



20 June 2019

To Councillor,  
"as addressed"

NOTICE is hereby given that an **ORDINARY MEETING** of the Hindmarsh Shire Council will be held at the Council Chamber, 92 Nelson Street, Nhill on Wednesday 26 June 2019, commencing at **3:00pm**.

A handwritten signature in black ink, appearing to read 'gwood', written over a horizontal line.

Greg Wood  
**Chief Executive Officer**

**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 PA1628-2019 – Place of Assembly - Nhill Pony Express Motocross Event 2019 - Lot 1 TP217667, 1191 Perenna Rd Netherby

**11. Reports Requiring a Decision**

- 11.1 Adoption of Annual Budget 2019/20
- 11.2 Council Plan 2017-2021 Annual Review & Strategic Resource Plan 2020-2023
- 11.3 Overdraft & Use of Common Seal
- 11.4 New Dimboola Public Amenities – Expression of Interest

**12. Special Committees**

- 12.1 Yurunga Management Committee
- 12.2 Hindmarsh Youth Council
- 12.3 Nhill Town Committee
- 12.4 Rainbow Town Committee
- 12.5 Dimboola Town Committee

**13. Late Reports**

No report

**14. Other Business**

**15. Confidential Matters**

- 15.1 Request for Quote - Award for Purchase of One (1) Culvert Truck with Crane and Tipping Body
- 15.2 Request for Quote - Award for Purchase of One (1) 3-Axle Truck with Tipping Body and Two (2) 4-Axle Trailers with Tipping Bodies
- 15.3 Contract 2018-19-19 Provision of Resources to Extract Quarry Materials and Associated Services at Council Quarries

**16. Meeting Close**

**1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER**

***Acknowledgement of the Indigenous Community***

*We acknowledge the Shire's Indigenous community as the first owners of this country. We recognise the important ongoing role that indigenous people have in our community and pay our respects to their elders and people both living and past.*

***Opening Prayer***

*Dear Lord,  
We humbly request your blessing upon this Council and welcome your guiding presence among us.*

*May our decisions be taken wisely and in good faith, to your glory and the true welfare of the citizens of the Hindmarsh Shire.*

**2. APOLOGIES**

Cr R Lowe (leave of absence)

***RECOMMENDATION:***

***Cr R Lowe apology be accepted.***

**3. CONFIRMATION OF MINUTES**

***RECOMMENDATION:***

***That the Minutes of the Ordinary Council Meeting held on Wednesday 5 June 2019 at the Council Chambers, 92 Nelson Street, Nhill as circulated to Councillors be taken as read and confirmed.***

*Attachment: 1*

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<b>4. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA.</b>
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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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<b>6. DEPUTATIONS</b>
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No deputations

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**7. ACTIVITY REPORTS**

**COUNCILLOR ACTIVITIES: MAY 2019**

**Cr ISMAY, MAYOR**

Attended:

01/05/2019 Briefing Meeting Nhill  
01/05/2019 Council Meeting Nhill  
01/05/2019 VORRA Meeting Rainbow  
10/05/2019 Keep Australia Beautiful Presentation Dimboola  
14/05/2019 Jeparit Town Committee Meeting  
15/05/2019 Terminal Lakes final workshop Rainbow  
15/05/2019 Oasis / Primary Hub Meeting Rainbow  
16/05/2019 Minister for Local Government Discussion Nhill  
16/05/2016 Sod turning for Dimboola Library  
17/05/2015 MAV Conference Melbourne  
21/05/2019 WMT Meeting Murtoa  
22/05/2019 Briefing Meeting Nhill  
22/05/2019 Council Meeting Nhill  
23/05/2019 Yurunga Meeting Rainbow  
27/05/2019 Visit Gayle Newcombe's Art Studio  
27/05/2019 Partial tour of W/R discovery Trail  
27/05/2019 Rainbow Town Committee Meeting  
28/05/2019 Vic Rail Information Session Horsham  
30/05/2019 WMT Digital Project Meeting Horsham  
30/05/2019 Regional Roads Group Meeting Horsham  
31/05/2019 NWM Meeting Warracknabeal

**Cr LOWE, DEPUTY MAYOR**

Attended:

01/05/2019 Council Briefing, Meeting, Nhill  
16/05/2019 Meeting with Minister Local Government, Nhill  
16/05/2019 Lifting of First Sod, Library, Dimboola  
22/05/2019 Council Briefing, Meeting, Nhill  
22/05/2019 Broughton Hall and Recreation Management Meeting, Broughton

**Cr GERSCH**

Attended:

01/05/2019 Council briefing meeting  
01/05/2019 Council meeting  
07/05/2019 RCV, Swan Hill  
14/05/2019 WDA board meeting  
16/05/2019 Meet with LG Minister Nhill  
16/05/2019 Dimboola library opening announcement LG Minister  
22/05/2019 Council briefing meeting

22/05/2019 Council meeting  
29/05/2019 Meeting with CEO and Corporate Services re Library  
30/05/2019 Wimmera Regional Library special meeting  
30/05/2019 Wimmera Roads Group meeting  
31/05/2019 NWMA meeting

**Cr COLBERT**

Attended:

01/05/2019 Briefing meeting, Nhill  
01/05/2019 Council Meeting, Nhill  
16/05/2019 Sod turning for Dimboola Library  
22/05/2019 Briefing meeting, Nhill  
22/05/2019 Council Meeting, Nhill

**Cr NELSON**

Attended:

01/05/2019 Briefing meeting, Nhill  
01/05/2019 Council Meeting, Nhill  
06/05/2019 Town Committee Meeting, Dimboola  
09/05/2019 IBAC forum, Horsham  
09/05/2019 Audit Committee, Nhill  
14/05/2019 WSMMLLEN Finance meeting, Horsham  
14/05/2019 Wimmera Development Association meeting, Horsham  
16/05/2019 Sod turning for Dimboola Library  
17/05/2019 Volunteer Awards, Horsham  
22/05/2019 Briefing meeting, Nhill  
22/05/2019 Council Meeting, Nhill  
24/05/2019 Dimboola CWA 85yrs celebration  
28/05/2019 Wimmera River Stakeholders meeting, Dimboola  
30/05/2019 WSMMLLEN committee of management meeting, Horsham  
31/05/2019 Fed Uni Scholarship awards presentations, Horsham

**Cr SCHNEIDER**

Attended:

01/05/2019 Briefing meeting, Nhill  
01/05/2019 Council Meeting, Nhill  
06/05/2019 Town Committee Meeting, Dimboola  
16/05/2019 Sod turning for Dimboola Library  
22/05/2019 Briefing meeting, Nhill  
22/05/2019 Council Meeting, Nhill

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**SENIOR MANAGEMENT ACTIVITIES: MAY 2019**

**GREG WOOD, Chief Executive Officer:**

Attended:

01/05/2019 Council Briefing Meeting, Nhill  
01/05/2019 Council Meeting, Nhill  
06/05/2019 Dimboola Town Committee  
09/05/2019 IBAC Corruption Prevention & Integrity Insights Forum Horsham  
09/05/2019 Wimmera Regional CEO Meeting, Horsham  
10/05/2019 Cinema Volunteer, Nhill  
14/05/2019 WDA (Wimmera Development Association) Meeting, Horsham  
15/05/2019 DWM Solutions Information Technology Meeting  
16/05/2019 Meeting with Minister for Local Government and Mayor  
16/05/2019 Minister for Local Government Lunch, Nhill & Sod Turning, Dimboola  
17/05/2019 MAV State Council Meeting  
22/05/2019 Council Briefing Meeting, Nhill  
22/05/2019 Council Meeting, Nhill  
24/05/2019 Cinema Volunteer, Nhill  
28/05/2019 Fraud Awareness Training, Nhill  
29/05/2019 EPA Regional Director Meeting, Nhill  
30/05/2019 WSM Regional Partnership Meeting, Horsham  
31/05/2019 AGM North West Municipalities Association

**JANETTE FRITSCH, Acting Director Infrastructure Services:**

Attended:

01/05/2019 Council Briefing Meeting, Nhill  
01/05/2019 Council Meeting, Nhill  
08/05/2019 Wimmera Floodplain Management Workshop  
13/05/2019 Emergency Management Meeting  
13/05/2019 Jeparit Town Committee Meeting  
15/05/2019 Local Government Forum Horsham – Climate Change  
16/05/2019 Minister for Local Government Lunch & Sod Turning  
22/05/2019 Combined Safety and Efficiency Meeting – Jeparit  
22/05/2019 Council Briefing Meeting, Nhill  
22/05/2019 Council Meeting, Nhill  
23/05/2019 Emergency Management Risk Management, Warracknabeal  
24/05/2019 Shared Building Services Meeting  
28/05/2019 Fraud Awareness Training, Nhill  
28/05/2019 Wimmera River Stakeholder Advisory Group Meeting, Dimboola  
30/05/2019 Wimmera Southern Mallee Regional Transport Group, Horsham  
31/05/2019 Local Government Waste Forum, Beaufort

**MONICA REVELL, Director Corporate and Community Services:**

Attended:

01/05/2019	Council Briefing
01/05/2019	Council Meeting
02/05/2019	LGV & LGPro Governance Forum Warracknabeal
06/05/2019	EBA Negotiations
08/05/2019	LGV Performance Reporting Meeting
09/05/2019	IBAC Corruption Prevention & Integrity Insights Forum Horsham
09/05/2019	Hindmarsh Shire Council Audit Committee Meeting
13/05/2019	Councils & Emergencies Project Phase Two Evaluation Meeting
14/05/2019	Ernst & Young 3 year old Kindergarten Capacity Information Session Nhill
15/05/2019	DWM Solutions Information Technology Meeting
16/05/2019	Minister for Local Government Lunch Nhill and Sod Turning Dimboola
17/05/2019	Youth Council Retreat Welcome Dinner Dimboola
20/05/2019	DHHS Regional Relief & Recovery Meeting Ararat
22/05/2019	Safety & Efficiency Meeting Jeparit
22/05/2019	ASU & Vision Super Meeting Nhill
22/05/2019	Council Briefing
22/05/2019	Council Meeting
23/05/2019	EBA Negotiations
24/05/2019	VicRoads Disability Parking Permit Scheme Meeting Nhill
27/05/2019	MAV Information Asset Register Training Warracknabeal
28/05/2019	RSD Audit Fraud Awareness Training Nhill
30/05/2019	WRLC Special Board Meeting

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**8. CORRESPONDENCE**

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**8.1 GENERAL CORRESPONDENCE**

**Responsible Officer:** Chief Executive Officer

**Attachment:** 2

**Introduction:**

The following correspondence is tabled for noting by Council,

Inwards:

- Letter of thanks and support from Minister Hon. Bridget McKenzie

Outwards:

- Nil

***RECOMMENDATION:***

***That Council notes the attached correspondence.***

*Attachment: 2*

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**9. ASSEMBLY OF COUNCILLORS**

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**Responsible Officer:** Chief Executive Officer

**Attachment:** 3

**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 accepts the Assembly of Councillors Records as presented.

***RECOMMENDATION:***

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

*Attachment: 3*

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**10. PLANNING PERMITS**

**10.1 APPLICATION FOR PLANNING PERMIT PA1628-2019 – PLACE OF ASSEMBLY  
- NHILL PONY EXPRESS MOTOCROSS EVENT 2019 - LOT 1 TP217667, 1191  
PERENNA RD NETHERBY**

<b>Responsible Officer:</b>	Acting Director Infrastructure Services
<b>File:</b>	Planning – Applications
<b>Assessment:</b>	110260
<b>Applicant:</b>	Ed Lowe C/- Nhill Motorsports Club Incorporated
<b>Owner:</b>	Ross Dickinson
<b>Subject Land:</b>	CA 126 and CA 127 Psh Warraquil (1191 Perenna Rd Netherby)
<b>Proposal:</b>	Place of Assembly – Nhill Pony Express Motocross Event 2019
<b>Zoning &amp; Overlays:</b>	Farming Zone (FZ) Bushfire Management Overlay (BMO)
<b>Attachment:</b>	4

**Summary:**

This report recommends that Council approve planning permit application PA1628-2019 for the use of land for a place of assembly for the 'Nhill Pony Express' Enduro motocross event for 2019 only.

**Background:**

On 26 April 2019, The Nhill Motor Sports Club lodged a planning application for a place of assembly for the 'Pony Express' 2019 motocross event, to be run on 13 July 2019. The event has been run previously on an annual basis.

**Proposal Details:**

The proposal is to hold the 'Pony Express' 2019 motocross event on land south of Netting Fence Track, at Crown Allotment 126 and 127, Parish of Warraquil (1191 Perenna Road Netherby), as well as associated staging area facilities, including a car parking area, pit area, food tent, and sign-in, spectator area, race control, medical area, and temporary toilets. Access to the event will be via private driveway from Perenna Road. The event is to be attended by over 400 riders, and is to be attended by approximately 200 spectators. The course is approximately 16 kilometres in length, and consists of existing tracks on the land. No excavation, construction or associated works is proposed as a part of this application.

**Requirement for Permit:**

A Planning permit is required under Clause 35.07 – Farming Zone (FZ) of the Hindmarsh Planning Scheme for a 'place of assembly'.

It is proposed that the event is run on this location as a 'one-off' event only, and as such, any permit issued will reflect this. Separate planning approval will need to be sought for events on this site or different locations in future.

**Definitions:**

The proposal is defined under the provisions of the Hindmarsh Planning Scheme as a “Place of Assembly”, being “Land where people congregate for religious or cultural activities, entertainment, or meetings”, and is a Section 2 use in the Farming Zone.

**Restrictive Covenant or Section 173 Agreement:**

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

**Cultural Heritage Management Plan (CHMP):**

The proposal is exempt from requiring a CHMP pursuant to the Aboriginal Heritage Regulations 2007, as the proposal is not within land affected by the Aboriginal Cultural Heritage Overlay.

**Subject site & locality:**

The subject site is known as CA 126 and CA 127 Psh Warraquil (1191 Perenna Rd Netherby), and is currently used for grazing and cropping. The property (and surrounds) has been extensively cleared with little established vegetation remaining, excepting the area proposed to run the event; however no native vegetation removal is proposed or permitted. To the north lies the Big Desert, and to the east, south, and west, land is primarily agricultural. The nearest dwelling is approximately 2.2 kilometres to the west, and the subject land lies approximately 36.2 kilometres north of Nhill Post Office.

**s52 Notice of application**

- (1) Unless the Responsible Authority requires the applicant to give notice, the Responsible Authority must give notice of an application in a prescribed form—
  - (a) to the owners (except persons entitled to be registered under the Transfer of Land Act 1958 as proprietor of an estate in fee simple) and occupiers of allotments or lots adjoining the land to which the application applies unless the Responsible Authority is satisfied that the grant of the permit would not cause material detriment to any person.

The application was not required to be publicly notified under the provisions of the Planning and Environment Act 1987, as it is considered the proposal will not cause material detriment to any adjoining landowner for the following reasons:

- Letters of support for the event from adjoining landowners have been provided with the application;
- The nearest dwelling is approximately 2.2 kilometres away; and
- The site is in a remote locality, with previous events enjoying considerable support in the past in the locality without incident.

**Referrals:**

External Referrals/Notices Required by the Planning Scheme:

Section 55 Referrals: Not required.

Section 52 Notices: Not required. The applicant sought advice from DELWP (Forest Fire Management Victoria) prior to lodging the application, who did not object to the proposal, but requested the following condition be placed on any permit issued: "Measures need to be in place to the satisfaction of DELWP to ensure that there is no use of public land during the event by event participants (e.g. flagging/bunting at any site where activities are within 50m of State Forest)".

**Internal Referrals:**

- Engineering: Not required.
- Environmental Health: Not required.
- Building: Not required.
- Economic Development and Tourism: Not required.

**Planning Assessment:**

Planning Scheme Requirements:

**Planning Policy Framework:**

Clause 11.01 Victoria

Clause 17 Economic Development

Clause 17.01 Employment

Clause 17.01-1S Diversified economy

Clause 17.01-1R Diversified economy - Wimmera Southern Mallee

Clause 17.04 Tourism

Clause 17.04-1S Facilitating tourism

Clause 17.04-1R Tourism - Wimmera Southern Mallee

**Local Planning Policy Framework:**

Clause 21 - Municipal Strategic Statement

**Zoning Provisions:**

Clause 35.07 Farming Zone

**Overlay Provisions:**

Clause 44.06 Bushfire Management Overlay – does not impact on the proposal in this instance.

**Particular Provisions:**

None Applicable.

**General Provisions:**

Clause 65 - Decision Guidelines, states that:-

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

The decision guidelines relevant to this application are stated within Clause 65.01 of the Hindmarsh Planning Scheme – Approval of an application or plan.

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 adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.

It is considered that the application complies with the relevant decision guidelines as outlined. The proposal is supportive of, and complies with the Planning Policy Framework, having regard to the minimal impact the proposal will cause regarding appropriate use of land for agriculture.

**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):

### **Decision Guidelines**

#### **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.

Planning response:

The proposal is considered to meet the applicable decision guidelines as outlined above. The proposal is considered to support the State Planning Policy Framework, having particular regard to tourism in the area. The event will act as a significant attractor of tourism to the locality, and has enjoyed significant support in the past at other locations. Furthermore, the event will not impose any undue strain on infrastructure in the area, nor has done so in the past.

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.

Planning response:

The proposal is considered to meet the applicable decision guidelines with regard to agricultural considerations outlined above due to the temporary nature of the proposed event. The event will have little impact upon the continued agricultural viability of the subject land and surrounds.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.

- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

**Planning Response:**

The proposed event will not negatively impact on the natural physical features and resources of the area. No negative impact on the flora and fauna on the site and its surrounds will occur as no native vegetation is proposed to be removed. The biodiversity of the area, inclusive of the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area has been considered within this application, with no negative impacts to occur as no works are to be undertaken.

**Strategic, Statutory and Procedural Requirements:**

The proposal is consistent with the 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 26 April 2019. The report is being presented to Council at its meeting on 26 June 2019 (61 statutory days). The statutory processing time requirements of the Planning and Environment Act 1987 have not been satisfied in this instance.

**Conflict of Interest:**

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

Officer Responsible: Janette Fritsch, Acting Director Infrastructure Services  
In providing this advice as the Officer Responsible, I have no interests to disclose.

Author: Andre Dalton, Coordinator Planning and Development  
In providing this advice as the Author, I have no interests to disclose.

**RECOMMENDATION:**

***That Council approves planning application PA1628-2019 for the use of land for a place of assembly (one event only) - Nhill Pony Express Motocross Event 2019, on CA 126***

**and CA 127 Psh Warraquil (1191 Perenna Rd Netherby), subject to the following conditions:**

**Endorsed Plans**

- 1. 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 written consent of the Responsible Authority.**

**Amenity**

- 2. 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;**
  - (e) others as appropriate.**
- 3. The site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area.**
- 4. All loading and unloading of vehicles and delivery of goods to and from the premises must occur on site.**

**Access**

- 5. Access to the event must be via private driveway over the subject land to the west of Perenna Road.**

**Site reinstatement**

- 6. The permit holder is to ensure the subject land and environs are reinstated to an equivalent condition as existed prior to the event being conducted to the satisfaction of the Responsible Authority.**

**Department of Environment, Land, Water, and Planning**

- 7. Measures need to be in place to the satisfaction of DELWP to ensure that there is no use of public land during the event by event participants (e.g. flagging/bunting at any site where activities are within 50m of State Forest).**



***Permit Lapse/ Extension***

- 8. Except with the written consent of the Responsible Authority, the use of the land for the purpose of a place of assembly must cease at 6pm on the 14 July 2019.***

*Attachment: 4*

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## 11. REPORTS REQUIRING A DECISION

### 11.1 ADOPTION OF ANNUAL BUDGET 2019/20

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

**Attachments:** 5, 6 & 7

#### **Introduction:**

This report presents the proposed 2019/20 Annual Budget for further consideration, consider submissions received and recommendation to adopt the 2019/20 Budget.

#### **Discussion:**

Council is required under section 127 of the Local Government Act 1989 to prepare and release a draft budget for public comment. Council must ensure that the budget contains:

- (a) financial statements in the form and containing the information required by the regulations;
- (b) a description of the services and initiatives to be funded in the budget;
- (c) a statement as to how the services and initiatives described under paragraph (b) will contribute to achieving the strategic objectives specified in the Council Plan;
- (d) Major Initiatives, being initiatives identified by the Council as priorities, to be undertaken during the financial year;
  - (da) for services to be funded in the budget, the prescribed indicators of service performance that are required to be reported against in the performance statement under section 131;
  - (db) the prescribed measures relating to those indicators;
- (e) any other information required by the regulations.

The Council must ensure that the budget also contains—

- (a) the information the Council is required to declare under section 158(1);
- (b) if the Council intends to declare a differential rate under section 161, the information listed in section 161(2);
- (c) if the Council intends to declare a differential rate under section 161A, the information listed in section 161(2).

The 2019/20 budget document reflects the requirements of the Local Government Performance Reporting Framework and revised Local Government Planning and Reporting Regulations (LGPRF). The 2019/20 Budget has been developed in consideration of the Institute of Chartered Accountants' Victorian City Council Model Budget 2019/20. It replicated the format of the four Key Result Areas used in the Council Plan, namely:

- Community Liveability;
- Built and Natural Environment;
- Competitive and Innovative Economy; and
- Our People, Our Processes.

At its meeting on 22 May 2019 Council resolved to formally prepare and advertise the draft

Budget for 2019/20 pursuant to Section 127 of the Local Government Act 1989 (the Act) and called for written submissions pursuant to sections 129 and 223 of the Local Government Act 1989. An advertisement was placed in the Wimmera Mail Times on Friday 24 May 2019, Dimboola Banner on Wednesday 29 May 2019, Nhill Free Press on Wednesday 29 May 2019 and Rainbow Jeparit Argus on Thursday 30 May 2019. The preparation of the budget was promoted on Councils Facebook page and website from 23 May 2019.

The 2019/20 Budget provides for a broad range of services, programs and infrastructure projects and is a reflection of the strategic direction that Council has adopted through the Council Plan. It has been developed through a rigorous process of consultation and review with officers, senior management and Council.

### **Submissions**

Written submissions in relation to the 2019/20 budget closed on 19 June 2019.

At the time of closing, two submissions were received in relation to the 2019/20 budget.

Submission one was received from Nhill Tourism Business Group in relation to Pictorial Tourism Signage at Nhill Entrance. The submission requests Council consider placing three signs at the east entry into Nhill, and three at the west, providing visitors with a glimpse of the attractions on offer. The submission estimates the investment would be less than \$10,000 for six signs.

Submission two was received from Ron Hier, Chairperson Nhill Convention Committee. The submission requests Council provide funding to support the 2019 Lions Convention to be held in Nhill. The submission provides detailed financial expenditure expected to be incurred by the Nhill Lions Club, and requirement to raise \$15,000 through Grants / Sponsorship for the event

### **Rates and Charges**

The rates and charges calculated for 2019/20 are based on revaluation figures as at 1 January 2019. The Rating Strategy includes differentials for farms and commercial/industrial properties (10 percent discount), recreational properties (50 percent discount), and non-farm vacant land (100 percent penalty).

This is the fourth year of rate capping. For 2019/20 the rates cap has been set at 2.5%. For the 2019/20 year it is proposed that general rates and municipal charge increase by 2.5% in line with the Essential Services Commission (ESC) calculation method, which applies the increase to the average rates payable per assessment. The proposed kerbside collection charge will remain at \$351 for 2019/20. Council has also introduced a general waste charge in 2018/19 to cover waste costs not covered by collection / recycling. For 2019/20, the general waste charge will remain at \$9, payable using the same criteria as the municipal charge. For 2019/20 the proposed total rates and charges are \$8.81 million. These rates and charges will go toward maintaining service levels and delivering on capital works programs. General rates and charges for 2019/20 represent 46% of Hindmarsh Shire's income.

The following table summarises the rates to be determined for the 2019/20 year. A more detailed analysis of the rates to be raised is contained in the budget document, Appendix B

‘Statutory Disclosures’.

Type or class of land		Budget 2018/19 cents/\$CIV	Budget 2019/20 cents/\$CIV	Change
Residential	Cents/\$ CIV	0.53186	0.52420	-1.4%
Farm Land	Cents/\$ CIV	0.47867	0.47178	-1.4%
Business, Industrial & Commercial Land	Cents/\$ CIV	0.47867	0.47148	-1.4%
Recreational and Cultural Land	Cents/\$ CIV	0.26593	0.26210	-1.4%
Urban Vacant Land	Cents/\$ CIV	1.06372	1.04840	-1.4%
Municipal charge	\$/ property	\$199	\$200	0.5%
Kerbside waste / recycling collection charge	\$/ property	\$351	\$351	0.0%
General waste charge	\$/ property	\$9	\$9	0.0%

Under section 11(a) of the Valuation of Land Act 1960 Council are required to make a general valuation of rateable land within an area as at 1 January each calendar year. The previous valuation for the Shire was 1 January 2018.

Council’s property valuations are undertaken by the Valuer General who has subcontracted the services to Preston Rowe Patterson (PRP). PRP has officially returned the final revaluation data for use in Council’s 2019/20 rating period.

The valuation report was sent to the Valuer General. At the time of writing this report Council had not yet received declaration from the Minister.

Council must adopt the 2019 General Revaluation of all rateable properties within the Shire. The general revaluation has been completed in accordance with section 13DC(1) of the Valuation of Land Act 1960.

Valuations for rateable properties within Hindmarsh Shire Council have increased / decreased as follows:

- Residential 0.47% increase
- Commercial / Industrial 1.26% decrease
- Rural 5.26% increase
- Urban Vacant Land 4.28% increase

While Council proposes a rate increase that is in line with the 2.5% cap, as Council rates are based on property valuations, revaluation will mean the actual rate increases experienced by

individual ratepayers will differ.

A revaluation means rates increases are impacted by the average rate increase (2.5%) and the property valuation increases of individual properties relative to the average across the municipality. If properties increase by more in value than the Hindmarsh average, rates will increase by more than 2.5%, while properties with values increasing by less than the average will experience a rates increase of less than 2.5% or even a reduction from the previous year. Rates notices will be issued in August 2019, reflecting the change in property values. Rate payers who feel their property has been incorrectly valued are able to lodge objections within two months after the issues of the rates notice. Objections are considered by PRP.

### **Key Initiatives**

The key initiatives for the 2019/20 financial year are outlined below. Further details are included in the relevant sections of the budget document.

### **Community Infrastructure**

- A sum of \$100,000 has been allocated towards the facilities at Davis Park Nhill, this can be added to in future years and allows Council the opportunity to take advantage of any funding opportunities that arise throughout the year.
- \$45,000 in recurrent and \$55,000 in capital as seed funding for grant opportunities arising during the year.
- \$5,000 contribution to the installation of heating and cooling in the Rainbow Civic Centre Hall. This is a project fundraised by the community groups using the facility.
- \$5,000 assistance grant allocation to assist public halls throughout the Shire that are not owned by Council.

### **Tourism Development**

- \$10,000 to support the Rainbow Desert Enduro in August 2019.
- \$10,000 to support the Nhill Aviation Heritage Centre Nhill Airshow in November 2019.
- \$5,000 to support the Dimboola Ski Club Barefoot Championships event on the Wimmera River at Dimboola in March 2020.
- \$3,000 to support the Human Powered Vehicle event to be held at the Dimboola Recreation Reserve in July 2019.
- Redevelopment of Hindmarsh Tourism Brochures \$10,000.

### **Economic Development:**

- Business Assistance Grants. The Business Assistance Grants Program (BAGP) aims to support local businesses expanding their operations or new businesses, large and small, to establish in the Shire. It will provide assistance to offset costs associated with expanding or establishing a business in Hindmarsh Shire. \$20,000 has been included in the 2019/20 budget for this project.

### **Empowered Communities**

- \$7,500 to each of the Shire's four Town Committees. This funding can be used as seed funding for grants that will fund works important to the community in each town.

In its fourth year, this funding has enabled some fantastic projects in our towns since its inception.

- Hindmarsh Youth Council funding of \$10,000 to allow this successful initiative to continue.
- \$30,000 to its Community Action Grants which will enable community groups to apply for funding for events, minor facility upgrades, small equipment and community assistance.

### **Infrastructure**

- \$400,000 towards the upgrade of the Dimboola Library to a multi-function community hub. Along with a further \$195,000 for the upgrade of facilities to house library services in both Jeparit and Rainbow.
- Local Roads: Block 40 Road, Broughton \$144,954; Antwerp-Woorak Road \$485,818; Netherby-Baker Road \$155,052, Rainbow-Nhill Road \$2,251,796 and Winiam East Road \$233,504 will be reconstructed in 2019/20.
- Unsealed road resheet projects: Bothe Road, Pigick-Pella Road, Geodetic Road, Greig/McKenzie Road and Boundary road (in collaboration with West Wimmera Shire), totalling more than \$413,000.
- Sealed Pavement Shoulder Resheet: In 2019/20 Council will be undertaking 2 sealed pavement shoulder resheets on Block 40 Road, and Kurnbrunin Road at just over \$168,000.
- Council will be undertaking 13 reseal and final seal projects in 2019/20, totalling more than \$780,000. These projects include Victoria, and Wimmera Streets, and Horsham Road in Dimboola, George, and Farmers Street in Nhill, Lorquon East Road, Rainbow-Nhill Road, Block 40 Road, Broughton Kaniva Road, Coker Dam Road, and Pullet East Road.
- Kerb and Channel will be constructed in Charles Street Jeparit, costing approximately \$235,000.
- Wimmera River Discovery Trail incorporating visitor nodes at both Dimboola and Jeparit will be constructed at a total cost of \$1,200,000. Funding for this project was received by the Federal (\$600,000) and State (\$400,000) Governments, and Council (\$200,000).

Council's budget balances the need to maintain our existing infrastructure, particularly our extensive road network, whilst funding new projects that improve the liveability of our Shire and build a strong future.

### **Changes**

Following the draft budget being adopted Council received notification from the Victorian Grants Commission (VGC) that the 2019/20 grant will be \$3,156,481 for general purpose, \$33,507 for Natural Disaster Assistance and \$1,708,873 for local roads. Council was also notified in June 2019 that 50% of the VGC grant will be paid in 2018/19. The budget, including financial statements, has been amended to reflect the increase in grant funding and the early payment.

The increase in VGC grant has allowed Council to include projects that were not able to be funded in the draft budget. The following amendments have been made to the draft budget to reflect the increase in funding.

Additional VGC income								\$ 488,946	
Remove Antwerp Warracknabeal Road reseal								\$ 46,409	
									\$ 535,355
Increased expenditure									
								\$ 100,000	
								\$ 90,000	
								\$ 65,000	
								\$ 20,000	
								\$ 30,000	
								\$ 30,000	
								\$ 200,000	
								\$535,000	
									\$355

**Options:**

Council has worked through an extensive process and provided opportunity for the community to comment as part of developing the Budget 2019/20.

Having prepared the proposed budget and received written submissions from the community Council must now adopt the Budget for 2019/20.

**Link to Council Plan:**

The Annual Budget provides the funding for Council to undertake its initiatives and activities proposed in the Council Plan’s four key result areas. Each program in the Budget contains a statement about how the program will contribute to the initiatives and strategies detailed in the Council Plan 2017-2021.

**Financial Implications:**

The 2019/20 Budget is consistent with the parameters set out in Council’s ten-year financial plan.

**Risk Management Implications:**

The preparation of the Budget is a statutory requirement.

**Conflict of Interest:**

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

Author & Officer Responsible: Monica Revell, Director Corporate & Community Services  
In providing this advice as the Author and Officer Responsible, I have no interests to disclose.

**Communications Strategy:**

Council must give notice of the adoption of the Budget 2019/20 under section 125 LGA. A public notice will be inserted in the Wimmera Mail Times, Dimboola Banner, Dimboola Courier, Rainbow Jeparit Argus and Nhill Free Press advising of the adoption of the Budget 2019/20.

Copies of the adopted Budget will be placed on Council's website and hard copies will be made available from Hindmarsh Shire Council Customer Service Centres.

A copy of the Budget 2019/20 will be sent to the Minister for Local Government.

**RECOMMENDATION:**

**1. ADOPTION OF THE 2019/20 BUDGET**

- 1.1 That Council pursuant to Sections 127, 129, 130 and 223 of the Local Government Act 1989 ('the Act') and noting written submissions received relating to the 2019/20 Municipal Budget ('the Budget'), now adopt the Budget for the financial year, being for the period 1 July 2019 to 30 June 2020 ('the Financial Year') attached as Appendix 1 and annexed to the recommendation and initialled by the Mayor and Chief Executive Officer for identification;**
- 1.2 That the Chief Executive Officer be authorised to give public notice of this decision to adopt the Budget, in accordance with Section 130(2) of the Act;**
- 1.3 That a copy of the adopted Budget be forwarded to the Minister for Local Government before 30 June 2019, in accordance with Section 130(4) of the Act;**
- 1.4 That a copy of the adopted Budget be kept available at the Hindmarsh Shire Council offices and customer service centres for public inspection in accordance with Section 130(9) of the Act.**

**2. AMOUNT INTENDED TO BE RAISED**

**That an amount of \$8,817,348 be declared as the amount which Council intends to raise by general rates by the application of differential rates, the annual service charge (kerbside waste / recycling collection charge and General waste charge) municipal charge (all described later in this Recommendation), and Windfarms in lieu of rates, which amount is calculated as follows:**

<b>General rates</b>	<b>\$7,011,913</b>
<b>Municipal charge</b>	<b>\$746,400</b>
<b>Kerbside waste / recycling collection charge</b>	<b>\$933,710</b>
<b>General waste charge</b>	<b>\$33,588</b>
<b>Windfarms in lieu of rates</b>	<b>\$91,737</b>
<b>Total</b>	<b>\$8,817,348</b>

**3. GENERAL RATES**



- 3.1 *That a general rate be declared in respect of the Financial Year, being for the period 1 July 2019 to 30 June 2020;*
- 3.2 *That it be further declared pursuant to Sections 158, 158A and 161 of the Act that the general rate be raised by the application of differential rates having regard to the objectives of each differential rate and characteristics of the land which are the criteria for declaring each differential rate as set out in Appendix B of the Budget 2019/20;*
- 3.3 *That it be confirmed that the differential rates for all rateable land within the municipal district be determined by multiplying “Capital Improved Value” of each rateable land by a percentage specified as the percentage of each uniform rate (which percent may be alternatively expressed as cents in the dollar of the Capital Improved Value):*

<i>Type of Rate</i>	<i>Rate in Dollar on Capital Improved Value Cents/\$CIV</i>
<i>Residential Land</i>	<i>0.52420</i>
<i>Farm Land</i>	<i>0.47178</i>
<i>Business, Industrial &amp; Commercial Land</i>	<i>0.47178</i>
<i>Recreational and Cultural Land</i>	<i>0.26210</i>
<i>Urban Vacant Land</i>	<i>1.04840</i>

- 3.4 *That Council adopts the return of the revaluation of all properties within the Hindmarsh Shire as at 1 January 2019 from the Valuer General.*

**4. MUNICIPAL CHARGE**

- 4.1 *That pursuant to Section 189 of the Act, a Municipal Charge be declared for the period commencing on 1 July 2019 and ending on 30 June 2020;*
- 4.2 *The municipal charge be declared for the purpose of covering some of the administrative costs of Council;*
- 4.3 *The Municipal Charge be in the sum of \$200.00 for each rateable land within the municipal district in respect of which a municipal charge may be levied.*

**5. ANNUAL SERVICE CHARGE (KERBSIDE COLLECTION / RECYCLING CHARGE AND GENERAL WASTE CHARGE)**

- 5.1 *That, pursuant to Section 162(1)(b) and Section 221(1)(b) of the Act, an Annual Service Charge be declared for the period commencing on 1 July 2019 and ending on 30 June 2020;*
- 5.2 *That the Annual Service Charge be made for the collection and disposal of refuse and that this Charge be referred to as the “Kerbside waste / recycling collection charge”.*
- 5.3 *That the Annual Service Charge for “Kerbside waste / recycling collection charge” be in the sum of \$351.00 for each rateable land within the municipal district in respect of which service charges may be levied and where the services listed in 5.2 above are available.*

**5.4 That the Annual Service Charge be made for the collection and disposal of refuse and that this Charge be referred to as the “General waste charge”.**

**5.5 That the Annual Service Charge for “General waste charge” be in the sum of \$9.00 for each rateable land within the municipal district of which a general waste charge may be levied.**

**6. INTEREST ON UNPAID RATES AND CHARGES**

**That interest at the rate prescribed by Section 172(2)(a) of the Act be payable in respect of any of the aforesaid rates and charges which are not paid by the dates fixed pursuant to Section 167(2) of the Act by the date specified for their payment.**

**7. AUTHORISATION TO LEVY AND RECOVER**

**That the Chief Executive Officer be authorised to levy and recover the aforesaid rates and charges in accordance with the Act.**

**8. SUBMISSIONS**

**That having considered all submissions received, Council notify in writing, each person who has made a separate submission, of the decision and the reasons for that decision, section 223 of the Act, the reason being that Council believes the budget as adopted achieves the objectives of Council as determined by Section 3C of the Act and the role of Council as determined by Section 3D of the Act.**

**9. AMENDMENTS**

**That changes to the 2019/20 budget be altered to:**

*Attachments: 5, 6 & 7*

## 11.2 COUNCIL PLAN 2017-2021 ANNUAL REVIEW & STRATEGIC RESOURCE PLAN 2020-2023

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

**Attachment:** 9

### **Introduction:**

This report presents the revised Council Plan 2017-2021, including the Strategic Resource Plan 2020-2023 for adoption following the period for public comment.

### **Discussion:**

Section 125 of the Local Government Act 1989 (LGA) provides that a Council must prepare and approve a Council Plan within six months after a general election or by the next 30 June, whichever is the later. Council adopted its 2017-2021 Council Plan at its meeting held on 23 August 2017.

Section 125 of the LGA provides that at least once each financial year Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Plan.

The Council Plan is the key document that drives the direction of the Council and is a requirement of the LGA. It must include, s125 (2)

- a. The strategic objectives of Council;
- b. The strategies for achieving the objectives for at least the next four years;
- c. Strategic indicators for monitoring the achievements of the objectives;
- d. A Strategic Resource Plan; and
- e. Any other matters prescribed by the regulations.

The Strategic Resource Plan details the resources required to achieve the strategic objectives. It must include in respect of at least the next four financial years

- a. Financial statements;
- b. Statements describing the required non-financial resources, including human resources;

A Council must review the Strategic Resource Plan during the preparation of the Council Plan; and adopt the Strategic Resource Plan no later than 30 June each year. A copy of the current Strategic Resources Plan must be available for inspection by the public at the Council office and any district offices and any other place required by the regulations. In addition, a Council must ensure that the current Strategic Resource Plan is published on the Council's internet website.

Since the adoption of the Council Plan in August 2017, 25 of the 78 objectives have been completed. Of the 53 objectives remaining 29 will be ongoing. There has been delays due to funding or staff absences of 10 objectives, 14 to be completed in the remaining term of the plan.

Council released the Council Plan 2017-2021 incorporating the strategic resources plan 2020-2023 for the statutory 28 day public review period between 22 May 2019 and 19 June 2019.

Minor changes have been made to the Strategic Resources Plan 2020-2023 to reflect the changes in the 2019/20 budget.

No submissions were received in relation to the Council Plan 2017-2021 incorporating the strategic resources plan 2020-2023.

**Options:**

Council can:

1. Adopt revised Council Plan 2017-2021, including the Strategic Resource Plan 2020-2023, as per the draft advertised.
2. Further amend the Council Plan 2017-2021, including the Strategic Resource Plan 2020-2023, and adopt the amended.

**Link to Council Plan:**

Compliance with the requirements to prepare and review the Council Plan is an important aspect of Good Governance and Leadership.

**Financial Implications:**

A Strategic Resource Plan is prepared as part of the Council Plan preparation process. It outlines the financial and other resources required to complement the objectives, and strategies for achieving them, within the Council Plan.

**Risk Management Implications:**

The preparation of the Council Plan is a statutory requirement.

**Conflict of Interest:**

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

Author and Officer Responsible: Monica Revell, Director Corporate and Community Services  
In providing this advice as the Author and Officer Responsible, I have no interests to disclose.

**Communications Strategy:**

Council must give notice of the adoption of the Council Plan 2017-2021, including the Strategic Resource Plan 2020-2023 under section 125 of the Local Government Act. A public notice will be inserted in the Wimmera Mail Times, Dimboola Banner, Nhill Free Press and Rainbow Argus advising of the adoption of the Council Plan 2017-2021, including the Strategic Resource Plan 2020-2023.

Copies of the adopted Plan will be available at each Hindmarsh Shire Customer Service Centre and on Council's website.

A copy of the Plan will be sent to the Minister for Local Government.

**RECOMMENDATION:**

***That Council:***

- 1. Notes that no submissions were received, in accordance with section 223 of the Local Government Act 1989 ('the Act') on the revised Council Plan 2017-2021, including the Strategic Resource Plan 2020-2023.***
- 2. Adopts the revised Hindmarsh Shire Council Plan 2017-2021, including the Strategic Resources Plan 2020-2023.***
- 3. That a copy of the adopted Plan be forwarded to the Minister for Local Government before 30 June 2019.***

*Attachment: 9*

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### 11.3 OVERDRAFT & USE OF COMMON SEAL

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

**Introduction:**

The purpose of this report is to seek Council approval to sign the Deed of Charge required to execute the application for an overdraft on Council's Municipal Bank Account and pass a resolution giving the Chief Executive Officer general authority to affix the Common Seal to any document.

**Discussion:**

At the Council meeting held on Wednesday 20 March 2019 Council resolved to delegate to the Chief Executive Officer the authority to establish an overdraft on Council's Municipal Bank Account to the value of \$2M.

Legal documents have been prepared by National Australia Bank that require the Council seal and signatures by the Chief Executive Officer and one Councillor.

Upon signing the original documents will be returned to National Australia Bank to allow for finalisation of the overdraft.

To reduce the requirement for a Council resolution each time the use of the Common Seal is required officers recommend Council pass a resolution giving the Chief Executive Officer general authority to affix the Common Seal to any document as the Chief Executive Officer deems appropriate.

**Options:**

1. Council can sign the Deed of Charge under the Council seal.
2. Council can choose not to sign the Deed of Charge under the Council seal and not establish an overdraft facility.

**Link to Council Plan:**

Strategic Objective 4.1: Long-term financial sustainability.

**Financial Implications:**

Establishment of the overdraft will attract a one off set up fee of \$550 plus \$115 registration fee. Interest is only payable when the account is overdrawn.

**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.

Author & Officer Responsible: Monica Revell, Director Corporate & Community Services  
In providing this advice as the Author & Officer Responsible, I have no interests to disclose.

**Communications Strategy:**

Original signed documents will be sent to the National Australia Bank.

**RECOMMENDATION:**

***That Council***

- 1. authorise the CEO and one Councillor to sign the National Australia Bank Deed of Charge under the Council seal, and***
  - 2. pursuant to clause 98(2) of Council's Local Law No. 1 of 2014 – Meeting Procedure and Common Seal Local Law, Council gives the Chief Executive Officer general authority to affix the Common Seal to any document as the Chief Executive Officer deems appropriate.***
-

#### 11.4 NEW DIMBOOLA PUBLIC AMENITIES – EXPRESSION OF INTEREST

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

**Attachment:** 10

**Introduction:**

This report seeks support from Council to endorse the release of an Expression of Interest process for the design, supply and construction of new public amenities in Dimboola.

This report also seeks support from Council to approve an amendment to Council's Procurement Policy in relation to Expression of Interest processes.

**Discussion:**

In early March 2019, Council was advised that it would receive funds of \$600,000 through the Building Better Regions Fund Round 3 for the Wimmera River Discovery Trail.

On 6 March 2019, this funding was formally announced by Senator Bridget McKenzie and that it would be matched with \$400,000 from the Victorian Government and \$200,000 from Council.

A crucial component of the Wimmera River Discovery Trail is to establish Visitor Nodes in Dimboola and Jeparit, the Dimboola Visitor Node will be established at the rear of the new Dimboola Library. With construction of the new library beginning in the near future, the existing public toilets will be demolished which will necessitate the need to construct new public amenities.

The new public amenities will be fully compliant with appropriate DDA and Australian Standards and will include unisex cubicles, unisex ambulant toilet cubicles, unisex all-abilities toilet and shower, unisex showers and an undercover bicycle storage area.

The funds for construction of the new public amenities facility will be sourced from the Wimmera River Discovery Trail project.

As there are a several solutions available for new public amenities, this report seeks support from Council to undertake an Expression of Interest process to gain a more detailed understanding of the supplier market and range of solutions that may be available. This EOI process may be the first stage of a multi-stage procurement process which will require the evaluation of all responses to determine the next level of action.

In addition, Council seeks support from Council to amend the Hindmarsh Shire Council Procurement Policy which was last amended on 15 August 2018.

Currently Expressions of Interest is listed in Appendix A - Definitions and Abbreviations as follows:



### Expression of Interest (EOI)

An invitation for persons to submit an EOI for the provision of Goods and /or Services generally set out in the overview of requirements contained in the document. This invitation is not an offer or a contract.

In order to strengthen Council's understanding and implementation processes of utilising Expressions of Interest it is proposed that the following be included in Council's Procurement Policy.

## Section - 2.3 Procurement Processes and Thresholds

### 2.3.1 Process

- Expression of Interest

An Expression of Interest (EOI) is an invitation process involving the marketplace, to provide information to Council, where Council wishes to consider ahead of formal tender processes such issues as whether:

1. Those suppliers likely to tender possess the necessary technical, managerial and financial resources to successfully complete the project; the requirement is complex, difficult to define, unknown or unclear.
2. The requirement is capable of several technical solutions;
3. Tendering costs are likely to be high and Council seeks to ensure that companies incapable of supplying the requirement don't incur unnecessary expense;
4. It is necessary to pre-qualify suppliers and goods to meet defined standards; or
5. The requirement is generally known but here is still considerable analyses, evaluation and clarification required (both of the objective and solution).

This process may in turn lead to a request for tender or request for quotation process, or directly to a negotiation with one or several preferred suppliers.

The actual EOI is submitted from the marketplace to Council in response to the EOI invitation.

The key document involved in an EOI process is the scoping document. This scoping document outlines the type of information Council is seeking and must be:

- In writing
- Clear and unambiguous
- Prepared by persons (staff or third party) with sufficient expertise to prepare the scoping specifications, and
- Address evaluation criteria that may be used should a formal request for quotation or request for tender follow the initial EOI.

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

Strategic Objective 1.1: An actively engaged community.

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

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**

Funding for the design, supply and construction of the new Dimboola public amenities will be within the available budget.

### **Risk Management Implications**

There are no risk management implications.

### **Conflict of Interest:**

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

Author: Phil King, Economic and Community Development Manager

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

Officer Responsible: Monica Revell, Director Corporate & Community Services

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

### **Communications Strategy:**

Appropriate communications will be made to stakeholders as soon as practical after the Council meeting via Council's website, advertisements and direct notification.

### **Options:**

1. Council can endorse the release of the Expression of Interest for the design, supply and construction of new Dimboola public amenities.
2. Council can decide to decline the release of the Expression of Interest process in favour of another option, eg Request for Quotation or Request for Tender.
3. Council can endorse the amendment to the Procurement Policy as detailed.
4. Council can decline to endorse and amend the Procurement Policy and seek other options.

### **RECOMMENDATION:**

#### ***That Council:***

1. ***Endorses the release of the Expression of Interest for the design, supply and construction of new Dimboola public amenities.***
2. ***Amend Council's Procurement Policy as follows to include Expression of Interest.***

#### **2.3.1 Process**

- ***Expression of Interest***

***An Expression of Interest (EOI) is an invitation process involving the marketplace, to provide information to Council, where Council wishes to consider ahead of formal tender processes such issues as whether:***

1. ***Those suppliers likely to tender possess the necessary technical, managerial and financial resources to successfully complete the project; the requirement is complex, difficult to define, unknown or unclear.***
2. ***The requirement is capable of several technical solutions;***
3. ***Tendering costs are likely to be high and Council seeks to ensure that companies incapable of supplying the requirement don't incur unnecessary expense;***
4. ***It is necessary to pre-qualify suppliers and goods to meet defined standards; or***
5. ***The requirement is generally known but here is still considerable analyses, evaluation and clarification required (both of the objective and solution).***

***This process may in turn lead to a request for tender or request for quotation process, or directly to a negotiation with one or several preferred suppliers.***

***The actual EOI is submitted from the marketplace to Council in response to the EOI invitation.***

***The key document involved in an EOI process is the scoping document. This scoping document outlines the type of information Council is seeking and must be:***

- ***In writing***
- ***Clear and unambiguous***
- ***Prepared by persons (staff or third party) with sufficient expertise to prepare the scoping specifications, and***
- ***Address evaluation criteria that may be used should a formal request for quotation or request for tender follow the initial EOI.***

***Attachment: 10***

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**12. SPECIAL COMMITTEES**

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**12.1 YURUNGA MANAGEMENT COMMITTEE**

**Responsible Officer:** Director Corporate and Community Services  
**Attachment:** 11

**Introduction:**

The Yurunga Management Committee held its meeting on 25 April 2019. The purpose of this report is to note the minutes from the 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 Management Committee meeting held on 25 April 2019.***

*Attachment: 11*

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**12.2 HINDMARSH YOUTH COUNCIL**

**Responsible Officer:** Director Corporate and Community Services  
**Attachments:** 12 & 13

**Introduction:**

The Hindmarsh Youth Council held its meetings on 29 April 2019 and 27 May 2019. The purpose of this report is to note the minutes from the meetings. A copy of the minutes is included as an attachment for the information of Council.

**RECOMMENDATION:**

***That Council notes the minutes of the Hindmarsh Youth Council meetings held on 29 April 2019 and 27 May 2019.***

*Attachments: 12 & 13*

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### 12.3 NHILL TOWN COMMITTEE

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

**Attachments:** 14

**Introduction:**

The Nhill Town Committee held its meetings on 20 May 2019. The purpose of this report is to note the minutes from the meeting. A copy of the minutes is included as an attachment for the information of Council.

**RECOMMENDATION:**

***That Council notes the minutes of the Nhill Town Committee meeting held on 20 May 2019.***

*Attachment: 14*

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### 12.4 RAINBOW TOWN COMMITTEE

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

**Attachment:** 15

**Introduction:**

The Rainbow Town Committee held its meeting on 27 May 2019. The purpose of this report is to note the minutes from the 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 held on 27 May 2019.***

*Attachment: 15*

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### 12.5 DIMBOOLA TOWN COMMITTEE

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

**Attachment:** 16

**Introduction:**

The Dimboola Town Committee held its meetings on 3 June 2019. The purpose of this report is to note the minutes from the meeting. A copy of the minutes is included as an attachment for the information of Council.

Under the delegation set by Council, Dimboola Town Committee cannot enter into purchases

over \$2,000 without Council approval. At the meeting held on 10 April 2019 (item 12.4), Council resolved ***that Council approves expenditure of up to \$2,750 for an aluminium table and seating, and up to \$2,750 for Christmas decorations.*** As the quotation amount for the table and seating is higher than the amount approved, the Dimboola Town Committee seek further approval for the quoted price of \$3,096.50 for purchase of Lismore table setting.

**RECOMMENDATION:**

***That Council notes the minutes of the Dimboola Town Committee meeting held on 3 June 2019, and approves expenditure of up to \$3,096.50 for purchase of Lismore aluminium table and seating.***

*Attachment: 16*

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**13. LATE REPORTS**

No report.

**14. OTHER BUSINESS**

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**15. CONFIDENTIAL REPORTS**

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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:***

- 15.1 Request for Quote - Award for Purchase of One (1) Culvert Truck with Crane and Tipping Body***
  - 15.2 Request for Quote - Award for Purchase of One (1) 3-Axle Truck with Tipping Body and Two (2) 4-Axle Trailers with Tipping Bodies***
  - 15.3 Contract 2018-19-19 Provision of Resources to Extract Quarry Materials and Associated Services at Council Quarries***
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**16. MEETING CLOSE**

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