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**MINUTES OF THE COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL HELD  
24 JULY 2019 AT THE COUNCIL CHAMBERS, 92 NELSON STREET NHILL  
COMMENCING AT 3:00PM.**

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**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. Correspondence**

**8. Assembly of Councillors**

8.1 Record of Assembly

**9. Planning Permit Reports**

9.1 Vicsmart Planning Permits – Quarterly Report

**10. Reports Requiring a Decision**

- 10.1 Domestic Animal Management Plan 2017-2021 Annual Review
- 10.2 Financial Hardship Policy
- 10.3 Volunteer Policy
- 10.4 Financial Report for the Period Ending 30 June 2019
- 10.5 Councillor Expense Entitlements Policy

**11. Special Committees**

- 11.1 Wimmera Mallee Pioneer Museum Committee
- 11.2 Nhill Town Committee
- 11.3 Rainbow Town Committee

**12. Late Reports**

No reports

**13. Other Business**

**14. Confidential Matters**

**15. Meeting Close**

**Present:**

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

**Apologies:**

**In Attendance:**

Mr Greg Wood (Chief Executive Officer), Ms Monica Revell (Director Corporate and Community Services), Ms Angela Hoy (Director Infrastructure Services), Ms Sarah Dickinson (Executive Assistant), Ms Janelle Reichelt (Manager Finance and Customer Services) (Items 10.1 to 10.4)

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

Cr R 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 10 July 2019 at the Council Chambers, 92 Nelson Street, Nhill as circulated to Councillors be taken as read and confirmed.***

**MOVED: Crs R Gersch/D Nelson**

***That the Minutes of the Ordinary Council Meeting held on Wednesday 10 July 2019 at the Council Chambers, 92 Nelson Street, Nhill 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.

None declared.

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**5. PUBLIC QUESTION TIME**

No public in attendance.

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**6. DEPUTATIONS**

No deputations.

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**7. CORRESPONDENCE**

**7.1 GENERAL CORRESPONDENCE**

**Responsible Officer:** Chief Executive Officer

No correspondence.

***MOVED: Crs D Nelson/T Schneider***

***That Council writes to the new lease operators of the Little Desert Nature Lodge and Mr Le congratulating them on the opening of their new businesses and also write to Mr Will Schilling congratulating him on his success in shearing.***

**CARRIED**

**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 accepts the Assembly of Councillors Records as presented.

**RECOMMENDATION:**

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

**MOVED: Crs T Schneider/R Lowe**

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

**CARRIED**

*Attachment: 2*

**9. PLANNING PERMITS**

**9.1 VICSMART PLANNING PERMITS – QUARTERLY REPORT**

**Responsible Officer:** Director Infrastructure Services

**Introduction:**

This report is presented to Council to inform Council, and provide an update on VicSmart permits processed by Council for the period 01 April 2019 – 30 June 2019.

**Discussion:**

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

Key features of VicSmart include:-

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

The table below indicates the status of VicSmart permit applications within this period.

Permit No.	Address	Proposal	Date Lodged	Date Approved	Statutory Days	Comments
VS1630-2019	95 Lloyd Street Dimboola	Mural	29 May 2019	05 June 2019	6	None

**Options**

N/A

**Link to Council Plan:**

Strategic Objective 1.1 - An actively engaged 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.

Strategic Objective 4.2 - Quality customer services.

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

**Financial Implications:**

Fees associated with planning permit applications and amendments are set by the State in accordance with the Planning and Environment (Fees) Regulations 2016. These fees are

currently being applied to all applications received by Council. It is therefore considered that the VicSmart process does not have any financial implications for Council.

**Risk Management Implications:**

Risk is managed appropriately by adhering to the VicSmart process.

**Conflict of Interest:**

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

Author – Andre Dalton, Coordinator Planning & Development

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

Officer Responsible – Angela Hoy, Director Infrastructure Services

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

**Communications Strategy:**

Nil

**Next Steps:**

Next Quarterly Report to be provided 2 October 2019.

***RECOMMENDATION:***

***That Council notes this report.***

***MOVED: Crs T Schneider/R Gersch***

***That Council notes this report.***

***CARRIED***

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## 10. REPORTS REQUIRING A DECISION

### 10.1 DOMESTIC ANIMAL MANAGEMENT PLAN 2017-2021 ANNUAL REVIEW

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

**Attachment:** 3

#### **Introduction:**

Council is required to review the Domestic Animal Management Plan on an annual basis and report on the performance measures against the identified actions in the current plan.

#### **Discussion:**

Under Section 68A of the *Domestic Animals Act* (1994), every Council in Victoria must prepare a Domestic Animal Management Plan every four years in consultation with the Secretary of the Department of Environmental and Primary Industries.

Council's Domestic Animal Management Plan 2017-2021 (the Plan) was adopted by Council on 25 October 2017. The purpose of the Plan is to provide Hindmarsh Shire Council with a strategic framework that delivers policy direction and action plans for animal management over a four year period.

Council is required to review the plan annually and publish a review on the performance measures against the actions under Section 68A(3). The list of activities in the current Plan and achievement to date has been updated and can be found in attachment 3.

#### **Options**

Council can review the current achievements contained within the plan.

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

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

#### **Financial Implications:**

There are no financial implications from the review of the Plan.

#### **Risk Management Implications:**

Management of risks will minimise Council's exposure to adverse financial impacts, improve effectiveness and generate efficiencies.

#### **Conflict of Interest:**

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

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



in this report.

**Communications Strategy:**

Under the Domestic Animals Act 1994, there is no requirement for the plan to be advertised for public comment following annual reviews.

**RECOMMENDATION:**

*That having reviewed the Domestic Animal Management Plan 2017-2021, notes the detailed outcomes achieved during 2018/2019 and makes no changes to the Plan.*

**MOVED: Crs R Gersch/R Lowe**

*That having reviewed the Domestic Animal Management Plan 2017-2021, notes the detailed outcomes achieved during 2018/2019 and makes no changes to the Plan.*

**CARRIED**

Attachment: 3

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## 10.2 FINANCIAL HARDSHIP POLICY

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

**Attachment:** 4

### **Introduction:**

This report seeks Council adoption of the updated Financial Hardship Policy following a review by Council officers.

### **Discussion:**

Section 171A of the *Local Government Act 1989* (Vic) provides the following:

- (1) A person who -
  - (a) is suffering financial hardship; or
  - (b) would suffer financial hardship if that person paid the full amount of a rate or charge for which he or she is liable—

may apply to a Council for the waiver of the whole or part of any rate or charge or of any interest imposed for late payment.

Council has had a Financial Hardship Policy since June 2016 to ensure that decisions pertaining to financial hardship applications are made fairly and consistently.

The update to this policy primarily consisted of:

- updating the policy format to be consistent with all other Council policies; and
- shifting the power of decisions relating to waiving or holding interest pertaining to rates owing from the Director Corporate Community Services to the Chief Executive Officer.

The process of the update to the policy involved the following:

- discussion with the Rates Coordinator as to what Council's current practice is with regard to Financial Hardship Applications;
- discussion with Director Corporate and Community Services as to what Council's current practice is with regard to Financial Hardship Applications;
- discussion with Chief Executive Officer as to what Council's current practice is with regard to Financial Hardship Applications;
- ensuring the Financial Hardship Policy was in line with the Local Government Act 1989 (Vic);
- drafting and updating the documents relation to the Financial Hardship Policy including the Financial Hardship Procedure and the Financial Hardship Application Form; and
- all documents presented and explained to the Senior Management Team.

### **Conclusion**

The update to the policy now reflects Council's current practice and is in line with Council's current policy format.

**Options:**

1. Council can choose to adopt the updated Financial Hardship Policy;
2. Council can choose to make amendments to the updated Financial Hardship Policy;  
or
3. Council can choose not to adopt the updated Financial Hardship Policy.

**Link to Council Plan:**

Strategic Objective 4.1: Long-term financial stability.

Strategic Objective 4.1.1: An equitable, efficient and transparent rating strategy.

**Financial Implications:**

A successful application for hardship will reduce Council rates and charges for the amount waived.

**Risk Management Implications:**

The Financial Hardship Policy allows Council to make objective, fair and consistent decisions relating to Financial Hardship Applications thus reducing the opportunity for reputational risk.

The Financial Hardship Policy imposes firm restrictions to reduce the likelihood of Council waiving rates in unnecessary circumstances and thus exposing itself to financial risk.

**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— Monica Revell, Director Corporate & Community Services

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

Author—Helen Thomson, Manager Governance and Human Services

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

**Communications Strategy:**

Council will post an updated Financial Hardship Policy on our website and ensure the Policy is circulated to all staff.

**RECOMMENDATION:**

***That Council adopts the updated Financial Hardship Policy.***

**MOVED: Crs R Lowe/T Schneider**

***That Council adopts the updated Financial Hardship Policy.***

**CARRIED**

*Attachment: 4*

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### 10.3 VOLUNTEER POLICY

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

**Attachment:** 5

**Introduction:**

This report seeks Council adoption of the updated Volunteer Policy following a review by Council officers.

**Discussion:**

Council Volunteers are an essential mechanism to enhancing the Hindmarsh Shire community. This policy aims to ensure that Council volunteers are appropriately inducted and managed, therefore servicing the community in a safe and positive way.

Council's volunteer policy was written for Council's Community Care department (previously Aged & Disability Services department). Following a review it was determined the policy should be Council wide.

The process of the update to the policy involved the following:

- Consulting the Hindmarsh Shire Council Plan 2017-2021 and identifying Council's approach to volunteers and ensuring the policy was consistent with what was identified in the Council Plan;
- Reviewing the current Aged and Disability Services Policy;
- Reviewing Council's responsibilities and obligations to Council Volunteers;
- Reviewing Council Volunteer's responsibilities and obligations when volunteering for Council; and
- Discussing new policy with Director Corporate and Community Services.

**Conclusion**

The updated policy is now in a more formal form and explicitly outlines the volunteer's responsibilities and Council's responsibilities relating to those volunteers.

The policy more clearly recognises the important role that volunteers play in the community.

**Options:**

1. Council can choose to adopt the Volunteer Policy;
2. Council can choose to make amendments to the Volunteer Policy; or

3. Council can choose not to adopt the Volunteer Policy.

**Link to Council Plan:**

Strategic Objective 1.1: An actively engaged community.

Strategic Objective 1.1.4: Support and celebrate volunteering and work collaboratively with volunteer groups.

**Financial Implications:**

No financial implications.

**Risk Management Implications:**

This policy will aim to ensure that both Council and Council volunteers are aware of their respective responsibilities and obligations.

**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— Monica Revell, Director Corporate & Community Services

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

Author—Helen Thomson, Manager Governance and Human Services

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

**Communications Strategy:**

Council will post an updated Volunteer Policy on our website and ensure the Policy is circulated to all staff.

Council will ensure the reviewed Volunteer Policy will be included in Council's Volunteer Handbook.

**RECOMMENDATION:**

***That Council adopts the updated Volunteer Policy.***

***MOVED: Crs D Colbert/T Schneider***

***That Council adopts the updated Volunteer Policy.***

**CARRIED**

*Attachment: 5*

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**10.4 FINANCIAL REPORT FOR THE PERIOD ENDING 30 JUNE 2019**

**Responsible Officer:** Director Corporate and Community Services  
**Attachment:** 6

**Introduction:**

The Financial Report for the fourth quarter of 2018/19 financial year has been prepared, including explanations of variances where applicable, and is presented for the information of Council.

***RECOMMENDATION:***

***That Council notes the Financial Report as presented.***

***MOVED: Crs R Gersch/T Schneider***

***That Council notes the Financial Report as presented.***

***CARRIED***

***Attachment: 6***

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## 10.5 COUNCILLOR EXPENSE ENTITLEMENTS POLICY

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

**Attachment:** 7

### **Introduction:**

This report seeks Council adoption of the updated Councillor Expense Entitlements Policy following a review by Council officers.

### **Discussion:**

It is important that Council ensures good governance processes exist within Council. Following the recent VAGO Fraud and Corruption – Local Government report Council officers undertook a review of the current Councillor Expense Entitlements Policy.

Following the review it was determined minor amendments were required to the policy.

The updates include:

- Clarification of the requirements for completing a travel claim form.
- Clarification regarding purchasing of alcohol.
- Reference to the Credit Card Policy
- Clarification regarding meals and refreshments when attending meetings and events on Council business.

### **Conclusion**

The updated policy ensures good governance for Councillors regarding expense entitlements.

### **Options:**

1. Council can choose to adopt the Councillor Expense Entitlements Policy;
2. Council can choose to make amendments to the Councillor Expense Entitlements Policy; or
3. Council can choose not to adopt the Councillor Expense Entitlements Policy.

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

Strategic Objective 4.1: Long-term financial stability.

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

### **Financial Implications:**

Council's 2019/2020 budget includes an allocation for Councillor expenses.

### **Risk Management Implications:**

The Councillor Expense Entitlements Policy provides Councillors with guidelines to understand the process for claiming expenses.

**Conflict of Interest:**

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

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

**Communications Strategy:**

Council will post an updated Councillor Expense Entitlements Policy on our website.

***RECOMMENDATION:***

***That Council adopts the updated Councillor Expense Entitlements Policy.***

***MOVED: Crs R Lowe/D Colbert***

***That Council adopts the updated Councillor Expense Entitlements Policy.***

***CARRIED***

***Attachment: 7***

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## 11. SPECIAL COMMITTEES

### 11.1 WIMMERA MALLEE PIONEER MUSEUM COMMITTEE

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

**Attachments:** 8 & 9

**Introduction:**

The Wimmera Mallee Pioneer Museum Committee held its meetings on 19 March 2019 and 16 April 2019. The purpose of this report is to note the minutes from the meetings. A copy of the minutes is included as attachments for the information of Council.

**RECOMMENDATION:**

***That Council notes the minutes of the Wimmera Mallee Pioneer Museum meetings held on 19 March 2019 and 16 April 2019.***

**MOVED: Crs T Schneider/R Lowe**

***That Council notes the minutes of the Wimmera Mallee Pioneer Museum meetings held on 19 March 2019 and 16 April 2019.***

**CARRIED**

*Attachments: 8 & 9*

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### 11.2 NHILL TOWN COMMITTEE

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

**Attachment:** 10

**Introduction:**

The Nhill Town Committee held its meetings on 21 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.

**RECOMMENDATION:**

***That Council notes the minutes of the Nhill Town Committee meeting held on 21 June 2019.***

**MOVED: Crs R Gersch/T Schneider**

***That Council notes the minutes of the Nhill Town Committee meeting held on 21 June***

**2019.**

**CARRIED**

*Attachment: 10*

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### **11.3 RAINBOW TOWN COMMITTEE**

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

**Attachment:** 11

**Introduction:**

The Rainbow Town Committee held its meeting on 24 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.

**RECOMMENDATION:**

***That Council notes the minutes of the Rainbow Town Committee meeting held on 24 June 2019.***

***MOVED: Crs R Lowe/R Gersch***

***That Council notes the minutes of the Rainbow Town Committee meeting held on 24 June 2019.***

**CARRIED**

*Attachment: 11*

<b>12. LATE REPORTS</b>
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No report.

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<b>13. OTHER BUSINESS</b>
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***MOVED: Crs T Schneider/R Gersch***

***That Council writes to Regional Roads Victoria, on the condition of the Old Minyip Road off the Western Highway, which was identified as a significantly deteriorated road and safety issue from the recent truck accident detour.***

**CARRIED**

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**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.

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**15. MEETING CLOSE**

There being no further business Cr R Ismay declared the meeting closed at 4:02pm.

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