

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL HELD AT THE COUNCIL CHAMBER, 92 NELSON STREET NHILL ON WEDNESDAY 15 NOVEMBER 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 1567-2017

11. Reports Requiring a Decision

11.1 Hindmarsh Shire Council Community Action Grants 2017/18

11.2 Asset Management Plan Part A – General Information & Part E – Pathways

11.3 Local Roads to Market Grant Program

11.4 Request to name an unnamed government road reserve and change of road

name – Zanker Heritage Road and Reserve Road

12. Special Committees

- 12.1 Dimboola Town Committee
- 12.2 Yurunga Committee of Management
- 12.3 Rainbow Town Committee

13. Late Reports

- 13.1 Application for planning permit 1561-2017

14. Other Business

No report

15. Confidential Matters

- 15.1 Sale of Council Owned Land - former Rainbow Primary School
- 15.2 Financial Hardship Application

16. Meeting Close

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

In Attendance:

Mr. Greg Wood, (Chief Executive Officer), Mr. Shane Power (Director of Infrastructure Services), Mrs. Monica Revell (Acting Director Corporate and Community Services) Miss Shelley Gersch (Executive Assistant), Mr. Andre Dalton (Coordinator Planning and Development) (1-15)

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

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

2. APOLOGIES

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 25 October 2017 in the MECCA supper room Rainbow and the Minutes of the Annual Statutory Meeting held on Wednesday 1 November 2017 at the Nhill Memorial Community Centre, Nhill as circulated to Councillors be taken as read and confirmed.

MOVED: CRS. T. Schneider/R. Lowe

That the Minutes of the Ordinary Council Meeting held on Wednesday 25 October 2017 in the MECCA supper room Rainbow and the Minutes of the Annual Statutory Meeting held on Wednesday 1 November 2017 at the Nhill Memorial Community Centre, 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.

Cr. R. Lowe declared an indirect financial interest in item 10.1 Application for Planning Permit 1561 – 2017.

Cr. R. Ismay declared an indirect conflict of interest because of conflicting duties in item 15.1 Sale of Council Owned Land - former Rainbow Primary School.

5. PUBLIC QUESTION TIME

Kim Gibson spoke about item 13.1 Application for Planning Permit 1561-2017.

Daryl Leyonhjelm spoke about item 13.1 Application for Planning Permit 1561-2017.

6. DEPUTATIONS

No deputations

7. ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: OCTOBER 2017

Cr NELSON, MAYOR

Attended:

- 02/10/2017 Dimboola Town Committee meeting, Dimboola
- 04/10/2017 Briefing Meeting, Nhill
- 04/10/2017 Council Meeting, Nhill
- 04/10/2017 Rural & Regional Councils Sustainability meeting, Horsham
- 04/10/2017 Police Awards presentation ceremony, Horsham
- 05/10/2017 ABC Interview
- 05/10/2017 Official launch of NDIS, Horsham
- 05/10/2017 All Saints, Nhill Memorial Community Centre
- 06/10/2017 Property inspection, Nhill
- 06/10/2017 Skill Invest Regional Award Night, Longerenong College
- 07/10/2017 Barefoot Ski Competition, Dimboola
- 09/10/2017 Riverside Holiday Park committee meeting, Dimboola
- 09/10/2017 Horsham Sports & Community Club AGM
- 10/10/2017 Student Citizenship Awards, Nhill
- 10/10/2017 Wimmera Development Association meeting, Horsham
- 11/10/2017 Meeting with Andrew Broad MP, Nhill
- 12/10/2017 Official Opening of Sculpture, Rainbow
- 13/10/2017 2017 Victorian Regional Achievement & Community Awards, Melbourne
- 16/10/2017 National Carp Control Plan forum, Horsham
- 17/10/2017 Rainbow Show, Rainbow
- 18/10/2017 RCV Forum, Melbourne
- 18/10/2017 ABC interview
- 19/10/2017 MAV Annual Conference & dinner
- 20/10/2017 MAV State Council
- 21/10/2017 A & P Society Show, Dimboola
- 22/10/2017 Jeparit Show, Jeparit
- 24/10/2017 CEO Mayor meeting, Nhill
- 24/10/2017 WSMLLEN Finance Committee meeting, Horsham
- 24/10/2017 Drive around with Director Infrastructure, Dimboola
- 24/10/2017 Cancer Crusaders Girls Night In, Dimboola
- 25/10/2017 Tidy Towns Presentations, Dimboola
- 25/10/2017 Briefing meeting, Rainbow
- 25/10/2017 Council meeting, Rainbow
- 26/10/2017 ABC interview
- 26/10/2017 WHAC meeting, Ballarat
- 29/10/2017 Nhill Sing Australia 10 year celebration, Nhill
- 31/10/2017 ABC interview
- 31/10/2017 Wimmera River Advisory Group meeting, Dimboola

Cr LOWE, DEPUTY MAYOR

Attended:

- 04/10/2017 Council Briefing, Council Meeting, Nhill.

- 09/10/2017 Town Committee Meeting, Jeparit.
- 10/10/2017 Karen Evening with Andrew Broad, Nhill.
- 14/10/2017 Launch of Oasis, Rainbow.
- 17/10/2017 Rainbow Show, Rainbow.
- 18/10/2017 Seniors Week Concert, Nhill.
- 18/10/2017 AGM, Avonlea, Nhill
- 19/10/2017 Nhill Show, Nhill.
- 21/10/2017 Dimboola Show, Dimboola.
- 22/10/2017 Jeparit Show, Jeparit.
- 25/10/2017 Council Briefing, Council Meeting, Rainbow.
- 26/10/2017 Nhill Aviation Centre AGM, Nhill.
- 27/10/2017 New Residents BBQ, Jeparit.

Cr GERSCH

Attended:

- 01/10/2017 Paper pick up
- 04/10/2017 Council briefing and meeting
- 04/10/2017 Regional partnership forum
- 08/10/2017 Movies RE: aviation centre
- 10/10/2017 WDA board meeting
- 18/10/2017 RCV Board meeting
- 18/10/2017 RCV Annual meeting
- 18-19/10/2017 RCV Mayors and CEO Forum
- 20/10/2017 MAV State Council Meeting
- 17/10/2017 Council meeting and briefing

Cr COLBERT

Attended:

- 04/10/2017 Council Briefing, Council Meeting, Nhill.
- 19/10/2017 Nhill Show, Nhill.
- 25/10/2017 Rainbow Show, Rainbow.
- 25/10/2017 Council Briefing, Council Meeting, Rainbow.
- 26/10/2017 North West Municipal Meeting, Warracknabeal
- Various Nhill Golf Club

Cr ISMAY

Attended:

- 04/10/2017 Council meeting, Nhill
- 11/10/2017 Enduro Race meeting, Rainbow
- 23/10/2017 Rainbow Town Committee meeting
- 25/10/2017 Council meeting, Rainbow
- 25/10/2017 Kenmare school, AGM

Cr SCHNEIDER

Attended:

- 04/10/2017 Briefing and Council meeting, Nhill
- 13/10/2017 Wimmera Regional Library Corporation Board meeting, Warracknabeal
- 21/10/2017 Dimboola Show

- 24/10/2017 Dimboola town tour with Director Infrastructure and Cr Nelson
 - 25/10/2017 Briefing and Council meeting, Rainbow
 - 25/10/2017 Tour of Rainbow Oasis with Cr Nelson
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SENIOR MANAGEMENT ACTIVITIES: OCTOBER 2017

GREG WOOD, Chief Executive Officer:

Attended:

- 3-4/10/2017 IBAC Conference, Melbourne
- 08/10/2017 NAHC Movie Screening, Nhill
- 10/10/2017 Student Citizenship Awards, Nhill
- 10/10/2017 WDA Meeting, Horsham
- 11/10/2017 Andrew Broad visit, Nhill
- 18/10/2017 Tour of the Korin Gamadji Institute (Richmond Football Club)
- 18/10/2017 RCV Annual General Meeting
- 18/10/2017 RCV Mayors and CEO Forum
- 19/10/2017 MAV Annual Conference and Dinner
- 20/10/2017 MAV State Council Meeting
- 23/10/2017 Exploring Renewable Energy Potential in the Grampians Region, Ararat
- 24/10/2017 Mayor/CEO Meeting Nhill
- 25/10/2017 Briefing and Council meeting, Rainbow
- 26/10/2017 LGPro CEO Forum, Inverloch
- 31/10/2017 Cinema Volunteer, Nhill

SHANE POWER, Director Infrastructure Services:

Attended:

- 02/10/2017 Dimboola Township Committee
- 04/10/2017 Council Briefing and Meeting, Nhill
- 09/10/2017 Jeparit Township Committee
- 10/10/2017 Student Citizenship Awards, Nhill
- 11/10/2017 Regional Emergency Management Planning Committee, Horsham
- 13/10/2017 Waste & Resource Recovery Consultations for e-Waste and Waste to Energy, Ararat
- 16/10/2017 Wimmera River embankment discussions with landowners and CMA, Dimboola
- 17/10/2017 Pink Lake Interpretative Signage, VicRoads, DELWP, BGLC, Parks Vic, Wail
- 24/10/2017 Meeting with East Ward Councillors, Dimboola
- 25/10/2017 Briefing and Council meeting, Rainbow
- 26/10/2017 ESC Rates Capping Forum, Bendigo
- 31/10/2017 NBN program meeting with NBN and Visionstream, Nhill
- 31 /10/2017 Landcare meeting, Nhill
- 31/10/2017 Wimmera River Advisory Committee, Dimboola

ANNE CHAMPNESS, Director Corporate and Community Services:

Attended:

- 02/10/2017 Dimboola Town Committee

- 03/10/2017 Wimmera Southern Mallee Regional Partnership early years project meeting, Horsham
- 04/10/2017 Council Briefing and Meeting, Nhill
- 04/10/2017 Sustainability of Rural and Regional Councils, Horsham
- 09/10/2017 Riverside Holiday Park Advisory Committee meeting, Dimboola
- 10/10/2017 Student Citizenship Awards, Nhill
- 13/10/2017 Wimmera Development Association Leadership Program presentations, Horsham
- 18/10/2017 Seniors Festival Concert, Nhill
- 20/10/2017 Playgroup meetings, Nhill
- 23/10/2017 Rainbow Town Committee
- 25/10/2017 Settlement Advisory Committee meeting, Nhill
- 25/10/2017 Nhill Kindergarten Parents Advisory Group meeting

MOVED: CRS. R. Gersch/D. Colbert

That Council writes a letter under seal, to thank former Director Corporate and Community Services, Anne Champness for her contribution to Council and to the wider community.

CARRIED

8. CORRESPONDENCE

8.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

No correspondence

9. ASSEMBLY OF COUNCILLORS

Responsible Officer: Chief Executive Officer

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 accepts the Assembly of Councillors Record as presented.

RECOMMENDATION:

That Council accepts the Assembly of Councillors Record as presented.

MOVED: CRS. T. Schneider/R. Lowe

That Council accepts the Assembly of Councillors Record as presented, noting that the meeting was held in the Supper Room, MECCA, Rainbow.

CARRIED

Attachment: 3

10. PLANNING PERMITS

10.1 APPLICATION FOR PLANNING PERMIT 1567-2017

Responsible Officer:	Director Infrastructure Services
File:	Planning – Applications
Assessment:	030800
Attachment:	4
Applicant:	Dimboola Outdoor Group Men's Shed
Owner:	Department of Environment, Land, Water and Planning
Subject Land:	Allot 10, Sec 9, Township of Dimboola (12 Wimmera Street, Dimboola)
Proposal:	Extension of shed.
Zoning & Overlays:	Public Park and Recreation Zone (PPRZ) Environmental Significance Overlay (ESO6) Land Subject to Inundation Overlay (LSIO)

Summary:

This application is for a six metre by four metre extension to the existing shed located at 12 Wimmera Street, Dimboola.

Proposal Details:

Use and development of the land for an extension to an existing shed for the purpose of a Men's Shed.

Subject site & locality

An inspection of the site and the surrounding area has been undertaken. The site has a total area of 835.51 square metres and currently contains the Dimboola Community Centre, and existing men's shed to the rear of the allotment. The main locality characteristics consist of sporting facilities, being in close proximity to the Dimboola football oval, the swimming pool, the town centre, and adjacent residences. It is the view of Council's Coordinator Planning and Development that the proposal will not detract visually from the amenity of the area.

Public Notification

The application was not required to be publicly notified under the provisions of the Hindmarsh Planning Scheme, as it is not considered to be of a scale detrimental to the amenity of the locality.

Referrals

External Referrals/Notices Required by the Planning Scheme:

Section 55 Referrals: Wimmera Catchment Management Authority (WCMA) – Responded with advice, to be added to the permit as a note, stating: "A 1 % AEP flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 1% AEP flood, may occur in the future".

Section 52 Notices: Not Required

Planning Assessment:

Permit Requirement:

Use:

A planning permit is required pursuant to Clause 36.02-2 of the Public Park and Recreation Zone for a building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989. Pursuant to Clause 36.02-3 an application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

This consent has been received by the Department of Environment, Land, Water and Planning – letter dated 02 May 2017.

Planning Scheme Requirements:

State Planning Policy Framework

Clause 11 – Settlement

Clause 11.07 – Regional Victoria

Clause 11.15 – Wimmera Southern Mallee

Local Planning Policy Framework

Clause 21 – Municipal Strategic Statement

Zoning Provisions

Clause 36.02 – Public Park and Recreation Zone

Overlay Provisions

Clause 42.01 Environmental Significant Overlay 6 (ESO6)

Clause 44.04 Land Subject to Inundation Overlay (LSIO)

Particular Provisions

Clause 54.04 – Amenity Impacts

General Provisions

Clause 65 – Decision Guidelines

Discussion

The application has been assessed against the State Planning Policy Framework and the Local Planning Policy Framework, and it is considered that the proposed use is consistent with relevant policies contained within this section of the Hindmarsh Planning Scheme.

Clause 36.02 – Public Park and Recreation Zone

Clause 42.01 Environmental Significant Overlay 6 (ESO6)

Clause 44.04 Land Subject to Inundation Overlay (LSIO)

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 Coordinator Planning and Development 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 25 August 2017. The report is being presented to the Council meeting of 15 November 2017 (86 days). The statutory processing time requirements of the Planning and Environment Act 1987 have not been satisfied due to further information requirements and referral agency response.

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 – Shane Power, Director Infrastructure Services

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

Author – Andre Dalton, Coordinator Planning and Development

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

RECOMMENDATION:

That Council approves an application to use and develop land (including buildings and works) for the extension to the Men's Shed subject to the following conditions:

1. Endorsed Plans:

The location and design of the 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 consent of the Responsible Authority.

2. 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.

Note:

- 1. A 1 % AEP flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 1% AEP flood, may***

occur in the future.

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

MOVED: CRS. T. Schneider/D. Nelson

That Council approves an application to use and develop land (including buildings and works) for the extension to the Men's Shed subject to the following conditions:

1. **Endorsed Plans:**

The location and design of the 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 consent of the Responsible Authority.

2. **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.

Note:

4. *A 1 % AEP flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 1% AEP flood, may occur in the future.*
5. *This is not a Building Permit. Please consult a Building Surveyor and ensure that a Building Permit is obtained prior to the commencement of works.*
6. *A copy of this permit and the endorsed plans must be provided to all builders and contractors who are to work on the site so that they are aware of the conditions to which this approval is subject.*

CARRIED

Attachment: 4

11. REPORTS REQUIRING A DECISION

11.1 HINDMARSH SHIRE COUNCIL COMMUNITY ACTION GRANTS 2017/18

Responsible Officer: Director of Corporate and Community Services

Attachment number: 5

Introduction:

This report seeks endorsement to provide funding through the Community Action Grants Program to eligible organisations / community groups as outlined below.

Discussion:

The Community Action Grants program was established to support communities with funds to provide services, self-help and assist with community development, social action and connectedness. Total annual funding of \$30,000.00 has been allocated to the program, categorised into four areas:

- Community Assistance
- Event Sponsorship
- Minor Facility Upgrades
- Small Equipment

The 2017/18 Community Action Grants Program was promoted with a media release on the Council's website and to local media; adverts were displayed in shop front windows as well as Facebook promotions on Council's Facebook pages.

Round 2 - Event Sponsorship category closed on 27 October 2017. A total of 2 applications were received with funding requests totalling **\$2,000.00**

Category	Number of Applicants	Funding Allocation	Total Amount Requested
Event Sponsorship	2	\$3,000	\$2,000

Funding applications have been assessed against the following eligibility criteria:

- Demonstrate direct economic and social benefit to the community;
- Not already receive substantial support from Hindmarsh Shire Council;
- Be made by an incorporated community group or not-for-profit organisation or auspiced by such a group.
- Only be applying for one category per funding round.

Ineligible Applications:

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

- Community organisations who do not provide direct benefit to the Hindmarsh Shire community;
- Individuals;
- Community organisations who have successfully obtained funding of \$500.00 or more through the Community Action Grants Program in the current or previous financial year (organisations can only apply for funding every two years);
- Capital works on major facility maintenance;

- Funding to groups for purposes already significantly supported by Hindmarsh Shire Council (e.g. groups that use a Council facility free of charge and pay no energy cost);
- Programs considered the major responsibility of the State or Federal Government;
- Schools and their Parents and Friends organisations;
- Projects that are clearly a duplication of an existing service;
- Retrospective funding (projects that have commenced or have been completed will not be funded); and
- Clubs that have received funds from a successful application through a sub-committee of the Club.

Assessment Criteria

- All applications have been assessed using the following criteria:

Why? 40%	<ul style="list-style-type: none"> • Explain the demonstrated community need. • How will the project improve social connections and build community wellbeing? • How will the project achieve economic benefit for the community? • Has the project been identified in a Community Plan?
What? 40%	<ul style="list-style-type: none"> • Provide a brief summary of what you are going to do. • How will your project increase community participation? • Complete and submit a Risk Assessment for any Event. • Provide detail on how Hindmarsh Shire Council's contribution will be recognised and acknowledged.
How? 20%	<ul style="list-style-type: none"> • Provide quotes/ information on specific item(s) funds will be used to purchase. • Provide a copy of the applying organisation's most recent bank statement and banking details. • Complete the budget and in-kind contribution templates • How will your event's success be measured?
Finally	<ul style="list-style-type: none"> • Complete eligibility and submissions checklist.

Event Sponsorship

Event sponsorships offer grants of up to **\$500** to assist with an event within Hindmarsh Shire which demonstrates social and economic benefit. Sponsorship up to \$1,000 is available where the event provides significant regional impact.

Applicants

1. Nhill Aviation Heritage Centre Inc. seeks funding of **\$1,000** to assist in the cost of advertising and a Vintage Cycle Display at their “Wheels for the Wirraway” event on 10 March 2018. This is a fundraising event to assist in the purchase of the Wirraway plane. The total project cost for this event is estimated to be \$25,000 of which \$13,000 is in-kind support. This event is expected to attract 1,000-1,500 visitors to Nhill and several thousand more once the plane has been purchased and relocated to Nhill.

2. Jeparit Town Committee seeks finding of **\$1,000** to assist with their event “Light the Lake”. This event is to commemorate the 180th anniversary of Edward John Eyre’s exploration of Lake Hindmarsh. The funding will contribute to the hire of lighting

equipment and advertising. The total project cost is \$5,620 of which \$2,020 is in-kind support. This event is expected to attract 100-500 visitors to Jeparit.

Options

Council can choose to support some or all, partly or in full, or none of the applications to the Hindmarsh Shire Council Community Action Grants 2017/18.

Successful applicants are required to complete their projects and acquit the funds received by 30 June 2018, unless prior consent has been approved by the Director of Corporate and Community Services.

Link to Council & Community Plans:

The Community Action Grants relate to Council's Vision of "a caring, active community enhanced by its liveability, environment and economy".

Strategic Objectives:

1.1 An actively engaged community.

1.1.4 Support and celebrate volunteering and work collaboratively with volunteer groups.

3.2 A thriving tourism Industry.

3.2.3 Support innovative community-driven events and festivals that stimulate tourism growth in the region.

3.2.7 Promote and support local historic assets and heritage groups

Financial Implications:

The Community Action Grants Program currently has \$30,000 available to be expended over the 2017/18 financial year.

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 – Phil King, Acting Director of Community Services

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

Author – Michelle Farinha, Community Development Officer

In providing this advice as the Author, I have no disclosed interest in this report.

Risk Management Implications:

Risks are to be managed by the successful applicants.

Communications Strategy

Successful and unsuccessful applicants will be notified of Council's decision.

RECOMMENDATION:

That based on the eligibility and assessment criteria; Council approve the following funding allocations:

Event Sponsorship

1. ***A grant of \$1,000 to the Nhill Aviation Heritage Centre (pending the submission of quotations and Goods and Services Template);***
2. ***A grant of \$1,000 to the Jeparit Town Committee.***

TOTAL RECOMMENDED FUNDING ALLOCATED: \$2,000.00

MOVED: CRS. D. Colbert/T. Schneider

That based on the eligibility and assessment criteria; Council approve the following funding allocations:

Event Sponsorship

1. ***A grant of \$1,000 to the Nhill Aviation Heritage Centre (pending the submission of quotations and Goods and Services Template);***
2. ***A grant of \$1,000 to the Jeparit Town Committee.***

TOTAL FUNDING ALLOCATED: \$2,000.00

CARRIED

Attachment: 5

11.2 ASSET MANAGEMENT PLAN PART A – GENERAL INFORMATION & PART E - PATHWAYS

Responsible Officer: Director Infrastructure Services
Attachment: 6 & 7

Introduction:

Asset management is about the creation of a structured approach to the acquisition, use and disposal of assets over their entire life cycle so as to maximise their service delivery potential at the lowest life cycle cost while concurrently managing risk exposure resulting from the ownership and operation of the assets.

Council considered and adopted an Asset Management Policy and an Asset Management Strategy at its meetings in May and June 2015. The prime objective of the policy and strategy are to guide the development and review of asset management plans. This report provides the first of a series of Asset Management Plans which will be developed.

Hindmarsh Shire Council has worked with other Wimmera Councils and produced a standardised template for Asset Management Plans. This report presents Part A – General Information (which provides an overview and introduction common to all assets) and Part E – Pathways.

Other AMPs to be produced in the future are:-

- Part B – Roads
- Part C – Bridges, Weirs & Major Culverts
- Part D – Buildings & Structures
- Part F – Drainage, and
- Part G – Recreation & Open Space

Discussion:

The objective of an Asset Management Plan (AMP) is to outline the financial resources required to manage and maintain the relevant asset network to an appropriate standard (or level of service). Each individual AMP provides an overview of the ongoing management of that asset network and acts as a tool to support the ability of Council to deliver well targeted, responsive and value for money maintenance and operational services for the community as a whole. Individual projects, renewal treatments or interventions which result from the plans will be included in the Shire's Long Term Financial Plan (LTFP).

The AMP Part E - Pathways is a means of outlining the key elements involved in managing council's footpath assets. It combines management, financial, engineering and technical practices to ensure that the level of service required by user groups is provided at the lowest long term cost to the community within the limits of any fiscal constraints that may be imposed by Council or lack of sufficient resources.

The specific purpose of the Pathways AMP is to:

- Demonstrate responsible stewardship by the Council;
- Define and articulate how the infrastructure is and will be managed to achieve the organisation's objectives;
- Provide a basis for customer consultation to determine the appropriate levels of

service;

- Manage risk of asset failure;
- Achieve savings by optimising whole of life costs; and
- Support long term financial planning.

Attached is the draft Pathways AMP for Council consideration. The AMP is broken down into the following sections

- **Background** – includes which assets are included in this plan, who is primarily responsible for them, and links to organisational goals and objectives
- **Levels of Service** – identifies community expectations, legislative requirements, current levels of service, and anticipated future demand
- **Risk Management** – looks at hazard identification and risk minimisation
- **Lifecycle Management Plans** – cover whole of life factors including quantity, condition, valuation, maintenance, renewal, new and upgrade, and disposal of pathway assets.
- **Financial Plan** – includes financial statements and projections, funding strategies, and key assumptions made in the financial forecast
- **Asset Management (AM) practices and improvements** – place this plan within the context of AM systems, standards and guidelines, and ongoing improvements and monitoring programs.

Options

Option One – Following a period of public consultation in which no submissions were received, Council may choose to formally adopt the attached Asset Management Plans; Part A – General Information, and Part E – Pathways as presented.

Option Two – Council may choose to formally adopt the attached Asset Management Plans; Part A – General Information, and Part E – Pathways with amendments.

Option 3 - Council may choose to place the attached Asset Management Plans; Part A – General Information, and Part E – Pathways as presented or amended for another period of consultation.

Link to Council Plan:

2.1.3 Develop and prioritise detailed plans relating to new infrastructure upgrade and renewal (including roads, bridges, drains, footpaths and buildings) for each town.

Financial Implications:

The recommendations contained in this Asset Management Plan will impact on Council's future budgets. The objective of the Pathways AMP is to ensure appropriate footpath assets are provided at the lowest life cycle cost. As such, the long term aim is for Council expenditure to be minimised.

Risk Management Implications:

There is a risk that there are inadequate asset management systems and processes in place to record, control, monitor and report on fixed infrastructure. This initiative to develop and review Asset Management documentation and processes will reduce this risk.

There is also an ongoing risk that insufficient funds will be provided to adequately meet the needs of the community's footpath infrastructure. The Pathways AMP seeks to

control this by monitoring and reporting on the adequacy of infrastructure expenditure and informing Council's budget deliberations.

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 – Shane Power, Director Infrastructure Services

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

Author – Mike Coppins, Asset Manager

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

Communications Strategy:

Community consultation has been completed including advertising and making documents available at Customer Service Centres and on Council's website for feedback for a period of 4 weeks which concluded on Friday 6th October. During this period, no public submissions were received and as a result the draft AMP is now presented to Council for formal adoption.

Next Steps:

It is proposed that Asset Management Plan Part B – Roads, will be presented to Council for consideration early in 2018.

RECOMMENDATION:

That Council adopts Asset Management Plans Part A – General Information and Part E – Pathways.

MOVED: CRS. R. Lowe/D. Nelson

That Council adopts Asset Management Plans Part A – General Information and Part E – Pathways.

CARRIED

Attachment: 6 & 7

11.3 LOCAL ROADS TO MARKET GRANT PROGRAM

Responsible Officer: Director Infrastructure Services

Attachment Number: 8 & 9

Introduction:

This report seeks Council consideration of two (2) grant applications to the Local Roads to Market Program, a funding stream provided by the Victorian Government's Agriculture Infrastructure and Jobs Fund. The two applications have been prioritised to ensure the effective use of the funding, in addition to financial contributions from Council and private industry, and in consideration of Council's infrastructure renewal plan 2017-2020.

Discussion:

The Local Roads to Market Program has an allocation of \$25 million from the Victorian Government to improve the efficiency and competitiveness of the agriculture sector.

The program aims to improve the local agricultural supply routes by upgrading local roads, intersections and bridges for use by larger and heavier trucks, helping to reduce travel times, strengthen business productivity and improve road safety.

Upgrading these important local transport connections will benefit Hindmarsh communities and road users, enhancing the capacity of existing local roads and bridges, connecting local and regional agricultural and primary producers while improving the connections to arterial roads and national highway freight networks.

Two potential projects have been identified and prioritised for Council's submission to the Local Roads to Market Program. These projects provide a significant economic impact to the agricultural industry of local and regional primary producers, freight operators and local traffic. Each project is based on a location that requires improvements for safety reasons, better access and/or connections across the shire.

Funding guidelines stipulate that eligible projects must:

- move agricultural produce more efficiently to market;
- improve water security and efficiency;
- improve connections within supply chains and access to markets;
- give consumers confidence in the safety of Victorian produce;
- increase business level innovation;
- enhance business capability to manage volatility and risk, and
- grow jobs in the agriculture sector and along the supply chain.

All applications are based on a \$2: \$1 contribution with no in-kind contribution accepted as part of the total project cost.

Project Name	Description	Total Project Cost	Total Funding Sought	Total Council Contribution	Comments
Antwerp – Woorak Road	Upgrading 5.2km of gravel road to a sealed surface	\$764,785	\$500,000	\$264,785	Total Project identified and split between \$344,785 in 2019/20 and \$420,000 in 2022/23 renewal plan
Rainbow – Nhill Road	“S” Bend safety improvements involving widening of 1.75km of sealed road	\$303,095	\$200,000	\$103,095	Identified \$303,095 in 2019/20 renewal plan

Information regarding each application is detailed below.

Antwerp – Woorak Road

Antwerp - Woorak Road is a 23.7km road (9.3km sealed and 14.4km limestone) connecting the Antwerp and Woorak communities running parallel with the Western Highway between Nhill and Dimboola. The section for which funding is sought is approximately 5km limestone road between the Nhill-Jeparit Road and Gerang-Glenlee Road, (See attachment 1 with map).

At farmer consultation forums conducted across the Shire in 2015, Antwerp-Woorak Road was put forward as a significant transport route which should be upgraded to a sealed surface standard. VicRoads provides a number of north-south arterial roads which cover the Hindmarsh Shire area but the Western Highway is the only east-west link across the municipality. Antwerp-Woorak Road is a significant east-west link along with Lorquon East Road which has been the subject of significant recent widening works to benefit the agricultural transport task. Antwerp-Woorak Road is a permitted B-Double access route.

The section of road in question extends between Nhill-Jeparit and Gerang-Glenlee Roads and includes four right angle bends where side roads intersect. The proposed upgrade will include improvements to the road alignment, lessening the severity of the angles of two of the bends into a safer and more efficient “s” bend. A widened asphalt surface is proposed at the remaining angles to cater for heavy vehicle movements and improve alignment.

A feed processing facility is located on this section of Antwerp-Woorak Road and, with

east-west through traffic, generates significant heavy vehicle traffic numbers which result in regular maintenance treatments to the gravel road surface. A sealed surface would reduce the ongoing maintenance burden on this section of road.

Antwerp-Woorak Road has been identified as an infrastructure project in Council's 2019/20 and 2022/23 draft capital works budgets for upgrade works to a sealed surface as a direct result of the farmer consultation process. With the provision of Local Roads to Market funding the entire unsealed length between Nhill-Jeparit and Glenlee-Lorquon can be completed in the one project. This has the added benefit of releasing financial resources for the ongoing road infrastructure renewal needs of Council.

Rainbow – Nhill Road

Rainbow - Nhill Road, adjacent Lake Hindmarsh is a sealed road approximately 35km in length between Lorquon East Road and Rainbow township, running largely parallel with the Dimboola-Rainbow Road between Dimboola and Rainbow (See attachment 2 with map).

The Rainbow-Nhill Road has been designated a no-through route for trucks. It provides an alternative route to Rainbow from the north-western areas of the shire and farmers in this area would like restrictions to be removed to enable heavy vehicle cartage to and from gypsum pits to the north of Rainbow. Safety issues have been a major reason for the current restrictions and completing safety improvements will contribute towards opening up the road to heavy vehicles. Despite this it still services a large local area and through traffic between Nhill and Rainbow.

Funding is sought for safety improvements to the "s" bend to the south of Schulzes Beach and adjacent to a feed lot which generates heavy vehicle movements on and off Nhill-Rainbow Road at a hazardous location as a result of reduced sight distances and narrow sealed pavement widths.

Currently the sealed road width is 4m with a 1.5m shoulder either side of the road. The proposal is to increase the seal width to 7m around the two bends and provide an additional 1.0m shoulder either side for a total pavement width of 9m.

This section of Rainbow-Nhill Road is identified as an infrastructure project in the Hindmarsh Shire Council 2019/20 draft budget to address safety issues as well as replacing an asset that is reaching the end of its useful life and requires renewing.

Both projects have been identified in Council's long term capital works program. If funding for these economically significant road projects was successful alterations to the one, three and 10-year capital works program would be required. The application process is competitive and applications close 30 November 2017.

This report seeks to endorse the proposed projects and ensuing applications to the Local Road to Market Program.

OPTIONS

Council can choose to submit funding applications for both, one, none or alternative projects to the Local Roads to Market Program.

LINK TO COUNCIL PLAN:

Strategic Objective 2.1: Well-maintained physical assets and infrastructure to meet community and organisational needs.

Strategic Objective 3.1: A strong rural economy and thriving towns

FINANCIAL IMPLICATIONS:

The funding guidelines state that all applications must include a \$2:\$1 ratio for rural councils. Funding will be announced in late 2017/18 for project completion due by 31 December 2019. As a result, financial commitments for these projects align with the 2018/19 financial year.

1. Antwerp – Woorak Road

- Council has identified Antwerp-Woorak Road as an upgrade project for the 2019/20 (\$344,785) and 2022/23 (\$420,000) draft budgets. Combining the projects in the funding submission would enable both segments to be completed using less of Council's own financial resources than an individual segment. The size of this project would require it to be commenced in the 2018/19 financial year to enable it to be completed before the deadline. If this project was successful partial funding would be required but offset by a reduction in funding required in 2019/20.

2. Rainbow – Nhill Road

- Council has identified Rainbow-Nhill Road as a renewal project for the 2019/20 draft budget (\$303,095). If the funding submission is successful the project would be completed in the same year it had been programmed as long as it was commenced early in the season and completed by December.

RISK MANAGEMENT IMPLICATIONS:

These funding submissions do not noticeably increase the risks to Council as infrastructure projects that are already identified in its forward works program. A risk management plan will be completed for each project that receives a financial contribution through the re-allocated funds.

CONFLICT OF INTEREST:

Under section 80C of the LGA officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible: Shane Power, Director Infrastructure Services

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

Author: Mike Coppins, Asset Manager

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

COMMUNICATIONS STRATEGY:

Council will receive written notification of the outcome of all applications. The outcomes will be confidential until the relevant Minister has made funding announcements promoting the successful projects, at which point projects will be promoted through Council's website, Facebook page and email to stakeholders.

RECOMMENDATION:

That Council approves the following projects and financial contributions, and submit funding applications in order of priority:

(1) Woorak – Antwerp Road, (\$100,000 financial contribution from Council from 2018/19 budget and \$164,785 financial contribution from Council from 2019/20 budget);

(2) Rainbow – Nhill Road (\$103,095 financial contribution from Council from 2019/20 budget).

MOVED: CRS. D. Colbert/R. Gersch

That Council approves the following projects and financial contributions, and submit funding applications in order of priority:

(1) Woorak – Antwerp Road, (\$100,000 financial contribution from Council from 2018/19 budget and \$164,785 financial contribution from Council from 2019/20 budget);

(2) Rainbow – Nhill Road (\$103,095 financial contribution from Council from 2019/20 budget).

CARRIED

Attachment: 8 & 9

11.4 REQUEST TO NAME AN UNNAMED GOVERNMENT ROAD RESERVE AND CHANGE OF ROAD NAME – ZANKER HERITAGE ROAD AND RESERVE ROAD

Responsible Officer: Director Infrastructure Services
Attachment: 10 & 11

Introduction:

A proposal to name an unnamed government road reserve to Zanker Reserve Road was endorsed by Council at its meeting 7 June 2017. A representative of landowners local to the road, has since approached Council seeking to change the original request.

Discussion:

In 2014, Council received a request to name an unnamed government road reserve in Tarranyurk, near the western boundary of the shire, within an area more commonly known amongst the local community members as Peppers Plain (see Attachment 1). At its meeting 7 June 2017, Council resolved to change the name of the road as per the 2014 request.

A representative of the landowners local to the road, Mr Trevor Zanker, was notified by Officers of the Council resolution of 7 June 2017, in a letter dated 26 September 2017. In return correspondence from Mr Zanker, dated 5 October 2017, it is disputed that the request to rename the unnamed road reserve to Zanker Reserve Road, does not accurately reflect the wishes of the surrounding landowners, and that a change from the original request had been verbally communicated to Council Officers at or around the time of the September 2017 report. Accordingly, there is no record of this conversation and/or change in request.

Mr Zanker confirms the Zanker family wish to have the following roads renamed as such (Attachment 1 graphically represents the request):

- G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) renamed to Zanker Heritage Road; and
- The unnamed road (between G Starick Road and Jeparit – Warracknabeal Road) renamed to Reserve Road.

Procedures and principles for naming, renaming and adjusting the boundaries of geographic features, localities and roads are set out in the *Guidelines for Geographic Names*, 2010 Version 2 (in accordance with Part 2 of the *Geographic Place Names Act*, 1998). In naming a road, Council must act in accordance with these guidelines and ensure the proposal conforms to its various naming principles and procedures. Importantly, road authorities must seek the Registrar's approval for the proposed road name prior to publishing a gazette notice.

Formal proposal process:

1. Check information

Check all necessary information has been provided by the party proposing the name.

2. Apply the principles

Upon selection of a new name and/or boundaries, municipal councils should check that the proposal conforms to all of the principles outlined in Sections 1.8 (relates to consultation process) and 4.1 (relates to naming, identifying and addressing of roads) of the guidelines. These sections are detailed in Attachment 2.

3. Consult with Indigenous communities

Land adjacent to and forming the road reservations are not subject to cultural planning overlay, therefore no consultation with the Indigenous community is required.

4. Consult with emergency response and other stakeholders

As the proposal adheres to the principles of the guidelines, there is no need for consultation with emergency response and other service providers.

5. Consult with the public

The immediate community including residents, ratepayers and businesses must be consulted on proposals that will affect their address.

6. Council consideration

Once the above steps have been undertaken a report must be prepared on the proposal.

The report must include:

- discussion of how the proposal conforms to principles in Sections 1.8 and 4.1 of the guidelines; and
- discussion of and response to any objections/comments received during the consultation period(s).

Any party who responded to the proposal must be advised of Council's decision.

Upon completion of these steps, Council can lodge the proposal with the Office of Geographic Names (OGN). Upon receiving a proposal to name or rename a road, the OGN will upload details of the proposal on the Proposals webpage at www.dse.vic.gov.au/namingplaces. If the Registrar deems that the proposal conforms to the guidelines, the OGN will proceed to gazette the proposal. Once the proposal has been gazetted, the Registrar will enter the details of the new road name into VICNAMES. The gazettal date will be recorded as the official date of registration.

The proposal to formally name G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) to Zanker Heritage Road and the unnamed road (between G Starick Road and Jeparit – Warracknabeal Road) to Reserve Road, meets all the requirements of the Guidelines for Geographic Names 2010 Version 2.

It is anticipated that no formal objections will be received from the community.

Options:

1. Council can choose to leave the existing road names unchanged.
2. Proceed to formally change the name of G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) to Zanker Heritage Road and the unnamed road

(between G Starick Road and Jeparit – Warracknabeal Road) to Reserve Road.

3. Proceed to formally change the name of G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) to Zanker Heritage Road and leave the unnamed road (between G Starick Road and Jeparit – Warracknabeal Road) unchanged.
4. Proceed to formally change the name of the unnamed road (between G Starick Road and Jeparit – Warracknabeal Road) to Reserve Road and leave G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) unchanged.
5. Name the roads another name/s in accordance with the guidelines.

Link to Council Plan:

1.1 An actively engaged community.

Financial Implications:

Minor costs associated with advertising and signage can be met within the 2017/2018 adopted budget.

Risk Management Implications:

Nil

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 – Shane Power, Director Infrastructure Services

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

Author – Shane Power, Director Infrastructure Services

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

Communications Strategy:

The community will be informed about the proposal through an advertisement in the Rainbow/Jeparit Argus and letters will be sent to affected property owners within the immediate vicinity of the roads.

Next Steps:

Inform the applicant of Council's decision, proceed with consultation and procedure as per the *Guidelines for Geographic Names*, 2010 Version 2, as required.

RECOMMENDATION:

That Council:

1. **Agrees to formally name G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) to Zanker Heritage Road and the unnamed road (between G Starick Road and Jeparit – Warracknabeal Road) to Reserve Road;**
2. **Consults the community about its intent to rename roads as per recommendation 1 of this report, through advertisements in the Rainbow/Jeparit Argus and via letters to affected property owners;**
3. **In the absence of any formal objection within a 30 day period, Council proceeds with the lodging of the formal proposal to name the road through the Office of Geographic Names; and**

4. Hears any formal objections at a further meeting of Council.

MOVED: CRS. D. Colbert/D. Nelson

That Council leaves the existing road names unchanged.

LOST

AMENDMENT TO THE MOTION:

MOVED: CRS. R Gersch

That Council consults the community about its intent to rename roads as per recommendation 1 of this report, through advertisements in the Rainbow/Jeparit Argus and via letters to affected property owners.

RULED OUT OF ORDER/WITHDRAWN

MOVED: CRS. R. Lowe/T. Schneider

That Council:

- 1. Agrees to formally name G Starick Road (between Bush Road and Jeparit – Warracknabeal Road) to Zanker Heritage Road and the unnamed road (between G Starick Road and Jeparit – Warracknabeal Road) to Reserve Road;***
- 2. Consults the community about its intent to rename roads as per recommendation 1 of this report, through advertisements in the Rainbow/Jeparit Argus and via letters to affected property owners;***
- 3. In the absence of any formal objection within a 30 day period, Council proceeds with the lodging of the formal proposal to name the road through the Office of Geographic Names; and***
- 4. Hears any formal objections at a further meeting of Council.***

CARRIED

Attachment: 10 & 11

12. SPECIAL COMMITTEES

12.1 DIMBOOLA TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment: 12

Introduction:

The Dimboola Town Committee held its Meeting on 6 November 2017. 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 on

6 November 2017.

MOVED: CRS. T. Schneider/D. Nelson

That Council notes the minutes of the Dimboola Town Committee Meeting on 6 November 2017.

CARRIED

Attachment: 12

12.2 YURUNGA COMMITTEE OF MANAGEMENT

Responsible Officer: Director Corporate and Community Services

Attachment: 13

Introduction:

The Yurunga Committee of Management held its Meeting on 21 September 2017. 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 Yurunga Committee of Management Meeting on 21 September 2017.

MOVED: CRS. R. Lowe/T. Schneider

That Council notes the minutes of the Yurunga Committee of Management Meeting on 21 September 2017.

CARRIED

Attachment: 13

MOVED: T. Schneider/R. Lowe

That Council writes to Ewan Christian to thank him for his service on the Yurunga Committee of Management and his contribution to the Rainbow Community.

CARRIED

12.3 RAINBOW TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment: 14

Introduction:

The Rainbow Town Committee held its Meeting on 25 September 2017. 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 Rainbow Town Committee Meeting on 25 September 2017.

MOVED: CRS. R. Lowe/R. Gersch

That Council notes the minutes of the Rainbow Town Committee Meeting on 25 September 2017.

CARRIED

Attachment: 14

Cr. R. Lowe declared a conflict of interest in item 13.1 Application for planning permit 1561-2017 and left the room.

13. LATE REPORTS

13.1 APPLICATION FOR PLANNING PERMIT 1561-2017

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 101020
Attachment: Plans – Locality Plan (Sheet 1) dated 29/06/17 prepared by Graincorp, and proposed subdivision (boundary realignment) prepared by Price Merrett Consulting, Copy of Objections, Submission by Graincorp in response.

Applicant: Tyson Fehring – Graincorp Pty Ltd
Owner: GrainCorp Pty Ltd
Subject Land: Lot 1 PS442525, 66 Belcher St Nhill

Proposal: Use and development of the land (including works) in association with Rural Store – Grain Handling facility (Grain Storage bunkers x 5), and boundary realignment (subdivision) to contain the grain storage area.

Zoning & Overlays: Farming Zone (FZ), Environmental Significance Overlay Schedule 6 – Catchments of Wetlands of Conservation Value

Attachments: Plans – Locality Plan (Sheet 1) dated 29/06/17 prepared by Graincorp, and proposed subdivision (boundary realignment) prepared by Price Merrett Consulting, Copy of Objections, Submission by Graincorp in response.

Proposal: Use and development of the land (including works) in association with Rural Store – Grain Handling facility (Grain Storage bunkers x 5), and boundary realignment (subdivision) to contain the grain storage area.

Zoning & Overlays: Farming Zone (FZ), Environmental Significance Overlay Schedule 6 – Catchments of Wetlands of Conservation Value

Summary: This application is for Use and Development of Land (including Buildings and Works) in association with Rural Store, for the construction of a grain handling facility, and boundary realignment to contain the grain storage area. The proposed boundary realignment proposes to increase the size of Lot 1 PS442525 from 12.14ha to 30.50 ha, whilst reducing the size of Lot 2 PS442525 from 148.9 ha to 130.5 ha. This proposal intends to create 5 x additional grain storage areas to the east of proposed Lot 1.

Under the provisions of the Hindmarsh Planning Scheme, the proposal accords with the definition of a “Rural Store,” being: -

“Land used to store unprocessed agricultural produce, or products used in agriculture”.

No buildings are proposed as a part of this application, with works proposed being associated with the construction of the bunker storage areas.

Previous approved planning permits include:

- Permit No. 732/01 – 21 September 2001 – Development of Grain Storage facilities including bunkers, weighbridge, sampling stand, associated road works, drainage and retarding dam.
- Permit No. 1231/2009 – 11 November 2009 – Grain Storage increase to a total of 135,000 tonnes.

Permit 1557-2017 for the construction of associated grain loading and silo facilities was approved on the 25 October 2017.

Proposal Details:

The proposal in detail involves the construction of 5 x grain storage bunkers – approximately 40m x 120m in length oriented in an east-west direction, to the east of the existing site offices and existing bunkers.

The proposed boundary realignment (subdivision) proposes to increase the size of Lot 1 PS442525 from 12.14ha to 30.50 ha, whilst reducing the size of Lot 2 PS442525 from 148.9 ha to 130.5 ha. This proposal intends to create 5 x additional grain storage areas to the east of proposed Lot 1.

(Refer Attachments / see below)



Picture 1:
Shows location of the Environmental Significance Overlay Schedule 6. The ESO 6 does not impact upon the area of works, therefore referral to the WCMA is not required.



Picture 2:
Aerial Photograph of subject site

Planning Assessment:

Permit Requirement:

Use:

A planning permit is required pursuant to Clause 35.07-1 of the Farming Zone to use the land for a Rural Store. A 'Rural Store' is a Section 2 Use, if the conditions for 'Rural Store' under Section 1 Uses cannot be met.

Development:

A planning permit is required pursuant to Clause 35.07-4 for buildings or works associated with a use in Section 2 of Clause 35.07-1 under the provisions of the Hindmarsh Planning Scheme.

Planning Scheme Requirements:

State Planning Policy Framework

Clause 11 – Settlement
Clause 11.07 – Regional Victoria
Clause 11.15 – Wimmera Southern Mallee
Clause 13 – Environmental Risks
Clause 17 – Economic Development
Clause 18 - Transport
Clause 19 - Infrastructure

Local Planning Policy Framework

Clause 21 – Municipal Strategic Statement
Clause 22.01 – Western Highway

Zoning Provisions

Clause 35.07 – Farming Zone (FZ)

Overlay Provisions

Clause 42.01 - Environmental Significance Overlay Schedule 6 – Catchments of Wetlands of Conservation Value (ESO6)

Particular Provisions

Clause 5

General Provisions

Clause 65 – Decision Guidelines
Clause 66 - Referral and Notice Provisions

Discussion

The application has been assessed against the State Planning Policy Framework and the Local Planning Policy Framework, and it is considered that the proposed use is consistent with relevant policies contained within this section of the Hindmarsh Planning Scheme.

Clause 35.07 – Farming Zone states that before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate (as outlined in detail within the planning scheme):

General Issues:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

The land is considered suitable for the proposal, and generally accords with the overall intent of the Farming Zone. The proposed grain bunkers are additional to the existing bunkers, and the overall development accords with adjoining and nearby land uses.

Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

The proposal also considers Environmental and Design & Siting Issues, and an assessment against these issues has determined that the proposal will have no detrimental impact. The proposed boundary realignment will serve to further agricultural uses on the balance of the land (cropping), with the proposed grain storage area increasing grain storage and transfer from the area.

35.07-3 Subdivision (FZ) states that a permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

The proposed boundary realignment complies.

General Provisions – Decision Guidelines

Clause 65.01 of the Hindmarsh Planning Scheme requires that before deciding on an application or approval of a plan, the Responsible Authority must consider, as appropriate:

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- 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.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- 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 relevant matters set out in s60 of the Act are:

(1) Before deciding on an application, the responsible authority must consider—

- a) the relevant planning scheme; and
- b) the objectives of planning in Victoria; and
- c) all objections and other submissions which it has received and which have not been withdrawn; and
- d) any decision and comments of a referral authority which it has received; and
- e) any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development; and
- f) any significant social effects and economic effects which the responsible authority considers the use or development may have.

It is considered that this proposal will produce acceptable outcomes, having regard to the decision guidelines as listed above.

Notification & Referral of Application:

Pursuant to Sections 52 (1) (a), (b) and (d) of the Planning and Environment Act 1987 (the Act), notice of the application must be given to the community and affected authorities, unless the responsible authority is satisfied that the grant of the permit would not cause material detriment to any person.

Notification was undertaken by way of letter to adjoining landowners, placing signs on the land, and an advertisement in the Nhill Free Press. 13 objections were received, summarised as follows (and addressed by the Coordinator Planning and Development):

Summary of Objections:

Objection	Response
Impacts of dust, noise and rodents	These matters can be conditioned.
Impacts upon natural features / views / fauna	Views are not a relevant planning consideration. Impacts upon fauna can be mitigated through an appropriate condition relating to construction management.
Halting expansion of dwellings in the area	The proposal in its amended form will not detrimentally impact on dwellings within the area. The Farming Zone is not intended for residences, and the adjoining Rural Living Zone will not be significantly impacted by the proposal in its current form.
Health impacts – mental and physical	Conditions are to be applied addressing noise, dust, light pollution, chemical spray etc.
Effects of proposal on rainwater quality and stormwater	To be conditioned
Lack of Consultation	The applicant has advertised the proposal in its various forms twice, with appropriate signage placed on the land, neighbour consultation and an advertisement in the Nhill Free Press. The amended proposal was advertised for the minimum period of fourteen (14) days, with no objections received.
Land could be used for Rural Living purposes	The land is appropriately zoned as Farming, with an adequate supply of

	Rural Living zoned land within the Shire.
Truck traffic / pedestrian safety	Appropriate engineering conditions are to be applied to address this matter.
Proposal better suited to eastern sector of existing facility	Amended plans were lodged to address this matter, and subsequently advertised, with no objection received as stated.
Effects of proposal on property values	Not a relevant planning consideration

Pursuant to Section 55 of the Planning and Environment Act 1987 (the Act), the application must be referred to stipulated authorities. This was not required (refer Clause 66 of the Planning Scheme).

Authorities:

Not required.

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 10 July 2017. The report is being presented to the Council meeting of 15 November 2017, giving a processing time of 129 days. The statutory processing time requirements of the Planning and Environment Act 1987 have not been satisfied, due to amended plans lodged under Section 72 of the Act, further information requested, and re-advertising.

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 – Shane Power, Director Infrastructure Services

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

Author – Andre Dalton, Coordinator Planning and Development

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

RECOMMENDATION:

That Council approves the use and development of the land (including buildings and works) in association with Rural Store – Grain Handling facility (Grain Storage bunkers), and boundary realignment (subdivision) subject to the following conditions:

Endorsed Plans

(1) The development as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the Responsible Authority.

Landscaping

(2) Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must be generally in accordance with plans submitted except that the plan must show:

- a) Details of surface finishes of pathways and driveways;***
- b) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;***
- c) Landscaping and planting within all open areas of the site;***
- d) Detail of site and soil preparation including mulching and maintenance;***
- e) All species selected must be to the satisfaction of the Responsible Authority.***

Subdivision - Amended plans required

(3) Before the plan of subdivision is certified under the Subdivision Act 1988, 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 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 plans submitted with the application/other specified plans but modified to show:

- a) all bearings, distances, levels, street names, lot numbers, lot sizes, reserves and easements.***
- b) other information relevant to the development of the land such as dams, wells, filled land, land subject to inundation, etc.***

Amenity

(4) 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) 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.***

(5) The site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area.

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

(7) Outdoor lighting must be designed, baffled and located to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

General

(8) During the construction phase of the development, the following conditions shall be met:

- a) Only clean rainwater shall be discharged to the stormwater drainage system;***
- b) Stormwater drainage system protection measures shall be installed as***
- c) Required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises, enters the stormwater drainage system;***
- d) Vehicle borne materials shall not accumulate on the roads abutting the site;***
- e) All machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;***
- f) All litter (including items such as cement bags, food packaging and plastic stripping) must be disposed of responsibly.***

(9) All chemicals, pesticides and fungicides are to be used on site, in accordance with Occupational Health and Safety Standards. The use of chemicals must be conducted so that it has minimum impact on the amenity of the immediate area by reason smell, fumes, smoke, waste water, waste products, or otherwise.

Car Parking/Access

(10) Carparking must be provided internally within the site for maintenance vehicles.

Engineering

(11) Access to the site and ancillary road works must be constructed in accordance with the requirements of the Responsible Authority.

(12) The developer is required to treat flows from the site to eliminate contaminants entering the drainage system to the satisfaction of the Responsible Authority.

Environmental Health

(13) If the Responsible Authority is not satisfied that the approved development has mitigated unreasonable noise impacts, it may require the owner to carry out a noise assessment by an acoustic consultant by a specified date. If the assessment shows that further specified measures are required to ensure compliance with the EPA Guideline “Noise from Industry in Regional Victoria” (October 2011), additional suitable procedures for suppression must be developed and implemented to the satisfaction of the Responsible Authority.

Time Limit (Use and Development)

(14) The development approved by this permit will expire if one of the following circumstances applies:

- a) The development and use 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.***

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or:

- a) Within six months afterwards for commencement, or***
- b) Within twelve months afterwards for completion.***

Time Limit – Subdivision

(15) This permit will expire if:

- a) the plan of subdivision is not certified within 2 years of the date of this permit;***
or
- b) the registration of the subdivision is not completed within 5 years of the date of this permit.***

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or:

- a) Within six months afterwards for commencement, or***
- b) Within twelve months afterwards for completion.***

Notes

(1) This is not a Building Permit. Please consult a Building Surveyor and ensure that a Building Permit is obtained prior to the commencement of works.

(2) Approval must be obtained from Council's Engineering Department (Phone: 03 5391 4444) for the construction or alteration of any vehicle crossings prior to the commencement of any works on the site.

(3) Prior to any works commencing on site, an Asset Protection Permit must be obtained from Council's Engineering Department (Phone: 9249 4430).

(4) A copy of this permit and the endorsed plans must be provided to all builders and contractors who are to work on the site so that they are aware of the conditions to which this approval is subject.

MOVED: CRS. R. Gersch/T. Schneider

That Council approves the use and development of the land (including buildings and works) in association with Rural Store – Grain Handling facility (Grain Storage bunkers), and boundary realignment (subdivision) subject to the following conditions:

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- c) Landscaping and planting within all open areas of the site;**
- d) Detail of site and soil preparation including mulching and maintenance;**
- e) All species selected must be to the satisfaction of the Responsible Authority.**

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Environmental Health

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(3) Prior to any works commencing on site, an Asset Protection Permit must be obtained from Council's Engineering Department (Ph: 03 5391 4444).

(4) A copy of this permit and the endorsed plans must be provided to all builders and contractors who are to work on the site so that they are aware of the conditions to which this approval is subject.

CARRIED

Attach. 17

MOTION ARISING:

MOVED: CRS. R. Gersch/T. Schneider

That Council writes to the applicant of planning permit application 1561-2017 to request that they consider reducing their after-hours operation to what is necessary for the operation of their business, in consideration of affected landowners.

CARRIED

Cr. R. Lowe returned to the room.

14. OTHER BUSINESS

MOVED: CRS. D. Nelson/T. Schneider

That Council:

- 1) writes to Dimboola Leading Senior Constable Cal Myers, congratulating him on 15 years of service.***
- 2) writes to Dimboola Sergeant Darren Saedler, congratulating him on 15 years of service and his National Police Service medal.***

CARRIED

MOVED: CRS. R. Gersch/D. Colbert

That Council writes to Ivan Reichelt, congratulating him on 41 years of service to the Lowan Shire and the Hindmarsh Shire Council.

CARRIED

MOVED: CRS. D. Colbert/R. Gersch

That Council writes to the Nhill A & P Society, the Jeparit A & P Society, the Rainbow A & P Society and the Dimboola A & P Society, congratulating them on the success of the 2017 shows.

CARRIED

MOVED: CRS. D. Colbert/T. Schneider

That Council writes to Stephanie Mieklejohn congratulating her on winning the Australian Pharmacy Assistant of the Year 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, to consider (d) Contractual matters and b) The personal hardship of any resident or ratepayer;

15.1 Sale of Council Owned Land - former Rainbow Primary School

15.2 Financial Hardship application

MOVED: CRS. R. Gersch/D. Nelson

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

15.1 Sale of Council Owned Land - former Rainbow Primary School

15.2 Financial Hardship application

CARRIED

Council resumed open session at 4.14pm.

16. MEETING CLOSE

As there was no further business, Cr. R. Ismay declared the meeting closed at 4.15pm.



20 November 2017

**Administration
Centre**

PO Box 250
92 Nelson Street
NHILL VIC 3418
Ph: (03) 5391 4444

email:
info@hindmarsh.vic.gov.au

website:
www.hindmarsh.vic.gov.au

ABN 26 550 541 746

**Customer Service
Centres**

Jeparit
10 Roy Street
JEPARIT VIC 3423
Ph: (03) 5391 4450

Dimboola
101 Lloyd Street
DIMBOOLA VIC 3414
Ph: (03) 5391 4452

Rainbow
15 Federal Street
RAINBOW VIC 3424
Ph: (03) 5391 4451

Mr Ewan Christian
21 Sanders St
Rainbow VIC 3424

Dear Ewan,

Yurunga Homestead Committee of Management Service

At its meeting on 15 November 2017, Council requested that I write on its behalf, to thank you and acknowledge your many years of service with the Yurunga Homestead Committee.

From your very first project to restore the double gates to oiling the verandah; from developing and caring for the orchard to planting (and replanting) trees throughout the property you have been a tireless volunteer. Your commitment to Yurunga Homestead has played an integral part in the preservation of one of the Shire's most important historical assets.

Although no longer involved directly with the Committee, you are welcome to visit at any time to check on your trees and orchard!

Thank you again for your involvement with the Yurunga Homestead Committee and your outstanding contribution to the development of Yurunga Homestead.

Yours Sincerely,

Greg Wood
Chief Executive Officer



Hindmarsh
Shire Council

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23 November 2017

Mr K Morrison
President
Nhill A & P Society
139 Macpherson Street
NHILL VIC 3418

Dear Ken,

Re: Nhill A&P Society – Nhill Agricultural Show

At its 15 November 2017 Council meeting, Council requested that I write to you on its behalf to congratulate you on the success of the 133rd Nhill Show.

Council appreciates the amount of work that your committee undertakes to organise the Nhill Show. Agricultural Shows are an important part of community life and the Nhill A&P Society should be justifiably proud of the show that they conduct each year.

I wish the A&P Society all the best with your plans for the 2018 Nhill Show and trust that it will be as successful as previous years.

Yours faithfully,

Greg Wood
Chief Executive Officer



Hindmarsh
Shire Council

23 November 2017

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Ph: (03) 5391 4451

Mrs Y Hutson
President
Jeparit A&P Society
PO Box 30
JEPARIT VIC 3423

Dear Yolande,

Re: Jeparit A&P Society – Jeparit Agricultural Show

At its 15 November 2017 Council meeting, Council requested that I write to you on its behalf to congratulate you on the success of the 2017 Jeparit Show.

Council appreciates the amount of work that your committee undertakes to organise the Jeparit Show. Agricultural Shows are an important part of community life and the Jeparit A&P Society should be justifiably proud of the show that they conduct each year.

I wish the A&P Society all the best with your plans for the 2018 Jeparit Show and trust that it will be as successful as previous years.

Yours sincerely

Greg Wood
Chief Executive Officer



Hindmarsh
Shire Council

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23 November 2017

Mr H McKinnon
President
Dimboola A&P Society
PO Box 80
DIMBOOLA VIC 3414

Dear Harvey,

Re: Dimboola A&P Society – Dimboola Agricultural Show

At its 15 November 2017 Council meeting, Council requested that I write to you on its behalf to congratulate you on the success of the 2017 Dimboola Show.

Council appreciates the amount of work that your committee undertakes to organise the Dimboola Show. Agricultural Shows are an important part of community life and the Dimboola A&P Society should be justifiably proud of the show that they conduct each year.

I wish the A&P Society all the best with your plans for the 2018 Dimboola Show and trust that it will be as successful as previous years.

Yours sincerely

Greg Wood
Chief Executive Officer



23 November 2017

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Rainbow
15 Federal Street
RAINBOW VIC 3424
Ph: (03) 5391 4451

Mr F Saul
President
Rainbow A & P Society
PO Box 85
RAINBOW VIC 3424

Dear Fred,

Re: Rainbow A&P Society – Rainbow Agricultural Show

At its 15 November 2017 Council meeting, Council requested that I write to you on its behalf to congratulate you on the success of the 2017 Rainbow Show.

Council appreciates the amount of work that your committee undertakes to organise the Rainbow Show. Agricultural Shows are an important part of community life and the Rainbow A&P Society should be justifiably proud of the show that they conduct each year.

I wish the A&P Society all the best with your plans for the 2018 Rainbow Show and trust that it will be as successful as previous years.

Yours sincerely

Greg Wood
Chief Executive Officer



Hindmarsh
Shire Council

27 November 2017

**Administration
Centre**

PO Box 250
92 Nelson Street
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Rainbow
15 Federal Street
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Miss S Micklejohn
184 Nelson Street
NHILL VIC 3418

Dear Stephanie,

Re: 2017 Pharmacy Assistant of the Year

At its 15 November 2017 Council meeting, Council requested that I write to you on its behalf to congratulate you on winning the 2017 Pharmacy Assistant of the Year.

To be selected from all of Australia for an award such as this is a great honour, and something you should be very proud of. You are an asset to the Nhill Pharmacy and your contributions and dedication to serving the community have been justifiably rewarded.

I commend on you on your award and wish you all the best in the future.

Yours sincerely

Greg Wood
Chief Executive Officer



ASSEMBLY OF COUNCILLORS RECORD

Assembly of Councillors means a planned or scheduled meeting of at least 3 councillors and one member of council staff which considers matters that are intended or likely to be:

- a) the subject of a decision of the Council; or*
- b) subject to the exercise of a function, duty of power of the council that has been delegated to a person or committee; but does not include a meeting of the Council, a special committee of the Council, a club, association, peak body, political party or other organisation.*

Requirements to be observed by an assembly of Councillors (Section 80A Local Government Act, 1989)

Title of Meeting: Council Briefing Session

Date: Wednesday 1 November 2017 **Time:** 4:00pm – 5:00pm

Assembly Location: Council Chamber, Nhill

Present:

Crs. R. Ismay, D. Colbert, D. Nelson, R. Lowe, R. Gersch, T. Schneider

Apologies:

In Attendance:

Mr. G. Wood (Chief Executive Officer)

Conflict of Interest Disclosures

1. Direct; or
2. 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.

Councillors:

Nil

Officers:

Nil

Matters Discussed:

No.	Detail	Presenter
1.	Election of mayor and deputy mayor	Greg Wood
2.	Appointment of delegates to regional and external organisations	Greg Wood

Completed by: Greg Wood



Signed:

Date: 01/11/2017

Must be kept for four years from date of the assembly. Available for public inspection at Council Offices for 12 months after date of assembly.



ASSEMBLY OF COUNCILLORS RECORD

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Requirements to be observed by an assembly of Councillors (Section 80A Local Government Act, 1989)

Title of Meeting: Council Briefing Session

Date: Wednesday 15 November 2017 **Time:** 1:00pm – 3:00pm

Assembly Location: Council Chamber, Nhill

Present:

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

Apologies:

In Attendance:

Mr. G. Wood (Chief Executive Officer), Mr. S. Power (Director Infrastructure Services) (2-4) Mrs. M. Revell (Acting Director of Corporate and Community Services) (2-4)

Conflict of Interest Disclosures

1. Direct; or
2. Indirect interest
 - (a) by close association;
 - (b) that is an indirect financial interest;
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 - (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.

Councillors:

Nil

Officers:

Nil

Matters Discussed:

No.	Detail	Presenter
1.	CEO Update	Greg Wood
2.	Rainbow-Nhill Road – heavy vehicle permitted use	Shane Power
3.	Carry Forwards	Monica Revell
4.	Sale of council owned land - former Rainbow Primary School	Greg Wood
5.	Council question time	

Completed by: Greg Wood



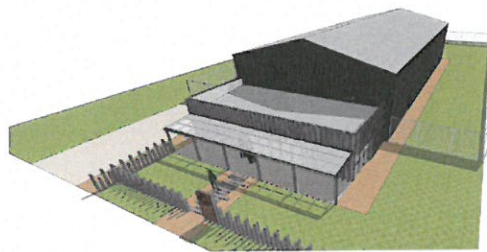
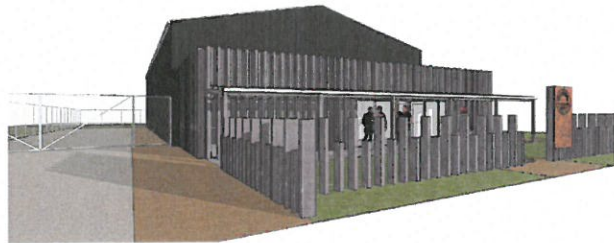
Signed:

Date: 15/11/2017

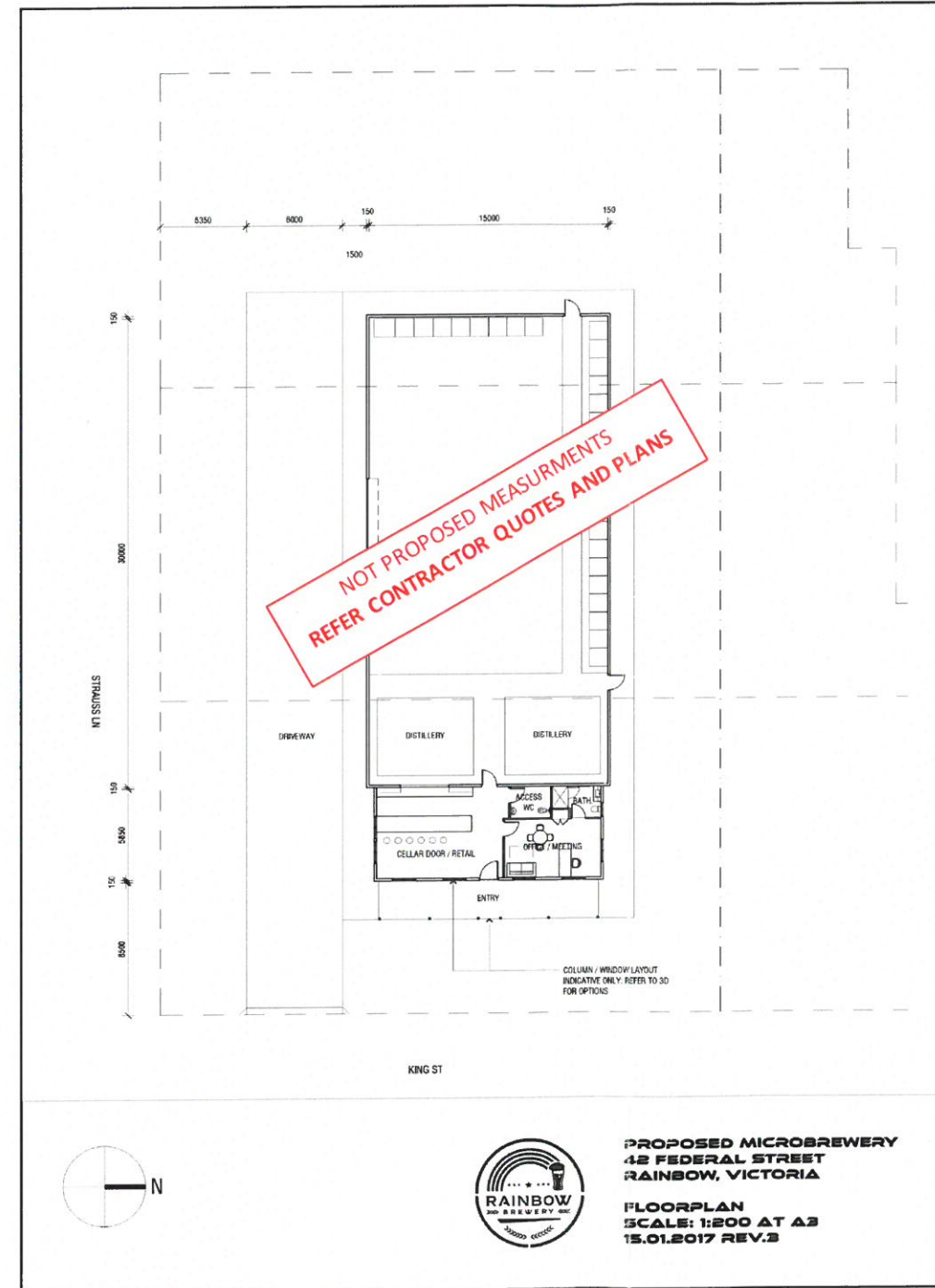
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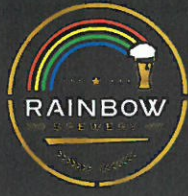
WHAT DO WE PROPOSE TO LOOK LIKE?



**PROPOSED MICROBREWERY
42 FEDERAL STREET
RAINBOW, VICTORIA**
OPTION 1 PERSPECTIVES
15.01.2017 REV.3







**PROPOSED MICROBREWERY
42 FEDERAL STREET
RAINBOW, VICTORIA**
FLOORPLAN
SCALE: 1:200 AT A3
15.01.2017 REV.3

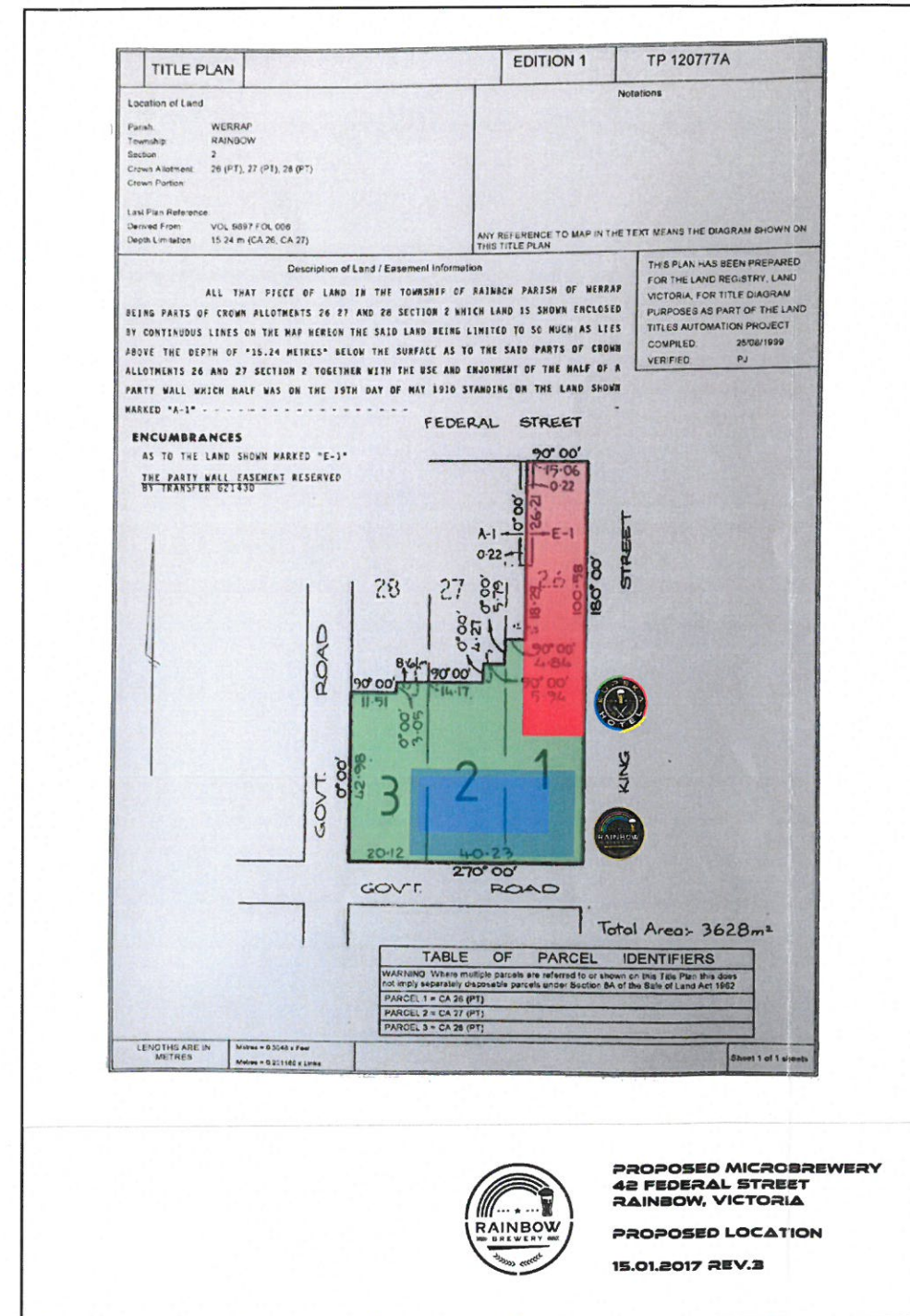


OUR PROPOSED LOCATION

THE PROPOSED LOCATION OF THE RAINBOW BREWERY IS AT THE REAR OF THE EUREKA HOTEL, CNR OF FEDERAL & KING STREETS RAINBOW, VICTORIA.

Building size & positioning;

-  Warehouse - 15m x 24m
-  Skillion/Office - 15m x 9m
-  Loading / Drive way - 45m x 6m
-  King Street set back - 10m



PROPOSED 24.0 X 15.0 X 7.0m SHED FOR RAINBOW BREWERY, 42 FEDERAL STREET, RAINBOW, 3424



DRAWING NAME:
PROPOSED 15.0m SPAN SHED

ACTION STEEL INDUSTRIES
20 - 24 PLAYFORD STREET
STAWELL VICTORIA, 3380
PH - (03) 5358 5555
FX - (03) 5358 4680
EM - sales@actionsteel.com.au
WEB - www.actionsteel.com.au

REVISION NO.

REV.	DESCRIPTION.	DATE.
A	PRELIMINARY - FOR CLIENT APPROVAL	18/09/17

DATE: 18/09/2017

DRAWING NO. ASI - 717 SHEET NO. A01

SCALE: 1:150 (A3) FILE NO.

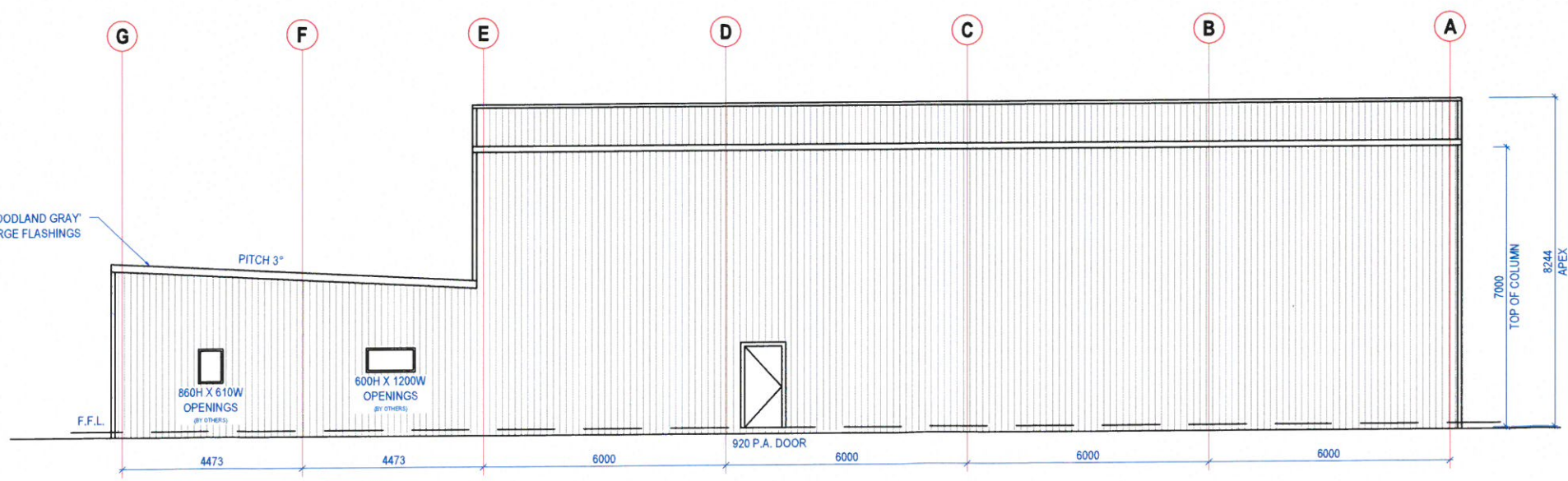
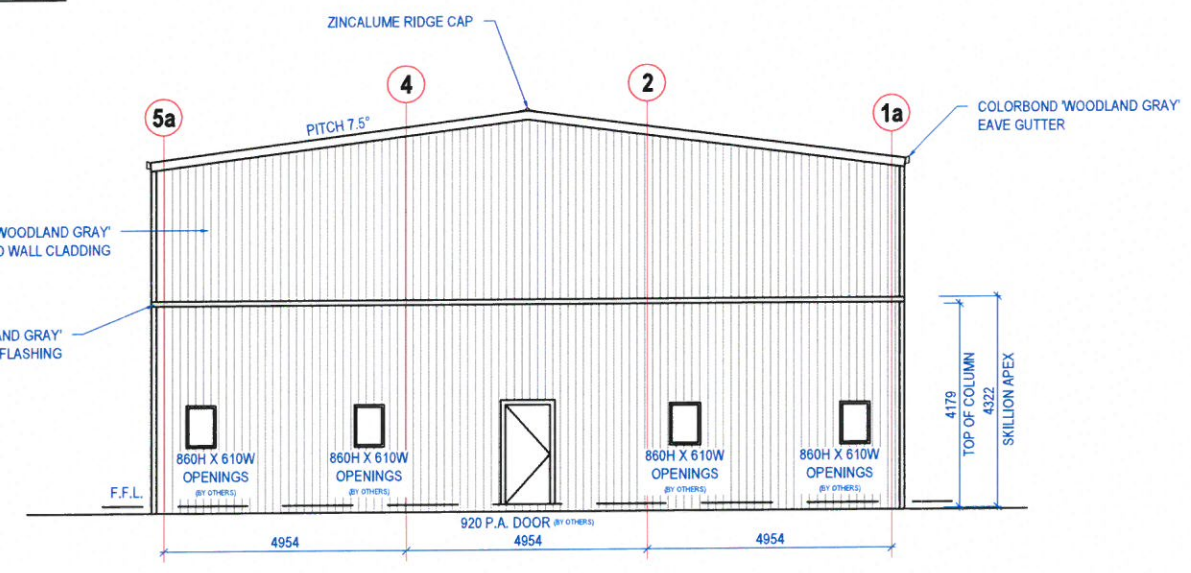
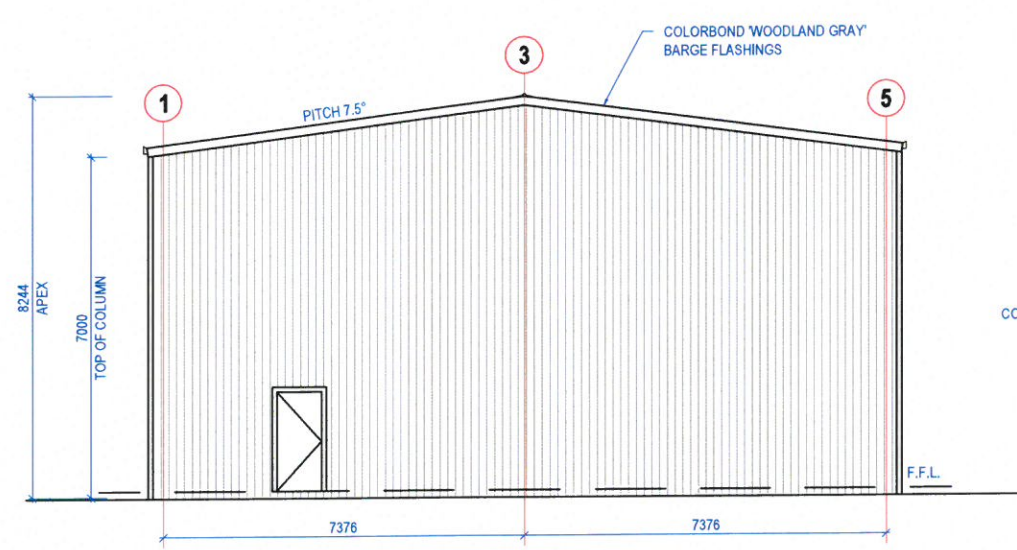
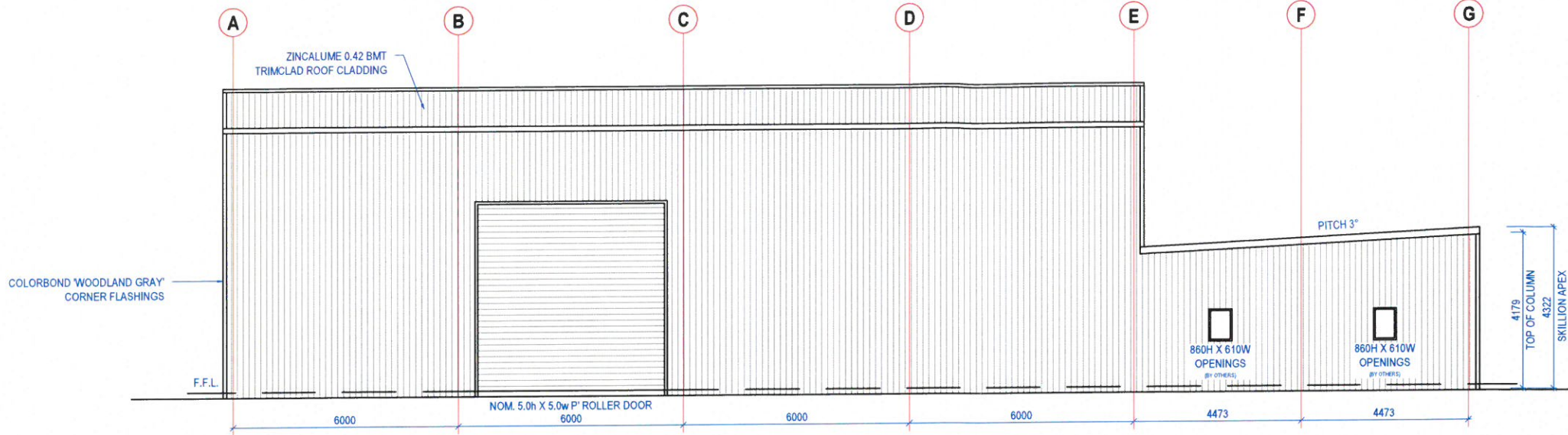
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NOTES.

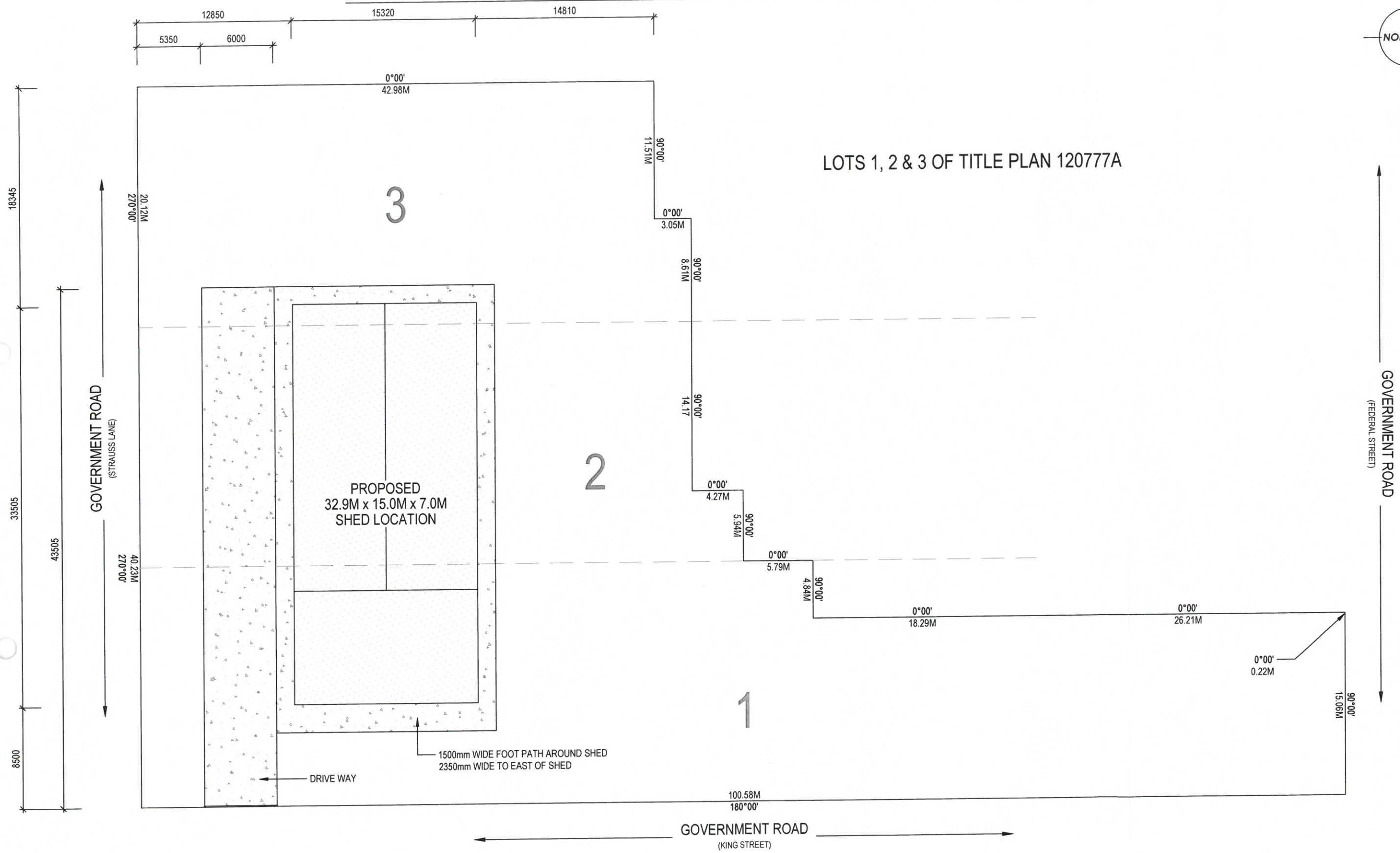
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* ALL STORMWATER TO APPROVED POINT OF DISCHARGE TO THE SATISFACTION OF THE RELEVANT AUTHORITY.

SITE PLAN FOR PROPOSED 32.9 X 15.0 X 7.0 SHED FOR RAINBOW BREWERY - 42 FEDERAL STREET, RAINBOW 3424



SCALE 1:300
ALL MEASUREMENT IN MM U.N.O

SHEET 4

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REV.	DESCRIPTION	DATE	DRAWING NO.	DATE: 06/10/2017
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			DRAWING NAME:	
			PROPOSED 32.9 X 15.0 X 7.0 SHED FOR RAINBOW BREWERY	
DRAWN. W. CRICK ACTION STEEL INDUSTRIES PTY LTD		SIZE: A3	SHEET: TP-01	REV: A
		APPROVED		

POLICY

Councillor Expense Entitlements



Purpose

The purpose of this policy is to define the parameters for the reimbursement of necessary out of pocket expenses incurred while performing duties as a Councillor as provided by section 75 of the *Local Government Act 1989*.

Scope

This policy applies to all Councillors including the Mayor.

Policy

1. Travel

1.1. Mayor's Vehicle

A fully maintained vehicle will be provided to assist the Mayor to carry out his/her duties and for private use during the Mayoral term.

The vehicle is to be operated and maintained in line with the Motor Vehicle Use (Including Private Use) Policy, as determined by the Chief Executive Officer from time to time.

1.2. Travelling Expenses

Where practical, Councillors are to use a Council pool car for travel involved in performing their duties. Councillors are encouraged to travel together or with Council Officers.

Upon completion and forwarding of a Travel Claim Form to the Chief Executive Officer for approval, travel expenses will be paid to Councillors for out of pocket expenses related to travel to and from—

- Council meetings and Committee meetings
- Meetings and civic or ceremonial functions held by Council
- Meetings of an external body to which a Councillor has been appointed on behalf of Council

- Meeting attended by a Councillor on the Mayor's behalf, as requested
- Other meetings or functions, as approved by resolution of Council
- Other meetings or functions as determined by the Chief Executive Officer, that Councillors are required to attend and may claim expenses.

Reimbursement will be paid on a per kilometre rate set in accordance with the Australian Tax Office cents per kilometre method. Councillors cannot claim a personal tax refund for kilometres travelled where Council has reimbursed for those kilometres.

All drivers of Council vehicles must comply with the conditions of use specified in the Motor Vehicle Use (Including Private Use) Policy, as determined by the Chief Executive Officer from time to time.

1.3. Remote Area Travel Allowance

Where a Councillor normally resides more than 50 kilometres by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings or community functions, which have been authorised by Council resolution for the Councillor to attend, he or she is entitled to be paid an allowance of \$40 per day, up to a maximum of \$5,000 per annum.

1.4. Interstate and International Travel

All international and interstate travel by Councillors performing official duties must be in accordance with the Council Plan and approved by a resolution of Council.

Air travel will be economy class with bookings and payments made by Council. In appropriate circumstances, charter flights may be approved by the Chief Executive Officer.

Section 11 of the *Local Government Act 1989* requires Council to maintain a register for public inspection of details and costs relating to all overseas and interstate travel undertaken by Councillors (with the exception of travel by land for less than three days).

1.5. Partner Travel

The costs of a partner accompanying a Councillor on a Council business trip must be borne by a Councillor, unless there is a bona fide business purpose or necessity for the presence of his or her partner.

Where a partner is travelling for bona fide business purposes or from necessity, the reasonable costs associated with travel, accommodation, incidentals for the partner must be approved in writing by the Chief Executive Officer prior to departure.

1.6. Car Parking/Public Transport/Taxi Charges

Council will reimburse the costs of car parking, public transport and taxi charges incurred while conducting Council business on the basis of original receipts and relevant details regarding the

purpose, date and time of the meeting or function. Travel passes (such as Myki) may be provided to Councillors at the discretion of the Chief Executive Officer.

2. Communications Equipment

Councillors will be provided with appropriate communications equipment to ensure that they can adequately and efficiently perform their role as a Councillor, which may include—

- Mobile phone (smartphone with email and calendar)
- Tablet device (e.g. iPad) with 4G capability
- Access to a copier/printer
- Home internet connection where 4G is unavailable
- Council email account
- Other equipment as determined by Council resolution or by the Chief Executive Officer

Where a Councillor wishes to retain his or her personal mobile phone for council use (instead of being provided a Council phone), Council will reimburse \$50 per month to cover the costs of telephone and data usage. If retaining a personal mobile phone, Councillors must make their personal mobile number available for publication. No reimbursement for personal mobile phones will be made during election periods.

Where a Councillor wishes to retain their personal home internet connection (instead of being provided an Internet connection by Council), Council will reimburse \$60 per month to cover the costs of Council related usage. No reimbursement for personal internet services will be made during election periods.

The make, model and specifications of any communications equipment, the associated contracts or plans and the replacement of any communications equipment shall be at the discretion of the Chief Executive Officer.

Council will meet the purchase, installation, maintenance and service, connection and disconnection, subscription, rental and usage costs for all Council provided communications equipment.

The equipment will remain the property of Council and must be returned at the end of a Councillor's term of office. The equipment must be kept in a secure place and away from any area where the build-up of dust, smoke, grease or other harmful materials is likely. Maintenance of the equipment will be carried out by a person approved by the Chief Executive Officer and be paid for by the Council.

Council provided communications equipment is to be used for Council related business activities however it is acknowledged that, on occasion, limited personal use may be made of communications equipment. Councillors are required to reimburse Council for the cost of their personal use of the equipment.

3. Conferences, Seminars & Personal Development

Councillors are encouraged to attend conferences and seminars relevant to their role, to enhance their personal skills and knowledge.

Councillors must obtain approval from the Chief Executive Officer to attend a conference or seminar where expenses are likely to be claimed or to use Council pool vehicles to/from conferences or seminars.

Where attendance at a conference or seminar is approved, Councillors shall have all reasonable expenses for travelling, transport, accommodation, registration fees, meals and out of pocket expenses relating to the conference or seminar reimbursed or paid on their behalf. Upon completing and forwarding of a Creditor Voucher to the Chief Executive Officer, as well as all relevant receipts, reimbursement will be paid to Councillors for out of pocket expenses related to conferences and seminars.

As part of the annual budget process an amount will be allocated for attendance of Councillors at participate in personal development training. The allocated funds may be expended by Councillors on—

- seminars or conferences
- undergraduate and post graduate studies
- short courses
- study tours

provided these relate to local government activity, leadership, or governance in the context of the role of Councillor, or enhance the personal skills of the individual to undertake the role of Councillor (e.g. IT skills).

Councillors must seek approval of the Chief Executive Office of any proposed expenditure of training funds, and provide details of the proposed course, estimate of costs and purpose of attendance.

Training programs which are considered essential for performing the tasks of Councillor will be fully funded by Council. Programs only partly relevant to the position of Councillor may be jointly funded.

Where a Councillor forecasts expenditure beyond the allowance provided by the annual budget process, additional funds may be provided by resolution of Council.

Tax invoices and receipts must be provided with the Creditor Voucher in all instances.

Councillors who attend funded training will prepare reports on areas of major learning when requested to do so by Council.

4. Stationery

Councillors may access and use standard stationery held or obtained generally for the council's requirements.

The stationery includes items such as business cards, pens, diaries, notepads, USB sticks, paper, and envelopes.

5. Office Space

Council will provide a suitably furnished and equipped office, in an appropriate location, for use by the Mayor.

6. Administrative Support

Reasonable administrative support for work directly relates to the duties of the office will be provided through the Chief Executive's Office.

7. Credit Cards

If a Councillor or the Mayor is issued with a credit card, the credit card is to be used strictly in accordance with Council's Accounting Policy and Procedures Manual.

8. Dependent Care Expenses

Councillors when attending to legitimate Council business may be reimbursed for necessary dependent care incurred for children, frail aged or disabled persons.

Reasonable care expenses may comprise hourly fees, agency booking fees and/or reasonable travelling expenses and will only be reimbursed when paid to—

- a) a recognised dependent care provider
- b) a person who does not:
 - I. have a familial or like relationship with the Councillor
 - II. reside either permanently or temporarily with the Councillor
 - III. have a relationship with the Councillor or his or her partner such that it would be inappropriate for Council to reimburse monies paid to the care provider

when the care is necessary to allow attendance at—

- a) Council meetings and Council business relating to Council meetings
- b) Council functions
- c) Meetings arising as a result of the Councillor being appointed by the Council to a committee or external body
- d) Other Council business as approved by the Chief Executive Officer.

9. Meals/Refreshments

Council will provide reasonable refreshments during meetings on Council business and reasonable meals where Council meetings are to be held over extended periods or are likely to have a late conclusion time, at the discretion of the Chief Executive Officer.

10. Insurance

Councillors are covered by the following Council insurance policies while discharging their duties—

- a) Public and Product Liability
- b) Professional Indemnity
- c) Personal Accident - Corporate Travel
- d) Councillors and Officers Liability Insurance (Statutory Liability is incorporated into this policy)
- e) Motor Vehicle

Council will pay any applicable policy excess in respect of claims made against a Councillor arising from Council business where any claim is accepted by Council insurers.

11. Legal Costs

Council will only meet legal expenses incurred as a result of a Councillor performing official duties.

If a Councillor requires legal advice in connection with his or her functions as a Councillor, Council may facilitate and fund such legal advice by resolution. Council will evaluate any request of a Councillor for legal advice against the following criteria—

- a) The extent to which the subject matter of the advice required relates to the Councillor's functions as a Councillor
- b) The extent to which the subject matter of the advice required relates to a matter before Council
- c) The extent to which the subject matter of the required advice will or is likely to be of interest to all Councillors
- d) The public interest
- e) Any other relevant considerations

If the Councillor's need for legal advice cannot be deferred until consideration by Council, the Chief Executive Officer may facilitate such legal advice and confirm that Council will meet expenses, after taking into consideration of the same criteria used by Council, above.

In the event that legal advice relates to a writ, action or pending action against Council or Councillors, the Councillors must provide a copy of the writ or action or provide information which may lead to action to the Chief Executive Officer, who will advise Council's insurers as soon as possible, in accordance with Council's insurance policy conditions.

12. Exclusions

Any expenses arising from a breach of road, traffic, parking or other regulations or laws, including Council Local Laws will not be reimbursed or funded in any way by Council.

13. Committee Members

Members of Committees, who are not Councillors, are not entitled to reimbursement of expenses unless exceptional circumstances exist and the Chief Executive Officer approves.

14. Submission of claims

All claims are to be submitted on the Travel Claim Form or Creditor Voucher (as applicable). All claims should be accompanied by fully accredited receipts/tax invoices for any expenses claimed. If receipts cannot be produced, Councillors may be required to provide a statutory declaration.

All claims must include sufficient detail to demonstrate that, in accordance with the Act, the expense for which reimbursement is claimed is a reasonable bona fide out-of-pocket expense incurred while performing the duties of a Councillor.

All claims for allowances or reimbursements including travelling should be made on a monthly basis. This is to ensure transparency and accountability. It is the responsibility of Councillors to make timely claims. Claims not made within six months of incurring the expense the claim will not be reimbursed.

Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

Resources:

Motor Vehicle Use (Including Private Use) Policy

Travel Claims Form

Creditor Voucher

DOCUMENT CONTROL

Councillor Expense Entitlements		Policy Category	Council
Version Number	2.0	Policy Status	DRAFT
Approved/Adopted By	Council	Approved/Adopted on:	
Responsible Officer	CEO		
Version History (inc. administrative updates)	Date	Version	Description
		2.0	Update of Policy

POLICY

Hospitality and Gifts (Council)



Purpose

To establish appropriate conduct in circumstances where Councillors are offered gifts, benefits, hospitality or are granted awards or win prizes, whether part of their official duties or while attending functions as Council representatives.

Scope

This policy applies to all Councillors including the Mayor.

Policy

1. *Gifts must never be sought*

Councillors must not solicit, demand or request gifts or any personal benefit for themselves or another person by virtue of their position.

2. *No Sense of obligation*

No gift may be accepted that could influence, or be perceived to influence, a Councillor in the performance of his or her public or professional duties.

3. *Prohibited Gifts – Monetary Gifts*

In addition to other limitations imposed by this policy, monetary gifts (other than campaign donations) of any value must never be accepted. This includes cash, gift cards and vouchers.

4. *Token Gifts*

Gifts of token value may be accepted by Councillors provided that the gift does not create a real or perceived sense of obligation that may lead to a perception of preferential service as a result of the gift.

The following should be used as a guide for Councillors in determining whether to accept token gifts. Such gifts may be accepted only when the following have been considered:

- such a gift is offered in an open or public forum and refusal would be obviously discourteous;

- acceptance would not cause any potential perceived or actual compromise or conflict of interest;
- the gift does not have a significant monetary value (less than \$50); and
- the gift is not offered on a regular basis.

There is no requirement to declare or record token gifts in the Council Gifts Register.

5. Official Gifts

From time to time individuals or organisations may offer gifts of goodwill to the Council.

Councillors may be involved in conferences or social, cultural, community, industry events where official gifts are presented or exchanged. Where it would appear to be impolite or inappropriate to refuse the offer, it is reasonable for Councillors to accept official gifts on behalf of Council. The Chief Executive Officer must ensure that any such official gift is recorded in the Council Gifts Register.

Unless otherwise determined as set out below, such gifts shall be considered to be the property of Council and may be displayed in an appropriate and secure location for public viewing.

In some circumstances, including where the item may not be suitable for public display or the gift is of a personal nature to the recipient, the Chief Executive Officer will use his or her discretion as to the appropriate use of the official gift. A record will be made in the Council Gifts Register in the event that the gift is used for purposes other than Council purposes.

6. Significant Occasion Gifts

A significant occasion gift from council to the Mayor or a Councillor must not exceed \$110.

All significant occasion gifts are to be recorded in the Council Gifts Register.

7. Gifts of Appreciation

Demonstrating appreciation for services received from Council should not involve the presentation of a gift or benefit. Acceptable alternatives may include a letter of thanks or a thank you card as these are considered less likely to result in a situation that may compromise or be perceived to compromise either party.

If such a gift is offered in an open or public forum and refusal would be obviously discourteous, to reduce the possibility of causing offence, Councillors are encouraged to make reference to this Policy and the importance of transparent and ethical behavior.

Where acceptance would cause any potential perceived or actual compromise or conflict of interest, the gift must not be accepted.

If circumstances make it impractical to not accept the gift it is to be surrendered to the Chief Executive Officer for a decision as to the appropriate disposal. Any accepted gifts over the value of \$50 must be recorded in the Council Gifts Register.

8. Hospitality

Councillors, in an official capacity, will from time to time receive invitations of hospitality to attend various functions and events. Official capacity is that the Mayor or Councillor receives the invitation in the name of Mayor or Cr or the invitation is received by the Council Office or via the Councillor official e-mail.

Where hospitality is reasonable in the circumstances and provides an opportunity to network or undertake business of a common purpose, it may be appropriate to accept such invitations.

Incidental refreshments at meetings, working lunches, or similar, are not considered to be a gift and need not be recorded unless they occur at a frequency that may give rise to the perception of a conflict of interest.

If acceptance of the hospitality is likely to create the impression that an attempt is being made to compromise the impartiality of the Councillor, or could be perceived as a conflict of interest, the offer of hospitality should be politely refused.

Offers of hospitality that is more than reasonable in the circumstances and is not viewed as being connected to official Council business or part of the accepted meal at a conference or seminar should be refused or appropriate payment for the hospitality must be made by Council.

Offers of hospitality that is more than reasonable in the circumstances, whether refused or paid by Council, must be recorded in the Council Gifts Register.

9. Awards and Prizes Won at Conferences/ Seminars

Prizes or awards valued at over \$50 that are won at functions attended at Council's expense, must immediately become the property of Council. The Supreme Court has ruled that such prizes or awards are owned by the person/organisation providing 'consideration' for the attendance. Councillors attending functions as Council representatives, and who make no financial contribution to the attendance, lose entitlement to any award or prize won as a result of attending the function.

Circumstances in which a person may be entitled to keep a prize or award over \$50 are where personal payment has been made for the attendance, or the person pays for a raffle ticket that wins a prize. In each case the recipient has provided consideration for the prize/award and may lay legal claim to its title.

From an ethics point-of-view, recipients of such prizes could potentially be seen as being influenced by the sponsor of the prize. Prizes and awards valued at over \$50 must therefore be reported as soon as possible to the Chief Executive Officer, who must determine the ownership of the item and the appropriate action to be taken, as per this policy.

10. Benefits

A Councillor must not knowingly accept travel or hospitality (including meals, entertainment or accommodation) sponsored wholly or partly by any person, organisation or business, where such acceptance implies an obligation on the recipient. However, reasonable benefits may be accepted in circumstances where it is:

- approved by the Chief Executive Officer;
- provided at a function or event where the Councillor is acting in an official capacity on behalf of Council;
- provided at rates that are openly available to people other than Councillors; or
- of value less than \$50 and by reason of its triviality could not be construed as creating an obligation.

11. Provision of Services

Services provided free of charge or for a reduced rate are deemed gifts under this policy and must be declared at any value.

12. Sponsorship Gifts

Gifts that are received as part of a sponsorship arrangement are deemed gifts under this policy and must be declared at any value.

13. Campaign Donation Returns

Division 9 of the *Local Government Act 1989* outlines the requirements in relation to Campaign Donation Returns.

Section 62B – Certain gifts not to be accepted

It is unlawful for a Councillor or Candidate or a person acting on behalf of a Councillor or Candidate to receive during the donation period a gift made to or for the benefit of the Councillor, being a gift the amount or value of which is equal to or exceeds the gift disclosure threshold unless:

- (a) the name and address of the person making the gift are known to the person receiving the gift; or*
- (b) at the time when the gift is made*
 - (i) the person making the gift gives to the person receiving the gift the person's name and address; and*

- (ii) *the person receiving the gift has no grounds to believe that the name and address so given are not the true name and address of the person making the gift.*

The **gift disclosure threshold** is defined by the *Local Government Act 1989* as \$500 or a higher amount or value prescribed by regulations.

14. Conflict of Interest

Gifts must not be accepted which give the appearance of a past, present or future conflict of interest.

As outlined in Section 78C of the *Local Government Act 1989* a Councillor has an indirect interest because of receipt of an applicable gift if:

- One of more gifts with a total value (or more than) over the gift disclosure threshold (\$500 over a five year period) are received from a person in the five years preceding the decision or exercise of the power, duty or function, this does not include:
 - a) reasonable hospitality received by the person at an event or function the person attended in an official capacity as the Mayor, Councillor, member of Staff or member of a Special Committee;
 - b) a gift, other than an election campaign donation, that was received by the person more than 12 months before the person became a Councillor, member of Staff or member of a Special Committee.
- A person has an indirect interest in a matter if the person has received an applicable gift (\$500 or over), directly or indirectly, from:
 - a) a person who has a direct interest in the matter; or
 - b) a director, contractor, consultant, agent or employee of a person, company or body that the person knows has a direct interest in a matter; or
 - c) a person who gives the applicable gift to the person on behalf of a person, company or body that has a direct interest in the matter.

If the acceptance of a gift, benefit or hospitality relates to an interest that is remote or insignificant in accordance with s77A (4) of the *Local Government Act 1989*, the Councillor will not be considered to have a conflict of interest.

15. Refusal of Gift, Benefit or Hospitality

Where a gift is politely refused, to reduce the possibility of causing offence, Councillors are encouraged to make reference to this Policy and the importance of transparent and ethical behaviours.

If a Councillor refuses a gift on the basis that they believe the gift was a deliberate attempt to receive 'preferential treatment', the Chief Executive Officer must be advised immediately.

Multiple gifts from the same person/organisation are considered inappropriate and should not be accepted.

16. Declaration of Gift, Benefit or Hospitality

Any gift, benefit, hospitality, award or prize that must be declared is to be done by using the 'Declaration of Gifts' Form (Appendix 1) and the details recorded on the Council Gifts Register. The Council Gifts Register is administered by the Chief Executive Officer. It is the individual's responsibility to complete the appropriate form and forward it to the Chief Executive Officer within 14 days of receipt of the gift (or if the gift is received overseas within 14 days of returning to Australia). In accordance with this Policy, certain gifts refused must also be disclosed.

Surrendered gifts immediately become 'public property' and will be disposed of in accordance with the 'Disposal of Gifts' process as set out below.

All Councillors must declare any gifts received, to the value of \$500 and above, on their Ordinary Register of Interest returns for any gifts received during the period of the return (Section 87(7)(e) of the *Local Government Act 1989*).

17. Disposal of Gifts

The Chief Executive Officer may dispose of gifts by any of the following methods:

- Return to the original recipient
- Return to sender
- Disposal by resolution of Council
- Transfer as a gift to a recognised charity or community group
- Reduction to scrap
- Destruction

If a gift does not have a public value or is not of particular significance regarding its historical, cultural or protocol value, or was given to a Councillor by virtue of the discharge of that person's duties, the recipient may, at the discretion of the Chief Executive Officer, buy the gift from Council. The purchase price must be the manufacturer's wholesale value of the gift in the place of origin at the time of purchase as determined by the Chief Executive Officer. If there is difficulty in assessing the value, a valuation must be obtained by Council from an appropriately experienced person or body.

18. Policy Breaches

Breach of this policy may lead to disciplinary action under the Councillor Code of Conduct. Further, a breach of the *Local Government Act 1989* may lead to prosecution.

19. General

Developed by the Victorian State Services Commission, the GIFT test (Appendix 2) is a good example of what Councillors should think about when deciding whether to accept or refuse a gift, benefit or hospitality.

Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

Resources

Declaration of Gifts Form (Appendix 1)

The GIFT Test (Appendix 2)

DOCUMENT CONTROL

Gifts and Hospitality (Council)		Policy Category	COUNCIL
Version Number	1.0	Policy Status	Draft
Approved/Adopted By	Council	Approved/Adopted on:	
Responsible Officer	CEO		
Version History	Date	Version	Description
		1.0	Creation of Policy

APPENDIX 1

DECLARATION OF GIFTS

by Councillors of Hindmarsh Shire Council

Declarations made using this form will be held on the Gift Register maintained by the Chief Executive Officer. This form must be completed within 14 days of receiving the gift or benefit or, if it was received overseas, within 14 days of returning to Australia.

Recipient name _____

Gift Type (tick one)

<input type="checkbox"/>	Hospitality
<input type="checkbox"/>	Travel Benefit (≥\$50)
<input type="checkbox"/>	Official Gift
<input type="checkbox"/>	Significant Occasion Gift
<input type="checkbox"/>	Award or Prize

<input type="checkbox"/>	General Gift (≥\$50)
<input type="checkbox"/>	Gift of Appreciation
<input type="checkbox"/>	Sponsor Gift
<input type="checkbox"/>	Provision of service free of charge or at a reduced rate
<input type="checkbox"/>	

Full description of gift

Received from _____ Received on (date) _____

Value of the gift _____

Disposal of gift (CEO to complete. Tick one.)

<input type="checkbox"/>	Kept by recipient
<input type="checkbox"/>	Purchased by recipient
<input type="checkbox"/>	Transfer as gift to a recognised charity or community group
<input type="checkbox"/>	Destruction

<input type="checkbox"/>	Returned to sender
<input type="checkbox"/>	Disposal by resolution of Council
<input type="checkbox"/>	Kept by Council office (e.g. for display)
<input type="checkbox"/>	Reduction to scrap

Recipient Signature _____ Date _____

CEO Signature _____ Date _____

If you received an invitation to attend the event please attach a copy of the invitation.

APPENDIX 2

The GIFT test

Developed by the Victorian State Services Commission, the GIFT test is a good example of what to think about when deciding whether to accept or refuse a gift, benefit or hospitality.

G	Giver	Who is providing the gift, benefit or hospitality and what is their relationship to me? Does my role require me to select contractors, award grants, regulate industries or determine government policies? Could the person or organisation benefit from a decision I make?
I	Influence	Are they seeking to influence my decisions or actions? Has the gift, benefit or hospitality been offered to me publicly or privately? Is it a courtesy, a token of appreciation or highly valuable? Does its timing coincide with a decision I am about to make?
F	Favour	Are they seeking a favour in return for the gift, benefit or hospitality? Has the gift, benefit or hospitality been offered honestly? Has the person or organisation made several offers of the last 12 months? Would accepting it create an obligation to return a favour?
T	Trust	Would accepting the gift, benefit or hospitality diminish public trust? How would I feel if the gift, benefit or hospitality became public knowledge?

		What would my colleagues, family friends or associates think?
--	--	---

POLICY



Media Policy

Purpose

The purpose of this policy is to establish protocols for managing communication between the Council and media, to ensure coordinated, coherent, professional, accurate, and reliable presentation.

Scope

This policy applies to all Councillors, including the Mayor, and all Council employees.

For the purposes of this Policy the reference to Council employees includes—

- Full-time, part-time and casual employees
- Contractors and agency personnel
- Members of section 86 special committees
- Volunteers

Definitions

Media

For the purposes of this policy, the term media refers to all mainstream external news channels, including newspapers, radio, television, online news services, and magazines.

It does not refer to Social Media (refer to the Social Media Policy).

Media Release

means any information the Council proactively provides to Media, including via the Council's website.

Social Media

means the online technologies, platforms and

practices that people use to share content, opinions, insights, experiences, perspectives, and media themselves. This is media for social interaction enabled by a plethora of web technologies.

Policy

1. Based on the principles of democracy, the Hindmarsh Shire Council encourages open, prompt, and accurate communication with the media, with an emphasis on promoting a positive, progressive and professional image of Council.
2. It is vital that all media inquiries are treated by the official spokespersons, efficiently and courteously with due regard to the fact that all media work to stringent deadlines, which require prompt responses. All inquiries by media received by persons other than an official spokesperson must be passed on to the relevant official spokesperson as soon as practicable.
3. The Mayor and Chief Executive Officer are the official spokespersons on all matters of Council policy, interpretation of policy, or reaction to external matters. Where appropriate or expedient for a specific issue, the Mayor or CEO may authorise another Councillor to make a statement (on behalf of Council).
4. The CEO is the official spokesperson for staffing and other organisational matters. Other Council employees may be delegated by the Chief Executive Officer to discuss a specific issue.
5. Media comment by the official spokespersons must accurately reflect the Council's position on the topic as determined by the Council in adopted documents, including the Council Plan, Strategies, Policies, and Minutes.
6. In the case of matters with possible legal consequences, any statements made to the media must be authorised by the Chief Executive Officer.
7. Any person who wishes to make a personal statement on a topic must clearly inform the media:

- their comment is being made as an individual
 - their comments are not necessarily the view of the Council
 - the matter has (or has not) been determined by the Council, and
 - the majority of Council may hold a different opinion.
8. Persons should consider the short and long term impact of such personal comments, and the possible detrimental impact on Council credibility and unity. Comments which are critical of majority Council decisions or Councillors, will damage credibility and unity. Comments by Councillors must be in accordance with the Councillor Code of Conduct. Comments by employees must be in accordance with the Employee Code of Conduct.
 9. All 'open' decisions adopted by Council are public property and can readily be quoted, or made available, to the media. Matters of staff, personal privacy, contract and legal proceedings may be restricted, as their discussion may contravene Council's duty of care, contractual obligations, or could infringe laws. Councillors and Council employees are required to comply with the statutory requirements contained in the *Privacy and Data Protection Act 2015* and *Local Government Act 1989*, which prohibit the disclosure of personal and confidential information. Matters raised in closed sessions are confidential and cannot be discussed with the media.
 10. Council employees will not engage in media activity which may be to the personal advantage of a Councillor (i.e. during an election campaign). During local government election campaigns, Councillors must ensure that their media comments as a candidate are clearly distinguished from their role as a Councillor.
 11. All items of advertising must be approved by the Chief Executive Officer prior to submitting to the media.
 12. In relation to social media, the Social Media Policy applies.
 13. Breach of this policy may lead to disciplinary action under the relevant Code of Conduct.

Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name

of a Council department, a change to the name of a federal or state government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

Resources

Social Media Policy

DOCUMENT CONTROL

Media Policy		Policy Category	Council
Version Number	2.0	Policy Status	DRAFT
Approved/Adopted By	Council	Approved/Adopted on:	
Prepared By	CEO		
Version History	Date	Version	Description
	6 December 2017	2.0	Update of Policy

POLICY

Election Period (Caretaker) Policy



Introduction

Section 93B of the Local Government Act 1989 (the **Act**) requires all councils to adopt and maintain an election period policy which sets out standards for how Council business will be conducted between the last day on which nominations for that election can be received and 6:00pm on election day ('the election period').

Section 93B of the Act provides that an election period policy is required, including:

- a) procedures intended to prevent the Council from making inappropriate decisions or using resources inappropriately during the election period;
- b) limits on public consultation and the scheduling of Council events; and
- c) procedures to ensure that access to information held by Council is made equally available and accessible to candidates during the election.

The policy will apply during the election period and covers:

- a) decisions that are made by Council, a special committee of the Council or a delegate of the Council;
- b) any material that is published by the Council (including social media);
- c) attendance and participation in functions and events;
- d) the use of Council resources;
- e) access to Council information; and
- f) media and communications (including public consultation).

A copy of the election period policy must be given to each Councillor as soon as practicable after it is adopted, be available for inspection by the public at the Council office and any district offices, and be published on Council's website.

Purpose

The purpose of the Caretaker Policy is to ensure that the ordinary business of local government for Hindmarsh Shire Council continues throughout the election period in a responsible and transparent manner, and in accordance with statutory requirements. The Policy is intended to assure the community that Council elections are conducted in a manner that is ethical, fair and equitable, and are publically perceived as such. It will also serve to avoid actions and decisions being made during the election period that may be interpreted as influencing voters or binding an incoming council.

Scope

This policy applies to all employees and Councillors of Hindmarsh Shire Council, or a person or special Committee acting under a delegation given by the Council.

This policy must be complied with during an election period if ANY of the following apply to you:

- You are involved in making a major policy decision Refer to Part 3.1
- You are involved in making a significant decision that will bind the incoming Council Refer to Part 3.2
- You are about to publish written material which makes reference to a candidate (which includes sitting Councillors) or the election or an issue before the voters in connection with the election Refer to Part 4
- You are involved in the creation of any Council publication Refer to Part 4
- You are involved in any public consultation process Refer to Part 5
- You are a sitting Councillor who is planning to attend a function or event Refer to Part 6
- You supply administrative or resource support to Councillors Refer to Part 8
- You are a Councillor requesting access to Council Information Refer to Part 9
- You are a Councillor requesting media advice or services Refer to Part 10

Policy

1. Caretaker period

The 'caretaker period' has the same meaning as 'election period'. The election period is defined in section 31 of the Act, and means the period that starts on the last day on which nominations for that election can be received and ends at 6pm on Election Day.

2. Role of the chief executive officer

In addition to the Chief Executive Officer's (CEO) statutory responsibilities, the CEO or his or her delegate will ensure as far as possible that:

- All Councillors are informed of the requirements of this policy;
- Guidelines are issued to staff on their role and responsibilities in the implementation of this policy; and
- Matters of Council business requiring major or significant decisions are scheduled for Council to enable resolution prior to the commencement of the election period, or deferred where appropriate for determination by the incoming Council.

3. Decisions by council during the election period

Hindmarsh Shire Council commits to the established democratic principle that elected bodies should not unnecessarily bind an incoming government during an election period, and it will make every endeavour to avoid making decisions that inappropriately bind the incoming Council.

This includes a commitment to not only comply with the requirements of section 93A of the Act, pertaining to Major Policy Decisions, but to also avoid making decisions that significantly affect the municipality and unreasonably bind the incoming Council.

3.1. Major Policy Decisions

Section 93A of the Act prohibits the making of “Major Policy Decisions” during the election caretaker period by Council, a special Committee or a person acting under a delegation given by the Council. Any major policy decision made during the election period is deemed to be invalid under the Act.

3.1.1. Major Policy Definition

In the context of this policy, major decisions include:

- The appointment or dismissal of a Chief Executive Officer, or the remuneration of a Chief Executive Officer;
- Approval of contracts with a total value which exceeds whichever is the greater of:
 - a) \$100,000 or such higher amount as may be fixed by Order in Council under section 186(1) of the Act. (note: Amounts fixed are \$150,000 for goods and services contracts and \$200,000 for works contracts); or
 - b) 1% of Council’s revenue from rates and charges levied under section 158 in the preceding financial year.
- The exercise of any entrepreneurial power under section 193 of the Act if the sum of the total investment involved and the total risk exposure assessed in respect of the proposal exceeds whichever is the greater of \$100,000 or 1% of Council’s revenue from rates and charges levied under section 168 in the preceding financial year.

3.1.2. Extraordinary Circumstances

If Council considers that there are extraordinary circumstances where Hindmarsh’s community would be significantly disadvantaged by Council not making a particular major policy decisions, the Council will, by resolution, request an exemption from the Minister for Local Government in accordance with section 93A(2) of the Act.

3.2. Significant Decisions

Over and above the decisions specified in section 93A of the Act, Council will avoid making other decisions during the election period that are of a significant nature and which would unnecessarily bind an incoming Council.

3.2.1. Significant Decision Definition

Significant decisions include:

- Approval of contracts that require significant funding in future financial years or are regarded as politically sensitive;
- Decisions that have significant impacts on Council’s income or expenditure or that relate to expenditure on politically sensitive matters;
- Decisions of a politically sensitive nature; and
- Policy or strategy decisions.

3.2.2. Scheduling of Significant Decisions

The CEO should as far as practicable avoid scheduling significant decisions during the election period and instead, ensure that significant decisions are either considered by the Council prior to the election period or scheduled for determination by the incoming Council.

3.2.3. Extraordinary Circumstances

Council acknowledges that it has an ongoing responsibility to act in the best interests of the community. Therefore, where a delay in making a significant decision would result in significant detriment to the local community, or the broader community, the Council may make an exception to this procedure. In making an exception, the Council will deal with the matter impartially, having regard to the long term interests of the community and as transparently as possible.

3.3. Policy Decision Reference Table

Refer to the table below to determine whether a decision is affected by this policy. If you are unsure about whether a decision falls within the scope of this policy speak with the CEO or Director Corporate and Community Services.

Proposed Policy Decision	Is it allowed?	Source
Employment or remuneration of a CEO, other than a decision to appoint an acting CEO	No	Prohibited by s93A of the Act.
Terminating the appointment of a CEO	No	Prohibited by s93A of the Act.
Entering into a contract with a total value exceeding either \$100,000 or such higher amount as may be fixed by Order in Council under section 186(1). (note: Amounts fixed are \$150,000 for goods and services contracts and \$200,000 for works contracts); or 1% of Council's revenue from rates and charges levied under s158 in the preceding financial year, whichever is the greater	No	Prohibited by s93A of the Act.
Exercising any entrepreneurial power under s193 of the Act where the sum assessed under s193 in respect to the proposal exceeds either \$100,000 or 1% of Council's revenue from rates and charges levied under s158 in the preceding financial year, whichever is the greater	No	Prohibited by s93A of the Act.
Major planning scheme amendments	Generally no and only with approval from the CEO	These are internal Council requirements as defined by this policy and go beyond the statutory requirements
Changes to strategic objectives or strategies in the Council Plan	No	
An irrevocable decision that significantly affects the municipality	Generally no and only with approval from the CEO	
Any other significant decisions not specified about which will bind the incoming Council	Generally no and only with approval from the CEO	

3.4. Considerations of the CEO in Giving Approval

In the case of a significant decision referred to the CEO which is not expressly prohibited under section 93A of the Act, in deciding whether to give approval, the CEO will need to have regard to a number of factors, including:

- a) whether the decision is 'significant';
- b) the urgency of the issue (that is, can it wait until after the election?);
- c) the possibility of financial repercussions if it is deferred;
- d) whether the decision is likely to be controversial; and
- e) whether the decision is in the best interests of the Council.

3.5. Announcements of Decisions Made During the Caretaker Period

To avoid doubt, this policy applies only to the actual making of decisions, not the announcement of decisions which have been made prior to the election period. However, as far as practicable such announcements should be made before the election period begins.

4. Council publications during the election period

4.1. Prohibition on Publishing Materials During the Election Period

It is prohibited under section 55D of the Act for Council to print, publish, or distribute; or cause, permit or authorise others to print, publish or distribute any advertisement, handbill, pamphlet or notice during an election period unless it has been certified, in writing, by the CEO. This is to ensure that Council does not utilise public funds that may influence or be seen to influence people's voting intentions.

The Act also requires that all Council publications during the election period must be certified in writing by the CEO. Publications will be certified in accordance with the Election Period Certification Procedure which is included as part of this Policy (see part 15).

The power to certify material under section 55D of the Act may not be delegated by the CEO to a member of Council staff.

Publications should be read broadly to include all documents that are produced for the purpose of communicating with people in the community, including Council newsletters, advertisements and notices, media releases, leaflets and brochures, emails and mail outs to multiple addresses, electronic information and web-based productions including Council's website and social media accounts.

The CEO must not certify electoral material during the election period unless it only contains information about the election process.

Electoral matter is any matter that is "intended or likely to affect voting in an election" and this includes, but is not limited to, material that deals with the elections, candidates or issues of contention in the elections.

Material is definitely electoral matter if it:

- publicises the strengths or weaknesses of a candidate;
- advocates the policies of the Council or a candidate;

- responds to claims made by a candidate; or
- publicises the achievements of the elected Council.

Councillors may publish campaign material on their own behalf, but cannot purport for that material to be originating from, or authorised by, Council or Hindmarsh Shire Council i.e. by use of Council logos.

4.2. Considerations of the CEO in Granting Publication Approval

Except as described more specifically elsewhere in this Policy, in considering whether to grant approval for the publication of material during the election period the CEO:

- a) must not permit any materials to be published which include reference to the following:
 - i. a candidate in the election;
 - ii. a current Councillor;
 - iii. the strengths or weaknesses of a candidate;
 - iv. response to claims made by a candidate;
 - v. advocacy for, or criticism of, the policies of the Council or of a candidate;
 - vi. publicity for the achievements of the elected Council; or
 - vii. an issue before the voters in connection with the election.
- b) may approve the publication of material which only contains information about:
 - i. the election process itself; or
 - ii. Council information that does not include any reference to a current Councillor otherwise precluded by this Policy.

4.3. Council Agendas/Reports - Caretaker Statement

During the election period, the CEO will ensure that a “Caretaker Statement” is included in every report submitted to Council or to a special committee of Council for a decision.

The “Caretaker Statement” will specify one of the following:

- a) “The recommended decision is not a Major Policy Decision, as defined in section 93A of the Local Government Act 1989, or a Significant Decision within the meaning of the Election Period (Caretaker) Policy.”
- b) “The recommended decision is not a Major Policy decision as defined in section 93A of the Local Government Act 1989. The recommended decision is a Significant Decision within the meaning of the Election Period (Caretaker) Policy, but an exception should be made for the following reasons [insert reasons for making an exemption].”
- c) “The recommended decision is to seek an exemption from the Minister for Local Government because the matter requires a Major Policy Decision within the meaning of section 93A of the Local Government Act 1989.”
- d) “The recommended decision is a Major Policy Decision as defined in section 93A of the Local Government Act, but an extraordinary circumstances exemption was granted by the Minister for Local Government on [insert date].”

During the election period, the Council will not make a decision on any matter or report that does not include one of these Caretaker Statements.

4.4. Hindmarsh Shire Council Website

During the election period the website will not contain material precluded by this Policy. Any references to the election will only relate to the election process. Information about Councillors will be restricted to names and contact details.

Material published on Council's website in advance of the election period is not subject to certification; however existing material that is prominently displayed will be reviewed and consideration given to the removal of any such material that would be considered electoral matter, were it to be published during the election period.

4.5. Hindmarsh Shire Council Social Media

The Social Media outlets for Hindmarsh Shire Council (including but not limited to Facebook and Twitter accounts) will continue to operate; however the ability for members of the public to post comments on Council's social media sites will be removed for the duration of the election period. Any material posted by the authorised social media manager and operators will be first approved by the CEO under the Caretaker Period Certification Procedure which is included as a part of this policy (see part 15), prior to publication.

4.6. Annual Report

If the publication date of the Annual Report occurs during the election period, it is affected by the legislative restrictions on publications and therefore information about Councillors will be restricted to what is required by the Local Government (Planning and Reporting) Regulations 2014 and membership of special committees and other bodies to which they have been appointed by Council.

The Annual Report does not require certification by the CEO; however any publication of an extract or summary of the Annual Report will require certification.

4.7. Council Publications

Any Council publication which is potentially affected by this policy will be reviewed by the Council's Director Corporate and Community Services or Director Infrastructure Services and then certified in writing by the CEO in accordance with the Caretaker Period Certification Procedure which is included as a part of this policy (see part 15), prior to publication. This is to ensure that any circulated, displayed, or otherwise publically available material during the election period does not contain material that may be construed as electoral matter.

4.8. Council Notice Boards and Buildings

During the election period Council noticeboards and buildings will only be used for display of material that only contains information about:

- a) the election process itself; or
- b) information that would not reasonably be determined to be electoral material.

5. Public consultation during the election period

5.1. Postponement of Contentious or Politically Sensitive Consultation

For the purposes of this part, public consultation means a process which involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy.

Some public consultation activities may be necessary during the election period to facilitate the day to day business of Council and ensure matters continue to be proactively managed. Any such consultations will avoid express or implicit links to the election.

In view of the potential for a matter or issue to become contentious or politically sensitive in the course of the election period, Council reserves the right to postpone a matter if the issue is likely to affect voting.

Council will not continue or commence public consultation on any contentious or politically sensitive matter after the commencement of the election period.

The requirements of this part do not apply to public consultation required under the *Planning and Environment Act 1987*, or matters subject to section 223 of the Act.

5.2. Approval for public consultations

It is prudent for Council not to commission or approve any public consultation if such consultation is likely to run into the election period, unless prior approval is given by the Council or the CEO. Where public consultation is approved to occur during the election period the results of that consultation will not be reported to Council until after the election period, except where approved by the CEO.

6. Attendance at functions and events during the election period

In this part, reference to events and functions means gatherings of internal and external stakeholders to discuss, review, acknowledge, communicate, celebrate or promote a program, strategy or issue which is of relevance to the Council and its community and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners, receptions and balls.

6.1. Public Events Staged by External Bodies

Councillors may continue to attend events and functions during the election period. As a general rule, any such attendance will not be represented as acting in an official capacity on behalf of the organisation.

6.2. Council Events and Functions

Council organised events and functions held during the election period will only be those essential to the operation of Council. This may be varied by a Council resolution or where prior approval has been given by the CEO.

6.3. Speeches/Keynote Addresses

Councillors should not act in an official capacity, including giving public speeches or addresses at Council organised or sponsored events and functions, during the election period.

6.4. Publication of Promotional Material

In preparing any material concerning a Council organised or sponsored function or event which will be published or distributed during the election period, such preparation must be consistent with the controls under part 8 of this policy.

7. Considerations in giving approval under part 5 or 6 of this policy

In the case of a matter referred to the CEO under part 5 or 6 of this policy, which is not otherwise prohibited, in deciding whether to give approval the CEO will need to have regard to a number of factors including:

- a) whether the decision is 'significant';
- b) the urgency of the issue (that is, can it wait until after the election?);
- c) the possibility of financial repercussions if it is deferred;
- d) whether the decision is likely to be controversial; and
- e) whether the decision is in the best interests of the Council.

8. Council resources

The Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. Council staff should avoid assisting Councillors in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the Director Corporate and Community Services or the CEO.

8.1. Council Resources

Council resources, including officers, support staff, hospitality services, equipment and stationery should be used exclusively for normal Council business during the election period, and should not be used in connection with an election.

8.2. Correspondence

Councillors will sign only the necessary minimum, if any, correspondence during the election period. Correspondence addressed to councillors that relates to operational matters will be referred to the relevant Director for response. Correspondence in respect to significant, sensitive or controversial matters, or to policy matters, should be signed by the CEO. All replies to letters must be free from the perception of political bias.

8.3. Expenses Incurred by Councillors

Payment or reimbursement of costs relating to Councillors' out-of-pocket expenses incurred during the election period should only apply to necessary costs that have been incurred in the performance of normal Council duties— not campaigning, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign. In the case of Councillor claims that cover a combination of Council and electoral business, the CEO may approve a partial reimbursement to cover Council activities. No reimbursement for personal internet services or personal mobiles will be made during election periods.

8.4. Council Branding and Stationery

No Council logos, letterheads, or other Hindmarsh Shire Council branding will be used for, or linked in any way, to a candidate's election campaign.

8.5. Support to the Mayor and Councillors

No staff, including support staff for the Mayor and Councillors may be asked to undertake any tasks connected directly or indirectly with an election campaign.

8.6. Community Forums and Meetings

No local community forums, ward meetings or any other forums of the type identified in the Community Engagement Framework will be held by Councillors during the election period.

9. Access to council information

All candidates have equal rights to access public information relevant to their election campaigns from the Council administration. Neither Councillors nor candidates will be provided information or advice from Council staff that might be perceived to support and advise them during the election period.

9.1. Information and Briefing Material

Information and briefing material prepared or secured by staff for a Councillor during the election period must be necessary to the carrying out of the Councillor's role and must not be related to election issues or to issues that might be perceived to be of an electoral nature.

9.2. Information Requests

The Risk & Governance Coordinator will maintain an Information Request Register during the election period. This Register is a public document and will record all requests for information by Councillors or candidates, and the response given to those requests. Staff will be required to provide details of requests and responses to the Risk & Governance Coordinator for inclusion in the register.

Any enquiries by Councillors or candidates to staff regarding information requests or briefing material perceived to be of an electoral nature or related to election issues will be referred by staff in the first instance to the Director Corporate and Community Services for a determination.

10. Media and media services

The Council's media services are intended to promote Council activities or initiatives and must not be used in any way that might favour a candidate.

10.1. Media Advice

Any requests for media advice or assistance from Councillors during the election period will be channelled through the CEO or the CEO's delegate. No media advice or assistance will be provided in relation to election issues or in regard to publicity that involves specific Councillors.

10.2. Media Releases/Spokespersons

Media releases will not refer to specific Councillors. Where it is necessary to identify a spokesperson in relation to an issue the CEO or a member of the Senior Management Team will determine the appropriate person.

Media releases will require certification by the CEO.

10.3. Publicity Campaigns

During the election period, publicity campaigns, other than for the purpose of conducting the election will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the CEO. In any event, Council publicity during the election period will be restricted to communicating normal Council activities and initiatives.

10.4. Councillors

Councillors will not use their position as an elected representative or their access to Council staff and other Council resources to gain media attention in support of an election campaign.

10.5. Council Employees

During the election period no Council employee may make any public statement that relates to an election issue unless statements have been approved by the CEO.

11. Equity in assistance to candidates

All candidates for the Council election will be treated equally.

11.1. Candidate Assistance and Advice

Any assistance and advice to be provided to candidates as part of the conduct of the Council election will be provided equally to all candidates. The types of assistance that are available will be documented and communicated to all candidates in advance.

11.2. Election Process Enquiries

All election process related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Risk & Governance Coordinator or Director Corporate and Community Services.

12. Misuse of position

Using Council resources for campaigning may be a criminal misuse of a Councillor's position under section 76D of the Act. Serious penalties are prescribed for any Councillor who inappropriately makes use of their position or information obtained in the role of Councillor, to gain an advantage for themselves or for any other person.

13. References

This Policy was developed in accordance with the *Local Government Act 1989* (Vic).

14. Documents

This Policy is implemented in conjunction with the Hindmarsh Shire Councillor Code of Conduct.

15. Caretaker period certification procedure 2016



Operation: This procedure applies during the election period or caretaker period. This procedure is to be used for certifying any publication, pursuant to section 55D of the Local Government Act 1989.

Background: All requests for advertisements or publications during the election period must be certified by the CEO, to confirm that they do not contain election material, prior to being printed or published or distributed.

Definitions: Publication should be read broadly and means documents that are produced for the purpose of communicating with people in the community, including Council newsletters, advertisements and notices, media releases, leaflets and brochures, emails and mail outs to multiple addresses, electronic information and web-based productions including Council's website and social media accounts.

Process:

- All publications during the caretaker period must be emailed to either the Director Corporate and Community Services or the Director Infrastructure Services, so that arrangements for certification can be made.
- The role of the Director is to read the proposed publication and check that no election material is present (unless it is factual election process information).
- The Director will send the proposed publication to the CEO via email with the suggested wording as set out below.
- The CEO will send back approval and certify in writing (email is acceptable and preferable). The CEO is to use the corporate email signature and the certification wording below.
- When certification is received back from the CEO, the email is to be saved in the InfoXpert file "Subject Files / Governance / Council Elections / [Year] Election / Certified Publications." The naming convention to be used when saving the email is "[insert date YYYY/MM/Certified Publication_[Insert name of publication]]." This will enable a record to be maintained of all certified publications.
- Standard text to accompany publication approval request email to the CEO:
"This material has been checked and does not contain any electoral or electoral related matter to the best of my knowledge. In accordance with the requirements of s.55D(1) of the Local Government Act 1989 can you please certify in writing that you authorise for this material to be printed, published or distributed."
- Standard certification to be used by the CEO as part of the corporate signature for certification:
"I certify that the attached material is suitable for printing, publishing or distribution on behalf of Hindmarsh Shire Council."

16. ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

DOCUMENT CONTROL

Election Period (Caretaker) Policy		Policy Category	Council
Version Number	1.1	Policy Status	DRAFT
Approved/Adopted By	Council	Approved/Adopted on:	
Responsible Officer	CEO		
Version History (inc. administrative updates)	Date	Version	Description
	16 March 2016	1.0	Creation of new Policy
	6 December 2016	1.1	Update to Policy

Dimboola Town Committee Minutes
Annual General Meeting

2nd October, 2017 at 7.30pm at the Victoria Hotel Dimboola

Present: Phil Colquhoun (PC), Jan Ballard (JB), Ron Donaldson (RD), Kaylene Pietsch (KP), Cr Tony Schneider (TS), Amanda Ingeme (AI), Bruce Donnelly (BD), Jo Donnelly (JD), Cr Debra Nelson (DN), Bill Eldriddle (BE), Anne Champness, Shane Power, Chris Johnston

Apologies: Cadence Smith (CS), Phil King (PK), Emma Clark (EC), Sharyn Cook

	Item	Action	Whom	Start Date	Complete
1	Welcome & apologies	Mvd BD 2 nd BE			
2	Minutes of last AGM	AI read minutes of last meeting Mvd PC 2 nd KP			
3	Amendments				
4	President's Report	Spoke briefly and thanked committee Mvd KP 2 nd BD			
5	Treasurer's report	Balance as of the 1 st October 2016 Cheque account \$11246.17 TDA \$17480.06 Balance as of the 30 th September 2017 Cheque account \$20020.14 TDA \$17787.88 Mvd KP 2 nd JD	KP		
6	Election of Office Bearers	All positions were declared vacant, and Cr Debra Nelson called for nominations. President: Bruce Donnelly nominated by PC 2 nd AI accepted, carried Vice President: Phil Colquhoun nominated by BD, 2 nd KP accepted, carried Secretary: Jo Donnelly nominated by AI 2 nd PC accepted, carried Assistant Secretary: Amanda Ingeme nominated by JD 2 nd KP accepted, carried Treasurer: Kaylene Pietsch nominated by AI 2 nd JB accepted, carried			
7	Nomination of Committee Members	New members: Chris Johnson Mvd JB 2 nd TS Present members - Phil Colquhoun, Amanda Ingeme, Kaylene Pietsch, Jan Ballard, Ron Donaldson, Cadence Smith, Debra Nelson, Bruce Donnelly, Jo		ASAP	

		Donnelly, Rhonda Huf (community member), Tony Schneider, Bill Eldridge, Emma Clark Mvd JD 2 nd KP			
8	Other business				
9	Close of AGM	7.45			

MINUTES

NHILL TOWN COMMITTEE

Monday 20th November 2017 Annual General Meeting

1. In Attendance

Brian McGennicken, Helen Ross, Lyn Schoolderman, David Borain, Kay Frost, Pauline McCracken. Clr. David Colbert, Helen Woodhouse-Herrick, Mayor Ron Ismay, Shane Power – Hindmarsh Shire representative.

2. Apologies

No apologies

3. Minutes

Acceptance of the minutes as circulated of the AGM held on Monday 17th October 2016 was proposed by Pauline, seconded by Brian, All in favor - Passed

4. Finance Report

Finance report for Financial Year 2016/7 for the NTC was presented by Lyn, also the financial report for 2016/7 for the Friday Fiesta was presented – Copies attached for your information. Acceptance of these minutes was proposed by Lyn and seconded by Pauline, all in favor - passed

5. Correspondence

No correspondence in relation to the AGM

6. Election of Office Bearers

All positions were declared vacant and Mayor Ron Ismay took the chair for the election of office bearers for the Committee to serve in 2017/18 year.

Brian McGennicken accepted the nomination by Helen Ross/David Borain for the position of Chairman. A show of hands indicated that all were in favour - Ron Ismay declared Brian, Chairman of the Nhill Town Committee for 2017/18

Helen Ross accepted the nomination by Lyn Schoolderman/David Borain for the position of Secretary. A show of hands indicated all in favor. Ron Ismay declared Helen, Secretary of the Nhill Town Committee for 2017/18

Lyn Schoolderman accepted the nomination by Helen Ross/ Brian McGennicken for the position of Treasurer. A show of hands indicated all in favor – Ron Ismay declared Lyn treasurer of the Nhill Town Committee for 2017/18.

General Committee: Kay Frost accepted the nomination by Helen Ross/ Brian McGennicken, David Borain accepted the nomination by Lyn Schoolderman/ Helen Ross and new member Helen Woodhouse – Herrick accepted the nomination to the Nhill Town Committee. This nomination was proposed by Pauline McCracken and seconded by David Borain. All in favor – passed. Helen was welcomed into the Nhill Town Committee by Chairman Brian McGinnesken.

At that point the Chairman declared the Annual General Meeting of the Nhill Town Committee for 2017 closed. At 8.15 p.m.

Brian McGennicken thanked Mayor Ron Ismay for his assistance in the proceedings.

7. General Meeting Welcome

Brian welcomed all to the November meeting of the Nhill Town Committee.

8. Minutes

The minutes of the prior meeting on September 2017 were accepted as distributed. Motion proposed by Pauline and seconded by Brian. All in favor – passed.

9. Finance Report

The finance report for September/October was presented by Lyn who proposed a motion to accept the report. This was seconded by Helen. All in favour – passed.

10 Correspondence.

Correspondence for September/October and part of November had been previously circulated by email to all members. Guests on the evening were issued with a copy. The volume of the correspondence did not allow reading of each individual item at the meeting and no business arose from this report.

A motion to accept the correspondence as distributed was made by Helen seconded by Brian. All in favor – passed.

11 General Business

A discussion was held on applying to the Pharmacy for permission to use the vacant shop to advertise the February Fiestas. Helen R accepted the job of approaching the pharmacy.

A discussion was held on the preparation of the Street Decorations and David Colbert suggested asking the Lion Club for assistance. Helen R will approach the Lions Club to ask for assistance.

Painting of Santa's Hut. Brian, David and Helen R will paint the hut on Saturday 25th. November. The street Christmas decorations will be pressure washed at the same time and checked over for necessary repairs.

Packaging of Santa's Lollies: A working bee has been arranged on Saturday 2nd December, after the erection of the Christmas Tree in the Rotunda. It will be held at Helen R.'s place, 2 Clarence Street. All welcome 1.30 p.m.

Commercial Car Park. A discussion was held in regards to the Commercial Car Park and the delays which seem to be occurring. Shane will make enquiries and advise of the start date.

Sliding Doors for the Notice Board in Goldsworthy Park, near the toilets. Shane will take the information gleaned from this meeting and have a discussion with Wayne Schultz about making this notice board more accessible and user friendly.

The Painting of the Rotunda, Light standards and the Bar-B-Que enclosure was discussed again, as the Secretary had received a letter from the Shire indicating that the Budget Submission for this work had been accepted and it was in the 2017/18 works proposals. It was suggested that the work be held over until after Christmas as the Christmas Tree would interfere with the painting. Shane was made aware of repairs which needed to be made to the Cast Iron Lacework and Stair infill timber and he assured the committee he would make the maintenance department aware of these concerns. Helen has since contacted the contractor and made him aware of the repairs to be made and the timings of the painting.

List of Food Outlets and Accommodation for the Information Centre: This project was explained again, for the benefit of Shane as he was not a party to our former discussions on this topic. He will speak to Jeff Woodward about the progress of this list.

Ratification of the purchase of Glo-Sticks and Candles for the Carols: An email vote was taken on this purchase as the wholesaler needed an answer before our next meeting. All members agreed to the purchase. A proposal to ratify this purchase was made by Lyn and seconded by Brian. All in favor – passed.

Lyn queried the lack of Invoices from Nhill Free Press. Helen R offered to follow this up with the newspaper.

Pauline suggested that the Town Committee contact the owners of the empty shops in Nelson Street, to gain permission to paint a mural on the windows to help brighten up that area of town. Shane suggested a formal letter, written to the Shire, requesting that permission. The Shire will contact the owners and report back. Secretary will write the letter.

Pauline spoke about the difficulty of getting shop owners and operators to decorate their premises for the Fiesta. Ron Ismay suggested offering a prize for the best window decoration or shop display. All members welcomed this idea and it will be discussed in detail at our next meeting.

12 Meeting Close

Meeting closed at 9.17 p.m.

13 Next Meeting

Next meeting December 18th 2017.

DATES TO REMEMBER

December 2nd Saturday 9.00 a.m. Erection of Christmas Tree in the Rotunda – All welcome. Many hands make for a quick job.

December 2nd Saturday 1.30p.m. Lolly Bagging at 2 Clarence Street. – All welcome

December 4th Monday 7.45 a.m. Erection of the Street Decorations. Starting at Commercial Hotel end of the main street. Bring your' flouro' jacket if you have one.

December 14th Thursday 5.00 p.m. Santa Photos at the Rotunda. Picture with Santa \$2.00.

December 15th Friday 6.30 p.m. Preparation of Jaypex Park for Carols – Help needed to place the marquees, erect Santa's Hut and check the grounds for hazzards (needles, bottles, glass etc.)

December 16th Saturday from 5.00 p.m. Carols in the Park. Putting out chairs, fixing marquees, setting up Childrens Decoration Corner and erecting the Christmas Tree. Children's Decoration helpers needed by 6.00 p.m.

December 17th – Sunday – Rest day!!.

December 31st – Sunday - New Years Eve Party in Jaypex Park. Stay tuned for more details.

Nhill Friday Fiesta Income & Expenditure 2016-2017

Bank Balance at 1 July 2016		Commonwealth Bank Account	\$ 2,727.12
Income			
01/07/2016	Interest		\$ 0.02
01/08/2016	Interest		\$ 0.02
01/09/2016	Interest		\$ 0.02
01/10/2016	Interest		\$ 0.02
01/11/2016	Interest		\$ 0.02
21/12/2016	Deposit	Dart Family	\$ 50.00
25/01/2017	Deposit	Nhill Town Committee Funds	\$ 1,500.00
10/02/2017	Deposit	Night One Takings	\$ 1,375.00
10/02/2017	Deposit	L Graham	\$ 5.00
13/02/2017	Deposit	Night Two Takings	\$ 1,520.00
16/02/2017	Deposit	Raffle - Night One & Two	\$ 470.00
20/02/2017	Deposit	Gurry Family	\$ 10.00
20/02/2017	Deposit	Night Three Takings	\$ 1,322.10
20/02/2017	Deposit	Dart Club	\$ 1,000.00
03/04/2017	Deposit	Raffle - Night Three	\$ 182.00
03/04/2017	Deposit	Halway Motors	\$ 100.00
26/04/2017	Deposit	Wimmera PCP (via NTC)	\$ 500.00
		Total income	\$ 8,034.20
Expenses	Cheque #		
21/12/2016	000042	Vista Print & CWA Hire	\$ 120.00
03/02/2017	000043	Pete Daffy Trio	\$ 1,600.00
03/02/2017	000044	Wristbands	\$ 106.50
03/02/2017	000045	Cash Cheque for Change	\$ 500.00
10/02/2017	000046	Mick Coates/Alley Harper & the Cats	\$ 1,600.00
11/02/2017	000047	Dean Schultz	\$ 1,200.00
17/02/2017	000048	Wimmera Motel	\$ 700.00
17/02/2017	000001	Strawberry the Clown (Karen Bibby)	\$ 340.00
17/02/2017	000002	Dave McMaster	\$ 400.00
17/02/2017	000003	Prawnhead	\$ 1,100.00
20/02/2017	000004	Jeparit Mopoke Club	\$ 350.00
22/02/2017	000005	Mobile Zoo & Bucking Bull	\$ 1,300.00
24/02/2017	000006	Karen Wiseman Workshop	\$ 100.00
24/02/2017	000007	WestVic Spares (Printing)	\$ 192.00
24/02/2017	000008	Helen Ross	\$ 402.59
24/02/2017	000009	Lola's Garage	\$ 260.00
		Total Expenses	\$ 10,271.09
		Profit/Loss	-\$ 2,236.89
SUMMARY OF ACCOUNT			
		Balance @ 01/07/16	\$ 2,727.12
		Plus Profit/Loss	-\$ 2,236.89
		Balance as per transactions	\$ 490.23
		<i>(possible interest from CBA Acc?)</i>	<i>\$ 0.03</i>
		Bank Balance Friday Fiesta at 30 June 2017 - as per Bank Statement	\$ 490.26

Commonwealth
Bank Account
Cheques

NAB Bank Account
Cheques

Nhill Town Committee Income & Expenditure 2016-2017

Bank Balance at: 1 July 2016			\$ 11,893.79
Income			
12/08/2016	Hindmarsh Shire	Contribution	\$ 7,500.00
16/12/2016	Hindmarsh Shire		\$ 500.00
28/02/2017	Hindmarsh Shire		\$ 500.00
16/03/2017	Hindmarsh Shire		\$ 500.00
27/04/2017	Deposit	Money from Easter Egg Hunt	\$ 156.00
		Total income	\$ 9,156.00
Expenses			
1/07/2016	Helen Ross		\$ 33.93
6/07/2016	Kaniva Guides		\$ 74.00
28/07/2016	Glenn Barry	Repairs to Marquee Roof	\$ 55.00
19/08/2016	Nhill Aero Club	Donation	\$ 200.00
27/10/2016	Nhill Free Press	AGM Notice	\$ 21.00
14/11/2016	Nhill Kindergarten		\$ 18.00
16/11/2016	Western Electrical	Inv 43386	\$ 1,320.00
21/12/2016	Safeflame	Candles	\$ 369.20
21/12/2016	Karen Bibby	Strawberry the Clown	\$ 290.00
21/12/2016	Home Hardware	Invoices	\$ 101.00
22/12/2016	Nhill Lions Club	BBQ	\$ 137.00
10/01/2017	Jeparit Mopoke Club	Bouncing Castle	\$ 350.00
18/01/2017	Pauline McCracken	Reimbursement	\$ 79.70
18/01/2017	Brian McGennicken	Reimbursement	\$ 18.00
24/01/2017	Aircooled Antics	Karen Frame (Fiesta)	\$ 70.00
27/01/2017	Friday Fiesta Cmtee	New Chq Acc funds	\$ 1,500.00
31/01/2017	Mulhallens		\$ 13.94
16/02/2017	Nhill Free Press		\$ 75.00
27/02/2017	Helen Ross	Carols Reimbursement	\$ 244.01
24/02/2017	Helen Ross	Karen Sculpture costs	\$ 82.50
2/03/2017	Amalie Lynch	Face Painting	\$ 240.00
2/03/2017	Home Hardware	Karen Sculpture costs	\$ 206.44
2/03/2017	Nhill Free Press		\$ 36.00
6/03/2017	Mulhallens		\$ 15.28
24/03/2017	Nhill Early Years Centre	Donation	\$ 250.00
26/04/2017	Friday Fiesta Cmtee	Wimmera PCP Money	\$ 500.00
26/04/2017	Pauline McCracken	Postage Reimbursement	\$ 11.90
27/04/2017	Nhill & Dimboola Band	Christmas Carols	\$ 100.00
27/04/2017	Australia Post	PO Box Rental	\$ 36.00
28/04/2017	Westvic Spares	Christmas Flyers Printing	\$ 160.00
1/05/2017	Nhill Free Press		\$ 48.00
29/05/2017	Nhill Free Press		\$ 36.00
5/06/2017	Hindmarsh Shire	Refund of Unused Freeza Funds	\$ 156.06
6/06/2017	Home Hardware		\$ 37.00
		Total expenses	\$ 6,884.96
		Profit/Loss	\$ 2,271.04
SUMMARY OF ACCOUNT			
		Balance @ 01/07/16	\$ 11,893.79
		Plus Profit/Loss	\$ 2,271.04
		Balance as per transactions	\$ 14,164.83
		Bank Balance at 30 June 2017 - as per Bank Statement	\$ 14,164.83