 at the Nhill Memorial Community Centre circulated to Committee Members be taken as read and confirmed.

CARRIED

5. Correspondence

5.1 Inward:

- Invitation to the 2022 Rainbow Local Government Conference
- Invoice for Truck Bay pressure washing
- Budget Requests

5.2 Outward

- General Christmas Carols correspondence

RECOMMENDATION

That the Committee notes the inward and outward correspondence.

MOVED: Cr M Albrecht/B Stephens

That the Committee notes the inward and outward correspondence.

6. General business as notified to the Chair

Members noted that Pauline McCracken and Vicki Natt had expressed interest in joining Nhill Town Committee. **Members noted their support for the two additional members and recommend to Council that these expressions were endorsed.** Members acknowledged that further recruitment could still occur to reach the maximum allowance for Town Committee membership.

It was noted that Leith Dean had tendered her resignation and Members would like to thank Leith for her contribution to Nhill Town Committee which was greatly appreciated.

The procurement process was explained to new Members which requires all purchases under \$2,000 to be approved in the minutes. Council staff representative, D Griffiths, will

then complete the internal purchase order and provide it to the Committee Member to enable purchase of the goods.

For items over \$2,000 endorsement of the Committee's recommendation is required by a motion of Council.

Members noted that prior to next meeting, an annual quote from the Nhill Free Press & Kaniva Times for advertising would enable one motion to be moved for a purchase order.

Members were advised of the Rainbow Local Government Conference to be held Friday 20 May, online, and that Council would fund the registration for two Committee Members. B Stevenson expressed his interest. Further expression of interests should be forwarded to the Chair prior to the next meeting.

Members were advised that the Committee had a presence at the Nhill Lions Market during 2021. It was an effective public relations exercise for community members to learn about Town Committee and provide community engagement.

Members noted email correspondence had been received relating to small event grants and a contribution of \$500 was made towards the Christmas Carols event. Members were encouraged to utilise the grant opportunities that would present over the year.

Members were advised that the Committee was in communication with GWM regarding the option of a project involving the painting of the Nhill Water Tower. GWM had agreed to undertake a safety survey to determine if painting the Tower would be possible at no cost to the Committee. If the Committee was interested in pursuing the project, grant funding would be required.

Members were updated on the 'Welcome to Nhill' project which involved developing a brochure and pack to welcome new residents to the area. This project is still in its infancy and could be further developed in 2022 with new Members.

Members were advised that the Nhill Christmas Carols and Christmas lights events had been successful again in December 2021. C Bates offered her assistance for the 2022 event.

Members were advised that the Committee had been exploring on behalf of Council community consultation about a dog park in Nhill. The first step is to complete community consultation and consensus about the preferred location of a dog park. This project could be considered by the new 2022 Committee.

Members were advised that community consultation had indicated there was a desire for more youth events to support people young adults 20-40 in the area. Nhill Town Committee had a number of events planned for 2021 but due to COVID-19 these were unable to be held.

Members were updated on the Nhill Truck Stop Project which has been a revitalisation project of the garden area around the Nhill Truck Stop adjacent to the Nhill Showgrounds. Positive feedback has been provided by truck drivers who have thanked volunteers for their hard work in beautifying the area.

Members were informed that Council has progressed the budget process and any projects that require costing for consideration should be forwarded to Council as soon as possible. A Nhill Caravan Master plan has been proposed.

Members discussed opportunities to focus on beautifying shop buildings in the main street, including cleaning shop fronts to remove cobwebs and bird droppings both on the building and adjoining footpath.

A Member noted community interest in a 'Nhill' mural, similar to the 'Horsham' mural and possible locations were discussed.

7. Financial Report for the period ending 31 January 2022

The Financial Report for the period ending 31 January 2022 has been prepared and is presented for the information of Council.

Members noted that an additional expense relating to the Christmas Decorations had been recorded by Council staff. It was determined in future that quotes for additional works by Council staff should be forwarded to the Committee for approval prior to the works being completed.

RECOMMENDATION:

That the Committee notes the Finance Report for the period ending 31 January 2022 as presented.

MOVED: CR M Albrecht/B Stevenson

That the Committee notes the Finance Report for the period ending 31 January 2022 as presented.

CARRIED

8. Meeting Closed

There being no further business, the Chair declared the meeting closed at 9.37pm.



**MINUTES OF THE DIMBOOLA TOWN COMMITTEE MEETING HELD MONDAY
7TH FEBRUARY 2022, AT DIMBOOLA LIBRARY, COMMENCING AT 7.04 PM.**

MINUTES

1. Acknowledgement of the Indigenous Community

2. Apologies

3. Conflict of Interests

4. Confirmation of Minutes

5. Correspondence

6. Decisions to be Made

7. General Business as notified to the Chair

8. Events

9. Finance Report

10. Meeting Closed

11. Council Officer Authorisation

Present:

Jo Donnelly JD (acting Secretary), Angela Hoy AH (Council Officer), Lou Catania LC (Committee Member), Deb Nelson DN (Councillor in Attendance), Mary Mason MM (Member), Pru Cook PC (Committee Member), Karen Bennett KB (Committee Member), Heidi Bruce HB (Committee Member).

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY

Chairperson opened the meeting at 7.04pm by acknowledging the Indigenous Community.

2. APOLOGIES

Kaylene Pietsch KP (Committee Member), Bill Eldridge (Committee Member), Tony Schneider TS (Committee Member), Sharyn Cook (Committee Member), Owen Pietsch OP (Committee Member).

MOVED: Pru Cook

Seconded: Heidi Bruce

3. DISCLOSURE BY COMMITTEE MEMBERS OR COUNCILLORS OR COUNCIL OFFICERS OF ANY INTEREST OR CONFLICTS OF INTEREST IN ANY ITEM ON THE AGENDA

- General conflict of interest; or
- Material conflict of interest.

Declaration of general or material conflict of interest must also be advised by Committee Members at the commencement of discussion of the specific item.

4. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the DTC Committee / Advisory Committee Meeting held on Wednesday 12th January, 2022 (On-line) as circulated to Councillors and members be taken as read and confirmed.

Moved: Mary Mason

Seconded: Heidi Bruce All in Favor

5. CORRESPONDENCE

Introduction:

The following correspondence is tabled for noting by the Committee,

7.1 Inwards:

- Information from Phil Colquhoun re Dimboola Town Committee assets stored in various locations other than the Dimboola Community Centre. (forwarded to KP & MM)
- Letter from Jenny Gaulke re request for walking path. (distributed to all members) *Angela Hoy noted that this request is more of a private matter that will need to be addressed by the Hindmarsh Shire (The letter was also sent to the Shire Office) Jo Donnelly to send a letter to Jenny, to acknowledge receipt of the letter, & that it was brought to the Town Committee meeting, but that the Hindmarsh Shire will follow up.)*
- Email from Phil King re Soundshell in Mildura (Nowingi Place) built 2008/2009 at cost of 1.3m.

7.2 Outwards:

- Email to Hindmarsh Shire / Heather Boyd & Angela Hoy submitting Dimboola Pre-Budget Submissions to Hindmarsh Shire before end of month.
- Email to Phil Colquhoun requesting listing of assets stored in locations other than the Dimboola Community Centre.

RECOMMENDATION:

That the Outward Correspondence be approved and the Inward Correspondence noted.

Moved: Pru Cook

Seconded: Karen Bennett - all in favour

That the Committee notes the attached correspondence.

6. DECISIONS TO BE MADE

Confirmation of AGM Date.

7. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR

7.1 Executive Appointments:

It was confirmed that the Dimboola Town Committee / Advisory Committee will hold their AGM & appoint Executive appointments of Chair and Secretary at the March Meeting scheduled to be held on Monday 7th March 2022. Councillor Deb Nelson has agreed to run the AGM.

7.2 Dimboola Steampunk Event update:

Pru Cook gave an update of the Dimboola Steampunk Event meeting that was held on Friday 4th Feb with Hindmarsh Shire Representatives Monica Revell, Aiden Dent, Shelly Kaur, Chan Uoy, Jo Donnelly & Pru Cook.

Pru highlighted that the Sponsorship Program that was in place for the previous September date last year (that needed to be postponed due to COVID Restrictions) will be instigated again once we have a clearer indication of the current COVID developments, particularly in relation to schools returning.

With regard to the Sponsorship Program, it was pointed out that if there was a shortfall of Sponsorship \$'s for Lighting &/or Marketing, then these expenditures can be scaled back to accommodate.

There will be pre-booked ticket sales available (possibly through Eventbrite or the like) at \$11 per adult (this includes GST), which will give a clear indication as to numbers / interest in the event, & thus indication that costs should be covered.

Costs are currently projected at approx \$15,405 – with sponsorships and other funding there is an approximate shortfall of \$5,000. This is in the event that no additional sponsorship or grant money is received. Given current budget figures, 550 ticket sales are required to break even).

In the event that the event returns a profit, the Steampunk sub-committee would like to provide some of these funds to the musicians volunteering their time, in recognition of the difficulties faced by artists during the pandemic.

Any additional profit on top of this would be used to help fund future Steampunk festivals.

Hindmarsh Shire has offered a \$1,500 Cash Contribution, with an extra \$6,000 if no additional grant money can be obtained to cover lighting costs. Hindmarsh Shire are also contributing in-kind in the way of insurances, planning and waste management.

Mary Mason advised that in her current role working with a COVID health team, that there may be some restrictions with regard to these large events going ahead. Angela Hoy advised that there is a Conflict of Interest with regard to Mary Mason working in a COVID health project.

It was discussed that the event will be guided by the advice of the Hindmarsh Shire with regard to COVID Restrictions & Guidelines.

7.3 Dimboola Town Committee Pre-Budget Submissions for next year.

Thank you to Mary Mason for putting together the Dimboola Town Committee pre-budget Submission form and for helping with the new Committee team to decide on the best options. The Dimboola Advisory Committee submitted the following 3 Projects for the upcoming financial year Dimboola Town Budget (as distributed via email to all members). The completed form was sent to Hindmarsh Shire prior to the end of month

- Sound Shell at the Recreation Reserve – it was stated that the Dimboola Advisory Committee would like to be involved in getting the project to a “Grant Ready” position.
- Shade Structure on banks near the Swimming Pontoon & Wimmera Bridge.
- Completion of the new Catering Shelter at the Sound Shell to include concrete flooring, lighting / power, & catering benches.

7.4 Seed Funding Project Submissions:

\$6,500 is to be allocated towards a town project (\$1,000 goes towards Admin costs) per financial year. No decision needs to be made upfront, but it was asked that members keep in mind options that the Town Committee may want to look at spending the \$'s on. Suggestions were put to members with the following ideas being put forward:

- Recycling Depot for household / garden furniture etc. Karen Bennet stated that some Shires have an area within their “Transfer Station”. Angela Hoy explained that this is a good idea, & that there is this facility on a very small scale at the Dimboola Transfer Station, and that this project would probably fall more directly with the Hindmarsh Shire, and not the Town Committee. With Karen’s experience & knowledge on sustainability / recycling, Karen was advised that a meeting with representatives of the Hindmarsh Shire on this project would be the best option.
- Tourism Signage Program. (See Agenda item 6.7)
- Community Barbeque area behind the Library. This could possibly be a joint venture with the Hindmarsh Shire and the Dimboola Town Committee as well.
- Pru Cook advised that once the Hindmarsh Shire Budgets have been finalized,

and the Shire have decided on Town Projects, there may be options once we are aware what has and hasn't been included.

- Angela Hoy highlighted to the group that the Town Committee needs to be aware that whatever infrastructure they build, they are then responsible to maintain them.
- Kaylene Pietsch put forward an option of donating a portion of \$'s to the Dimboola "Tower Park" completion project.
 - It was discussed that more information would need to be put to the group to justify this option.

It was also discussed at this point, how the Committee is to go about making decisions, if meetings are to be kept to specifics. Deb Nelson advised that it is acceptable for members to meet together throughout the month and discuss issues / events / projects, and /or alternately emailing information around to members for discussion.

Angela Hoy advised that the Town Committee / Advisory Committee can make decisions without Shire approval if they fall within the Shire Guidelines, and there is no financial commitment. Angela also advised that this information will all fall within the Town Committee Training.

7.5 Asset Listing & request to council for permanent housing.

A listing is being compiled of all Dimboola Town Committee assets. Once compiled, this will be forwarded to the Hindmarsh Shire with a request to find a suitable easily accessible building for their storage & / or Committee meetings etc.

7.6 Volunteer Registration requirements.

Jo Donnelly to forward Hindmarsh Shire Volunteer Registration Policy information & forms to all Dimboola Town Committee / Advisory Committee members.

7.7 Tourism Signage Program.

Mary Mason stated that it would be beneficial to have more tourism signage highlighting our natural resources. Mary was speaking to the new photographer in town (Andrew Bertuleit) and he is willing to donate his photography for the signage. Deb Nelson explained that all signage must follow certain guidelines & that approval's need to go through Vic Roads for signage on outskirts of town. Angela Hoy advised it would be best to work with Jeff Woodward (Hindmarsh Shire Tourism Officer) on this project as a joint venture.

Moved: Karen Bennet; Seconded: Heidi Bruce. All in favor

7.8 Visit Dimboola Business Listing and Community Directory

Jeff Woodward requested of the Dimboola Town Committee, late last year, confirmation of currency of the Dimboola Business Listing. As the Shire listing was quite out of date, Mary Mason put together a "Business Information Form" that was distributed to all local businesses. Mary summarized this listing and forwarded it back to Jeff, advising businesses that they are to liaise with the Shire if any information needs to be changed. (This information is to be used on a Tourism Website for easy access to visitors to our region)

It was also discussed that the Hindmarsh Shire "Community Directory" booklet that is still in circulation is very out of date, being that it was compiled many years ago.

Jo Donnelly to forward a letter to Hindmarsh Shire / Jeff Woodward, asking that the Community Directory booklet be updated.

7.9 Community Information Board – Central Location

Jo Donnelly brought to the attention of the new Committee that, as part of the new Dimboola Library development, there was discussion from the Hindmarsh Shire that a “Community Information / Notice Board” would be erected. As the Library project is now complete, is this scheduled to go ahead, & if so, where would it be located and who’s responsibility would it be to ensure it is current.

7.10 Project Submission Governance / Process

This was discussed on 2 levels. With regard to accessibility of Dimboola Town Committee members to information on previous & current projects, it was discussed that a central location on “the cloud” (such as Google Drive?) might be an option. New committee to look into various options. Previously, status updates were emailed to members of the Dimboola Town Committee. Jo Donnelly advised that the central location on the cloud (Google Drive as an example) would be better and safer than the current storage of files on a memory stick.

Secondly, it was discussed that if members have ideas / information on new & current projects, it would be best to have a Project related template, so that members can complete & bring to a meeting. Pru Cook agreed to compile a Template.

Moved: Karen Bennet; Seconded: Heidi Bruce. All in favour

7.11 Heritage Overlay Guidelines

Mary Mason had been in discussions with members of the Historical Society and they were concerned that there were inconsistencies with Heritage Overlay information from the Shire to the local public / business.

Angela Hoy stated that the Historical Overlay Guidelines are set by Planning Department of State Government. Angela advised that it would be best if someone from the Historical Society that required clarification could contact the Hindmarsh Shire directly for up to date information.

7.12 Community Consultation Guidelines / Governance

Mary Mason started the discussion with regard to looking into a Pathway for members of the Community to address issues / put forward ideas to the Dimboola Town Committee. It was noted that there would need to be various options for all members of the Community to do so – not just an online / social media option – paper form as well, possibly through the Library? For further discussion.

7.13 Chinese Elms

After the very positive feedback from the community regarding the Chinese Elms “Chinese Bells” & Historical references over the Christmas period by the Dimboola Christmas Display Working group, Mary Mason followed up on looking into organizing funding of a more permanent installment of this display. She applied through Regional Arts Victoria, but as there was no current Chinese Cultural Diversity, it wouldn’t be a viable project for them to support at this stage. The Dimboola Christmas Display Working Group may look at other funding options.

7.14 Sidney Nolan Studio and use of name

Mary Mason addressed to the Committee that there was a concern from various members of the public that the Sidney Nolan Studio & Signage within the town are being used without the correct authority from the family.

Mary has been in discussion with various art enthusiasts that are passionate about Sidney Nolan & his work and history, & see great benefits in highlighting his works and the local Wimmera locations in which they were painted, possibly as part of a “Sidney Nolan Walking Trail”. They feel that the Sidney Nolan Estate would be very inclined to support such a project, but that the current Studio /Signage may deter them. It was pointed out that the Building where the studio is currently located is privately owned, and the owners are happy with the current situation.

Mary also mentioned that it was unfortunate that the current Dimboola Brochure includes references to the Studio on Lochiel Street.

Angela Hoy mentioned that the Hindmarsh Shire have written to the Estate to get authority for various options over the years, but haven’t had contact with them.

7.15 DTC spare BBQ Trailer for use at Dimboola Caravan Park for Lions Cardboard recycling

Lou Catania confirmed that the DTC spare BBQ Trailer has been positioned at the Dimboola Caravan Park, with authorization from the Hindmarsh Shire. It was established that the trailer required no further upgrades of a cage etc, as the trailer has raised sides already & is suitable for the purpose of Cardboard Collection. Members of the Dimboola Lions Club will work with David from the Dimboola Caravan Park with regard to collection etc. Lou Catania applied signage to the trailer, relating to it’s purpose, and a reference to the Dimboola Town Committee & the Dimboola Lions.

7.16 Reminder Ski Club Memorial Event 18/19 Feb 2022 – Volunteers / Catering for 19th February.

As Kaylene Pietsch will be away for the event, Jo Donnelly will help to organize the food supplies for the event. Jo Donnelly to submit Streetrader request. Jo to also send information to members re “Food Handling” training / certificates.

Volunteers for the night (19th Feb – Set up 4pm): Jo Donnelly, Karren Bennett & husband Jeff, & Deb Nelson. But any others wishing to volunteer for the night are welcome. Jo to liaise with Deb, Karen & Jeff as to set-up time, etc.

We will be selling Hamburgers, Sausages, Chicken Steaks, with Onions and Coleslaw. There will be other catering options available on the night, and drinks will be sold through other outlets.

7.17 Suggestion from townsperson re the Public Showers located at the back of Library – should it be posted on Wikicamps / have a donation box?

Angela Hoy confirmed that these suggestions are not an option for the Showers. It was stated that it would create a multitude of issues.

It was discussed that these queries from the public should be formally written to either the Shire or the Dimboola Town Committee, so that they can be addressed in the correct manner. (See Agenda item 7.12)

7.18 Other General Business

Heidi Bruce suggested that there should be a more appropriate name to the Community area behind the new Library building.

It was suggested that this could be a project for the Hindmarsh Youth Council.

8. EVENTS

Event:		Location:		Date	
<i>Relevant documents</i>					
	Responsibility	Due date	Status		
Risk assessment					
Food permit					
Local Law permit					

9. FINANCE REPORTS

9.1 Summary of balances in finance report (as distributed to all members prior to meeting)

RECOMMENDATION:

That the Finance Report as provided with this Agenda be approved.

Moved: Karen Bennet

Seconded: Lou Catania All in Favour

9.2 Purchase orders to be raised - \$2,000.00 or less

RECOMMENDATION: Nil

That the Council Officer raise the following Purchase Orders, being a value of \$2,000 or less.

Moved:

Seconded:

Creditor	Value \$	Description of Goods or Services

9.3 Purchase orders to be raised – more than \$2,000

RECOMMENDATION: Nil

That the Council Officer, following approval by Council or the CEO, raise the following Purchase Orders greater than \$2,000.

Moved:

Seconded:

Creditor	Value \$ (> \$2,000)	Description of Goods or Services

10. MEETING CLOSE

Next Meeting and AGM: Monday 7th March 2022.

To be Chaired by Debra Nelson.

There being no further business Chair declared the meeting closed at 8.41pm.

11. COUNCIL OFFICER AUTHORISATION

I _____ accept the recommendations made by the Dimboola Town Committee in these minutes dated 12th January 2022 .



Signed: Council Officer _____

Dated: _____

Yurunga Homestead Community Asset Committee

General Meeting, Planned for Thursday, October 28, 2021,

Postponed due to inclement weather and power disruptions.

Rescheduled and held Tuesday November 9th, Yurunga Dining Room 7:30 pm

Minutes

Welcome and Opening at 7:38 pm

Members present: Jenny Solly (Chair), Peter Solly (Secretary/Treasurer), Col Drendel, Lou Ravenhorst.

Visitors: Cr Brett Ireland,

Apologies: Helen Heinrich, Helen Fisher, Debbie Funcke.

Moved Col Drendel, Lou Ravenhorst: That the apologies be accepted c/d

Additional items for General Business (to be accepted at Chairperson's discretion)

- Extra mowing/ whipper snipping
- Budget priority projects.
- Rescheduled date for mediation
- Assistance with tours 16th and 22nd November
- QR code for the mural

Declaration by a Councillor, Officer or Committee Member of any direct or indirect interest in any item on the agenda

Nil

Minutes of the previous meeting as circulated:

Moved Col Drendel, Lou Ravenhorst: That the minutes of the general meeting held at the Mecca Supper Room on September 23rd 2021 be accepted as a true and accurate record. c/d

Business arising:

- Jenny was asked to be guest speaker at Central Wimmera CWA Group meeting in Rainbow on October 26th. Jenny spoke, Peter projected photos.
- Bookings cancelled/postponed since last meeting: Warrnambool Historical Vehicle Group, Hopetoun patchwork group, Trade Travel

- Since March, 2020, only 4 of 21 group bookings have gone ahead. Some were rebookings. 9 cancelled caterings were not rebooked. It is 83 weeks since we first closed with Covid. We have been open for 32 of those. We have closed 6 times and reopened 5 times. (Peter's stats)- Update – we officially reopened on Sunday October 31st.
- Oct 1: Peter asked Ron Ismay for a quote to paint the shipping container. Not yet received
- Oct 2: Jenny cleaned Yurunga
- This financial year will be shorter (Sept 1, '21 - June 30, '22) Then we will be in line with the fiscal year for meeting Council reporting requirements (July 1, 2022- June 30, 2023)
- Our 2022 AGM will be held on the fourth Thursday in July
- Oct 7: Peter & Jenny reinvested our Term Deposit at the Commonwealth bank in Horsham. It had been in a holding facility over 6 months
- Oct 7: Peter and Jenny set up Commonwealth Internet banking on their personal accounts. Yurunga accounts can be accessed and Internet banking conducted if the Committee formally agrees at our meeting and Council approves. Dual authorization will be required. Helen Fisher will do her paperwork in Horsham on Wednesday, Oct 27 as third signatory
- Oct 7: Chairperson's annual report was published in The Argus
- Oct 13: Tony Balcombe (Spirit Travel, Melbourne) rang with 2 revised bookings for tours only
- Oct 13: Helen Thomson, Manager Governance & Human Services, has requested that all our volunteers & Committee members email their Covid vaccination certificates to her at Hindmarsh Shire Council
- Oct 15: Allan Roberts mowed the property & south lawn. Thank you Allan
- Oct 22: Ian McLean (Lions Club) rang. He plans to mow the long grass around the perimeter fences when the weather is right. Thank you Ian
- Oct 23: Jenny asked Belinda about applying the protective coating on our mural before it is moved

Updates

- Thanks very much to Ian McLean for his extensive mowing with the Lions mower.
- There is still some mowing/whipper snipping to be done in hard to reach areas.
- Oct 26: Peter rang Les Graetz about taking photos of the rooms to be closed for restoration. He is available in the next couple of weeks
- Waiting for a quote from Ron Ismay for painting the shipping container
- Oct 26: Jenny gave a presentation about Yurunga to Central Wimmera CWA Group meeting in Rainbow. Peter projected the photos
- Oct 29: Clarified by Commonwealth bank that our Internet banking would not be linked to personal accounts. It is based on customer id & passwords. Two signatories are required on the same device in the same place at the same time
- Nov 1 & 2: Peter made & fitted brackets to the shipping container to hold the mural

- Nov 3: The mural was mounted on the shipping container at Yurunga. Many thanks to the Robinson family for the use of their shed & for moving the mural
- Belinda will paint the protective layer on when doing town murals
- Rescheduled mediation meeting is on Tuesday, Nov 9 at Yurunga at 4pm

Correspondence In (Emails)

- Sept 28: Charlee at The Argus to Peter re publishing Chairperson's annual report
- Sept 28: Alexandra McGlashan , Trade Travel to Peter re cancelling tour
- Oct 1 x2: Helen Thomson to Peter re meeting in Nhill
- Oct 11: Shauna Johnson re thanks for Minutes
- Oct 13 x2: Helen Thomson to Peter re Covid vaccination certificates
- Oct 22x2: Helen Thomson to some Committee members re mediation meeting

Late Correspondence In (Emails)

- Oct 25: Helen Thomson to Jenny re 6 pm start for mediation meeting on October 28th
- Oct 25: Monica Revell to Peter re Yurunga able to reopen under the roadmap.
- Oct 26: Shauna Johnson to Peter re AGM minutes.
- Oct 28: Jeff to Peter re attending general meeting only
- Oct 28: Cr Brett to Peter re attending both meetings.
- Oct 28: Helen Thomson to Peter re rescheduling mediation meeting
- Oct 28 Helen Thomson to Peter. Council won't allow internet banking on Council accounts if linked to private accounts.

Correspondence Out (Emails)

- Sept 28: Peter to Charlee at The Argus re Chairperson's report
- Sept 28: Peter to Alexandra McGlashan re cancelling tour
- Sept 28: Peter to Tony Balcombe (Spirit Travel) re tours & price increase next year
- Sept 30: Jenny to Monica Revell, then Helen Thomson, HSC re accusation
- Oct 1: Jenny & Peter to Helen Thomson re meeting in Nhill
- Oct 9: Jenny to Council re copies of AGM '20 & August '21 meeting Minutes
- Oct 11: Peter to Jeff Woodward re mural update & QR Code. Jeff rang back
- Oct 13: Peter to Helen Thomson re copies of our vaccination certificates
- Oct 23: Jenny to Helen Thomson re relocating the mediation meeting

Late Correspondence out (emails)

- Oct 24: Peter to Yurunga volunteers – forward of Heather Thomson's email requesting evidence of vaccination be sent to council.
- Oct 25: Peter to Shauna Johnson re new office bearers and committee members
- Oct 25: Jenny to Helen Thomson re 6pm start for mediation meeting on Oct 28th
- Oct 26th: Peter to Monica Revell re thanks for information about reopening.
- Oct 28: Peter to Jeff and Brett regarding meeting.
- Oct 28: Peter to Helen Thomson re Internet Banking with Commonwealth Bank.

Extra Correspondence In (Emails)

- Oct 28: Helen Thomson, Manager Governance and Human Services, HSC, to Peter re weather too dangerous for travel. The mediation meeting is to be held on Tuesday, November 9, at 4 or 5 pm or in the morning
- Oct 28: Helen Thomson to Peter re Internet banking. Council can't allow asset committee funds to be accessed from personal accounts
- Nov 2: Diane Wall (volunteer) re objection to checking visitors & police check

Extra Late Correspondence In

- Oct 29: Jeff Woodward to Peter re extra information regarding proof of vaccination for visitors.
- November 9: From Heather Boyd, request for priority projects for Council Budget, due Jan 24th.

Extra Correspondence Out (Emails)

- Oct 28: Peter to Helen Thomson re Internet banking
- Nov 1: Peter to Jeff Woodward re need to move mural from the shed
- Nov 1: Peter to Helen Thomson re more accurate information about Internet banking at Commonwealth bank
- Nov 3: Peter to Diane Wall re thanks for contribution to Yurunga

Extra Late Correspondence Out

- Nov 9: Peter to Helen Thomson re change of date for mediation meeting.
- Nov 9: Peter to Alex Dalzeil, Wimmera Mail Times Yurunga mural photos.

Moved Lou Ravenhorst, Col Drendel: That the incoming correspondence be received and the outgoing endorsed. c/d

Reports
~ Financial

Yurunga Homestead Community Asset Committee

Financial Report

September 1st 2021 to September 30th 2021

Opening Balance per statement at 1st September \$11,634.27

Plus Income:

Total Income	\$0.00
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Less Expenses:

Total Expenses	\$0.00
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Closing Balance per statement at 30th September \$11,634.27

Term Deposit reinvested October 7th 2021

at 0.08% interest pa for 3 months \$5,041.34

Had been in a holding account since April 28th
at 0.03% interest.

Outstanding liabilities:

Cheque number 586, September 29th 2021.

Paechy's Electrical Switch replacement \$97.41

Hindmarsh Shire – Ismay Mural frame \$ 1,412.13

Balance of Belinda's fee for Mural \$ 1,000.00

Rainbow Civic Centre Committee

Hall hire for AGM \$10.00

Peter Solly Secretary/Treasurer, Yurunga Homestead Community Asset
Committee

Yurunga Homestead Community Asset Committee

Financial Report

October 1st 2021 to October 31st 2021

Opening Balance per statement at 1st October \$11,634.27

Plus Income:

Total Income	\$0.00
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Less Expenses:

Total Expenses	\$0.00
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Closing Balance per statement at 31st October \$11,634.27

Term Deposit reinvested October 7th 2021

at 0.08% interest pa for 3 months \$5,041.34

Had been in a holding account since April 28th
at 0.03% interest.

Cash on hand to be banked –	
Door takings since reopening:	\$80.00
Donation	\$50.00
Sales	\$10.00
Total	\$140.00

Outstanding liabilities:

Cheque number 586, September 29 th 2021.	
Paechy's Electrical Switch replacement	\$97.41
Outstanding Cheque since September 29 th	

Cheque number 587 November 3 rd 2021	
Rainbow Civic Centre AGM Hall Hire	\$10.00

Cheque number 588 November 3 rd 2021	
Origin Energy Power Paid at Rainbow LPO	\$157.71

Hindmarsh Shire – Ismay Mural frame	\$ 1,412.13
Balance of Belinda's fee for Mural	\$ 1,000.00

Peter Solly Secretary/Treasurer, Yurunga Homestead Community Asset Committee

Moved Peter Solly, Col Drendel: That the financial reports for September and October be received as true and accurate records. c/d

~ Cr Brett Ireland:

Budget submissions are due as detailed in Helen Thomson's email.
The Statutory Meeting is tomorrow night to elect the new mayor and committee representatives. Cr Brett is keen to continue with Yurunga.

~ Jeff Woodward: absent, no report.

Moved Lou Ravenhorst, Col Drendel: That the Hindmarsh Shire report from Cr Brett Ireland be received. c/d

General Business

- Formal decision about commencing Internet banking.
Council staff have said no at this stage, pending further information.

Moved Col Drendel, Lou Ravenhorst: That this committee approves the move to internet banking with Commonwealth bank, pending approval from Hindmarsh Shire Council. c/d.

- Volunteer hours forms are to be filled in & collated for reporting to Council after our next AGM – printed copies were distributed.
- Mural update. Covered already. QR code and coating to be done soon.
- Master bedroom manhole repair. Lou Ravenhorst will look into it.
- Restoration update – There has been no word for some time from Dr Gary Hill. Les Graetz is keen to assist with photographing rooms to be restored.
- Harvest break? November & December or just December? Next meeting is scheduled for Thursday January 27th. Phone or text if necessary for urgent items.
- Extra mowing/ whipper snipping. A lot is needed. We will do what we can when we can.
- Budget priority projects as per wish list due Jan 14th. Helen Thomson's email, November 9th. The following items are suggested: Chairperson and Secretary will complete Helen's template and submit.

Progress of the restoration work about to be undertaken on the homestead, following the successful announcement on 9th September, 2021 of the Yurunga Heritage Victoria, Living Heritage Grant. Grant \$184,000 available

The finalisation and ongoing implementation of the Conservation Management Plan for Yurunga, which is being prepared by heritage consultants at Minerva Heritage. Initial plan cost approx \$20,000.00. plus costs for ongoing cyclical maintenance.

Painting or replacement of the current shipping container. Cost \$3000.00 change over, awaiting quote for painting.

Acquiring a permit for our shipping container (used for storage) and the installation of concrete footings. Cost \$2000,00

The future restoration of the Coach House, which has been our dream for several years – Part 1 rebuilding the stone wall on the west side and south west corner. Estimate \$100,000.00

- Rescheduled date for mediation. Possibly next week. 4 pm Tuesday or another day next week. It was cancelled today due to the funeral.
- Assistance with tours 16th and 22nd November. Jenny and Peter are available. Any assistance would be welcome.

Bookings

Tuesday, November 16, Spirit Travel, Doreen Probus, tour only, about 22ppl all double vaxed, 2.30 pm arrival

Contact: [REDACTED] [REDACTED]

Monday, November 22, Spirit Travel, tour only, about 22 ppl, all double vaxed, 2.30pm arrival

Contact: [REDACTED] [REDACTED]

Saturday, June 4, 2022, Roll family reunion tour

Next Meeting: Meeting decided Thursday January 27th as scheduled.

If you have an idea or would like some action taken, please notify the Secretary or Chairperson so that it can go on the agenda for discussion at the meeting. If something comes up after the agenda goes out (usually a week before the meeting), it can be listed on the night.

Meeting Close 9:15 pm