



MINUTES OF THE ORDINARY COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL HELD AT THE COUNCIL CHAMBER, JEPARIT ON WEDNESDAY 15 FEBRUARY 2017, COMMENCING AT 3.00PM.

AGENDA

1. Acknowledgement of the Indigenous Community and Opening Prayer

2. Apologies

3. Confirmation of Minutes

4. Declaration of Interests

5. Public Question Time

6. Deputations

7. Activity Reports

8. Correspondence

9. Assembly of Councillors

9.1 Record of Assembly

10. Planning Permit Reports

10.1 Application for Planning Permit 1540-16

11. Reports Requiring a Decision

11.1

11.1.1 Financial report for the year ending 31 December 2016

11.1.2 MAV – State Government Early Years Compact

12. Special Committees

12.1 Nhill Early Years Centre Fundraising Committee

13. Late Reports

No report

14. Other Business

No report

15. Confidential Matters

- 15.1 Youth Council Expressions of Interest
- 15.2 Riverside Holiday Park Cabins Update

16. Meeting Close

Present: Crs. D. Nelson (Mayor), R. Lowe (Deputy Mayor), D. Colbert, T. Schneider, R. Gersch, R. Ismay

In Attendance:

Greg Wood, (Chief Executive Officer), Ms. Anne Champness (Director Corporate and Community Services), Mr. Adrian Gasperoni (Director Infrastructure Services), Miss Taegan Salt (Executive Assistant).

Apology:

Nil

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

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

2. APOLOGIES

Nil

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting and Special Council Meeting held on Wednesday 1 February 2017 in the Council Chamber, 92 Nelson Street, Nhill as circulated to Councillors be taken as read and confirmed.

MOVED: CRS D. Colbert/R. Ismay

That the Minutes of the Ordinary Council Meeting and Special Council Meeting held on Wednesday 1 February 2017 in the Council Chamber, 92 Nelson Street, Nhill as circulated to Councillors be taken as read and confirmed.

CARRIED

Attachment: 1 & 2

4. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA.

- Direct; or
- Indirect interest
 - a) by close association;
 - b) that is an indirect financial interest;
 - c) because of conflicting duties;
 - d) because of receipt of an applicable gift;
 - e) as a consequence of becoming an interested party; or
 - f) because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised by Councillors at the commencement of discussion of the specific item.

5. PUBLIC QUESTION TIME

6. DEPUTATIONS

No deputations

7. ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: DECEMBER 2016 - JANUARY 2017

Cr NELSON, MAYOR

Attended:

- 01/12/2016 MAV Mayoral Program, Melbourne
- 01/12/2016 Minister Natalie Hutchins welcome event, Melbourne
- 02/12/2016 Community Christmas tree, Government House, Melbourne
- 03/12/2016 Wimmera River Challenge, Dimboola
- 03/12/2016 CEO Mayor catch up
- 03/12/2016 Nhill- Werribee Karen Community Christmas Celebrations, Nhill
- 04/12/2016 Movember event, Dimboola
- 05/12/2016 Dimboola Town Committee meeting, Dimboola
- 06/12/2016 Meeting with ratepayer, Gerang Gerung
- 06/12/2016 CEO Mayor catch up
- 07/12/2016 Volunteer Taxi thank you morning tea, Nhill
- 07/12/2016 Allambi Christmas party, Dimboola
- 07/12/2016 Briefing meeting, Nhill
- 07/12/2016 Council meeting , Nhill
- 07/12/2016 Councillor Christmas Party, Little Desert Lodge
- 08/12/2016 Nhill Home Karen Museum, Nhill
- 09/12/2016 Councillor induction Program, Horsham
- 09/12/2016 Christmas drinks with Andrew Broad & Emma Kealy, Horsham
- 10/12/2016 Lowan Lodge 107, 130 years celebration, Nhill
- 12/12/2016 Council office, Nhill
- 13/12/2016 Councillors role in emergency management, Ararat
- 13/12/2016 Passenger services study presentation, Ararat
- 13/12/2016 Wimmera Development Association meeting, Horsham
- 15/12/2016 Nhill men's shed Christmas breakup, Nhill
- 15/12/2016 Riverside Holiday Park advisory committee meeting, Dimboola
- 15/12/2016 Dimboola Memorial Secondary School awards night, Dimboola
- 16/12/2016 Official opening Menzies Square, Jeparit
- 16/12/2016 Volunteer awards launch, Horsham
- 16/12/2016 Lions Club Christmas street party, Dimboola
- 19/12/2016 Lloyd St residents meeting, Dimboola
- 20/12/2016 Mayor/CEO catchup, Nhill
- 21/12/2016 Councillors Christmas Message, Nhill
- 21/12/2016 Briefing meeting, Nhill
- 21/12/2016 Council meeting, Nhill
- 07/01/2017 Karen New Year Celebrations, Nhill
- 11/01/2017 Funeral service, Ballarat
- 17/01/2017 Photo shoot with WMT , Nhill
- 20/01/2017 Citizenship ceremony, Nhill
- 25/01/2017 Dinner with Aris Imbardelli, Nhill
- 26/01/2017 Australia Day Ceremonies, Rainbow, Jeparit, Dimboola, Nhill
- 26/01/2017 Here we Go event, Dimboola
- 31/01/2017 Mayor/ CEO catch up, Nhill

Cr LOWE, DEPUTY MAYOR

Attended:

- 02/12/2016 International Disability Day. Jaypex Park, Nhill (sub Mayor)
- 07/12/2016 Council Briefing, Council Meeting, Nhill
- 07/12/2016 Councillor's and SMT Christmas Dinner, LDNL, Nhill
- 08/12/2016 Karen Home Museum, Nhill
- 13/12/2016 Entertain, Nursing Home / Day Centre, Jeparit
- 15/12/2016 Men's Shed Christmas Lunch, Nhill
- 15/12/2016 Presentation Night, DMSC, Dimboola
- 16/12/2016 Opening of Menzies Square, Jeparit
- 20/12/2016 Entertain, Avonlea Home for Aged, Nhill
- 24/12/2016 Mopoke Christmas Eve, Jeparit
- 07/01/2017 Karen New Year Celebrations, Nhill
- 08/01/2017 35th annual Filipina gathering, Horsham
- 26/01/2017 Australia Day activities, Rainbow, Dimboola, Jeparit and Nhill

Cr GERSCH

Attended:

- 07/12/2016 Council Briefing and Council meeting, Nhill
- 07/12/2016 Councillor Christmas Dinner, Little Desert Lodge
- 14/12/2016 Nhill Lake committee meeting
- 15/12/2016 Wimmera roads regional meeting
- 16/12/2016 Jeparit Menzies Square opening
- 19/12/2016 Boyeo hall meeting
- 21/12/2016 Council meeting
- 22/12/2016 WWHS Christmas breakup
- 26/12/2016 Nhill Boxing Day races
- 13/01/2017 RCV board meeting

Cr COLBERT

Attended:

- 07/12/2016 Council Briefing, Council Meeting, Nhill
- 07/12/2016 Councillor's and SMT Christmas Dinner, LDNL, Nhill
- 12/2016 Christmas Carols in Jaypex Park
- 15/12/2016 Men's Shed Christmas lunch
- 19/01/2016 Nhill Town Meeting
- 12/2016 Nhill Vintage Machinery
- 07/01/2017 Karen New Year Concert

Cr ISMAY

Attended:

- 07/12/2016 Council Briefing and Council meeting, Nhill
- 07/12/2016 Councillor Christmas Dinner, Little Desert Lodge
- 16/12/2016 Jeparit Menzies Square opening
- 21/12/2016 Council meeting
- 22/12/2016 WWHS Christmas breakup
- 26/01/2017 Australia Day ceremonies – Rainbow and Jeparit

Cr SCHNEIDER

Attended:

- 02/12/2016 Dimboola Town Committee Christmas Carols night, Dimboola
 - 05/12/2016 Dimboola Town Committee Dinner and meeting, Dimboola
 - 07/12/2016 Council Briefing and Council meeting, Nhill
 - 07/12/2016 Councillor Christmas Dinner, Little Desert Lodge
 - 09/12/2016 Wimmera Southern Mallee Councils meeting, Horsham
 - 15/12/2016 Riverside Holiday Park Advisory Committee, Dimboola
 - 16/12/2016 Wimmera Regional Library Corporation Meeting, Horsham
 - 19/12/2016 Meeting with Lloyd Street residents to discuss kerb & channel project, Dimboola
 - 21/12/2016 Council Briefing and Council meeting, Nhill
 - 26/01/2017 Australia Day ceremony, Dimboola
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SENIOR MANAGEMENT ACTIVITIES: DECEMBER 2016 - JANUARY 2017

GREG WOOD, Chief Executive Officer:

Attended:

- 02/12/2016 International Day of People with Disability, Jaypex Park, Nhill
- 03/12/2016 CEO Mayor catch up
- 03/12/2016 Nhill- Werribee Karen Community Christmas Celebrations, Nhill
- 05/12/2016 RDV meeting, Nhill
- 06/12/2016 Meeting with Skill Invest, Nhill
- 07/12/2016 Council Briefing and Council meeting, Nhill
- 07/12/2016 Councillor Christmas Dinner, Little Desert Lodge
- 08/12/2016 Wimmera Southern Mallee Regional Partnership, Horsham
- 08/12/2016 Nhill Home Karen Museum, Nhill
- 09/12/2016 Councillor Induction, Horsham
- 12/12/2016 Act@Work briefing, Nhill
- 13/12/2016 WDA Drinks, Horsham
- 16/12/2016 Official opening of Menzies Square, Jeparit
- 20/12/2016 CEO Mayor catch up
- 21/12/2016 Council Briefing and Council meeting, Nhill
- 07/01/2017 Karen New Year Celebrations
- 16/01/2017 Regional Partnership, Horsham
- 20/01/2017 Citizenship ceremony, Nhill
- 25/01/2017 Dinner with Aris Imbardelli, Nhill
- 26/01/2017 Australia Day Ceremonies, Rainbow, Jeparit, Dimboola, Nhill
- 31/01/2017 Mayor/ CEO catch up, Nhill

ADRIAN GASPERONI, Director Infrastructure Services:

Attended:

- 01/02/2016 Site visit early years centre - WUC
- 02/12/2016 Yurunga - Site Visit
- 02/12/2016 International Disability Day. Jaypex Park, Nhill
- 05/12/2016 NEYLC - Fundraising Committee Meeting
- 06/12/2016 Mallee Floodplain Management Strategy Steering Committee 2
- 07/12/2016 Council Briefing and Council meeting, Nhill
- 07/12/2016 Councillor Christmas Dinner, Little Desert Lodge
- 08/12/2016 Emergency Management Steering Group Meeting, Horsham
- 09/12/2016 Councillor Induction, Horsham
- 12/12/2016 Act@Work briefing, Nhill
- 13/12/2016 Hindmarsh EM Working Group Meeting
- 13/12/2016 Collaborative sealing contract review
- 15/12/2016 Wimmera Southern Mallee Regional Transport Group Meeting
- 16/12/2016 Official opening of Menzies Square, Jeparit
- 19/12/2016 Nhill Town Committee
- 21/12/2016 Council Briefing and Council meeting, Nhill
- 05/01/2017 Jeparit Weir Inspection
- 06/01/2017 Nhill Integrated Early Years Centre Fundraising Committee
- 13/01/2017 Collaborative Sealing Contract Review, Horsham
- 19/12/2016 Nhill Town Committee
- 17/01/2017 Meeting with NBN Representatives

- 24/01/2017 Flood Strategy Document Development Meeting – CMA
- 31/01/2017 Building Better Regions Fund information session, Bendigo

ANNE CHAMPNESS, Director Corporate and Community Services:

Attended:

- 01/02/2016 WSMHSP Working Group: HACCC Unit Cost meeting for Local Government
 - 01/02/2016 Wimmera Uniting Care, site visit early years centre, Nhill
 - 02/12/2016 Meeting DHHS regarding NDIS
 - 02/12/2016 International Day of People with Disability, Jaypex Park, Nhill
 - 05/12/2016 RDV meeting, Nhill
 - 06/12/2016 WSMHSP Working Group Meeting, Horsham
 - 06/12/2016 WWSC Audit Committee Meeting, Kaniva
 - 07/12/2016 Council Briefing and Council meeting, Nhill
 - 07/12/2016 Councillor Christmas Dinner, Little Desert Lodge
 - 09/12/2016 Councillor Induction, Horsham
 - 12/12/2016 Act@Work briefing, Nhill
 - 15/12/2016 Riverside Holiday Park Advisory Committee, Dimboola
 - 21/12/2016 Council Briefing and Council meeting, Nhill
 - 06/01/2017 Nhill Integrated Early Years Centre Fundraising Committee
 - 07/01/2017 Karen New Year Celebrations
 - 09-13/01/2017 Company Directors Course, Melbourne
 - 17/01/2017 WSMHSP stakeholders meeting, Horsham
 - 17/01/2017 Meeting with NBN Representatives
 - 20/01/2017 Nhill Integrated Early Years Centre Fundraising Committee
 - 23/01/2017 Wimmera Uniting Care's Stakeholder Engagement, Horsham
 - 31/01/2017 Building Better Regions Fund information session, Bendigo
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8. CORRESPONDENCE

8.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

No Correspondence.

9. ASSEMBLY OF COUNCILLORS

Responsible Officer: Director Corporate and Community Services

Attachment: 3

Introduction:

The attached Assembly of Councillors Record is presented as an attachment to the Council agenda for the information of Councillors and recorded at the Council meeting as required under s80A Local Government Act 1989.

Options:

1. That Council accept the Assembly of Councillors Record as presented.

RECOMMENDATION:

That Council accept the Assembly of Councillors Record as presented.

MOVED: CRS R. Gersch/D. Colbert

That Council accept the Assembly of Councillors Record as presented.

CARRIED

Attachment: 3

10. PLANNING PERMITS

10.1 APPLICATION FOR PLANNING PERMIT 1540-16

Responsible Officer:	Director Infrastructure Services
File:	Planning – Applications – 1540-16
Assessment:	033100
Attachment:	4
Applicant:	Kristy O'Connor
Owner:	Greg O'Connor
Subject Land:	Lot 1 TP946272 (High Street, Dimboola)
Proposal:	Construction of a dwelling
Zoning & Overlays:	Rural Living Zone Environmental Significance Overlay (Schedule 6)
Attachments:	Plan

Summary:

The subject site is located on the north side of the Horsham Road approximately 350m west of High Street. Although the land has a High Street address the land has no frontage to High Street. The subject site once formed part of a much larger parcel that had frontage to High Street. When the land was subdivided it retained a High Street address.

The subject site has an irregular shape with an area of approximately 13.35 hectares. The land is cleared apart from some small scatterings of trees. Adjoining land to the north, east and west is used for farming purposes. The Dimboola Motel is located to the south.

The proposal is to construct a dwelling on the northeast corner of the site. The dwelling will be single storey.

Under the Rural Living Zone, a planning permit is not required to construct a dwelling if the land has an area of 2 hectares or more. In this instance the proposed lot is well above this threshold so there is no permit 'trigger' under the zoning. A planning permit is required as the land is within an Environmental Significance Overlay and the dwelling will rely upon a septic system. Any proposal that creates 'waste waters' (ie. relies on a septic system) triggers the requirement for a planning permit. The purpose of the control is to protect the catchments of wetlands of conservation value by means of regulating ground water quality.

The application was referred to Wimmera Catchment Management Authority (WCMA) due to the Environmental Significance Overlay (Schedule 6). The authority did not object to the application subject to the inclusion of permit conditions, these are included in the recommendation.

The Hindmarsh Planning Scheme encourages diversification of housing opportunities whilst seeking to protect the environment. The proposal is consistent with these planning objectives.

Notification & Referral of Application:

Pursuant to Sections 52 and 55 of the Planning and Environment Act 1987 (the Act), notice of the application can be given to the community and must be referred to stipulated authorities.

Community:

Pursuant to Section 52 of the Act, Council is required to give notice of this application to any person it considers the grant of the permit may cause material detriment. Notice of this application was not given as the only permit trigger relates to the Environmental Significance Overlay.

Authorities:

Pursuant to Section 52 of the Act, notice of this application was not sent to any authorities due to the nature of what is proposed.

Pursuant to Section 55 of the Act, notice of this application was sent to the WCMA and GWMWater and the authorities did not object subject to the inclusion of permit conditions. Also sent to VicRoads and they had no objections to the proposal.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Report to Council:

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

Processing Times:

The application was received on the 19 September 2016. Further information was requested from the applicant. The report is being presented to the Council meeting of 1 February 2017. The statutory processing time requirements of the Planning and Environment Act 1987 have been satisfied.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Adrian Gasperoni, Director Infrastructure Services

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

Author – Peter Jewell, Town Planner

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

RECOMMENDATION:

That Council approve Planning Application 1540-16 allowing a Planning Permit for the construction of a dwelling at Lot 1 TP946272 (High Street, Dimboola). The Planning Permit shall be issued with the following conditions:

1. Amending Plans:

Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the submitted plans, but modified to show:

- ***Showing correct boundary alignments and dimensions***

- **Access to property with internal driveways.**
- 2. **A current title plan.**
- 3. **The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.**
- 4. **The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire-fighting purposes.**
- 5. **The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.**

Wimmera Catchment Management Authority Requirements:

- 6. **Soil erosion and the resultant contamination of runoff from the site during and post construction must be minimized to ensure that the water quality of nearby wetlands is maintained. The Authority recommends that the guidelines documented in EPA Publication 275 – Construction Techniques for Sediment Pollution Control are followed.**
- 7. **Works construction must not lead to alterations in the hydrology from pre-construction conditions of natural wetlands that receive drainage from the allotment.**

Council Infrastructure Requirements:

- 8. **A traffic assessment was performed and it was deemed that:**
 - **A crossover entrance off of Horsham Road must be created to the satisfaction of Council and at the applicant's expense.**
- 9. **A drainage assessment was performed and it was deemed that:**
 - **The LPD is to be made internally within the property;**
 - **Stormwater from the dwelling is to be directed to a 20,000lt water tank;**
 - **Overflow of the tank is to be greater than three (3) meters from the dwelling or any other structure;**
 - **Stormwater overflow is to be dissipated overland; and**
 - **No overland flow from the development is allowed to cross property boundaries or into the road reserve.**

10. Permit Lapse/Extension:

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within two years of the commencement of the permit. An extension of time of the development may be issued if application is made less than three months after the date on which the permit would have lapsed.

MOVED: CRS T. Schneider/R. Lowe

That Council approve Planning Application 1540-16 allowing a Planning Permit for the construction of a dwelling at Lot 1 TP946272 (High Street, Dimboola). The Planning Permit shall be issued with the following conditions:

1. Amending Plans:

Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the submitted plans, but modified to show:

- ***Showing correct boundary alignments and dimensions***
- ***Access to property with internal driveways.***

2. *A current title plan.*

3. *The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.*

4. *The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire-fighting purposes.*

5. *The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.*

Wimmera Catchment Management Authority Requirements:

6. *Soil erosion and the resultant contamination of runoff from the site during and post construction must be minimized to ensure that the water quality of nearby wetlands is maintained. The Authority recommends that the guidelines documented in EPA Publication 275 – Construction Techniques for Sediment Pollution Control are followed.*

7. *Works construction must not lead to alterations in the hydrology from pre-construction conditions of natural wetlands that receive drainage from the allotment.*

Council Infrastructure Requirements:

8. *A traffic assessment was performed and it was deemed that:*

- ***A crossover entrance off of Horsham Road must be created to the satisfaction of Council and at the applicant's expense.***

9. *A drainage assessment was performed and it was deemed that:*

- ***The LPD is to be made internally within the property;***
- ***Stormwater from the dwelling is to be directed to a 20,000lt water tank;***
- ***Overflow of the tank is to be greater than three (3) meters from the dwelling or any other structure;***
- ***Stormwater overflow is to be dissipated overland; and***
- ***No overland flow from the development is allowed to cross property boundaries or into the road reserve.***

10. Permit Lapse/Extension:

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within two years of the commencement of the permit. An extension of time of the development may be

issued if application is made less than three months after the date on which the permit would have lapsed.

CARRIED

Attachment: 4

11. REPORTS REQUIRING A DECISION

11.1.1 FINANCIAL REPORT FOR THE YEAR ENDING 31 DECEMBER 2016

Responsible Officer: Director Corporate and Community Services

Attachment: 5

Introduction: The Financial Report for the second quarter of the 2016/17 financial year has been prepared, including explanations of variances where applicable, and is presented for the information of Council.

RECOMMENDATION:

That Council accept the Financial Report as presented.

MOVED: CRS T. Schneider/R. Lowe

That Council accept the Financial Report as presented.

CARRIED

Attachment: 5

11.1.2 MAV – STATE GOVERNMENT EARLY YEARS COMPACT

Responsible Officer: Director Corporate and Community Services

Attachment Number: 6

Introduction:

This report provides information about the *Supporting Children and Families in the Early Years: A Compact between the Department of Education and Training (DET), Department of Health and Human Services (DHHS) and Local Government (represented by MAV) – The Compact 2017 – 2027*.

Discussion:

Both local and state government play important roles in the early year's space, providing and/or supporting a range of services and activities.

State and local government together provide collective stewardship of the early year system and it is in this context that a ten-year Compact Agreement has been developed. The Compact is a high level overarching commitment between DET, DHHS and local government – represented by MAV. It sets out a shared understanding of the roles and responsibilities of DET, DHHS and local government as well as shared purpose, principles and strategic priorities.

The Compact recognises the key role local government plays in supporting and responding to the needs of children and families at the local level. It is not intended to be a legally binding document – but it is a shared commitment. It is also not intended to supersede or alter existing agreements between DET, DHHS and local government but rather to provide a mechanism to support consistency across terms of government.

The MAV notes that it has been working closely with councils in the development of the Compact. It has been co-developed with local government through council representation on the Compact Steering Group (Ballarat, Hume, Wodonga, Knox and Kingston councils) and through direct input by councils at and subsequent to the Local Government Human Services Directors' Forum held in Melbourne in September 2016. Members of the Steering Group also include representatives from DET, DHHS and MAV.

The Compact

The Compact has a ten-year-life span to support consistency across terms of government – but with key priority actions agreed on an annual basis to respond to changing policy directions and local council priorities.

The Compact sets out a view of the role of the State (as represented by DET and DHHS) and local government (as represented by MAV) to lift outcomes for young children and their families by improving joint planning, coordination and data and information sharing processes across the three parties. It acknowledges the role of the Commonwealth Government and non-government service providers as important players in achieving outcomes for Victoria's children and their families.

The Compact attempts to place the local community at the heart of service design and planning through a joint, collaborative approach between local councils and state government – working together in new ways to improve the connections between universal, secondary and tertiary services for children and families – with a strengthened focus on supporting vulnerable children and families. Agreed Compact priority actions will be reviewed and updated annually

and will have sufficient flexibility to support local innovation and responses.

Implementation Agreements

Implementation agreements and other joint activities will sit underneath the Compact in areas such as:

- Child and family health and development;
- Early childhood education;
- Connected care; and
- Place-based planning.

These agreements will be negotiated and agreed between State and local government through the MAV. They will be developed as required and will:

- Outline implementation roles and responsibilities of each government partner;
- Directly relate to the Compact's vision, purpose, principles, outcomes and strategic priorities; and
- Build on existing practice frameworks and new initiatives while allowing flexibility to respond to local needs and to innovate.

Councils will be involved in developing these agreements and new ways of working at the local level, including new ways to plan, co-design and deliver early years and family services across Victoria. Individual council funding and service agreement commitments continue to be determined by each council. Council representatives will also sit on the governance structure with the MAV.

Timeframes

The Compact has been circulated to all Victorian councils for consideration over the period of December 2016 and January 2017. The MAV has requested that all councils complete this process by mid-February 2017 and provide any further comments to the MAV by 17 February 2017. The MAV expects that the Compact will be signed by the Secretaries of both Departments and MAV CEO (on behalf of Local Government) in March 2017 following the review process and response by the councils.

Implementation Agreements will then be negotiated and developed from 2017 and beyond and will cover specific areas of joint activity.

Concerns

While the intent of the Compact is commendable and a welcome recognition of the important role the early years play in the future wellbeing and prosperity of our residents and communities, the Compact and the process of its development raise a number of concerns.

The release of the draft Compact on 15 December 2016, a month after new councils were elected, immediately before the Christmas/New Year holidays, and coupled with a request for a response by 17 February 2017 made consideration by councils within normal meeting cycles difficult if not impossible for most. The timing also greatly reduced the ability to consider the Compact on a regional level.

The Compact has been developed in close partnership with regional city or metropolitan councils. It does not appear to take into account the rural environment or resource challenges, in particular under rates capping. Instead, the "Indicative 2017 priorities for action" commit local government to a number of actions and activities, like actively contributing to the co-design of Support and Safety Hubs or strengthening the capacity of kindergarten central

enrolment. The latter in particular has little relevance to rural communities where the distance between kindergartens may be 40km or more.

The Compact also assumes a responsibility of all local government to provide Maternal and Child Health Services. As evident from s45 of the *Child Wellbeing and Safety Act 2005 Act*, the provision of Maternal and Child Health Services by local government is not mandatory or legislated. Under the Local Government Act 1989, councils are required to provide their communities with access to good quality services and to meet their health and wellbeing needs, including those of families with young children. However, it is well understood and clearly evident in literature pertaining to Municipal Public Health and Wellbeing Planning, that this requirement is not about the direct provision of health services by local government but about the “environments for health” – the social, political, economic, environmental and cultural “upstream” factors that are as influential on an individual’s health as their life style choices, medical or genetic factors, those factors that local government is indeed best placed to address.

The assumption is particularly concerning given the extended 10 year timeframe for the proposed Compact, a timeframe which in itself is concerning because of the possible implications for the level of input and resources that might be required throughout this timeframe in the incredibly tight financial environment small rural councils find themselves in.

The Compact’s references the implementation of its strategic priorities through Implementation Agreements and other joint activities aligned with agreed local/state government priorities. There has only been limited engagement with Council on the priorities included in the Compact which is reflected in the limited relevance of the indicative priorities for action. While the Compact itself is broad and presented in general terms, the process for negotiating and agreeing on Implementation Agreements and their binding or non-binding nature requires clarification to reduce the potential risk of overcommitting local government.

The Compact highlights stronger place-based governance and planning as a priority but proceeds to require local government to ensure “that strategic objectives and actions in municipal early years planning align with key state and regional plans such as the Victorian Government’s Ending Family Violence Plan, (...) and relevant priorities and actions in Children and Youth Area Partnerships.” (Schedule 1)

It is finally worth noting that Maternal and Child Health Services in Hindmarsh are provided by West Wimmera Health Service (WWHS). The Compact does not recognise WWHS as a partner, despite the Health Services’ longstanding service delivery and the clear advantages this service delivery has in terms of continuity of care for expecting and new parents.

While the Compact recognises that it cannot be ‘legally’ binding, it should be viewed as an agreement signed on the basis of good faith, integrity and a commitment to fulfilling the obligations within it. As such, the Compact potentially commits Council resources over a period of 10 years.

Options

Option 1:

Council can choose to

(a) write to the MAV as the representative of Victorian local governments, to request that the draft Compact be reviewed to address concerns around its timeframe, resource commitments, implementation agreements, other partners, and relevance to and representation of rural communities;

(b) advise the MAV that if the agreement remains in its current form, the MAV does not represent the interests of Hindmarsh Shire Council in signing the agreement.

Option 2:

Council can choose to accept the draft Compact in its current form without alterations and write to the MAV confirming its endorsement.

Link to Council Plan:

Strategic Objective 1.2 A range of effective and accessible services to support the health and wellbeing of our community.

Financial Implications:

It is impossible to assess the Compact's financial implications. The Compact itself does not include sufficient detail to make such an assessment, rather referring to subsequent Implementation Agreements. However, Schedule 1 of the Compact seems to list a substantial number of activities that will be local government responsibility.

Risk Management Implications:

It is difficult to assess the Compact's risk management implications without the detail of the Implementation Agreements. The Compact's major risk lies in its broad terms, which may see Council committed, if not legally at least morally, to substantial actions and activities.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author and Officer Responsible – Anne Champness, Director of Corporate and Community Services

Acting in my role as the author and responsible officer, I have no conflicting interests to disclose in this report.

Communications Strategy:

The MAV will be notified of Council's decision.

RECOMMENDATION:

That Council:

- (a) write to the Municipal Association of Victoria as the representative of Victorian local governments, to request that the draft Compact 2017 – 2027 - Supporting Children and Families in the Early Years: A Compact between the Department of Education and Training, Department of Health and Human Services and Local Government be reviewed to address concerns around its timeframe, resource commitments, implementation agreements, other partners, and relevance to and representation of rural communities;***
- (b) advise the MAV that if the agreement remains in its current form, the MAV does not represent the interests of Hindmarsh Shire Council in signing the agreement.***

MOVED: CRS R. Gersch/D. Colbert

That Council:

- (a) write to the Municipal Association of Victoria as the representative of Victorian local governments, to request that the draft Compact 2017 – 2027 - Supporting Children and Families in the Early Years: A Compact between the Department of Education and Training, Department of Health and Human Services and Local Government be reviewed to address concerns around its timeframe, resource commitments, implementation agreements, other partners, and relevance to and representation of rural communities;**
- (b) advise the MAV that if the agreement remains in its current form, the MAV does not represent the interests of Hindmarsh Shire Council in signing the agreement.**

CARRIED

Attachment: 6

12. SPECIAL COMMITTEES

12.1 NHILL EARLY YEARS CENTRE FUNDRAISING COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment: 7

Introduction:

The Nhill Early Years Centre Fundraising Committee held its Meeting on 3 February 2017. The purpose of this report is to note the notes from this meeting. A copy of the notes is included as an attachment for the information of Council.

RECOMMENDATION:

That Council note the notes of the Nhill Early Years Centre Fundraising Committee Meeting on 3 February 2017.

MOVED: CRS D. Colbert/R. Gersch

That Council note the notes of the Nhill Early Years Centre Fundraising Committee Meeting on 3 February 2017.

CARRIED

Attachment: 7

13. LATE REPORTS

No report

14. OTHER BUSINESS

MOVED: CRS T. Schneider/R. Gersch

That the Mayor write on behalf of Council and congratulate the former Member for Lowan, Mr. Jim McCabe and his wife, Peg, on their forthcoming 70th wedding anniversary on the 26 February 2017.

CARRIED

15. CONFIDENTIAL REPORTS

In accordance with Section 89 (2) of the *Local Government Act 1989*, Council may close the meeting to the public if items to be discussed are deemed confidential, that is, if the items to be discussed relate to:

- a) Personnel matters;
- b) The personal hardship of any resident or ratepayer;
- c) Industrial matters;
- d) Contractual matters;
- e) Proposed developments;
- f) Legal advice;
- g) Matters affecting the security of Council property;
- h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

RECOMMENDATION:

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, as b) The personal hardship of any resident or ratepayer and d) Contractual matters;

- 15.1 Youth Council Expressions of Interest
- 15.2 Riverside Holiday Park cabins update

MOVED: CRS R. Gersch/ D. Colbert

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, as b) The personal hardship of any resident or ratepayer and d) Contractual matters;

- 15.1 Youth Council Expressions of Interest
- 15.2 Riverside Holiday Park cabins update

CARRIED

MOVED: CR T. Schneider/R. Lowe

That Council move out of closed session and release to the public 15.2 Riverside Holiday Park Cabins update:

- 1) Award the contract to complete building works, earthworks and service connections for five new cabins at Riverside Holiday Park Dimboola to Leyonhjelm Building Services Pty Ltd.***

CARRIED

16. MEETING CLOSE

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