

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL HELD 7 MARCH 2018 AT THE COUNCIL CHAMBERS, 92 NELSON STREET, NHILL COMMENCING AT 3.00PM.**

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**MINUTES**

**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. Correspondence**

**8. Assembly of Councillors**

8.1 Record of Assembly

**9. Planning Permit Reports**

9.1 Application for amendment to planning permit 1479-2015

**10. Reports Requiring a Decision**

10.1 Procurement Australia -2106-0634 Retail Electricity, Natural Gas and Associated Services Contract

10.2 Change of meeting dates

**11. Special Committees**

11.1 Yurunga Homestead Committee

**12. Late Reports**

No report

**13. Other Business**

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**14. Confidential Matters**

No reports

**15. Meeting Close**

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**Present:**

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

**In Attendance:**

Mr Greg Wood, (Chief Executive Officer), Ms Monica Revell (Director Corporate and Community Services), Mr Shane Power (Director of Infrastructure Services), Ms Shelley Gersch (Executive Assistant), Mr Andre Dalton (Town Planner)

**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 21 February 2018 at the Memorial Hall, Roy Street, Jeparit, as circulated to Councillors be taken as read and confirmed.***

**MOVED: CRS R. Lowe/D. Colbert**

***That the Minutes of the Ordinary Council Meeting held on Wednesday 21 February 2018 at the Memorial Hall, Roy Street, Jeparit, as circulated to Councillors be taken as read and confirmed.***

**CARRIED**

*Attachment: 1*

**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.

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<b>5. PUBLIC QUESTION TIME</b>
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No questions

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<b>6. DEPUTATIONS</b>
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No deputations

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**7. CORRESPONDENCE**

**7.1 GENERAL CORRESPONDENCE**

**Responsible Officer:** Chief Executive Officer

No correspondence

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**8. ASSEMBLY OF COUNCILLORS**

**Responsible Officer:** Chief Executive Officer

**Attachment:** 2

**Introduction:**

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

**Options:**

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

**RECOMMENDATION:**

***That Council accepts the Assembly of Councillors Records as presented.***

***MOVED: CRS D. Colbert/T. Schneider***

***That Council accepts the Assembly of Councillors Records as presented.***

**CARRIED**

*Attachment: 2*

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## 9. PLANNING PERMITS

### 9.1 APPLICATION FOR AMENDMENT TO PLANNING PERMIT 1479-2015

<b>Responsible Officer:</b>	Director Infrastructure Services
<b>File:</b>	Planning – Applications – 1479 - 2015
<b>Assessment:</b>	109300
<b>Attachment:</b>	3 - Plans – Site Plan Launer_CoPmap3.pdf, prepared by Brendan Launer, dated 20 June 2017.
<b>Applicant:</b>	Brendan Launer
<b>Owner:</b>	Graeme Richard Launer
<b>Subject Land:</b>	Lot 1 TP217161, 80 Nottles Rd Netherby
<b>Proposal:</b>	Use and development of the land for Stone Extraction – Limestone quarry
<b>Zoning &amp; Overlays:</b>	Farming Zone (FZ), No Overlays

#### Summary:

This application is to seek Council approval to amend Planning Permit 1479-2015 providing for a secondary site for a limestone quarry on the same title of land where a limestone quarry has previously been operating under Planning Permit 1479-2015. Under the provisions of the Hindmarsh Planning Scheme, the proposal accords with the definition of “stone extraction” being:-

*“Land used for the extraction or removal of stone in accordance with the Mineral Resources (Sustainable Development) Act 1990”.*

The original quarry is located on the northern boundary of the site, is no longer in use and has since been rehabilitated. The proposed quarry site is to be approximately 4.5 ha in area, on the north-western boundary, abutting Nottles Road.

#### Amendment Trigger:

Condition 1 of Planning Permit 1479-2015 states:

*“The layout of the use and development for the land as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority”*

#### Proposal Details:

The proposal in detail involves:

- The proposed siting of the secondary limestone quarry is to be located at a distance of approximately 300m from the north-western boundary of the subject land.
- The proposed secondary quarry is approximately 4.5 ha in size. (Refer Attachment 1).
- The proposed quarry will be excavated to a maximum depth of 2 metres below the surface, with no native vegetation proposed to be removed. No blasting will be used. No water courses or dams will be impacted by the proposal, and there are no dwellings within close proximity to the proposed works.

- 5,000 to 8,000 tonnes of limestone is expected to be sold annually to local farmers, contractors and Council.
- It is understood that the existing quarry has been rehabilitated and closed and an application has been submitted for a new work authority.

From 1 January 2010, quarries that are less than five hectares in area and less than five metres in depth, provided that no blasting or native vegetation clearance occurs, will be exempt from the requirement to work to an approved Work Plan (section 77G of Mineral Resources (Sustainable Development) Act 1990 MRSD Act). Such small quarries are instead required to comply with the Code, which is made under sections 89A - 89H of the MRSD Act.

**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 Stone Extraction. 'Stone Extraction' is a Section 2 Use.

*Development:*

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

Planning Scheme Considerations:

**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

**Zoning Provisions:**

Clause 35.07 – Farming Zone

**Overlay Provisions:**

Nil

**Particular Provisions:**

Clause 52.08 - Earth and Energy Resources Industry  
Clause 52.09 - Stone Extraction and Extractive Industry Interest Areas

**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 as “stone extraction” 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.

#### 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 revealed the proposal will not detrimentally impact upon these matters. The use of the land for stone extraction is considered suitable and appropriate in this location.

#### 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 Planning & Environment Act, 1987.
- 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
  - f) the environment may have on the use or development; and
  - g) 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

**Notification & Referral of Application:**

Pursuant to Sections 52 (1)(a), (b) and (d) of the Planning and Environment Act 1987, 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.

Notice of the application was provided to adjoining landowners, a sign placed on the land for a minimum of fourteen (14) days, and an advertisement placed in the Nhill Free Press on the 1 November 2017 with no objections received.

Internal referral to Council's Engineering Department was not considered necessary on this occasion, as the activity being proposed is of a similar scale and nature to the existing operation.

Pursuant to Section 55 of the Planning and Environment Act 1987 (the Act), the application must be referred to stipulated authorities.

On this occasion Council's Planning Department has formed the view that authority referral is not required for the following reasons:

- No Overlays affecting the proposed area of operations; and

- Parallel approval process conducted by the Department of Economic Development, Jobs, Transport, and Resources – Earth Resources.

**Authorities:**

Referral not required on this occasion.

**Objections:**

No objections received.

**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 Planning & Development Coordinator 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 13 September 2017. The report is being presented to the Council meeting of 7 March 2018, giving a processing time of 176 days. The statutory processing time requirements of the Planning and Environment Act 1987 have not been satisfied, as the required Statutory Declaration stating that notification had been undertaken correctly was not provided until the 29 January 2018.

**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, Planning and Development Coordinator

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 works) for stone extraction (limestone quarry), at Lot 1 TP 217161 Parish of Warraquil (80 Nottles Road, Netherby), subject to the following conditions:-***

**Endorsed Plans:**

***(1) The layout of the use and development for the land as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.***

**(2) All works and activities undertaken in association with the quarry must be in accordance with the Code for Small Quarries and consistent with any requirements set by the Department of Economic Development, Jobs, Transport & Resources.**

**(3) All storm water shall be dispersed internally. Storm water runoff from works associated with the land use should not interfere with neighbouring properties or cross over into the road reserve.**

**(4) Access to the site must be via an all-weather road with dimensions adequate to accommodate heavy vehicles and emergency vehicles.**

**(5) The use and development hereby permitted must be managed so that the amenity of the area is not detrimentally affected, through the:**

- **transport of materials, goods or commodities to or from the land;**
- **appearance of any works or materials;**
- **emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil to the satisfaction of the Responsible Authority.**

**(6) The existing quarry is to be decommissioned, revegetated and reinstated to an appropriate condition in accordance with the Code of Practice for Small Quarries to the satisfaction of the Department of Economic Development, Jobs, Transport & Resources, and the Responsible Authority.**

**(7) This permit will expire if:**

- **The use has not commenced within two years of the date of this permit.**
- **Any approval under the provisions of the Mineral Resources (Sustainable Development) Act 1990 is cancelled in accordance with Section 770 of the Act.**

**(8) If the use allowed by this permit has not commenced by the date the permit lapses (two years), the permit holder may apply to the responsible authority before or within six months after the expiry date of the permit for an extension of time.**

**MOVED: CRS R. Gersch/D. Colbert**

**That Council approves an application to use and develop land (including works) for stone extraction (limestone quarry), at Lot 1 TP 217161 Parish of Warraquil (80 Nottles Road, Netherby), subject to the following conditions:-**

**Endorsed Plans:**

**(1) The layout of the use and development for the land as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.**

**(2) All works and activities undertaken in association with the quarry must be in accordance with the Code for Small Quarries and consistent with any requirements set by the Department of Economic Development, Jobs, Transport & Resources.**

**(3) All storm water shall be dispersed internally. Storm water runoff from works associated with the land use should not interfere with neighbouring properties or cross over into the road reserve.**

**(4) Access to the site must be via an all-weather road with dimensions adequate to accommodate heavy vehicles and emergency vehicles.**

**(5) The use and development hereby permitted must be managed so that the amenity of the area is not detrimentally affected, through the:**

- **transport of materials, goods or commodities to or from the land;**
- **appearance of any works or materials;**
- **emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil to the satisfaction of the Responsible Authority.**

**(6) The existing quarry is to be decommissioned, revegetated and reinstated to an appropriate condition in accordance with the Code of Practice for Small Quarries to the satisfaction of the Department of Economic Development, Jobs, Transport & Resources, and the Responsible Authority.**

**(7) This permit will expire if:**

- **The use has not commenced within two years of the date of this permit.**
- **Any approval under the provisions of the Mineral Resources (Sustainable Development) Act 1990 is cancelled in accordance with Section 77O of the Act.**

**(8) If the use allowed by this permit has not commenced by the date the permit lapses (two years), the permit holder may apply to the responsible authority before or within six months after the expiry date of the permit for an extension of time.**

**CARRIED**

**Attachment: 3**

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<b>10. REPORTS REQUIRING A DECISION</b>
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**10.1 PROCUREMENT AUSTRALIA -2106-0634 RETAIL ELECTRICITY,  
NATURAL GAS AND ASSOCIATED SERVICES CONTRACT**

**Responsible Officer:** Director Infrastructure Services

**Introduction:**

Energy retailer AGL, via Procurement Australia Contract No. 1906/0625, currently provides the provision of electricity for the majority of Council assets and services. This contract expires 30 June 2018. Procurement Australia are undertaking a procurement process for energy providers for a period of two or three years commencing 1 July 2018. This report requests Council grant delegated authority to the Chief Executive Officer to enter into a contract with the recommended energy provider following the Procurement Australia tendering process.

**Discussion:**

Procurement Australia facilitate public tender processes on behalf of private and public sectors including local government, with an aim to achieve discounted goods and services through aggregated contractual arrangements.

Currently the majority of Council's electricity supply is provided by AGL through the Procurement Australia contract, which expires on 30 June 2018. Council officers have accepted Procurement Australia's invitation to participate in the new electricity contract. Procurement Australia (PA) also requires a letter of authorisation from Council, for it to:-

- Act as a tendering agent and invite tenders on Council's behalf for electricity for large and small sites, including solar feed in tariff requirements for a period of two years.
- Obtain all required Site, Consumption and associated data (interval/meter data, retail agreements) pertaining to Council's current energy retailer(s) for tendering purposes only.
- Complete the evaluation of tenders in accordance with the criteria and weightings and prepare an evaluation report for Council.
- Award the tender on merit to a retailer or retailers within the defined tender acceptance time period, consistent with how the energy sector works.
- Instruct the successful retailer/s to issue energy supply agreements to Council for execution.
- Provide ongoing contract support during the contract duration.

Council delegation of authority to Greg Wood, Chief Executive Officer is required to authorise Procurement Australia to act of its behalf for the provision of electricity for large and small sites, and solar feed in tariff requirements for the two-year period, commencing 1 July 2018. Public Lighting and Natural Gas have been excluded from Council's commitment to this procurement process.

**Options:**

1. Council can delegate authority to the Chief Executive Officer to enable participation in the Procurement Australia tender process and subsequent contract agreement; or
2. Council can undertake an independent procurement process for the provision of electricity.

**Link to Council Plan:**

Strategic Objective 2.4. A community living more sustainably.  
Strategic Objective 4.1. Long-term financial sustainability.

**Financial Implications:**

During the 2016/2017 financial year, Council expended approximately \$134,000 on electricity supply, excluding public lighting.

It is envisaged that the ensuing Procurement Australia contract will deliver significant savings in contrast to Council undertaking an independent tendering process. This view is formed due to the committed volume provided by aggregated councils to the potential energy retailer. It should be noted however that energy prices are expected to increase beyond those currently being paid by Council.

A recent procurement exercise for electricity supply for Council's unmetered public lighting network has demonstrated a 39.32% increase amounting to an increase of approximately \$4,600 increase p/a.

Should similar increases be experienced through this procurement process, Council will have to increase its operating allocation for electricity by \$52,689 p/a.

**Risk Management Implications:**

There is a risk that Council would attract higher energy costs should it not participate in the Procurement Australia facilitated tender process.

It should be noted that Procurement Australia hold an Approved Ministerial Arrangement which provides exemption from Local Government Act s186 requirements.

**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: Wayne Schulze –Manager Operations

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

Author: Noella Smith – Administration Officer Operations

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

**Communications Strategy:**

Procurement Australia will be responsible for the tender process. Once the successful tender/s has been notified they will send an agreement for execution by the Chief Executive Officer.

**Next Steps:**

The Chief Executive Officer enter into agreement with Procurement Australia to participate in the 2106-0634 Retail electricity, Natural Gas and Associated Services tender process and execute on Council's behalf the ensuing contract agreement with the successful retailer.

Ministerial exemption exists

**RECOMMENDATION:**

***That Council:***

- 1. Delegates authority to the Manager Operations to enter into agreement with Procurement Australia for the 2106-0634 Retail electricity, Natural Gas and Associated Services tender process; and***
- 2. Delegates authority to the Chief Executive Officer to execute on Council's behalf the ensuing contract agreement with the successful retailer from the 2106-0634 Retail electricity, Natural Gas and Associated Services tender process.***

**MOVED: CRS D. Colbert/T. Schneider**

***That Council:***

- 1. Delegates authority to the Manager Operations to enter into agreement with Procurement Australia for the 2106-0634 Retail electricity, Natural Gas and Associated Services tender process; and***
- 2. Delegates authority to the Chief Executive Officer to execute on Council's behalf the ensuing contract agreement with the successful retailer from the 2106-0634 Retail electricity, Natural Gas and Associated Services tender process.***

**CARRIED**

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## 10.2 CHANGE OF MEETING DATES

**Responsible Office:** Greg Wood, Chief Executive Officer

### **Introduction:**

Discussion to be held regarding changing the Council meeting to be held on Wednesday 16 May 2018 to Wednesday 23 May 2018, and cancelling the Wednesday 20 June 2018.

### **Discussion:**

The proposed change to 16 May 2018 meeting is due to Councillors commitment to attend the Rural Councils Victoria Summit to be held in Lakes Entrance, Victoria from Wednesday 16 May 2018 until Friday 18 May 2018. As there are five Wednesdays in May, changing the meeting to 23 May 2018 will still allow at least two weeks between Council meetings. The proposed cancellation of 20 June 2018 meeting is due to the CEO and Mayor attending the Australian Local Government Association National General Assembly in Canberra, ACT from Sunday 17 June 2018 to Wednesday 20 June 2018. There is only four Wednesdays in June, and changing the date to either a week before (13 June 2018) or a week after (27 June 2018), will mean that Council meetings are held in two consecutive weeks at some stage.

### **Options:**

1. Council can choose to accept both proposed changes to Council meetings.
2. Council can choose to accept the proposed change to 16 May 2018 meeting only.
3. Council can choose to accept the proposed cancellation of 20 June 2018 meeting only.
4. Council can choose not to accept the proposed changes and instead propose new dates.

### **Link to Council Plan:**

Strategic Objective 4.6: An organisation that takes risk management responsibilities seriously and embeds a culture of risk management throughout the organisation.

### **Financial Implications:**

Nil

### **Risk Management Implications:**

Nil

### **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: Greg Wood, Chief Executive Officer

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



Author: Shelley Gersch, Executive Assistant

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

**Communications Strategy:**

Advertising of the change of meeting date will be placed in the local newspapers.

**RECOMMENDATION:**

***That Council:***

- 1. Accepts the proposed change to move the 16 May 2018 Council meeting a week later, being Wednesday 23 May 2018, due to the Rural Councils Victoria Summit in Lakes Entrance, VIC being held on 16 May 2018.***
- 2. Accepts the proposal to cancel the 20 June 2018 Council meeting due to the CEO and Mayor attending the Australian Local Government Association National Assembly in Canberra, ACT.***
- 3. Advertises in local newspapers notifying the community of the change of date.***

**MOVED: CRS T. Schneider/R. Lowe**

***That Council:***

- 1. Accepts the proposed change to move the 16 May 2018 Council meeting a week later, being Wednesday 23 May 2018, due to the Rural Councils Victoria Summit in Lakes Entrance, VIC being held on 16 May 2018.***
- 2. Accepts the proposal to cancel the 20 June 2018 Council meeting due to the CEO and Mayor attending the Australian Local Government Association National Assembly in Canberra, ACT.***
- 3. Advertises in local newspapers notifying the community of the change of date.***

**CARRIED**

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## 11. SPECIAL COMMITTEES

### 11.1 YURUNGA HOMESTEAD COMMITTEE

**Responsible Officer:** Director Corporate and Community Services

**Attachment:** 4

**Introduction:**

The Yurunga Homestead Committee held its general meeting on 11 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 Yurunga Homestead Committee general meeting held on 11 November 2017.*

**MOVED: CRS R. Lowe/T. Schneider**

*That Council notes the minutes of the Yurunga Homestead Committee general meeting held on 11 November 2017.*

**CARRIED**

*Attachment: 4*

## 12. LATE REPORTS

No report

## 13. OTHER BUSINESS

**MOVED: CRS D. Colbert/R. Lowe**

*That Council writes a letter to the previous owners of Westmix Concrete, congratulating them on 30 years of service to Hindmarsh and surrounding areas.*

**CARRIED**

**MOVED: CRS T. Schneider/D. Nelson**

*That information relating to the potential sale of the property formerly known as the Ni-Ni abattoirs be released when deemed appropriate by the CEO.*

**CARRIED**

**MOVED: CRS R. Gersch/D. Nelson**

***That Council places the following motion on the agenda for the May MAV State Council:***

- ***That the MAV lobby the government to allocate financial support for recycling facilities or distribute funding to Councils to assist with waste management, particularly recycling out of the sustainability fund of \$600 million that has accumulated over the years from the landfill levy.***

**CARRIED**

**MOVED: CRS R. Gersch/R. Lowe**

***That Council appoints Mayor Cr R. Ismay as its representative to the Murray Darling Association.***

**CARRIED**

#### **14. 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.

No confidential matters.

#### **15. MEETING CLOSE**

As there was no further business, Cr Ismay declared the meeting closed at 3:36pm



Hindmarsh  
Shire Council

**Administration  
Centre**

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NHILL VIC 3418  
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info@hindmarsh.vic.gov.au

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**Dimboola**

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**Rainbow**

15 Federal Street  
RAINBOW VIC 3424  
Ph: (03) 5391 4451  
Fax: (03) 5395 1436

7 March 2018

Emma Kealy MP  
114 Firebrace Street  
HORSHAM VIC 3400  
[emma.kealy@parliament.vic.gov.au](mailto:emma.kealy@parliament.vic.gov.au)

Dear Emma,

Council has requested that I write to you inviting you to attend a briefing meeting. Council would like to provide you with an update on the Wimmera River Discovery Trail and other major Hindmarsh Shire projects.

As discussed with Suzanne at your office, Council briefings are scheduled at the Nhill Council chamber on Wednesday 4 April 2018 and Wednesday 18 April 2018, from 1:00pm until 3:00pm. Council welcomes you to attend either of these meetings at a time that is most suitable for you.

I believe it is vital to continue to strengthen relationships between local government and state parliamentarians, so we can work together to provide services and facilities to build strong, liveable communities for our residents.

Please contact Shelley Gersch, Executive Assistant, on 03 5391 4444 or [sgersch@hindmarsh.vic.gov.au](mailto:sgersch@hindmarsh.vic.gov.au) to discuss your preferred date for attending a Council briefing session.

Yours sincerely

Greg Wood  
**Chief Executive Officer**



Hindmarsh  
Shire Council

**Administration  
Centre**

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8 March 2018

Maree Caldow  
[macaldow@bigpond.com](mailto:macaldow@bigpond.com)

Dear Maree

At its meeting on 7 February 2018, Council resolved to thank you for your participation as Hindmarsh Shire Council's 2018 Australia Day Ambassador.

I am sure that as a harness horse racing trainer you have the good fortune to travel extensively across Victoria and interstate but to travel from Melton to Nhill and then on to Rainbow, Jeparit, Dimboola and Nhill as the Australia Day Ambassador was an incredible commitment.

Your warm, friendly approach to the residents of Hindmarsh Shire ensured that the audience at each ceremony was engaged and found your address interesting and informative.

Your connection to Rainbow through your husband driving the locally owned 'Road to Rainbow' created a special interest in Rainbow.

Being an Australia Day Ambassador for the number of years that you have is testimony to that fact that you certainly connect to the residents of the numerous Shire Councils that you have visited. .

Acknowledging country people for their welcoming and friendly nature and that they stand by each other in bad times and celebrate the good times was very well received, as was your quote "On Australia Day we should reflect on what we do well and what we can do better, both in our lives and in our communities"

Council commends you on your commitment to sharing your story with rural communities as an Australia Day Ambassador and on behalf of Council, I sincerely thank you for taking the time to visit Hindmarsh Shire, and trust that you enjoyed what our rural community has to offer.

From a personal perspective, it was a pleasure to drive you from Nhill to Rainbow and on behalf of Council I would like to take this opportunity to extend an invitation to you to visit Hindmarsh Shire in the future as it would be a pleasure to welcome you once again.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Phil King', with a long horizontal line extending to the right.

Phil King  
**Manager Economic and Community Development**



Hindmarsh  
Shire Council

**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

8 March 2018

Bruce Beacom  
President  
Nhill & District Racing Club  
PO Box 136  
NHILL VIC 3418

Dear Bruce,

At its meeting on 7 February 2018, Council requested that I write to the Nhill & District Racing Club to congratulate the club on a successful 2017 Boxing Day Races.

The Boxing Day Races is a highlight on the events calendar for the Nhill and surrounding district each year. The family-friendly atmosphere of the races allows the whole community to be able to come together and enjoy a day out during the busy holiday period, to relax and connect with friends and other community members that they often don't see from one Boxing Day to the next. Often Christmas Day gatherings and activities are extended into Boxing Day which contributes to the carnival like atmosphere.

Council commends you, your committee and volunteers on the hard work dedication and commitment that goes into organising an event such as this and congratulates you on a job well done.

On behalf of Council, I wish the Nhill & District Racing Club all the best for 2018 Boxing Day Races and for your future endeavours.

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 7 March 2018                      **Time:** 1:00pm – 3:00pm

**Assembly Location:** Council Chamber, Nhill

**Present:**

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

**Apologies:**

**In Attendance:**

Mr. G. Wood (Chief Executive Officer), Mr. S. Power (Director Infrastructure Services) (2-3) Ms M Revell (Director of Corporate and Community Services) (2-3)

**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:**

**Officers:**

Nil

**Matters Discussed:**

<b>No.</b>	<b>Detail</b>	<b>Presenter</b>
1.	CEO Update	Greg Wood
2.	Street and Reserve Tree Strategy	Shane Power
3.	Municipal Strategic Statement Review	Shane Power
4.	Roadside Vegetation, Weed and Pest Management Plan	Shane Power
5.	Councillor question time	Greg Wood

Completed by: Greg Wood



Signed:

Date: 07/03/2018

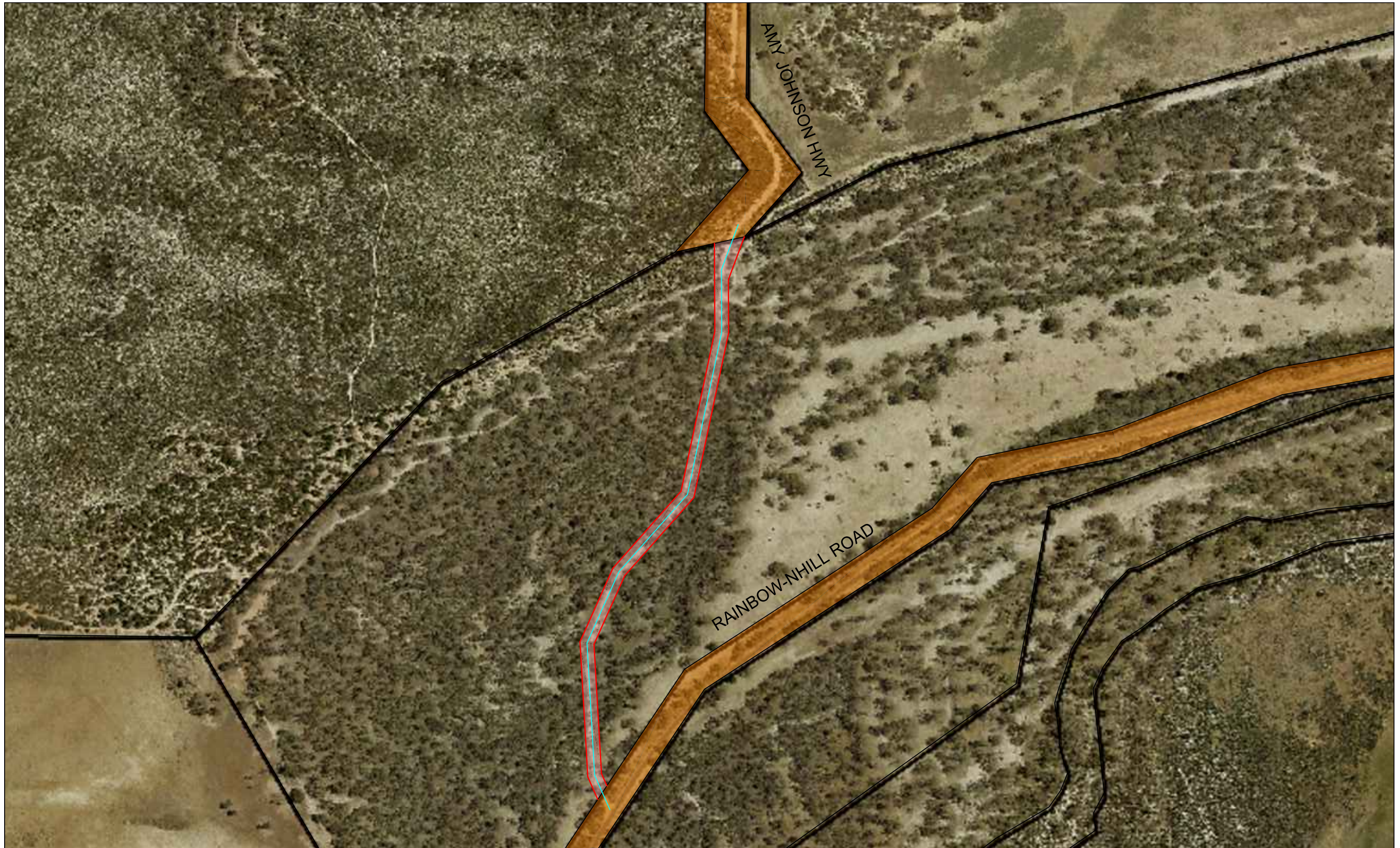
*Must be kept for four years from date of the assembly. Available for public inspection at Council Offices for 12 months after date of assembly.*






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Scale 1:20 000

Rambouillet

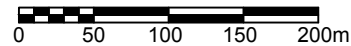
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A	LAYOUT PLAN FOR PARKS VICTORIA LAND EXCISE	S POWER	29/01/18
REVISION	AMENDMENTS	APPROVED	DATE

LEGEND:	
	EXISTING ROAD RESERVE
	PROPOSED NEW ROAD RESERVE
	EXISTING ROAD CENTRELINE






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APPROVED:	S POWER
SCALE:	1 : 5,000 (A3)
	

AMY JOHNSON HIGHWAY -  
SOUTH SECTION FROM  
RAINBOW-NHILL ROAD -  
LAND TO BE EXCISED  
**ATTACHMENT 1**

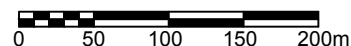
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REVISION	AMENDMENTS	APPROVED	DATE

LEGEND:	
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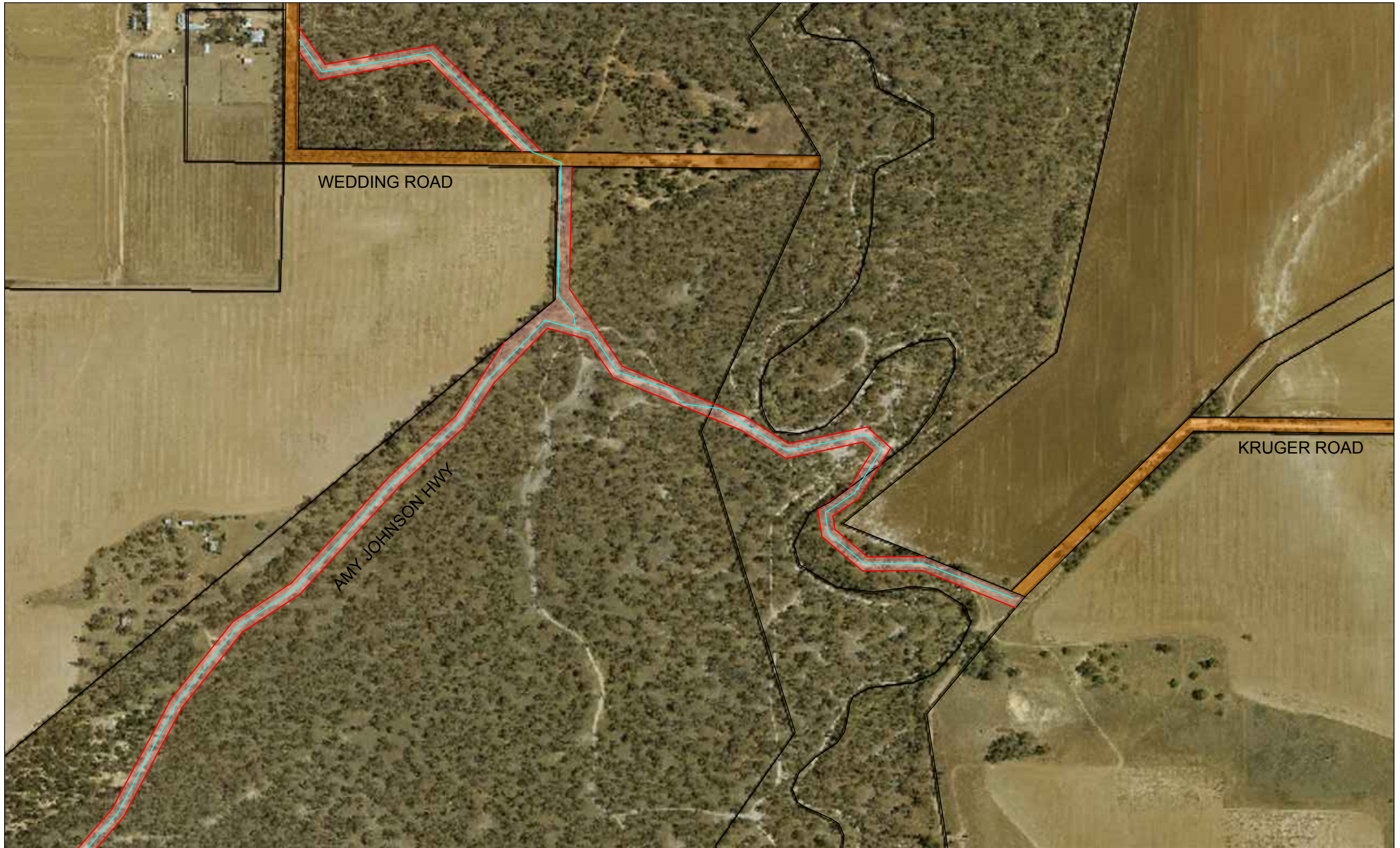


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AMY JOHNSON HIGHWAY -  
NORTH SECTION - LAND TO  
BE EXCISED

**ATTACHMENT 2**

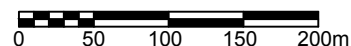
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REVISION	AMENDMENTS	APPROVED	DATE

LEGEND:	
	EXISTING ROAD RESERVE
	PROPOSED NEW ROAD RESERVE
	EXISTING ROAD CENTRELINE



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AMY JOHNSON HIGHWAY -  
WEDDING TO KRUGER -  
LAND TO BE EXCISED

**ATTACHMENT 3**

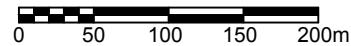
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A	LAYOUT PLAN FOR PARKS VICTORIA LAND EXCISE	S POWER	29/01/18
REVISION	AMENDMENTS	APPROVED	DATE

LEGEND:	
	EXISTING ROAD RESERVE
	PROPOSED NEW ROAD RESERVE
	EXISTING ROAD CENTRELINE



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SCALE:	1 : 5,000 (A3)
	

BURMA ROAD, ROSS LAKE ROAD - LAND TO BE EXCISED

**ATTACHMENT 4**

DRAWING NO.	REV
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SHEET No.	
FILE NAME	

# MINUTES

## NHILL TOWN COMMITTEE

### Monday 19<sup>th</sup> February 2018

Meeting opened at 7.40 p.m.. Lyn Schoolderman assumed the Chair due to the absence of Brian McGennissen

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#### 1. In Attendance

Lyn Schoolderman, Helen Ross, Pauline McCracken, David Borain, Kay Frost, Helen Woodhouse – Herrick, Janette Fritsch (substituting for Shane Power) Councillor David Colbert.

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#### 2. Apologies

Brian McGennissen

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#### 3. Minutes

Motion to accept the minutes of the previous meeting, held on 22<sup>nd</sup> January 2018 and distributed to all members and interested parties was introduced by Helen Ross, Seconded by Pauline McCracken, All in favor, Motion carried.

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#### 4. Finance Report

Lyn distributed the finance report for NTC for the period from 22<sup>nd</sup> January 2018 and briefly explained the payments and receipts. Lyn proposed a motion that the financial report be accepted, this motion was seconded by Pauline. All in favor, Motion carried. Pauline had asked for her report on the financials of the Fiesta to be held over until the March meeting as insufficient time had elapsed from the end of the Fiesta for her to make a complete report. The members had been previously advised of this in an email with the Agenda.

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#### 5. Correspondence

Helen R. presented the correspondence as distributed by email. No additional correspondence had been sent or received since this list was distributed. Helen proposed a motion that the Correspondence be accepted, the motion was seconded by Kay, All in favor, Motion carried.

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#### 6. Business Arising

There was no business arising from the correspondence with the exception of a series of emails received from Simon Landrigan with regards to the Lake Pontoon. This item appears as an Agenda item in New Business so it was decided to deal with this matter at that time.

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#### 7. New Business

1. Working Bee to Clean Dance Floor. It was decided to attempt the cleaning of the Dance floor on Saturday 3<sup>rd</sup> of March or Sunday 4<sup>th</sup> March depending on the weather as a hot day was needed for the drying of the floor. A decision will be made in a 'phone around' closer to the time, once the weather forecast is available. Helen R will monitor this.

2. Discussion on repair of Marquee. It was agreed that Helen R would take the Marquee to Dimboola for the necessary repairs.

3. Christmas decorations. A Price list and Photos from Xmasmil Displays was circulated for members information. It would appear that they were the original manufacturer of our existing decorations. Further discussions will occur at another time on what decorations will be replaced and what new decorations would be purchased.

4. Change of Stewardship of the Commercial Car Park Re-Vegetation. Due to the loss of Daniel Haile Michael, Alastair Griffiths has taken over the responsibility of the project until a replacement for Daniel is employed. It was decided to invite Alastair to our March Meeting to brief us on the next stage of the re-vegetation project, as the cooler weather is approaching and it will soon be appropriate to plant the trees in stage two. Secretary will write to Alistair with an invitation to attend.

5. Discussion on suggestions by Andrew Kube in regards to the Carols for 2018.

Andrew indicated that it would be very hard to encourage professional groups to perform at the Carols in the future due to the frightful conditions on the stage of the Sound Shell for performers. The glare of the Western Sun, the heat and the extreme difficulty in reading music, plus the concern for stringed instruments due to the heat and direct rays of the sun was a deciding factor and may discourage participation in the Carols. Andrew suggested that the Carols could be moved to the Lake Reserve or some other site with less exposure to the afternoon sun. As a result of this a discussion ensued with regards to the possibility of moving the Sound Shell to the opposite side of the Park, turning the rear of the Sound Shell to the highway. This would eliminate several problems currently existing. It would shield the performers from the sun, direct the sound away from the residences opposite and reduce the noise from the trucks on the highway as the Sound Shell would then effectively be a Sound barricade. It was appreciated that this would be a Capital Works undertaking, but the meeting agreed that a letter should be written to the Shire with this information with the object of presenting this as a Budget Submission. Secretary agreed to write this submission.

Information during the week from Shane Power indicated that there was a discussion within the Shire as to the feasibility of providing Sail Shades in this area. If Capital Works money it to be expended, the repositioning of the Sound Shell should be discussed seriously before Sail Shades are even considered as this would not solve the problem of the Western Sun on the stage. The height of a Sail Shade to protect the performers would, by necessity, need to be so high that it's installation would be impractical. Currently, temporary shelters are erected to protect the audience and this has proved satisfactory in the past. The lawn is in shade from the existing trees at least an hour before the sun goes below the houses opposite, only then offering reasonable conditions for the performers. It is the Town Committee's considered opinion that the Sound Shell would have a much increased use if the aspect of the building was reversed.

6. Working Bee to remove Display Window in the Pharmacy shop. A decision was made to take out the windows on Thursday 22nd February , commencing at 10.30 a.m. Any committee member available is asked to help.

7.Replacement of Disabled Parking signs at the side of the Community Centre. Janette Fritsch will get an answer on that item.

8.Request from Helen R for names of persons to receive Thank You letters for their assistance with the Fiesta. Members were requested to give it some thought and advise Helen by email as soon as practical.

9. Discussion on the Shires' decision to apply for a Grant for a Fishing Pontoon for the Nhill Lake. A letter of support had been requested from Simon Landrigan to this effect but, after spirited discussion a vote was taken and the result was 5 against the motion and 1 abstention. Brian McGenniken had indicated to the Secretary that he would be against supporting this request, but his vote was not necessary to arrive at a decision. A letter will be sent to Simon with the decision of the majority of the committee indicating that the Town Committee could not offer a letter of Recommendation.

10. Easter Egg Hunt. A brief discussion was had with regards to holding the Easter Egg Hunt in 2018. The general opinion was that we should go ahead with this event, enlisting the assistance of the Rotary Club as in the past with the fencing for the 'hunt' area. Helen R. suggested we invite Wendy Robins to be the Easter Bunny, as she has had an interest in this event for many years. Helen R. will contact Wendy with our request. It was also suggested that the Races and other activities be held before the Egg Hunt, as many children leave immediately after they get their Eggs. Helen R. offered to have the 'Glitter and Glue' sessions again and will provide the Easter Egg Baskets to decorate as in previous years. A poster will be drawn up and distributed to members for approval. Advertising for the Easter Egg Hunt should commence at least 10 days prior to Easter Saturday, March 31<sup>st</sup> 2018. If a



newspaper ad is considered, a phone around for approval from the committee will be necessary as the event precedes our next meeting.

Janette Fritsch introduced information with regards to Harmony Day. There is a request from the Nhill Learning Centre that the Town Committee take over the running of this day. Members of their Committee who are organizing this event had agreed to come to this meeting but were not available at the last minute. They have now requested to come to the April Meeting of the Town Committee to discuss this matter.

Pauline brought up the possibility of the Shire making up a 'Welcome Pack' for people who enquire at the Service Counter for information. These could be available also at the Information Centre. Helen R. suggested using the folders which are languishing at the Storage Shed behind the public toilets. There are several hundred of these folders which would be suitable for an Information Pack. Helen R. will bring one of these folders to the next meeting.

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### Meeting closure

Meeting closed at 9.15 p.m.

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### 8. Next Meeting

March 19<sup>th</sup> 2018 – 7.30 p.m.