



**MINUTES OF THE COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL HELD
4 MARCH 2020 AT THE COUNCIL CHAMBERS, 92 NELSON STREET NHILL
COMMENCING AT 3:00PM.**

AGENDA

1. Acknowledgement of the Indigenous Community and Opening Prayer

2. Apologies

3. Confirmation of Minutes

4. Declaration of Interests

5. Public Question Time

6. Deputations

7. Correspondence

8. Assembly of Councillors

8.1 Record of Assembly

9. Planning Permit Reports

9.1 No Reports

10. Reports Requiring a Decision

10.1 Hindmarsh Shire Council Conflict of Interest Policy (Councillors)

11. Special Committees

- 11.1 Nhill Town Committee
- 11.2 Dimboola Town Committee
- 11.3 Yurunga Committee of Management
- 11.4 Rainbow Town Committee
- 11.5 Wimmera Mallee Pioneer Museum

12. Late Reports

- 12.1 Application for Planning Permit PA1657-2020 – Subdivision of Land into Two Lots – Boundary Realignment - 2657 Dimboola-Rainbow Road, Tarranyurk
- 12.2 Application for Planning Permit PA1633-2019 – Use and Development for a Place of Assembly Including Art Gallery Cinema and Market - 116-120 Lloyd Street, Dimboola
- 12.3 Application for Planning Permit PA 1651-2019 – Use and Development of Land (Including Buildings and Works) for the Construction of a Dwelling within 100m of a Road Zone Category 1 on Lot 1 PS638849B, Nhill-Netherby Road, Nhill

13. Other Business

14. Confidential Matters

- 14.1 Hindmarsh Shire Council Business Assistance Grants Program 2019 – 2020 Round 2

15. Meeting Close

Present:

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

In Attendance:

Mr. Greg Wood (Chief Executive Officer), Mrs. Monica Revell (Director Corporate and Community Services), Mrs. Taegan Jarred (Executive Assistant), Janette Fritsch (Manager Strategic Assets & Planning) items 2 to 12.

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

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

2. APOLOGIES

Ms. Angela Hoy (Director Infrastructure Services)

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 5 February 2020 at the Council Chambers, 92 Nelson Street Nhill 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 5 February 2020 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.

Cr. T. Schneider declared an Indirect Conflict of Interest by a) close association and b) that is an indirect financial interest for Item 12.2 - Application for Planning Permit PA1633-2019 – Use and Development for a Place of Assembly Including Art Gallery Cinema and Market - 116-120 Lloyd Street, Dimboola.

5. PUBLIC QUESTION TIME

6. DEPUTATIONS

No deputations.

7. CORRESPONDENCE

7.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer
Attachment: 2

Introduction:

The following correspondence is tabled for noting by Council,
Inwards:

- Nil

Outwards:

- Rainbow Lions Club Citizen of the year: Don Fischer
- Jeparit Town Committee Citizens of the year: Clem and Maryanne Paech
- Dimboola Town Committee awards:
 - Young Citizen of the Year: Jack Kalms
 - Citizens of the Year: Des and Robyn Lardner
 - Event of the Year: Recreation of the 1909 Photo of Opening of National Bank
- Bob Blackwood for 60 years' service with Victorian Bands League
- Dimboola Boat and Water Ski Club wishing them well for their Water Ski Tournament & Night
- Australia Day Ambassador Letter of Appreciation.

RECOMMENDATION:

That Council notes the attached correspondence.

MOVED: CRS T. Schneider/D. Colbert

That Council notes the attached correspondence.

CARRIED

Attachment: 2

8. ASSEMBLY OF COUNCILLORS

Responsible Officer: Chief Executive Officer

Attachments: 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.

MOVED: CRS D. Colbert/R. Ismay

That Council accepts the Assembly of Councillors Records as presented.

CARRIED

Attachment: 3

9. PLANNING PERMITS

No Report

10. REPORTS REQUIRING A DECISION

10.1 HINDMARSH SHIRE COUNCIL CONFLICT OF INTEREST POLICY (COUNCILLORS)

Responsible Officer: Director Corporate & Community Services

Attachment: 4

Introduction:

This report seeks Council adoption of the Hindmarsh Shire Council Conflict of Interest Policy (Councillors) (**Policy**).

Discussion:

It was identified that Council did not have a Conflict of Interest Policy.

The purpose of the Policy is to:

- guide Councillors and Section 86 Committees on what a conflict of interest is;
- guide Councillors and Section 86 Committees on when they are required to disclose conflicts of interest;
- ensure Council's organisational and decision making processes are transparent; and
- ensure that Council is compliant with the *Local Government Act 1989*.

The update to this Policy primarily consisted of:

- reviewing Council's current processes and documenting them into this Policy.
- consulting with Senior Management and relevant stakeholders; and
- revising the draft Policy after feedback from relevant stakeholders.

Conclusion

This Policy will assist Council in ensuring that its decision-making processes are transparent and irrefutable.

Options:

1. Council can choose to adopt the Conflict of Interest Policy;
2. Council can choose to make amendments to the Conflict of Interest Policy; or
3. Council can choose not to adopt the Conflict of Interest Policy.

Link to Council Plan:

Strategic Objective 4.6.2: An organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation by developing a governance and compliance framework within Council.

Financial Implications:

Nil.

Risk Management Implications:

This Policy will assist Council in the handling conflicts of interest appropriately to maintain its governance responsibilities and ensure that all decisions are made transparently and irrefutably.

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 the Hindmarsh Shire Council Conflict of Interest Policy on Council's website and ensure the Policy is circulated to all relevant staff.

RECOMMENDATION:

That Council adopts the Hindmarsh Shire Council Conflict of Interest Policy (Councillors).

MOVED: CRS R. Ismay/D. Colbert

That Council adopts the Hindmarsh Shire Council Conflict of Interest Policy (Councillors).

CARRIED

Attachment: 4

11. SPECIAL COMMITTEES

11.1 NHILL TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment: 5

Introduction:

The Nhill Town Committee held its general meeting on 20 January 2020. 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 January 2020 and accepts the resignation of Brian McGennissen.

MOVED: CRS R. Lowe/T. Schneider

That Council notes the minutes of the Nhill Town Committee meeting held on 20 January 2020 and accepts the resignation of Brian McGennissen.

CARRIED

Attachments: 5

11.2 DIMBOOLA TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment: 6

Introduction:

The Dimboola Town Committee held its general meeting on 3 February 2020. 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 Dimboola Town Committee meeting held on 3

February 2020.

MOVED: CRS T. Schneider/D. Nelson

That Council notes the amended minutes of the Dimboola Town Committee meeting held on 3 February 2020.

CARRIED

Attachments: 6

11.3 YURUNGA COMMITTEE OF MANAGEMENT

Responsible Officer: Director Corporate and Community Services

Attachment: 7

Introduction:

The Yurunga Committee of Management held its general meeting on 24 October 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 Committee of Management meeting held on 24 October 2019.

MOVED: CRS R. Ismay/D. Colbert

That Council notes the minutes of the Yurunga Committee of Management meeting held on 24 October 2019.

CARRIED

Attachments: 7

11.4 RAINBOW TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment: 8

Introduction:

The Rainbow Town Committee held its general meeting on 27 January 2020. 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 January 2020.

MOVED: CRS R. Ismay/R. Lowe

That Council notes the minutes of the Rainbow Town Committee meeting held on 27 January 2020.

CARRIED

Attachments: 8

11.5 WIMMERA MALLEE PIONEER MUSEUM

Responsible Officer: Director Corporate and Community Services
Attachment: 9

Introduction:

The Wimmera Mallee Pioneer Museum held its general meeting on 19 November 2019. The purpose of this report is to note the amended minutes from the meeting. A copy of the minutes is included as an attachment for the information of Council.

RECOMMENDATION:

That Council notes the amended minutes of the Wimmera Mallee Pioneer Museum meeting held on 19 November 2019.

MOVED: CRS R. Lowe/D. Colbert

That Council notes the amended minutes of the Wimmera Mallee Pioneer Museum meeting held on 19 November 2019.

CARRIED

Attachments: 9

12. LATE REPORTS

12.1 APPLICATION FOR PLANNING PERMIT PA1657-2020 – SUBDIVISION OF LAND INTO TWO LOTS – BOUNDARY REALIGNMENT - 2657 DIMBOOLA-RAINBOW ROAD, TARRANYURK

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 077500 / 078160
Applicant: Mr Adrian Jaeschke
Owner: Maurice and Kaye Jaeschke
Adrian Jaeschke
Subject Land: Lot 2 PS 627993F and Lot 1 TP 218817V
Proposal: Two Lot Subdivision (Re-subdivision of two lots)
Zoning & Overlays: Township Zone (TZ), Farming Zone (FZ)
Bushfire Management Overlay; Land Subject to Inundation Overlay; Environmental Significance Overlay – Schedule 6

Attachments: 11

Summary:

This report recommends that Council issue a planning permit to allow the subdivision of land into two lots at Lot 2 PS 627993F and Lot 1 TP 218817V. The purpose of the subdivision is to increase the size of the property at 2657 Dimboola Rainbow Road for the expansion of the engineering business that operates from the site. The remaining land will continue to be used for cropping / grazing land.

Background:

Planning permit application PA1657-2020 was lodged with Council on the 21 January 2020 for the purpose of increasing the land used for an existing engineering business via the two lot subdivision.

Proposal Details:

The proposal is to create 2 parcels of land as follows:

- Proposed Lot 1 – approximately 2.54 ha in size, consisting of the existing engineering business, and
- Proposed Lot 2 – approximately 206.55 ha in size, being the residual balance lot containing agricultural land and a dwelling.

The land is currently located in two zones. The property at 2657 Dimboola Rainbow Road is located in the Township Zone, while the rest of the land is located in the Farming Zone.

It is considered that approval of the subdivision will facilitate the growth of an existing local business and will not remove a significant amount of agricultural land from production. The balance of the land (proposed Lot 2) to be retained for agricultural purposes.

The application does not propose any new access to the Dimboola Rainbow Road, nor does it propose to change the existing access arrangements for any of the properties.

The applicant also proposes to plant native plants around the boundary of proposed lot 1 to promote biodiversity in the area.

Requirement for Permit:

A planning permit is required under Clause 35.07-3 – Farming Zone of the Hindmarsh Planning Scheme to subdivide land. Each lot must be at least the area specified for the land in a schedule to this zone (40 hectares). If no area is specified, each lot must be at least 40 hectares. A permit may be granted to create smaller lots if the subdivision is the re-subdivision of existing lots and the number of lots is not increased.

Definitions:

Section 3 of the Planning and Environment Act 1987 defines 'subdivision' as "the division of land into two or more parts which can be disposed of separately".

'Subdivision' is not defined within the Hindmarsh Planning Scheme.

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 land is located at the northern edge of Tarranyurk. The site is located on the western side of the Dimboola Rainbow Road, approximately 200 metres north of its intersection with Tarranyurk West Road.

The subject land is primarily flat. The agricultural land includes a dwelling, associated sheds, silos, and dams. Land within the vicinity of the site is primarily used for agriculture (cropping and grazing).

The proposed subdivision has been designed to minimize the amount of agricultural land that is being removed from production. It is considered that this design achieves the best outcome in terms of ensuring agricultural land remains in production, and the existing business has land to grow.

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 is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act and pursuant to Section 52 of the Planning and Environment Act 1987 the following forms of advertising were undertaken:

- Notices were sent to owners and occupiers of adjoining land; and
- The application was made available for public exhibition at Council's Nhill Office.

No objections have been lodged with Council.

Referrals:

External Referrals/Notices Required by the Planning Scheme:

Section 55 Referrals: Not required. The land adjoins the Dimboola Rainbow Road which is a Road Zone Category 1, however as no access is proposed to be constructed onto the road a referral to the Department of Transport (Regional Roads Victoria) was not required.

Section 52 Notices: Not required. Although a portion of the land is affected by the Bushfire Management Overlay, Land Subject to Inundation Overlay, and the Environmental Significance Overlay – Schedule 6, the area of the subdivision is outside the Overlay areas.

Internal Referrals:

- Engineering: See condition applied.
- 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 11.01-1S - Settlement

Clause 11.01-1R - Settlement - Wimmera Southern Mallee

Clause 14.01 - Agriculture

Clause 14.01-1S - Protection of agricultural land

Clause 14.01-2S - Sustainable agricultural land use

Clause 14.01-2R - Agricultural productivity - Wimmera Southern Mallee

Clause 17.01-1S - Diversified economy

Clause 17.01-1R - Diversified economy - Wimmera Southern Mallee

Local Planning Policy Framework

Clause 21 - Municipal Strategic Statement

Zoning Provisions

Clause 32.05 – Township Zone

Clause 35.07 - Farming Zone

Overlay Provisions

Nil. The Bushfire Management Overlay, the Land Subject to Inundation Overlay, and the Environmental Significance Overlay apply to the land, however the area of the subdivision is outside all of the overlays listed.

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 storm water 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 benefit the proposal will cause regarding appropriate use of land for agriculture.

Discussion:

The application has been assessed against the 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 55 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 stated. The site is appropriate for the proposed subdivision, having regard to the size of the land, the design of the proposed lots, the purpose of the subdivision, and the ability of the land to continue to be used for agriculture. Access to the site is provided by all-weather roads, and the proposal will not significantly impact on other forms of infrastructure in the area.

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 to subdivide is considered to meet the applicable decision guidelines with regard to agricultural considerations outlined above and does not require an integrated land management plan to be prepared for the site.

The proposal is not considered to limit the operation and expansion of adjoining and nearby agricultural uses and the site is considered appropriate for the subdivision, given the design of the proposed subdivision.

The facility enjoys broad and strong policy support both within State sections of the Planning Policy Framework along with specific policy support within the Local Planning Policy Framework.

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 proposal is considered not to impact on the natural features on the site, or neighbouring sites. The proposal does not include the removal of any native vegetation.

The applicant has identified their intention to plant native plants around the boundary of lot 1 to promote biodiversity in the area.

Design and siting issues:

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require traffic management measures.

Planning Response:

Not applicable. No buildings or works are proposed as a part of this application. Any new buildings associated with the engineering business will be subject to further approvals by Council.

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 Manager Strategic Assets and Planning 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 21 January 2020. The report is being presented to Council at its meeting on the 4 March 2020 (43 statutory days). The statutory processing time requirements of the Planning and Environment Act 1987 have 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: Angela Hoy, Director Infrastructure Services

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

Author: Adam Moar, Consultant Town Planner, on behalf of Janette Fritsch, Manager Strategic Assets and Planning.

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

RECOMMENDATION:

That Council approves planning application PA1657-2020 to allow the subdivision of land into two lots at Lot 2 PS 627993F and Lot 1 TP 218817V to increase the size of the property at 2657 Dimboola-Rainbow Road, Tarranyurk subject to the following conditions:

- 1. The formal plan of subdivision lodged with Council for certification must be in accordance with the endorsed plan and must not be modified except to comply with the statutory requirements or with the written consent of the Responsible Authority.***
- 2. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.***
- 3. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.***
- 4. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.***
- 5. No new access is permitted to be created to the Dimboola – Rainbow Road without further written approval from the responsible authority.***

Permit Expiry

6. This permit will expire if:

- a) The plan of subdivision is not certified within three years of the date of this permit;
or
b) is not completed within five years of the date of the certification of the plan of subdivision.**

The Responsible Authority may extend the permit if a request is made in writing before the permit expires or within six months afterwards.

MOVED: CRS R. Lowe/T. Schneider

That Council approves planning application PA1657-2020 to allow the subdivision of land into two lots at Lot 2 PS 627993F and Lot 1 TP 218817V to increase the size of the property at 2657 Dimboola-Rainbow Road, Tarranyurk subject to the following conditions:

- 1. The formal plan of subdivision lodged with Council for certification must be in accordance with the endorsed plan and must not be modified except to comply with the statutory requirements or with the written consent of the Responsible Authority.**
- 2. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.**
- 3. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.**
- 4. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.**
- 5. No new access is permitted to be created to the Dimboola – Rainbow Road without further written approval from the responsible authority.**

Permit Expiry

6. This permit will expire if:

- a) The plan of subdivision is not certified within three years of the date of this permit;
or
b) is not completed within five years of the date of the certification of the plan of subdivision.**

The Responsible Authority may extend the permit if a request is made in writing before the permit expires or within six months afterwards.

CARRIED

Attachment: 11

Cr. T. Schneider left the room at 3:12pm declaring an Indirect Conflict of Interest a) Close Association and b) that is an indirect financial interest to item 12.2

12.2 APPLICATION FOR PLANNING PERMIT PA1633-2019 – USE AND DEVELOPMENT FOR A PLACE OF ASSEMBLY INCLUDING ART GALLERY CINEMA AND MARKET - 116-120 LLOYD STREET DIMBOOLA

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 25220
Applicant: Mr Stoph Pilmore, Dimboola Art Inc.
Owner: Graeme Schneider
Subject Land: 116-120 Lloyd Street Dimboola VIC 3414 (Lot 1 PS748665)
Proposal: Use and development for a Place of Assembly including Art Gallery Cinema and Market
Zoning & Overlays: Commercial 1 Zone (C1Z)
Environmental Significance Overlay Schedule 6 (ESO6)
Heritage Overlay Schedule 34 (HO34)
Road Zone Category 1 (RDZ1) adjacent to Lloyd Street
Attachments: 12 & 13

Summary:

This report recommends that Council approve a planning permit to allow 'The use and development of a Place of Assembly including Art Gallery Cinema and Market on the site. Conditions are required to manage the nature and extent of the use within the definition of Place of Assembly.

Background:

The site was previously occupied by the Dimboola Hotel which has been largely demolished. The proposal to utilise this vacant parcel of land for arts related and community projects has received funding from 'Pick My Project - Open Community Arts & Reflection Space', a State Government funding program. The funding from 'Pick my Project' must be utilised within one year of the award of the funding awarded in April 2019.

Proposal Details:

The proposed use and development for a Place of Assembly on the site will include Arts and cultural events for the community and provide a space for community events including fundraising events. The Dimboola Art Committee are proposing an outdoor cinema, a visual arts and crafts display, community markets, outdoor movement such as yoga and tai chi and other community-based activities to be held on the site. The development will be constructed in several stages.

The proposal includes the construction of a kiosk building and two pergola structures, and the installation of a mobile movie screen. Outdoor seating will be placed in different locations to

define areas and separate functions. Timber and glazed bricks will be used. Local native plants are proposed to be placed in garden areas to define separate spaces. An artistic feature tower is proposed as part of Stage 2 to mark the corner of the site as detailed on version 2 of the plans and more specific details of dimensions are to be provided. There are no buildings or works proposed on the Council footpath.

The applicant has advised that the majority of events will occur during the day and are unlikely to create excessive noise within this largely commercial area and that occasional evening events including the Cinema are also unlikely to create noise issues. The applicant has also advised there is adequate on street parking on Lloyd Street, Lochiel Street and Victoria Street to support the maximum numbers of people to attend the site.

Vehicle access will not be required to the site once the construction of the buildings on the site has been finalised. Temporary access will be available from the rear of the site via adjoining titles to Lochiel Street and Victoria Street, but this a private arrangement while the adjoining land is in the same ownership.

Requirement for Permit:

A planning permit is required for Use for a Place of Assembly pursuant to Clause 34.01-1 and for Buildings and works for a Section 2 (permit required) Use pursuant to 34.01-4 of the Commercial 1 Zone (C1Z).

It is noted that a Cinema use and Exhibition Centre (including an Art Gallery) use are both included under the definition of Place of Assembly, and a Market use is included under the definition of Retail Premises, which do not specifically require a planning permit as they are listed as Section 1 Uses under the C1Z. Given there are other community related activities akin to a Place of Assembly that are proposed to occur on the site, a planning permit is still required for this overall use and development.

A planning permit is also required for buildings and works pursuant to Clause 43.01-1 of the Heritage Overlay Schedule 34.

There is no planning permit trigger under the Environmental Significance Overlay Schedule 6, as there is no vegetation to be removed and no earthworks proposed.

Definitions:

Place of Assembly is defined as 'Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings'.

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 2018, as the subject land is not within an area of Aboriginal Cultural Heritage Sensitivity.

Subject site & locality:

The site is located at 116-120 Lloyd Street Dimboola, being Lot 1 on PS748665 and is vacant land within the commercial centre of Dimboola. The subject land fronts Lloyd Street to the west and Lochiel Street to the north.

The surrounding land is currently used for shops and offices, with the Dimboola RSL, the Dimboola CFA and the Dimboola Library situated on the western side of Lloyd Street.

The closest dwellings within residential zoned land are located approximately 75 metres to the north and approximately 100 metres to the east of the site.

Aerial Map below – Hindmarsh POZI (2016)



Section 52 Notice of application

(2) *Unless the Responsible Authority requires the applicant to give notice, the Responsible Authority must give notice of an application in a prescribed form—*

(b) *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 advertised by sending notices as follows:

- Notices to Adjoining Neighbours (including Council).
- Notices to VicRoads / Public Transport Victoria (PTV) / WCMA.
- Signs on land (2).
- Advertisement in the Dimboola Banner.

As a result of the advertising one (1) objection was received, but the objection was subsequently withdrawn.

Referrals:

External Referrals/Notices Required by the Planning Scheme:

Section 55 Referrals:

Nil

Section 52 Notices:

Wimmera Catchment Management Authority (WCMA) – No objection.
Regional Roads Victoria – No response.

Public Transport Victoria – No response.

Internal Referrals:

- Engineering: Comments provided about the following:
 - All structures to be designed to meet the relevant Building Codes.
 - The road side car parking on Lochiel Street to be converted to a bus stop and is not available for on street parking.
 - Noted that no vehicle access proposed.
 - A storm water run-off plan is required.
- Environmental Health: No action required.
- Building: A building permit is required for the proposed buildings and works.
- Economic Development and Tourism: No objections to the proposal and supported the development of the site but queried the correct version of the plans.

Planning Assessment:

Planning Scheme Requirements:

Planning Policy Framework:

Clause 11.01-1S Settlement

Clause 11.01-1R Settlement – Wimmera Southern Mallee

Clause 13.05-1S Noise abatement

Clause 13.07-1S Land use compatibility

Clause 15.03-1S Heritage conservation

Clause 17.01-1S Diversified economy

Clause 17.01-1R Diversified economy - Wimmera Southern Mallee

Clause 17.04-1S Facilitating tourism

Clause 17.04-1R Tourism - Wimmera Southern Mallee

Clause 19.02-3S Cultural facilities

Clause 19.02-4S Social and cultural infrastructure

Clause 19.02-4R Social and cultural infrastructure - Wimmera Southern Mallee

Local Planning Policy Framework:

Clause 21.00 Municipal Strategic Statement

Clause 21.02 Vision – Strategic Framework

Clause 21.03 Objectives – Strategies – Implementation

Zoning Provisions:

Clause 34.01 – Commercial 1 Zone (C1Z)

34.01-1 Table of uses

Section 1 – Permit not required

- Art and Craft Centre, Cinema and Exhibition Centre - includes Art Gallery
- Retail Premises (other than Shop) – includes Market

Section 2 – Permit required

Place of Assembly (other than Cinema and Exhibition centre)

34.01-2 Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

34.01-4 Buildings and works

A permit is required to construct a building or construct or carry out works.

This does not apply to (relevant):

An awning that projects over a road if it is authorised by the relevant public land manager.

34.01-8 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate (relevant to application):

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- The design of buildings to provide for solar access.

Overlay Provisions:

Clause 43.01 – Heritage Overlay Schedule 34 (HO34) - Dimboola Town Centre Heritage Precinct

43.01-1 Permit requirement

A permit is required to construct a building or construct or carry out works.

43.01-8 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate (relevant to application):

- The Municipal Planning Strategy and the Planning Policy Framework.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the proposed works will adversely affect the significance, character or

appearance of the heritage place.

Schedule 34 to the HO - Dimboola Town Centre Heritage Precinct

- External paint controls apply

Particular Provisions:

Clause 52.05 Signs

52.05-11 Category 1 – Commercial areas

Minimum limitation

Section 1 - Permit not required

A Promotion sign is a Section 1 sign – no permit required - provided the total display area of all signs to each premises does not exceed 8 sqm.

Note:

Direction signs and Business identification signs are also Section 1 signs – no permit required - if the total display area of all signs to each premises does not exceed 8sqm.

Internally illuminated signs are also Section 1 signs - no permit required – if the conditions listed below are met:

- The total display area to each premises must not exceed 1.5 sqm.
- No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level.
- The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.

Comments:

The large 'Dimboola' sign on the roof of the front pergola structure fronting Lloyd Street is regarded as a Promotion sign as it promotes the town of Dimboola. The dimensions of this promotion sign have not been detailed on the plans, but it appears to not require a planning permit provided the area is less than 8sqm as it is the only sign proposed. A condition is required to confirm the dimensions and materials and colours of this sign.

Clause 52.06 – Car Parking

52.06-5 Number of car parking spaces required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

Table 1: Car parking requirement

- Place of Assembly – 0.3 car spaces to each patron permitted
- Art & Craft Centre – 4 car spaces to each 100 sqm of net floor area.
- Art Gallery – No set rate.
- Cinema – No set rate.
- Exhibition Centre – No set rate.
- Market – 8 car spaces to each 100 sqm of site area

52.06-6 Number of car parking spaces required for other uses

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme, before a new use commences, car parking spaces must be provided to the satisfaction of the responsible authority.

Comments:

Although the overall use is a Place of Assembly, the more specific uses under this broader definition have different car parking rates or no set rate under Clause 52.06-5.

As such, the car parking has been assessed under Clause 52.06-6.

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”.

Clause 65.01 Approval of an application or plan

Before deciding on an application or approval of a plan, the Responsible Authority must consider, as appropriate (relevant to application):

- The matters set out in Section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- 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.
- Whether the proposed development is designed to maintain or improve the quality of storm water within and exiting the site.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

Discussion:

Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF)

The proposal will facilitate the use and development of an underutilised parcel of land within the commercial area of Dimboola for a community-based space under the ‘Pick My Project’ funding program. The various cultural and art activities to occur under the broader use as a Place of Assembly will reactivate this part of Dimboola and encourage cultural diversity, tourism and economic development opportunities.

The proposal generally complies with the relevant decision guidelines of the PPF and LPPF, with conditions required for heritage colours, the dimensions, materials and colours of the promotion sign, the plant species for the landscaping and a stormwater run-off design to ensure the proposal is appropriate within this commercial heritage area of Dimboola.

Commercial 1 Zone

The proposed uses will have a positive impact on the adjoining commercial uses and will be adequately separated by the adjoining allotments from the adjacent residential areas to minimise any potential noise and amenity impacts. The design and layout of the kiosk building and the steel framed pergolas with timber batten screening that are sited within the lot boundaries will enhance the appearance of the site within the streetscape and activate the street frontages. The development will allow for pedestrian access and safety with the provision of direction signs and suitable lighting. The proposed pergola structures will allow solar access and shading. The proposed boundary fencing at the rear of the site is appropriate.

The retention of two (2) existing trees and the provision of new landscaping will improve the presentation of the site to the street frontages. A condition is required for specific details of appropriate plant species to be provided on the landscaping plan. There is no vehicle access needed or proposed to the site from Lloyd Street and Lochiel Street which is acceptable in this instance given the nature of the uses and activities and the availability of car parking and

public transport adjacent to the site.

The proposal is consistent with the purpose and decision guidelines of the Commercial 1 Zone.

Heritage Overlay Schedule 34

The Dimboola Town Centre Heritage Precinct does have a specific heritage citation dating back from when the existing Heritage Overlay and Schedules were translated into the new format Hindmarsh Planning Scheme on 6 January 2000.

The heritage significance of the Dimboola Town Centre Heritage Precinct has recently been assessed in a Heritage Assessment and external painting guidelines by David Helms dated 29 June 2019, which has not been adopted by Council. In this heritage assessment of the Dimboola Town Centre, its historical significance, representativeness and aesthetic significance have been identified. The following comments are noted:

- *The Dimboola Town Centre is historically significant for evidence of the development of Dimboola into an important commercial and civic centre in the Wimmera region from the late nineteenth century.*
- *The Dimboola Town Centre is a representative example of a typical country town civic and commercial centre.*
- *The Dimboola Town Centre has aesthetic significance for the consistency and integrity of the streetscapes, which comprise commercial buildings of related scale and form, many with original or typical post-supported verandahs or suspended awnings. Interspersed among these buildings are some impressive civic and commercial buildings including the Post Office, former Court House, former Shire Hall, which are local landmarks and add to the distinctive historic character. The mature Fig and Pepper trees in Lochiel Street are landmarks due to their size and frame the view toward the Wimmera River.*
- *The HO34 Dimboola Town Centre Precinct is of local historic and aesthetic significance to Hindmarsh Shire.*

The Dimboola Town Centre Precinct Statement of Significance of the Heritage Assessment identifies the site (Dimboola Hotel site) as 'Non-contributory' to the precinct.

This is reflective of the fact that the former Dimboola Hotel has been demolished and the site is vacant.

External Painting Guidelines of the Heritage Assessment notes that 'These guidelines are intended to encourage and support the conservation of the historic character of the Dimboola Town Centre heritage precinct' and 'The purpose of the Guidelines is to provide assistance to both Council and property owners or occupiers with choosing appropriate colour schemes for historic buildings within the Dimboola Town Centre'.

The proposal complies with the relevant decision guidelines of the HO for the following reasons:

- The proposal will not affect the significance of the heritage place and will not adversely affect the natural or cultural significance of the place.
- The site is Non-contributory according to the Statement of Significance attached to the Heritage Assessment for HO34.
- The location, bulk, form or appearance of the proposed buildings will not adversely affect the significance of the heritage place, subject to details of colours.
- The location, bulk, form and appearance of the proposed buildings will respect the

character and appearance of adjacent buildings and the heritage place, subject to details of colours.

- The proposed works will not adversely affect the significance, character or appearance of the heritage place.

A condition is required to ensure the colours of the proposed buildings and supporting structures are consistent with the Heritage Colour Chart in the Heritage Colour Guidelines for the HO34 heritage precinct – see Attachment.

Clause 52.06 Car Parking

Although there is no car parking proposed on site, there is ample on-street car parking in front of the site and within walking distance to the site to accommodate any likely car parking demand generated by the proposal. There are likely to be multi-purpose trips within the locality which would be combined with a trip to the site. There will also be a variation in car parking demand for the proposed uses depending on the time of day and the day of the week. The majority of car parking demand will be short stay and some long stay for the operators of the businesses. There are public transport buses available in the locality and convenient pedestrian and cyclist access to the site. The proposal warrants a reliance on on-street parking to be approved.

The proposal is therefore to the satisfaction of Council in accordance with Clause 52.06-6.

Clause 65 Decision Guidelines

The proposal is supportive of and complies with the Planning Policy Framework, having regard to the positive impacts the proposal will have to the redevelopment of this vacant commercial site and will enhance the economic development of the township of Dimboola.

The proposal will not adversely impact on the amenity of the area and will enable the orderly planning of the area. The proposal will not adversely impact on adjacent public land. The proposed development will be required to be designed to maintain or improve the quality of storm water within and exiting the site. There are no loading and unloading facilities on the site, but any such facilities can be accommodated on the street frontages and there are unlikely to be any associated amenity, traffic flow and road safety impacts.

The application complies with the relevant decision guidelines of Clause 65.

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 Manager of Strategic Assets and Planning 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 8 July 2019.

The application was amended on 11 December 2019 pursuant to Section 50 of the *Planning and Environment Act 1987*.

Notification instructions were given on 06 January 2020 with the following required:

Letters to adjoining owners and occupiers, two public notices on the land and a notice in the Dimboola Banner on 15 January 2020.

The statutory declaration for the public notice was received on 22 January 2020.
One objection was received on 22 January 2020.
A telephone meeting was held with the objector on 11 February 2020.
The one (1) objection was withdrawn in writing on 11 February 2020.

The report is being presented to Council at its meeting on the 04 March 2020.

Total: 68 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: Angela Hoy, Director Infrastructure Services_
In providing this advice as the Officer Responsible, I have no disclosable interests to disclose.

Author: Bernadine Pringle, Consultant Town Planner, on behalf of Janette Fritsch, Manager Strategic Assets and Planning.
In providing this advice as the Author, I have no interests to disclose.

RECOMMENDATION:

That Council approves planning application PA1633-2019 for Use and development for a Place of Assembly including Art Gallery Cinema and Market at 116-120 Lloyd Street Dimboola VIC, subject to the following conditions:

Amended Plans

1. Before the construction for the development and use commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the permit. Three copies must be provided. The plans must be generally in accordance with the amended plans dated 10 December 2019 but modified to show:

- a) The colour of all buildings and structures, which must be consistent with the Heritage Colour Chart in the draft HO34 Dimboola Town Centre Heritage Assessment, unless otherwise approved by the Responsible Authority.***
- b) The dimensions and the materials and colours of the 'Dimboola' promotion sign on the roof of the pergola structure adjacent to Lloyd Street.***
- c) The dimensions of all other buildings and structures including the Kiosk building.***
- d) A list of plant species on the Landscaping Plan.***
- e) A Storm water run-off plan for the proposed development.***

Stage 2 of Development

2. Before the commencement of Stage 2 of the development approved by this permit, amended plans showing the design details including dimensions, materials, finishes and colours of the proposed feature tower must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the permit. Three copies must be provided.

Endorsed Plans

- 3. The use and development as shown on the endorsed plan 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

- 4. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:**
- a) transport of materials, goods or commodities to or from the land.**
 - b) appearance of any building, works or materials.**
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.**
 - d) presence of vermin.**
 - e) others as appropriate.**
- 5. The site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area.**

Storm water

- 6. Storm water drainage from the approved development must be designed appropriately to be diverted to the legal point of discharge and/or contained on site to the satisfaction of Responsible Authority.**

Time Limit

- 7. This permit will expire if the development and use is not started within two years of the date of this permit and if the development is not completed within four years of the date of this permit.**

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

- a) within six months of the expiry date, where the use allowed by the permit has not yet started; and**
- b) within 12 months of the permit expiry date, where the use has lawfully started before the permit expires.**

Notes:

Planning

The 'Dimboola' promotion sign must not exceed 8sqm or the total area of all signs must not exceed 8sqm to not require a planning permit. Further planning approval is required for any signs that are not exempt from requiring a planning permit under the relevant clauses of the Hindmarsh Planning Scheme.

Building

A building permit is required for the kiosk building, pergolas and other supporting structures.

MOVED: CRS R. Lowe/D. Nelson

That Council approves planning application PA1633-2019 for Use and development for a Place of Assembly including Art Gallery Cinema and Market at 116-120 Lloyd Street Dimboola VIC, subject to the following conditions:

Amended Plans

1. ***Before the construction for the development and use commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the permit. Three copies must be provided. The plans must be generally in accordance with the amended plans dated 10 December 2019 but modified to show:***
 - a) ***The colour of all buildings and structures, which must be consistent with the Heritage Colour Chart in the draft HO34 Dimboola Town Centre Heritage Assessment, unless otherwise approved by the Responsible Authority.***
 - b) ***The dimensions and the materials and colours of the 'Dimboola' promotion sign on the roof of the pergola structure adjacent to Lloyd Street.***
 - c) ***The dimensions of all other buildings and structures including the Kiosk building.***
 - d) ***A list of plant species on the Landscaping Plan.***
 - e) ***A Storm water run-off plan for the proposed development.***

Stage 2 of Development

2. ***Before the commencement of Stage 2 of the development approved by this permit, amended plans showing the design details including dimensions, materials, finishes and colours of the proposed feature tower must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the permit. Three copies must be provided.***

Endorsed Plans

3. ***The use and development as shown on the endorsed plan 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

4. ***The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:***
 - a) ***transport of materials, goods or commodities to or from the land.***
 - b) ***appearance of any building, works or materials.***
 - c) ***emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.***
 - d) ***presence of vermin.***
 - e) ***others as appropriate.***
5. ***The site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area.***

Storm water

6. ***Storm water drainage from the approved development must be designed appropriately to be diverted to the legal point of discharge and/or contained on site to the satisfaction of Responsible Authority.***

Time Limit

7. ***This permit will expire if the development and use is not started within two years of the date of this permit and if the development is not completed within four years of the date of this permit.***

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

- a) within six months of the expiry date, where the use allowed by the permit has not yet started; and***
- b) within 12 months of the permit expiry date, where the use has lawfully started before the permit expires.***

Notes:

Planning

The 'Dimboola' promotion sign must not exceed 8sqm or the total area of all signs must not exceed 8sqm to not require a planning permit. Further planning approval is required for any signs that are not exempt from requiring a planning permit under the relevant clauses of the Hindmarsh Planning Scheme.

Building

A building permit is required for the kiosk building, pergolas and other supporting structures.

CARRIED

Attachment: 12 & 13

Cr. T. Schneider returned the room at 3:19pm

12.3 APPLICATION FOR PLANNING PERMIT PA1651-2019 – USE AND DEVELOPMENT OF LAND (INCLUDING BUILDINGS AND WORKS) FOR THE CONSTRUCTION OF A DWELLING WITHIN 100m OF A ROAD ZONE CATEGORY 1 ON LOT 1 PS638849B, NHILL-NETHERBY ROAD, NHILL

Responsible Officer:	Director Infrastructure Services
File:	Planning – Applications
Assessment:	200441
Applicant:	Southern Cross Town Planning Pty Ltd
Owner:	Golden Grange Super Fund Pty Ltd
Subject Land:	Lot 1 (PS638849B) Nhill-Netherby Road, Nhill
Proposal:	To use and develop land (including buildings and works) for the construction of a dwelling within 100m of a road Zone Category 1.
Zoning & Overlays:	Farming Zone (FZ) (Adjacent Land) Road Zone Category 1 (RDZ1)
Attachment:	14

Summary:

This report recommends that Council approve planning permit PA1651-2019 for the use and development of land (including buildings and works) for the construction of a dwelling within 100m of a Road Zone Category 1 on land located at Nhill-Netherby Road, Nhill.

Background:

The proposal seeks a permit to use and develop land (including buildings and works) to construct a dwelling on land 6.15 ha in area. The land is currently occupied by two sheds, used for the intensive raising of ducks for commercial purposes as part of the "Luv-a-Duck"

franchise.

Proposal Details:

The proposal is for the construction of a small, single storey two-bedroom dwelling on the subject site. The dwelling will be of a contemporary design, with two bedrooms and attached carport. External materials will be Colourbond and limestone cladding, with aluminum windows and a metal roof. The building will measure 24 metres by 9.9 metres. The dwelling will be located towards the north-western corner of the site, 70 metres from the Nhill-Netherby road frontage, and 22 metres from the northern boundary. The existing internal road will be extended to provide access to the dwelling. No vegetation is proposed to be removed as part of this proposal.

No access is proposed to Nhill-Netherby Road. There is an existing informal access point to Bywater's Road which will need to be upgraded to facilitate access to the proposed dwelling. The current access point is approximately 75 metres from the corner of Nhill-Netherby Road and Bywater's Road.

The property has no access to reticulated sewer or water therefore a waste system and greywater management system will need to be installed to treat the wastewater from the dwelling. The applicants have submitted a farm management plan in support of this application, showing the dwelling has a legitimate connection to the ongoing use of the land for commercial duck farming.

Requirement for Permit:

A Planning permit is triggered for this application pursuant to the following provisions of the Hindmarsh Planning Scheme;

- Clause 35.07 – Farming Zone - Use and development of land (including buildings and works) for the construction of a dwelling.

As the dwelling is proposed on a lot under 40 hectares as specified within the scheme, the proposal is classified as a Section 2 use under the provisions of the Farming Zone.

- Clause 35.07 – Farming Zone – Schedule – Minimum setback from a road in Road Zone Category 1 – 100 metres.

Definitions:

The proposal is for a dwelling, defined as “*A building used as a self-contained residence which must include:*

- a) a kitchen sink;*
- b) food preparation facilities;*
- c) a bath or shower; and*
- d) a closet pan and wash basin.*

It includes out-buildings and works normal to a dwelling”.

Restrictive Covenant or Section 173 Agreement:

The subject site is subject to a Section 173 Agreement (AH610567L). This agreement was entered into as a condition of Planning Permit PA1248/2010 for a two lot subdivision. The agreement stipulates that the land cannot be further subdivided to create a smaller lot for an existing dwelling.

The requirements of this Section 173 Agreement do not preclude the issue of a permit for the use and development of a dwelling on the lot.

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 located on the eastern side of the Nhill-Netherby Road, on the corner of Bywater's Road, approximately 6km north of the Nhill township. The site is irregular in shape and has an area of 6.15ha. The site is 170 metres deep and 364 metres wide on its longest boundary. The site was subdivided from a parent farming lot to the north which is 176.3ha in area.

The site is currently occupied by two sheds. The larger shed (constructed in 2010) is used for the intensive raising of ducks for commercial purposes as part of the "Luv a Duck" franchise. This shed measures 108 metres by 20 metres and can hold up to 16,000 at a time. There is also a 10 metre by 15 metre machinery and storage shed.

The proposal does not impact on any existing native vegetation and no native vegetation is proposed to be removed.

s52 Notice of application

(3) *Unless the Responsible Authority requires the applicant to give notice, the Responsible Authority must give notice of an application in a prescribed form—*

(c) *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.*

Notification was given to adjoining landowners, with no objections raised to the proposal.

Referrals:

External Referrals/Notices Required by the Planning Scheme:

Section 55 Referrals: VicRoads: VicRoads supports the proposal with no conditions to be applied.

Section 52 Notices: Adjoining Landowners – No objections have been received.

Internal Referrals:

- Engineering: Conditions to be applied.
- Environmental Health: Any septic tank is to be installed on site in accordance with Code of Practice: EPA Code of Practice Onsite Wastewater Management.

Planning Assessment:

Planning Scheme Requirements:

Planning Policy Framework:

Clause 11 - Settlement

Clause 11.01 - Victoria

Clause 11.01-1R - Settlement - Wimmera Southern Mallee

Clause 13.02 – Bushfire
Clause 14.01 - Agriculture
Clause 14.01-1S - Protection of agricultural land
Clause 14.01-2S - Sustainable agricultural land use
Clause 14.01-2R - Agricultural productivity - Wimmera Southern Mallee (PDF 790.7 KB)
Clause 14.02-2S - Water quality
Clause 17.01-1R - Diversified economy - Wimmera Southern Mallee

Local Planning Policy Framework:

Clause 21.01 - Municipal Profile
Clause 21.03 – Objectives – Strategies - Implementation

Zoning Provisions:

Clause 35.07 – Farming Zone (FZ)

Particular Provisions:

Clause 52.29 – Land Adjacent to a Road Zone Category 1, or a Public Acquisition Overlay for a Category 1 Road

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 outlined 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 storm water 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 benefit the proposal will cause regarding appropriate use of land for agriculture.

Discussion:

The application has been assessed against the State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF), 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:

1. The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

The development and proposed use of this property is in keeping with the planning scheme, and is supported by state policy. There is an existing agricultural use of the site which will be maintained as a result of approval of this dwelling. The application has been submitted with a supporting Farm Management Plan.

2. Any Regional Catchment Strategy and associated plan applying to the land.

The proposal will not compromise the quality of the water catchment from the allotment as the dwelling and wastewater disposal is over 60m from the closest waterways and dams.

3. The capability of the land to accommodate the proposed use or development, including the disposal of effluent.

The location of the development and effluent disposal is on a level section of the property with good drainage, therefore a septic system will perform satisfactorily on this site with low risk to the environment. Storm water will be collected to be used on site. Diversion drains will be installed to divert any excess storm water, and a condition will be applied requiring compliance with the EPA's Code of Practice for Septic Tanks.

4. How the use or development relates to sustainable land management.

The design of the farm has taken into consideration the size of the allotment, which is quite small in farming terms. The dwelling is modest in size and is located towards the corner of the site so as not to impact on the existing commercial duck farming operation. A Farm Management Plan (FMP) has been submitted in support of the application justifying the construction of a dwelling in respect to the existing farming operation.

The existing contract for the Duck Farm has been extended for a further 5 years based on its success thus far, with the contract contingent on the construction of a farm manager's residence to ensure all terms of the contract can be complied with in respect of the supervision of the farm operations.

5. *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*

The surrounding farming zone allotments contain variously sized freehold farms with grazing or crop production. The proposed development and use is in keeping with the adjoining and nearby land uses as the existing use of the land is to be maintained in addition to the proposed dwelling.

6. *How the use and development makes use of existing infrastructure and services.*

The proposed dwelling will be designed to utilize the existing dam on the site for storm water management and drainage purposes. The existing vehicle access point is to be formalized to cater for access to the dwelling, and it will also use existing driveways.

Agricultural:

1. *Whether the use or development will support and enhance agricultural production.*

The dwelling will enhance agricultural production on the land by more efficiently managing ducks on the site. The establishment of the dwelling on the site will satisfy a condition of the contract extension with the franchisee "Luv a Duck" which now requires ongoing supervision of the ducks from a farm manager on site. This will lead to an expansion of the current agricultural production on the site, with more duck sheds planned in the near future.

2. *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*

A septic system will perform satisfactorily on this site with low risk to the environment and will not interfere with the ongoing commercial duck farming operation.

3. *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*

This property is not adjacent to any large scale farms which may be seeking to expand.

4. *The capacity of the site to sustain the agricultural use.*

The existing farming operation on the site has been very successful for the operator, and there is room for production expansion on the farm, with the possibility of up to four duck sheds, subject to further Council approval. The establishment of the dwelling on the site will not inhibit the future expansion of the duck farm; with the potential future sheds able to be located on the site in addition to the proposed dwelling.

5. *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*

The soil quality is good and is able to sustain the proposed use of a dwelling and associated effluent area. The water for the ducks and the misting system for cooling in the summer is supplied from a bore connected to a 90,000 litre storage tank. The property is set up with twin pressure pumps and fogger pumps to provide backup systems in the event of a pump failure. The duck shed is fitted with a misting system to cool the ducks in hot weather and gas heating for winter. Three-phase power is supplied to the property from the mains supply

and supported by a backup generator. Water will be available to the dwelling from tanks and the existing dam.

6. *Any integrated land management plan prepared for the site.*

A Land Capability Report has been submitted with the application even though this is not required as part of the application.

Dwelling:

1. *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*

The dwelling will not affect the functionality of the farm and has been placed in the north western corner of the site in an area which is separated from the ongoing farming operations by planted vegetation, creating a “domestic envelope area” for the location of the dwelling. The majority of the site is still available for the ongoing commercial duck farming operation.

2. *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odor, use of chemicals and farm machinery, traffic and hours of operation.*

The dwelling has sufficient set back and distance from the farming operation on the site and therefore is unlikely to be negatively impacted.

3. *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*

This property is not adjacent to any large scale farms which may be seeking to expand.

4. *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

This property is in keeping with the area. The proposal will not lead to any further development in the area as the zoning would prohibit further subdivision or development.

Environmental:

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

The proposed area for the dwelling is a relatively flat area covered by pasture. The construction of the dwelling will not adversely affect the physical features of the land or its flora and fauna. The soil and water quality will not be affected by the construction of the dwelling as the proposed septic system will process the effluent before it is released into the soil. It has also been sited clear of the man-made informal drainage line on the site.

2. *The impact of the use or development on the flora and fauna on the site and its surrounds.*

The proposed site for the dwelling doesn't contain any flora or fauna of note. Areas of native vegetation and animal habitats will not be affected by the proposed dwelling.

3. *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.*

All existing vegetation on the property is to be retained. All farming practices are currently in keeping with the natural environment as much as is possible.

4. *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

The proposed septic system will be located to the south of the dwelling and will process wastewater on site, ensuring minimum impact on waterways and the surrounding environment.

Design and siting:

1. *The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.*

There is no loss of productive land besides the footprint of the dwelling. The area where the dwelling is located is surrounded by planted vegetation, thus separating it from the farming operations being undertaken on the site.

2. *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*

The proposed development will not affect the natural environment, major roads or water features. The design of the house is in keeping with the rural environment. The materials used will not impact the natural environment, its flora, fauna or waterways.

3. *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*

Not applicable.

4. *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.*

The property will be accessed via Bywater's Road by formalizing the existing access. This is an unsealed road located to the south of the proposed dwelling. There is access to reticulated water, telecommunications and electricity on the site. Gas and sewerage are unavailable.

5. *Whether the use and development will require traffic management measures.*

Not applicable.

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 Councils Local Planning Policies.

Report to Council:

The Manager of Strategic Assets & Planning 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 December 2019. The report is being presented to Council at its meeting on the 04 March 2020 (45 statutory days). The statutory processing time requirements of *The Planning and Environment Act 1987* have 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: Angela Hoy, Director Infrastructure Services.

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

Author: Stephen O'Brien, Consultant Town Planner, on behalf of Janette Fritsch, Manager of Strategic Assets & Planning.

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

RECOMMENDATION:

That Council approves planning application PA1651-2019 for the use and development of land (including buildings and works) for the construction of a dwelling within 100m of a road Zone Category 1 on Lot 1 PS638849B, Nhill-Netherby road, Nhill, 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 construction of the dwelling 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 buildings, works or materials;***
 - (c) ***Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil;***
 - (d) ***Presence of vermin; or***
 - (e) ***In any other way.***
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.***

General:

5. ***The dwelling must be connected to a potable water supply with adequate storage for domestic use as well as for fire-fighting purposes.***

Environmental Health:

6. ***The wastewater from the dwelling must be connected to an approved septic system and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.***
7. ***Animal wastes on the property must be treated or dispersed in such a manner to ensure that:***
 - (a) ***Offensive odors are reduced to a minimum; and***
 - (b) ***The wastes are not a nuisance as described in the Publish Health and Well Being Act 2008 and are contained within the boundaries of the site to the satisfaction of the Responsible Authority.***

Engineering:

8. ***Prior to the commencement of construction of the dwelling, the applicant shall at their cost:***
 - a) ***Engage a suitably qualified contractor to construct a crossover in accordance with the Infrastructure Design Manual Standard Drawing 255. A Consent to Works permit must be obtained from Council before commencement of works.***
 - b) ***Upgrade the un-named road heading south to Nhill Netherby Road to a 5R all-weather standard to the satisfaction of the Responsible Authority. The road must be upgraded for a length of approximately 200 metres when measured from the intersection of Nhill-Netherby Road to Bywaters Road. A Consent for Works permit must be obtained from Council and a Memorandum of Authorisation obtained from Regional Roads Victoria prior to the works being carried out.***

Permit Lapse/Extension:

9. ***The development approved by this permit will expire if one of the following circumstances applies:***
 - (a) ***Construction is not commenced within two years of the date of this permit.***
 - (b) ***Construction is not completed within four years of the date of this permit.***

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

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

Notes:

1. ***This permit is not a Building Permit. Please consult a Building Surveyor and ensure a Building Permit is obtained.***
2. ***While the current gate entrance is setback a sufficient distance for cars, should the applicant wish to use this access for trucks they should consider setting the gate back to a sufficient distance.***
3. ***A copy of this permit and endorsed plans must be provided to all builders and contractors who are to work on site so they are aware of the conditions to which this approval is subject.***

MOVED: CRS D. Colbert/R. Lowe

That Council approves planning application PA1651-2019 for the use and development of land (including buildings and works) for the construction of a dwelling within 100m of a road Zone Category 1 on Lot 1 PS638849B, Nhill-Netherby road, Nhill, 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 construction of the dwelling 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 buildings, works or materials;***
 - (c) ***Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil;***
 - (d) ***Presence of vermin; or***
 - (e) ***In any other way.***
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.***

General:

5. ***The dwelling must be connected to a potable water supply with adequate storage for domestic use as well as for fire-fighting purposes.***

Environmental Health:

6. ***The wastewater from the dwelling must be connected to an approved septic system and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.***
7. ***Animal wastes on the property must be treated or dispersed in such a manner to ensure that:***
 - (a) ***Offensive odors are reduced to a minimum; and***
 - (b) ***The wastes are not a nuisance as described in the Publish Health and Well Being Act 2008 and are contained within the boundaries of the site to the satisfaction of the Responsible Authority.***

Engineering:

8. ***Prior to the commencement of construction of the dwelling, the applicant shall at their cost:***
 - a) ***Engage a suitably qualified contractor to construct a crossover in accordance with the Infrastructure Design Manual Standard Drawing 255. A Consent to Works permit must be obtained from Council before commencement of works.***
 - b) ***Upgrade the un-named road heading south to Nhill Netherby Road to a 5R all-weather standard to the satisfaction of the Responsible Authority. The road must be upgraded for a length of approximately 200 metres when measured from the***

intersection of Nhill-Netherby Road to Bywaters Road. A Consent for Works permit must be obtained from Council and a Memorandum of Authorisation obtained from Regional Roads Victoria prior to the works being carried out.

Permit Lapse/Extension:

9. The development approved by this permit will expire if one of the following circumstances applies:

- (a) Construction is not commenced within two years of the date of this permit.**
- (b) Construction is not completed within four years of the date of this permit.**

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

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

Notes:

- 1. This permit is not a Building Permit. Please consult a Building Surveyor and ensure a Building Permit is obtained.**
- 2. While the current gate entrance is setback a sufficient distance for cars, should the applicant wish to use this access for trucks they should consider setting the gate back to a sufficient distance.**
- 3. A copy of this permit and endorsed plans must be provided to all builders and contractors who are to work on site so they are aware of the conditions to which this approval is subject.**

CARRIED

Attachment: 14

13. OTHER BUSINESS

MOVED: CRS R. Lowe/T. Schneider

That Council requests the MAV list the following motion on the agenda for the next MAV State Council meeting:

“The Natural Forested areas of the Crown, need to be managed by using cold, hazard reduction burns, to protect the environment and assets of the public.”

CARRIED

MOVED: CRS D. Colbert/R. Lowe

That Council write to Lucy Stephan and congratulate her on receiving 2019 Victorian Sport Awards female athlete of the year.

CARRIED

MOVED: CRS D. Colbert/R. Lowe

That Council write to Mrs Kath Porter of Kath Porter Emporium Dimboola congratulating her on 45 years in business.

CARRIED

MOVED: CRS R. Ismay/D. Nelson

That Council investigate the installation of classical music in the public toilet blocks throughout Hindmarsh Shire towns.

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.

RECOMMENDATION:

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, to consider:

14.1 Hindmarsh Shire Council Business Assistance Grants Program 2019 – 2020 Round 2

MOVED: CRS R. Ismay/R. Lowe

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, to consider:

14.1 Hindmarsh Shire Council Business Assistance Grants Program 2019 – 2020 Round 2

CARRIED

RECOMMENDATION:

That Council resumes in open session, releasing the details of items 14.1 as deemed appropriate by the CEO.

MOVED: CRS T. Schneider/R. Ismay

That Council resumes in open session, releasing the details of items 14.1 as deemed appropriate by the CEO.

CARRIED

13. OTHER BUSINESS (RESUMED)

MOVED: CRS D. Nelson/T. Schneider

That Council write to Dimboola Store and congratulate them on one year in business.

CARRIED

15. MEETING CLOSE

There being no further business Cr R Gersch declared the meeting closed at 3:57pm.



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 4 March 2020

Time: 1:00pm – 3:00pm

Assembly Location: Council Chambers, 92 Nelson Street, Nhill

Present:

Crs. Robert Gersch (Mayor), David Colbert (Deputy Mayor), Debra Nelson, Ronald Ismay, Ronald Lowe, Tony Schneider.

Apologies:

Ms. Angela Hoy (Director Infrastructure Services)

In Attendance:

Mr. Greg Wood (Chief Executive Officer) item 1 to 6 and 8, Mrs. Monica Revell (Director Corporate Community Services) item 2 to 6 and 8, item 2 to 7, Mr. Paul Spencer (Senior Assets Engineer) item 5 to 6, Mr. Daniel Griffiths (Capital Works Manager) item 5 to 6.

Conflict of Interest Disclosures

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

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

Councillors:

Nil

Officers:

Nil

Matters Discussed:

No.	Detail
1.	CEO Update
2.	Proposed MAV Resolution*
3.	Recycling Reforms update
4.	Trading off the Tourism Trails project currently running by Wimmera Mallee Tourism
5.	Road closure – Roads to local traffic only, removal of B Double Route on Drendel Rd*
6.	Demolition Of Dimboola Shed/Lunch Room – Old Power Shed*
7.	Councillor only time
8.	Councillor Question Time

Completed by: Greg Wood

Signed:



Date: 04/03/2020

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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WWW.PWILL.COM

SCALE: 1/8" = 1'-0"

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1/8" = 1'-0"

1/8" = 1'-0"

1/8" = 1'-0"

1/8" = 1'-0"

Fence 1.2 m

Fence 1.8 m

LOT 27 & 26

Fence 1.2 m

Fence 1.8 m

GARDEN AREA PLAN

SCALE: 1/8" = 1'-0"

LEGEND

-  DENOTES GARDEN AREA BY OWNER
-  DENOTES DRIVEWAY - CONCRETE PATH
-  NOTE: 8'-0" HIGH FENCE BY OWNER





PANDEMIC INFLUENZA PLAN 2020-2024

Adopted:

Contents



Hindmarsh Shire Council	1
PANDEMIC INFLUENZA PLAN.....	1
2020-2024	1
Endorsement.....	1
Adoption.....	1
Disclaimer.....	2
Document Information	2
Amendment Register	2
Administrative Updates	2
Glossary and Acronyms	3
Statistical Data.....	3
INTRODUCTION.....	3
Aim.....	4
Objectives.....	4
Plan Review	4
Pandemic Influenza	4
Mode of Transmission	5
Physical Health	5
Mental Health.....	6
Hindmarsh Shire Pandemic Influenza Vulnerability Profile	6
Pandemic Influenza Plan	7
Activation	7
Roles and Responsibilities.....	9

Department of Health and Human Services (DHHS)	9
Health Services and Primary Health Care.....	9
Hindmarsh Shire Council	10
Commercial Groups, Not for Profit groups, Residents and Visitors	11
Business Continuity Plans	11
Support: Relief and Recovery	12
Relief and Recovery.....	12
Support for Isolated or Quarantined people.....	12
Control Strategies.....	12
Basic Precautions.....	12
Education and Training	13
Personal Protective Equipment (PPE).....	13
Social Distancing.....	14
Restricting Workplace Entry	14
Communications.....	14
State Communication Plan	14
Council Communication Plan	14
Internal Communication:	15
External Communication	15
Immunisation.....	15
Mass fatality	16
Storage	16
Burial sites.....	16
Appendix 1: Council pandemic influenza response procedures.....	17
No novel strain detected	17
Standing by for response	18
Initial response.....	19
Low clinical severity	21
Moderate clinical severity.....	23
High clinical severity	25
Appendix 2: Vulnerable groups.....	27
Existing vulnerable groups.....	27
Emerging vulnerable groups.....	28

Appendix 3: Signage..... 30

Appendix 4: Storage, funeral and burial considerations to be completed locally..... 32

 Funeral Directors..... 32

 Cemeteries..... 32

Appendix 5: references 33

Authority and Endorsement

The Hindmarsh Shire Council is the custodian of the Hindmarsh Shire Pandemic Influenza Plan (the PIP) pursuant to the Victorian Health Management Plan for Pandemic Influenza (VHMPPI), October 2014. The PIP takes into consideration Appendix 10 of the VHMPPI, provided as a guide for local government. The Hindmarsh Shire Pandemic Influenza Plan is a sub-Plan of the Municipal Emergency Management Plan (MEMP).

The Pandemic Influenza Plan aligns with the following State, Federal and International Plans:

- State Emergency Response Plan (SHERP) Edition 4 2017 (Victoria)
- Victorian Health Management Plan for Pandemic Influenza 2014 (VHMPPI)
- Victorian Action Plan for Human Influenza Pandemic 2015
- Victorian Public Health and Wellbeing Plan 2011 – 2015
- Australian Health Management Plan for Pandemic Influenza April 2014 (AHMPPI)
- Pandemic Influenza Risk Management – WHO Interim Guidance 2013
- The Pandemic Influenza Preparedness Framework WHO 2011
- World Health Organization Pandemic Preparedness Plan 2013

The Pandemic Influenza Plan aligns with the following legislation:

- Emergency Management Act 1986/2013
- Public Health and Wellbeing Act 2008
- Public Health and Wellbeing Regulations 2009
- National Health Security Act 2007
- International Health Regulations 2005

Endorsement

The Hindmarsh Shire Pandemic Influenza Plan was endorsed by the Hindmarsh Municipal Emergency Planning Committee (hereafter referred to as “the MEMPC” or “the Committee”) in an out of session vote via email between 16-21 January 2020, as the Committee do not meet until 27 March 2020.

Chairperson of the Municipal Emergency Management Planning Committee Cr. David Colbert.

Adoption

Version 1.0 of the Hindmarsh Shire Pandemic Influenza Plan was adopted by the Hindmarsh Shire Council at a meeting on **xxxx.**

Chief Executive Officer Hindmarsh Shire Council Mr Greg Wood.

Disclaimer

No reader should act on the basis of any matter contained in this publication without appreciating that it may be the subject of amendment or revocation from time to time without notice. The Hindmarsh Shire Council expressly disclaim all and any liability (including liability in negligence) to any person or body in respect of anything and of the consequences of anything done or omitted to be done by any such person or body in reliance, whether total or partial, upon the whole or any part of this publication.

Document Information

Amendment Register

Version Number	Date Endorsed by MEMPC	Date adopted by Council	Amendment History
Version 1.0	21/01/2020		Adoption of Version 1.0

This plan is administered by the Environmental Health Officer of the Hindmarsh Shire Council.

Address all enquiries to:

Environmental Health Officer
Hindmarsh Shire Council
PO Box 250
Nhill VIC 3418
eho@hindmarsh.vic.gov.au

Administrative Updates

Administrative updates will be made to this plan from time to time that will be noted in the [Amendment Register](#) section. These amendments are of an administrative nature and do not substantially change the content or intent of this plan. These amendments do not require the plan to be endorsed by the Committee or Council.

Where there is substantial change required to the content or intent of the plan, the plan will go through the formal endorsement and adoption process.

Glossary and Acronyms

Definitions of words and phrases used in the PIP have the same meaning as those prescribed in the relevant legislation and should be referred to, they include:

- Emergency Management Act 1986
- Emergency Management Act 2013
- Emergency Management Manual Victoria Part 8: Appendices & Glossary
- Local Government Act 1958
- Risk Management Standard ISO: 31000 2009
- Public Health and Wellbeing Act 2008
- Public Health and Wellbeing Regulations 2009
- National Health Security Act 2007
- International Health Regulations 2005

The PIP follows the practice of writing a name in full followed by the acronym in brackets after it and is used thereafter in the plan.

Statistical Data

All facts and figures cited in this Plan have been taken from the Victorian Health Management Plan for Pandemic Influenza (VHMPPI) unless otherwise stated.

Statistical data referenced in this document is sourced from the following:

- (1) Australian Bureau of Statistics 2016 Census
- (2) Department of Health and Human Services 2015 Local Government Area Statistical Profiles
- (3) VicHealth Indicators Survey 2015

INTRODUCTION

The Hindmarsh Shire Pandemic Influenza Plan (PIP) provides guidance for the Hindmarsh Shire Council and other pandemic influenza stakeholders in the municipality to appropriately plan for and effectively respond to pandemic influenza conditions. The PIP is supported by a set of operational documents, including **Council Pandemic Influenza Response Procedures** (Appendix 1) and **Council's Business Continuity Plan (BCP)**. These documents detail specific actions to be conducted by Council staff before, during and after a pandemic influenza outbreak.

Specifically, Council Officers with emergency management responsibilities will use this plan and other emergency management arrangements to reduce, as far as is practical, the impact of an Influenza Pandemic on the Community.

It considers the affected stakeholders and ongoing health issues within the municipality. The roles and responsibilities within the community; control measures, state and local communication, as well as continual community support across the municipality and region.

Direction for Pandemic Influenza response will come from the Commonwealth and/or State health agencies, and the local level of government will support the response and implement controls as documented in the PIP.

Aim

The aim of this plan is to enable an integrated approach to the management of a Pandemic Influenza outbreak in the Hindmarsh Shire.

Objectives

The objective of the PIP is to reduce the local impact of an influenza pandemic on the community by:

- Providing relevant information to the community.
- Reducing transmission and implementing infection control measures.
- Providing support services to people who are isolated or quarantined within the municipality.
- Arranging vaccination services to the community when appropriate.
- Trigger activation of other relevant Council plans (e.g. BCP) to enable essential Council services to continue during the pandemic.

Plan Review

The Pandemic Influenza Plan will be reviewed periodically, and updated as required to reflect current practice. The plan is a dynamic document that will be aligned with the most recent VHMPPPI.

Review and evaluation of the plan will be undertaken in consultation with DHHS and the Municipal Emergency Management Planning Committee.

Pandemic Influenza

A pandemic is the worldwide spread of a new disease. An influenza pandemic occurs when a new influenza virus emerges and spreads around the world, and most people do not have immunity.

Seasonal influenza occurs annually, primarily causes complications and or death in people aged over 65 years and those with chronic medical conditions. The vast majority of people exposed will recover and develop immunity to that strain of virus.

The impact of an influenza pandemic will depend on the clinical severity of the disease, its ability to transmit between humans, the vulnerability of the population, and the functionality of the state's health systems.

It is estimated that 10 – 40% of the population would show clinical signs of infection and 1.2 – 2.4% of the population would die (VHMPPI, 2014).

Mode of Transmission

The main mode of transmission for the Human influenza virus is by respiratory and contact spread.

- Respiratory spread occurs when influenza virus is transferred from person to person by droplet transmission. The droplets from an infected person coughing, sneezing or talking are propelled through the air (generally up to one metre) and land on the mouth, nose or eye of a nearby person.
- Contact transmission occurs when a person touches a surface, object or another person contaminated with influenza virus droplets, then touches their own mouth, nose or eyes before washing their hands.

The incubation period for influenza is usually one to four days after infection, however average incubation period is two days.

- Adults may shed the influenza virus from one day before developing symptoms, to up to seven days after the onset of the illness.
- Young children may shed the influenza virus for longer than seven days.
- The influenza virus may remain infectious in the air for hours and may remain infectious on hard surfaces for one to two days.

Physical Health

Flu symptoms usually include:

- High fever, chills and sweating
- Cough, can be non-productive (dry) or may develop into more severe and productive (sputum or mucous is coughed up)
- Lethargy
- Headache
- Muscle and joint pain (in the legs and back)
- Sore throat
- In children - nausea, vomiting and diarrhoea.

Pneumonia can also develop as a result from influenza.

Mental Health

Chaos, confusion, distress and trauma triggered by public health threats and emergencies can place enormous stress on the coping abilities of even the healthiest people. In the case of an influenza pandemic, effects on mental health can occur regardless of whether an individual is directly affected with pandemic influenza, whether their family or close friends are affected or whether they are indirectly affected.

Individuals may develop mental health concerns following experiences with sick and dying loved ones, with prolonged isolation or with other significant changes to their daily lives. Existing mental health conditions such as depression may worsen. These mental health effects may be long lasting.

Hindmarsh Shire Pandemic Influenza Vulnerability Profile

It is expected that most individuals will be vulnerable to pandemic influenza; however, a level of partial protection may occur in some groups. Individuals who have recovered from a natural infection will have a reasonably high degree of protection from a second infection, but this cannot be presumed due to changes in virus strains over time.

In general, the attack rates in children (20 – 30%) will be higher than in adults (5-10%). Attack rates in health care settings have the potential to be very high unless effective infection control measures are implemented and closed settings such as institutions and households will have higher attack rates than other settings.

Some people in the community have less support structures to assist in times of stress and rely on Council or community programs to help. These members are more vulnerable to illness, less able to cope with illness and are referred to as the existing vulnerable group.

When identifying vulnerable groups the following should be considered:-

- id profile: children, aged, schools, care facilities
- sparse population
- distances from metro areas
- Local

Groups in the Hindmarsh Shire who may be more vulnerable are listed in Appendix 2. As an influenza pandemic progresses, there will be new groups of people who will become vulnerable; these are known as “emerging vulnerable groups”. Emerging vulnerable groups are also listed in Appendix 2.

Most individuals will be susceptible to an influenza pandemic, and the level of susceptibility will differ in groups such as the young, elderly and already ill. An individual's own levels of immunity will have an effect on influenza type during a pandemic. An individual's ability to overcome the effects of the influenza will differ greatly due to previous exposure to influenza types and a person's level of immune system strength. The environment in which a person is exposed to the influenza can greatly affect the ability to fight off infection as well.

For example, due to the level of vulnerability, rates in children will be higher than in adults. Persons in health care facilities have the potential to be exposed at high levels unless there has been effective infection control measures taken. Residential facilities and learning institutions for example may have potentially high levels of exposure as will any place in which a mass gathering of people is set will be vulnerable to the spread of influenza.

Various persons in the community may have less support structures than others in times of stress and will rely on Council and or community group programs to assist.

Pandemic Influenza Plan

Activation

The PIP will be activated following advice from Department of Health and Human Services (DHHS). DHHS receives advice from:

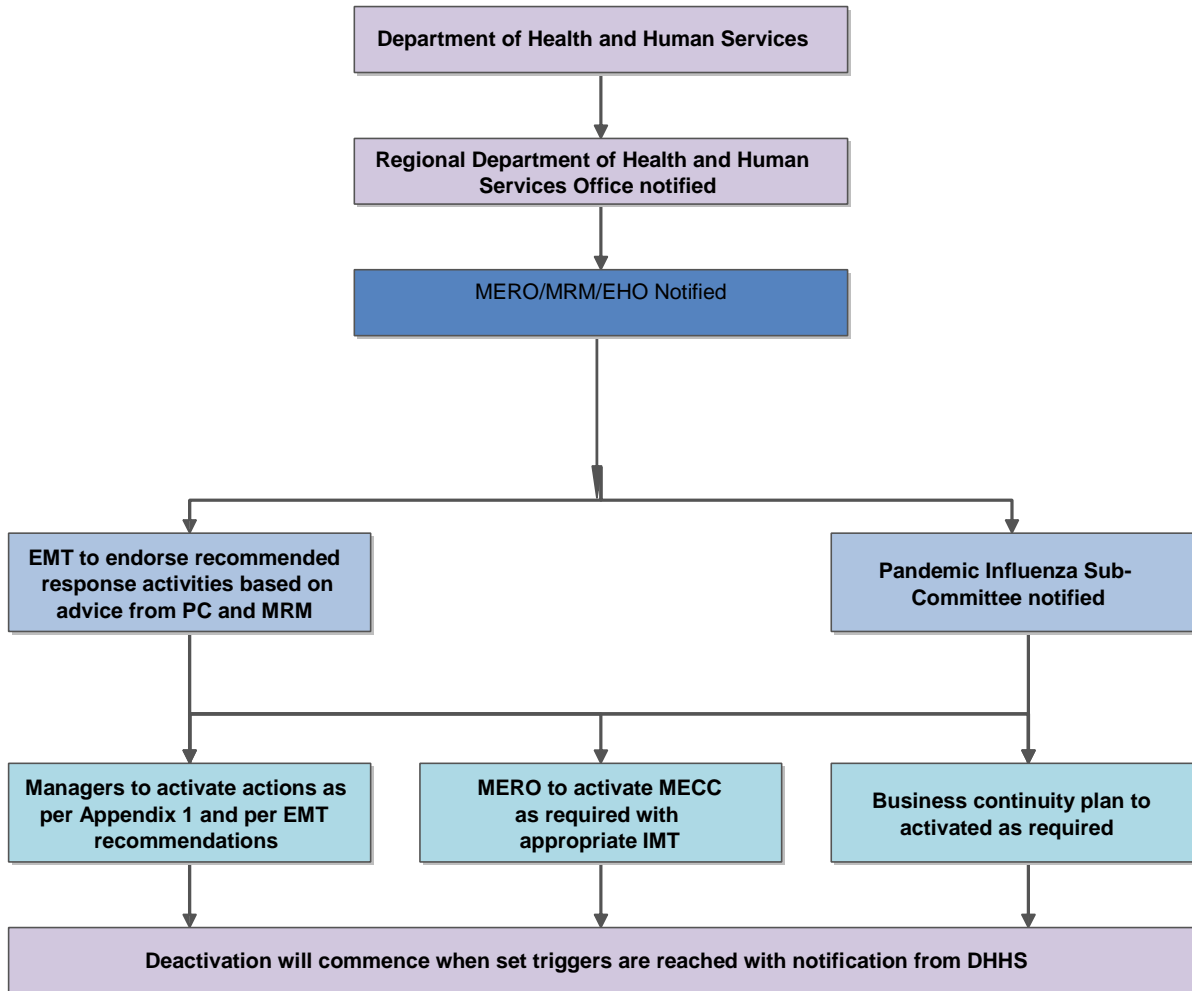
- the Australian Government Department of Health,
- the Australian Health Protection Principal Committee (AHPPC), and
- the World Health Organisation as they determine each pandemic phase.

Following advice from DHHS, the MERO/MRM/EHO will alert the Council's executive and activate the Council Pandemic Influenza Response Procedures (Appendix 1).

Council may activate their Business Continuity Plan.

Activation will follow the process outlined in the Hindmarsh Shire MEMP unless advised otherwise.

Activation Process



Actions of this Plan will function under the VHMPPi stages. The Council Pandemic Influenza Response Procedures describes activities to be considered at the different pandemic stages.

Roles and Responsibilities

The VHMPPI specifies a number of strategies that will assist Council, allied health services and service providers during a pandemic. The VHMPPI includes:

- Appendix 8: Communication
- Appendix 11: Schools and Children Services
- Appendix 12: Residential Aged Care
- Appendix 13: Disability Accommodation Services
- Appendix 14: Custodial Facilities
- Appendix 15: Management of the Deceased

Department of Health and Human Services (DHHS)

DHHS is the control agency for an influenza pandemic in Victoria. DHHS will activate the Victorian response to an influenza pandemic through the VHMPPI.

Responsibilities of DHHS include:

- Activate surveillance systems to identify the emergence of new strains of influenza in the Victorian community.
- Timely implementation of measures seeking to limit or prevent the transmission of pandemic influenza in the various stages of a pandemic.
- Provide alerts and information to health services, primary care, residential facilities, schools, education and care facilities, local government and emergency services.
- Continue surveillance to monitor the status of the outbreak.
- Maximise the use of resources.
- Public health strategies to best meet the needs of the current situation based on the best surveillance data.
- Implement policies on the use of personal protective equipment (PPE) and antivirals.
- Communicate accurate, consistent and comprehensive information about the situation to the general public, the media, partners in the health sector and other key stakeholders.

Health Services and Primary Health Care

Health services, including all public sector services, private hospitals, and primary healthcare, including general practice, community pharmacy, community nursing, ambulance services and community health services will form part of the front line of Victoria's response for human pandemic influenza. Primary healthcare plays an

important role in minimising the spread of pandemic influenza and treatment of people in a community setting. The particular needs and concerns of Aboriginal and Torres Strait Islander people should also be recognised during a pandemic.

Responsibilities are detailed in Appendix 6 and 7 of the VHMPPI, and include:

- Prepare and maintain an influenza pandemic plan which covers patient, visitor, staff and contractor protection as well as business continuity. Health services may consider establishing influenza wards or clinics as numbers increase.
- Primary Health Care should activate and de-activate clinics based on health services demand in consultation with DHHS.
- Provide staff and resources for each clinic as detailed in specific clinic plans.
- Provide triage to clinics.
- Provision of specialist staff and services as required (e.g. infection prevention and control, infectious diseases, pharmacy, pathology, public relations).
- Phone screening for patients.
- Separate waiting and consulting rooms for suspected influenza patients.
- Encourage staff and high risk patients to have seasonal influenza vaccinations.

There are a number of health service providers in the Hindmarsh Shire. Refer to Wimmera Integrated Relief and Recovery Plan 2017-2020 Version 2 (WIRRP).

Hindmarsh Shire Council

- Prepare and maintain the Pandemic Influenza Plan as a Sub Plan of the MEMP.
- Activate the plan to assist with reducing the impacts of an influenza pandemic.
- Provide support and recovery assistance throughout the duration of the influenza pandemic to staff and community.
- Provide information to staff and community.
- Have business continuity arrangements in place to maintain essential services.
- Provide vaccination services when appropriate.
- Support individuals and communities to prepare for, respond to, and recover from pandemic events.
- Review and update the plan when necessary.

Commercial Groups, Not for Profit groups, Residents and Visitors

- Everyone has a role to play in preparing for and coping with an influenza pandemic.
- The following actions are advised for commercial groups, not for profit groups, residents and visitors:
- Stay informed with current information being distributed via the Council website www.hindmarsh.vic.gov.au ,Facebook page and <http://www.health.vic.gov.au/chiefhealthofficer/alerts/>.
- Businesses/organisations in the Shire are encouraged to develop their own BCP's to manage the impact of an influenza pandemic on their business.
- Undertake seasonal influenza vaccination and encourage staff and members to do so.
- Practise good personal hygiene – cover your mouth and nose with a tissue when you cough or sneeze, put the used tissue in a rubbish bin and wash your hands with soap and running water. Dry hands thoroughly with a paper towel. Wash hands regularly and avoid touching eyes, nose or mouth. Refer to Appendix 3.
- Don't go to work or public areas if you have influenza symptoms (chills, shivering, fever, muscles aches and pains, sore throat, dry cough, trouble breathing, sneezing, stuffy or runny nose and extreme tiredness).
- Seek medical advice if you have concerns regarding influenza symptoms.
- Residents can contact Council Community Services for support e.g. home care, meal provision.

Business Continuity Plans

The Council's Business Continuity Plan details each of Council's critical services, current resource levels, minimum resources required to complete the work and areas where staff may be available for redeployment.

An influenza pandemic may result in reduced staffing for a long period of time. The Business Continuity Plan identifies strategies to manage resultant service disruptions.

Staff absences are expected for many reasons including:

- **Illness/incapacity (suspected/actual/post-infectious).**
- **To care for ill family members.**
- **To look after children if schools or child care centres are closed.**
- **Feeling safer at home (e.g. to keep away from crowded places such as public transport).**
- **Fulfilling other voluntary roles in the community.**

The above will also apply to Council's contracted service providers.

Support: Relief and Recovery

Relief and Recovery

Support during an influenza pandemic is managed through Hindmarsh Shire Municipal Emergency Management Plan (MEMP) and Wimmera Integrated Relief and Recovery Plan 2017-2020 Version 2 (WIRRP). Specific considerations for particular groups include:

- Isolated or Quarantined People
- Business & Community Resilience
- Council Staff

In planning for and providing support, consideration should be given to culture, faith, and language.

Support for Isolated or Quarantined people

People quarantined or isolated may not have an advocate or someone to provide for their needs:

- Food
- Water
- Shelter
- Medicine

Effective arrangements to provide for these needs should be detailed. Options include building on Council run services such as Home Aged Community Care Services or a formal arrangement with external service providers. In planning for support, likely demand patterns and timing should be addressed.

Other support requirements will be as per MEMP such as personal support, and financial special consideration.

Control Strategies

Basic Precautions

Preventing transmission and infection during a pandemic will require a package of related measures:

- Individual measures – hand hygiene, respiratory hygiene, cough etiquette and immunisation.
- Appropriate personal protective equipment (PPE as directed by DHHS).

- Organisational and environmental measures – patient placement, social distancing and cleaning.

The overall aim of these measures is to minimise the risk of exposure to the influenza virus, reducing transmission, infections and illness. All three components are essential.

Education and Training

Council will be required to provide education and training to staff in terms of implementing the appropriate infection control protocols in the workplace, which includes procedures to manage incidents of suspected Influenza. Council will disseminate literature, brochures and posters to increase awareness about the disease and to outline infection control protocols in a practical manner.

Specific issues to be covered in training include:

- The establishment of ‘social distancing’ (greater than one-metre separation) between staff at the various worksites, in the workplace or during business transactions.
- Disinfection protocols to reduce contaminated surfaces through alcohol or chlorine disinfection.
- Incident management processes where staff present with influenza symptoms or refuse to leave work, seek medical attention.
- Disposal of contaminated materials.
- Use of appropriate and context specific Personal Protective Equipment (PPE).
- Storage, supply and stock control of PPE and Disinfectants.
- Return to work processes.

Communication and education will be provided to employees to best prepare them for what may be encountered such as:

- Information about signs, symptoms and transmission.
- Personal and family protection and response.
- Anticipation of fear, anxiety, rumours and misinformation.
- Preparedness and response obligations.
- Advice regarding management of home care and ill relatives.
- Hotline and Website communications.
- Community resources available for accessing.

Personal Protective Equipment (PPE)

In addition to Councils existing hygiene measures, PPE stocks will be obtained in accordance with the activation table in Appendix 1. Appropriate training will be provided to individuals using PPE at a time prior to a pandemic, to ensure they become competent and proficient in its use.

The decision to deploy PPE from the Victorian medical stockpile to healthcare and other settings will be taken by the Chief Health Officer.

Social Distancing

This comprises interventions to reduce normal physical and social population mixing, in order to slow the spread of a pandemic. In addition to restricting workplace entry and interaction, an imaginary one-metre distance rule should be implemented to eliminate physical interaction such as hand shaking and hugging.

Restricting Workplace Entry

Measures that will, as far as is practicable, protect staff and public from being exposed to the pandemic virus can include:

- Minimising direct face-to-face contact with customers.
- Minimising face-to-face internal meetings.
- Closure of non-essential locations.
- Suspension of all non-essential services.
- Provision of education / awareness programs regarding transmission of infection and exclusion requirements.

Communications

State Communication Plan

The whole of the Victorian Government communication strategy is produced by DHHS to strengthen pandemic preparedness at state, regional and local level and ensure that timely, informative and consistent messages are provided to the wider community. The strategy supports the Australian Government Department of Health Communication Strategy, while accommodating Victorian circumstances.

Council Communication Plan

At the municipal level, Council's Communications and Customer Service areas are responsible for both community and internal staff pandemic communications. All Council service units will have a responsibility to distribute approved information as provided. For example, Environmental Health to restaurants, Engineers to contractors, Social and Community to community groups and CALD Community leaders, etc.

Council's Communications Unit will prepare a script based on State department advice, for customer service staff or other Council staff who may take calls from the general public seeking help and information during a pandemic. Specific Council communications activity during an influenza pandemic is outlined in Appendix 1.

Internal Communication:

The Emergency Management Group (see Part 3 of MEMP) will be formed at stand by for the response stage, then meet as required to discuss management of Council operations and associated issues during the pandemic.

Councils Communications Officer will attend these meetings. The Pandemic Coordinator will be responsible for providing initial information to Council's CEO, Executive, Councillors and staff. Initial briefing will be at pandemic alert then at weekly intervals.

External Communication

Council is able to provide information to the community via a number of avenues. DHHS information will be utilised to ensure consistent messages are being communicated.

- Council's website will be used to post information and provide links to DHHS, DHA and WHO websites.
- Council offices and service centres will be used to provide advice regarding customer use.
- Recorded phone messages can be utilised on the main Council phone line.
- Local papers, radio and community papers and Facebook page can be used to transfer information.

Immunisation

Victoria has a wide range of immunisation providers and Council may play an active role in the delivery of a pandemic vaccination program. The most effective way of preventing infection with an influenza virus is vaccination. A pandemic vaccine can only be developed once the nature of the virus is known, and is likely to take some time before being available. Pandemic vaccines are produced by pharmaceutical companies under pre-arranged contracts with the Commonwealth Government.

When a customised pandemic vaccine does become available, a mass vaccination program will be coordinated by DHHS. Local Council and GP networks may be asked to support DHHS by providing staff, facilities or by promoting the vaccination program throughout the community.

At the time of such a program, guidelines will be developed to provide useful information, forms, guidelines and tips to be used to implement such as program. The purpose of such guidelines would be to assist immunisation providers in a range of settings to meet their professional responsibilities and community expectations for a quality program and safe service delivery.

Mass fatality

The Victorian Institute of Forensic Medicine (VIFM) is responsible for all deceased persons where there is no Doctor's certification of death. It is anticipated that this would be the most likely occurrence in the event of a pandemic. The VIFM has the capacity for normal operations and surge capacity arrangements for a significant number of deceased persons. Depending on the emergency and situation, there remains an unlikely potential that local government may be requested to assist. Requests would be made to Victoria Police and the MERC would make any requests of the MERO.

In ALL instances, detailed advice should be obtained from the VIFM.

Storage

The VIFM may request a location to establish a temporary storage facility if the fatality rate is expected to exceed capacity (Appendix 4). The VIFM has arrangements in place for the supply of refrigerated shipping containers, the support services required to fit them out and the staff to manage them. A location such as a sporting oval would be suitable depending upon whether a mortuary is also established on site.

Other considerations should include:

- Location – away from schools, community facilities or residential areas.
- Vehicular access for two-wheel drive vehicles
- Access to power – supply grid or generators
- Access to water – mains preferred
- Security – temporary fencing with black screening mesh
- Signage

Sites should be identified on a needs basis and agencies will need to remain flexible.

Burial sites

In rare, exceptional circumstances, Council will be asked to identify possible sites for burial of deceased persons. These areas should be carefully considered if fatality rate is expected to exceed the capacity of cemeteries within the Shire (Appendix 4) as they are likely to remain, at the very least, memorial sites into the future and the site will have little chance of repatriation and return to its previous use.

Appendix 1: Council pandemic influenza response procedures

No novel strain detected

PHASE	✓	RESPONSIBILITIES
No novel strain has been detected (or emerging strain under initial detection)		COUNCIL DEPARTMENTS (RESPONSIBILITY LIES WITH MANAGERS)
		Identify critical business activities and available resources
		Assist with review of the Pandemic Plan as requested by the Pandemic Coordinator
		Promote vaccination, good hygiene and flu preparedness practices (infection control) among staff, contractors and clients.
		Staff who are unwell should not come to work
		Identify staff PPE requirements and organise appropriate training for staff
		Municipal Emergency Management Planning Committee (MEMPC)
		Participate in annual Pandemic Plan review
		Assist with Pandemic Plan reviews as requested by the MRM
		Delegate Officer as Pandemic Coordinator when required
		Municipal Recovery Manager (MRM)
		Establish and maintain pandemic planning team
		Ensure Pandemic Plan is reviewed annually
		Organisational Development (OD)
		Review HR planning for pandemic
		OHS to assist Coordinators with advice on PPE training for staff
		Communications
		Establish / review communication policy and procedure
		Environmental Health
		Recommend seasonal flu vaccinations
		Promote all scheduled vaccination programs
		Family, Youth and Children Services
		Ensure staff training for PPE usage
		Aged and Disability Services
		Ensure staff training for PPE usage

Standing by for response

Standing by for Response (Sustained community person to person transmission is detected overseas)		COUNCIL DEPARTMENTS (RESPONSIBILITY LIES WITH MANAGERS)
		Implement procedures as per instruction from the Council Pandemic Coordinator, executive or the Municipal Recovery Manager
		Promote good hygiene and infection control procedures
		Staff who are unwell should not come to work
		Municipal Recovery Manager (MRM) – Pandemic Coordinator (PC)
		<ul style="list-style-type: none"> • Implement procedures as per DHHS instructions • Alert Executive and provide advice • Work with Communications Team to Increase staff awareness (e.g. personal health messages on display in workplace) • Organise acquisition of PPE or other resources as required
		Deputy Pandemic Coordinator (DPC)
		Assist Pandemic Coordinator as required
		Assist Pandemic Coordinator in acquisition of PPE or other resources as required
		Organisational Development
		Review HR planning for pandemic
		Communications
		Work with Pandemic Coordinator to increase staff awareness (e.g. display health messages in workplace)
		Environmental Health
		Promote all scheduled vaccination programs
		Family, Youth and Children Services
		Review hygiene and food preparation procedures as per instructions from DHHS.
		Aged and Disability Services
		Review hygiene and food preparation procedures as per instructions from DHHS.
		Buildings and Property
		Cleaning contracts to be reviewed and enhanced cleaning standards to be negotiated.
	Review cleaning processes in communal areas	
	Library and Leisure Services	
	Cleaning contracts to be reviewed and enhanced cleaning standards to be negotiated.	
	Review cleaning processes in communal areas	

Initial response

Initial Response (Initial and targeted cases are detected in Australia but information about the disease is scarce)	COUNCIL DEPARTMENTS (RESPONSIBILITY LIES WITH MANAGERS)
	Implement procedures as per instruction from the Council Pandemic Coordinator, executive or the Municipal Response Manager (MRM).
	Report any changes to activities or resource levels to MRM
	Reinforce good personal hygiene and infection control procedures with all staff
	Staff suspected of or reporting being unwell to be excluded from the workplace
	Municipal Recovery Manager (MRM) - Pandemic Coordinator (PC)
	Alert Executive and provide advice
	Alert Pandemic Sub Committee and inform them of Council activity
	Work with Communications Team to Increase staff awareness (e.g. personal health messages on display in workplace)
	Review requirement and purchase further PPE if required
	Liaise with DHHS to discuss contact tracing arrangements
	Work with HR and communications team to alert staff of a possibility of a pandemic and the actions to be taken to reduce the risk of infection – personal hygiene, avoiding contact, influenza immunisation etc.
	Provide area specific information for work units dealing with the public - family case workers, maternal and child health nurses, childcare centres, home care, meals on wheels, library, leisure, and civic facilities
	Municipal Emergency Resource Officer (MERO)
	Liaise with DHHS to inform them of Council activity and resourcing
	Deputy Pandemic Coordinator (DPC)
	Assist Pandemic Coordinator, MRM as required
	Assist Pandemic Coordinator in acquisition of PPE or other resources as required
	Organisational Development (OD)
	Assist Pandemic Coordinator to alert staff of a possibility of a pandemic and the actions to be taken to reduce the risk of infection – personal hygiene, avoiding contact, influenza immunisation etc.

	Communications
	Work with Pandemic Coordinator to Increase staff awareness (e.g. display health signage etc.)
	Assist Pandemic Coordinator to alert staff and Councillor's of the possibility of a pandemic and the actions to be taken to reduce the risk of infection – personal hygiene, avoiding contact, immunisation etc.
	Prepare internal and external messages using advice from DHHS
	Environmental Health
	Provide advice to the Council on social distancing measures and ways to reduce numbers of mass gatherings.
	Promote all scheduled vaccination programs
	Family, Youth and Children Services
	Review listings of vulnerable clients and communication channels
	Aged and Disability Services
	Review listings of vulnerable clients and communication channels
	Buildings and Property
	Provide shared work stations with alcohol wipes for phones, computers
	Check wash areas regularly to replenish supplies
	Library and Leisure Services
	Provide shared work stations with alcohol wipes for phones, computers
	Check wash areas regularly to replenish supplies

Low clinical severity

Targeted Response		When initial and targeted cases are detected in Australia and where enough is known about the disease to tailor to specific needs
Low Clinical Severity		COUNCIL DEPARTMENTS (RESPONSIBILITY LIES WITH MANAGERS)
		Review services & resource levels Implement procedures as per instruction from the Council Pandemic Coordinator, IMT or the Municipal Response Manager
		Report any changes to activities or resource levels to MRM
		Staff suspected of/or reporting being unwell to be excluded from the workplace
		Introduce work place social distancing measures and reduce numbers of mass gatherings (meetings, events etc.)
		Municipal Recovery Manager (MRM) - Pandemic Coordinator (PC)
		Implement enhanced infection control procedures based on advice from DHHS
		Liaise with Department of Health and Police (MERC) to determine the need to activate Operations Centre
		Purchase or procure health, PPE and cleaning products/ consumables for an extended period.
		Distribute PPE supplies to units
		Ensure staff using PPE have undertaken OHS training on PPE usage
		Liaise with DHHS to discuss contact tracing arrangements
		Review and confirm vaccine and PPE supply chain and secure storage with MERO
		Municipal Emergency Resource Officer (MERO)
		Review resourcing requirements for Community Support Service and report to IMT
		Liaise with DHHS to inform them of Council activity and resourcing
		Emergency Management Officer
		Assist Pandemic Coordinator and MERO as required
		Assist Pandemic Coordinator in acquisition of PPE or other resources as required
		Organisational Development
	Assist Pandemic Coordinator to distribute PPE supplies as required	

	Staff suspected of/or reporting being unwell to be excluded from the workplace (assist in implementation of this)
	Implement an illness register
	Employment/deployment of staff to ensure continuation of critical services
	Communications
	Provide information to local papers/radio stations regarding the pandemic situation, including where support services can be accessed.
	Regularly update community information on website, phone wait message and other public access points
	Environmental Health
	Arrange immunisation sessions when vaccine available
	Promote vaccination for pneumococcal vaccine for identified high-risk groups.
	Family, Youth and Children Services
Review listings of vulnerable clients and communication channels	
Determine support for quarantined and isolated clients at home	
Aged and Disability Services	
Review listings of vulnerable clients and communication channels	
Determine support for quarantined and isolated clients at home	
Buildings and Property	
Review cleaning and infection control procedures for communal areas	
Provide antiseptic hand wash to ingress points of Council buildings	
Investigate work from home capacity/accessibility of systems from remote locations	
Additional infection control procedures for communal areas	
Library and Leisure Services	
Review cleaning and infection control procedures for communal areas	
Provide antiseptic hand wash to ingress points of Council buildings	
Investigate work from home capacity/accessibility of systems from remote locations	
Additional infection control procedures for communal areas	

Moderate clinical severity

Moderate Clinical Severity	COUNCIL DEPARTMENTS (RESPONSIBILITY LIES WITH MANAGERS)
	Review services, resource levels and BC arrangements
	Implement procedures as per instruction from the Council Pandemic Coordinator, IMT or the Emergency Management Group
	Report any changes in activities or resource levels to Municipal Response Manager (MRM)
	Cease all non-essential person to person contact with customers and clients
	Staff suspected of/or reporting being unwell to be excluded from the workplace
	Municipal Recovery Manager (MRM) - Pandemic Coordinator (PC)
	Implement enhanced infection control procedures based on advice from DHHS
	Review and confirm vaccine and PPE supply chain and secure storage with MERO
	Liaise with DHHS to discuss contact tracing arrangements
	Implement PPE training for essential services staff Distribute PPE supplies
	Review supplies, purchase or procure health, PPE and cleaning products/consumables for an extended period.
	Liaise with Department of Health and Police (MERC) to determine need to activate operations centre
	Municipal Emergency Resource Officer (MERO)
	Review resourcing requirements for Community Support Service and report to MRM
	Liaise with DHHS to inform them of Council activity and resourcing
	Deputy Pandemic Coordinator (DPC)
	Assist Pandemic Coordinator, MERO and MRM as required
	Assist Pandemic Coordinator in acquisition of PPE or other resources as required
	Organisational Development (OD)
	Staff suspected of/or reporting being unwell to be excluded from the workplace (assist in implementation of this)
	Implement an illness register
	Continuation of critical services

	Communications
	Provide information to local papers/radio stations regarding the pandemic situation, including where support services can be accessed
	Regularly update community information on website, phone wait message and other public access points
	Environmental Health
	Arrange immunisation sessions when vaccine available
	Promote vaccination for pneumococcal vaccine for identified high-risk groups.
	Family, Youth and Children Services
	Review listings of vulnerable clients and communication channels
	Consider closure of facilities based on DHHS advice
	Determine and provide support for quarantined and isolated clients at home
	PPE to be utilized where needed
	Aged and Disability Services
	Review listings of vulnerable clients and communication channels
	Consider closure of facilities based on DHHS advice
	Determine and provide support for quarantined and isolated clients at home
	PPE to be utilized where needed
	Buildings and Property
	Review cleaning and infection control procedures for communal areas
	Provide antiseptic hand wash to ingress points of Council buildings
	Support work from home arrangements
	Additional infection control procedures for communal areas (Consider closure of facilities based on DHHS advice)
	Library and Leisure Services
	Review cleaning and infection control procedures for communal areas
Provide antiseptic hand wash to ingress points of Council buildings	
Support work from home arrangements	
Additional infection control procedures for communal areas (Consider closure of facilities based on DHHS advice)	

High clinical severity

High Clinical Severity	COUNCIL DEPARTMENTS (RESPONSIBILITY LIES WITH MANAGERS)
	Review services, resource levels and BC arrangements
	Implement working from home arrangements where appropriate
	Implement procedures as per instruction from the Council Pandemic Coordinator, IMT or the Emergency Management Group
	Report any changes to branch activities or resource levels to the MRM
	All staff to adhere to PPE requirements for direct service delivery
	Municipal Recovery Manager (MRM) - Pandemic Coordinator (PC)
	Maintain regular contact with DHHS, IMT and the Emergency Management Group
	Review supplies, purchase or procure health, PPE and cleaning products/consumables for an extended period
	Implement vaccination programs as advised by DHHS
Establish community support services, facilities and staffing with advice from DHHS	
Municipal Emergency Resource Officer (MERO)	
Liaise with DHHS to discuss relief and recovery arrangements	
Assist PC as requested for vaccination session security	
Deputy Pandemic Coordinator (DPC)	
Assist Pandemic Coordinator to alert staff of a possibility of a pandemic and the actions to be taken to reduce the risk of infection – personal hygiene, avoiding contact, influenza immunisation etc.	
Assist Pandemic Coordinator, MERO and MRM as required	
Organisational Development (OD)	
Ensure provision of Employee Assistance Program by telephone	
Staff suspected of/or reporting being unwell to be excluded from the workplace (assist in implementation of this)	
Implement an illness register	
Communications	
Provide information to local papers/radio stations regarding the pandemic situation, including where support services can be accessed.	

	Regularly update community information on website, phone wait message and other public access points
	Environmental Health
	Arrange immunisation sessions when vaccine available
	Promote vaccination for pneumococcal vaccine for identified high-risk groups
	Family, Youth and Children Services
	Review listings of vulnerable clients and communication channels
	Consider closure of facilities based on DHHS advice
	Determine and provide support for quarantined and isolated clients at home
	PPE to be utilized where needed
	Aged and Disability Services
	Review listings of vulnerable clients and communication channels
	Consider closure of facilities based on DHHS advice
	Determine and provide support for quarantined and isolated clients at home
	PPE to be utilized where needed
	Buildings and Property
	Isolate air circulation (heating/cooling) systems for all relevant municipal facilities
	Additional infection control procedures for communal areas (consider closure of facilities based on DHHS advice)
	Secure closed sites
	Reduce services as required
	Library and Leisure Services
	Isolate air circulation (heating/cooling) systems for all relevant municipal facilities
	Additional infection control procedures for communal areas (consider closure of facilities based on DHHS advice)
	Reduce services as required

Any Council units not listed in this table will be required to support pandemic response activities of those business areas listed. Stand Down procedure will be implemented upon advice from the DHHS.

Appendix 2: Vulnerable groups

Existing vulnerable groups

Existing Vulnerable group	Ways affected
Children	More likely to contract pandemic influenza due to reduced natural immunity
People living in healthcare settings	Reduced natural immunity due to other health conditions
Young families, especially single-parent families	May need to manage a range of demands with minimum support
Older people, living alone without support	Isolation could cause deterioration in health and ability to function
Socially isolated	Lack of family and friends to provide personal or physical support. Lack of information could lead to anxiety
Physically isolated	Reduced ability to call on assistance from other members of the community, or from agencies
Unemployed	Lack of financial and physical resources may result in higher levels of disadvantage
People relying on external help	Existing support, such as home support, may be compromised
People living in an institutional setting	More exposed to the spread of disease, due to close living arrangements and sharing of facilities
People with existing disability, physical or mental illness	Existing support may be compromised. Higher risk of exposure to infection and psychological stressors
People with limited coping capability	Reduced capacity to manage life events
Substance dependent	Vulnerability if medical and other care arrangements are disrupted
Culturally and linguistically diverse communities (CALD)	Reduced understanding of potential risks and difficulty gaining access to information and resources
Financially disadvantaged, individuals and families on low incomes and/or high debt levels	May have limited access to goods and services. May not be able to stockpile, due to diminished supply and potential rising costs

Existing Vulnerable group	Ways affected
Homeless	More exposed to the spread of disease, due to sharing of facilities. Lack of financial and physical resources may result in higher levels of disadvantage
People who use public transport	Higher likelihood of infection and transmission due to close contact with others

Emerging vulnerable groups

Emerging Vulnerable group	Ways affected
People confined to their homes as a result of illness or quarantine	Lack of family and friends to provide adequate levels of care. Fear of being socially marginalised or stigmatised.
Children orphaned and without a carer, particularly where there is no alternative carer	Heightened levels of grief, anxiety, stress and trauma due to issues around housing and care. Potential dislocation and developmental effects.
Children whose parents become ill, particularly where there is no alternative carer	Heightened levels of grief, anxiety, stress and trauma. Increased vulnerability in the longer term.
Families where a pandemic influenza bereavement has taken place	Heightened levels of grief, anxiety, stress and trauma.
People whose caregiver is sick and unable to care for them	Lack of alternative support could lead to general deterioration of health and wellbeing.
People who become unemployed, due to business closure or economic downturn	Lack of financial and physical resources and high debt levels, with minimum savings in reserve.
People on low incomes or otherwise economically vulnerable	Lack of financial and physical resources to manage consequences over an extended period of time.
The worried well—people whose physical health has not been affected by the virus but are worried or anxious about getting sick	High levels of anxiety due to fear of illness, death, unemployment and lack of access to services and information.
Families	Increased risk of family violence and breakdown of family unit, due to a shift in

Emerging Vulnerable group	Ways affected
	household dynamics. Children will lack social interaction, following school closures.
Small business owners	Significant reduction in demand in some sectors. Lack of resources to maintain financial viability during a downturn in the economy and/or unable to function due to absence of key personnel.
Health care workers and workers who are in close, regular contact with members of the public	Exposure to risk of infection and potential isolation from family and support networks could increase stress and anxiety levels.

Protect yourself and your family

Cover your cough and sneeze

1 **COVER** your mouth and nose with a tissue when you cough or sneeze.

2 Put your used tissue in the rubbish **BIN**.

3 If you don't have a tissue, cough or sneeze into your upper sleeve or elbow, **NOT YOUR HANDS**.

4 **WASH** your hands with soap and running water. Dry your hands thoroughly with a disposable paper towel.

Stay germ free and healthy

A Victorian
Government
initiative



Protect yourself and your family

Wash your hands regularly



1 **WET** your hands.

2 Put **SOAP** on your hands.



3 **RUB** all parts of your hands until you have a thick lather.

4 **RINSE** your hands under running water.



5 **DRY** your hands thoroughly with a disposable paper towel.

Stay germ free and healthy

A Victorian
Government
initiative



Appendix 4: Storage, funeral and burial considerations to be completed locally

Funeral Directors

FUNERAL BUSINESS	ADDRESS	CAPACITY	CONTACT
Nhill & District Funerals	121 Nelson St, Nhill VIC 3418		(03) 53913280
Dimboola & District Funerals	43 Wimmera St, Dimboola VIC 3414		0419008464

Cemeteries

CEMETERY	ADDRESS	BURIAL CAPACITY	CONTACT
Nhill Cemetery	Nhill-Harrow rd., Nhill VIC 3418		(03) 5391 1138 0407 861 535
Dimboola Public Cemetery	PO Box 151 Dimboola VIC 3414		(03) 5389 1218
Jeparit Cemetery	201-375 Jeparit East Road Jeparit VIC 3423		(03) 5397 2183
Antwerp Cemetery	1513 Dimboola-Rainbow Road Dimboola VIC 3414		(03) 5382 5659
Rainbow Cemetery	Rainbow-Nhill Rd Rainbow VIC 3424		

Appendix 5: references

Victorian Government, Department of Health & Human Services (DHHS) 2014: Victorian Health Management Plan for Pandemic Influenza (VHMPPi), October 2014:

<https://www2.health.vic.gov.au/emergencies/emergency-type/infectious-diseases/pandemic-influenza>

Victorian-action-plan-for-pandemic-influenza (VAPPI) Available:

<https://www.emv.vic.gov.au/plans/victorian-action-plan-for-pandemic-influenza/>

World Health Organisation – Pandemic Influenza Plan 2013:

http://www.who.int/influenza/preparedness/pandemic/influenza_risk_management/en/

Australian Health Management Plan for Pandemic Influenza 2014:

<http://www.health.gov.au/internet/main/publishing.nsf/Content/ohp-ahmppi.htm>

MINUTES

NHILL TOWN COMMITTEE

Monday 17th February, 2020

Meeting opened 7:33pm

1. Attendance

Ross Barker, Catherine Bates, Leith Dean, Helen Ross, Helen Thomson (left 9:25pm), Bev Walker (left 9:40pm), David Colbert (left 8:50pm), Pauline McCracken (arrived 7:40pm, left 9:40pm)

2. Apologies

Helen Woodhouse-Herrick, Jo Hayes

3. Minutes

Circulated via email

- Proposed accepted as read: Ross
- Seconded: Pauline
- Approved

4. Financial Report

Circulated via email

- Proposed accepted as read: Helen R
- Seconded: Leith

5. Correspondence

In:

- Invoice from Nhill Learning Centre (meeting venue)
- Invoice from Home Hardware Nhill
- Invoice from Nhill Free Press and Kaniva Times (advertising)
- Invoice from Sarah White/Shimmer N Shine Face Painting (carols)
- Section 86 handbook from Taegan Jarred (Hindmarsh Shire Council)
- Email re: community action grants from Matt Sherwell (Hindmarsh Shire Council)
- Email from Jo Hayes resigning as treasurer of NTC

Out:

- January meeting minutes and cover letter to Sam Borgelt (NAB) re: changing signatories

6. Business Arising from Correspondence

Re: Community Action Grants

- Discussion of current NTC eligibility
- Action: Helen T to follow up

Re: Jo Hayes' resignation as treasurer

- Election of new treasurer
- Nominated: Helen R – nominated by Ross, seconded by Leith, accepted
- As there were no other nominations, Helen R was appointed treasurer unopposed
- In light of changes to the position of secretary, the proposal was made to add Helen R as a signatory to the NTC bank account and give her access to the NTC internet banking account, and to remove Jo from being a signatory and having access to the internet banking account
 - Proposed: Catherine
 - Seconded: Pauline
 - Passed

7. Shire Business

- None to report from Helen T
- Discussion of parking outside Mr Le's and concern about loss of parking spaces as a result of the installation of glass walls and planter boxes; no standing signs have been moved so this is not an issue in terms of parking, but there are two less parking spots
- Possibility of security cameras in main street of Nhill – possibly something to propose to council at some stage?

8. Ongoing Business/Projects

Friday Fiestas

- Posters for final week distributed
- Going well
- Karen dancing not going to happen at third night
- No duck races at fourth week; transferred to Nhill Early Learning Centre
- Early Learning Centre has indicated they'd like to do two nights next year
- Pauline to let fence people know not to take down fence after third night
- Suggestion to change start time on posters for next year
- Extra security added to truck after an attempted break-in; sign also stolen, Catherine to follow up as found in Nhill College playground

Replace section of dance floor

- Dale has used his own wood to support broken parts of dance floor; if he continues to do this, we no longer need to purchase new materials
- Will know at next meeting the outcome

New residents' function

- Organised
- Tickets available at shire office

Bonfire night

- Still following up funding

Dog park

- Pre-budget application submitted by Monica

Water tower

- Helen R distributed a possible strategy plan
- Approach local groups seeking letter of in principle support for painting
 - Action: Helen R to specific groups, Catherine general note via Facebook
- Hold design competition with final 10 or so designs displayed in pharmacy, art gallery, facebook, etc.
- Come up with more ideas of images to suggest as guidelines for images
- Pauline talked about desire to see a coordinated approach for art-based town decoration rather than just bits and pieces here and there

Soundshell shade cloth

- Ross submitted pre-budget submission to council
- Estimated cost \$15,000

Signatories to NTC bank account/internet banking

- Done

First aid kit and fire safety equipment

- Possibility of applying for a grant to get this equipment
 - Action: Helen T to check NTC eligibility for grant
- Nothing else to report yet

Drone competition

- Bev has not heard back yet from Daniel (possible contact)
- Helen R to give Bev contact details of her son as another source of info

Public holiday travelers

- Held over to next meeting in absence of Jo

Silo painting

- Possibility of painting silo sign if the silo itself cannot be painted (due to prohibitive cost)
- Write to owner asking thoughts on painting sign
 - Action: Helen WH
- Talk to Tourism Committee about project
 - Action: Ross

Historic plaques

- Helen R to continue liaising with historic society
- Possibility of creating a digital/augmented reality for further information (e.g. using phones to scan codes, etc.)\

- Suggestion: could we use contacts at school? Action: Catherine to ask at school
- Do we do this with an artwork theme?

9. New Business

Newsagency

- Bev wondering if possible to save newsagency in the same manner as Kaniva saved their petrol station
- Most services are still going to be supplied except the newspaper deliveries
- Possibly too late to do anything
- General feel we cannot do anything to save the newsagency, but would it be possible to have someone making deliveries?
 - Write to supermarket and/or post office?
 - Supplemented by extra cost by patrons to have the mail delivery people – currently been about 10 – 20 cents
 - Ask Emily Gladdis about newspaper delivery

Easter egg hunt

- To be held on Easter Sunday (April 12th)
- Same format as previous years

10. Business Without Notice

11. Meeting Closure/2020 Meeting Dates

Meeting closed 9:45pm

Next meeting: Monday 16th March, 2020, 7:30pm, The Patch

Remaining meetings for 2020 (TBC):

- Monday 20th April, 2020
- Monday 18th May, 2020
- Monday 15th June, 2020
- Monday 20th July, 2020
- Monday 17th August, 2020
- Monday 21st September, 2020
- Monday 19th October, 2020
- Monday 16th November, 2020

12. Wish List

- Wellness garden



MINUTES OF THE HINDMARSH SHIRE COUNCIL AUDIT COMMITTEE HELD IN THE NHILL COUNCIL CHAMBER, HINDMARSH SHIRE COUNCIL, NELSON STREET, NHILL ON THURSDAY 5 MARCH 2020, COMMENCING AT 3.00 P.M.

PRESENT:

Mr B Young (Chairperson), Mr D Welsh (Committee Member), Mr A Roberts (Committee Member), Mrs K Thiele (Committee Member), Cr D Nelson, Cr T Schneider, Mr R Ainio (External Auditor), Ms B Mendoza (Internal Auditor), Mr P Harrison (Internal Auditor), Mrs M Revell (Director Corporate & Community Services), Mrs J Reichelt (Manager Finance & Customer Services), Ms H Thomson (Manager Governance & Human Services),

1. Welcome and Acknowledgement of the Indigenous Community

Welcome and acknowledgement of the indigenous community by the Chairperson.

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.

2. Apologies

Mr G Wood (Chief Executive Officer)

3. Declaration of Interests

Committee Members to declare any known interests in relation to any item published on the agenda for this meeting, either:

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

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

4. Confirmation of Minutes of Previous Meeting

MOVED NELSON / THIELE:

That the Minutes of the Audit Committee meeting held on Thursday 12 September 2019 in the Council Chamber, Hindmarsh Shire Council, Nelson Street, Nhill, as circulated to members be taken as read and confirmed.

CARRIED

Refer attachment 4.1

5. Election of Chairperson

Director Corporate & Community Services will assume the role of temporary chair and call for nominations of Chairperson.

Chairperson: Mr Bernard Young

Nominated by: Nelson

Committee thanked Mr D Welsh for his many years as Chairperson of the Audit Committee.

MOVED: NELSON / WELSH

That Bernard Young be nominated as Chairperson for the Audit Committee.

CARRIED

New Chairperson to assume the Chair.

6. Risk Management Report

Responsible Officer: Director Corporate & Community Services
Attachment Number: 6.1 Risk Management Executive Summary
6.2 Detailed Risk Report

Introduction:

The purpose of this report is to inform the Audit Committee of the current undertakings in Risk Management and provide Risk Reports for discussion.

Discussion

The attached Risk Management Executive Report outlines the top 10 risks associated with Council's business objectives, ordered by current and residual rating. A detailed copy of all risks entered into the Risk Register is attached, which shows number of risks identified sorted by business function.

A detailed summary of all Risks identified has also been attached for the Audit Committees information.

Whilst risk is considered an informal basis in the organisation's day-to-day tasks and projects, the Risk Register is a formal record of all identified potential risks, hazards and treatment plans across the organisation. The Register is reviewed frequently working in consultation with management and officers to update the current records and identify any new risks to be included.

The Risk Register will continue to be updated and reviewed regularly with department officers and management.

The future focuses of the Risk Management process will be –

- Regular review of individual risks with consideration of current controls and possible improvements to further reduce the risk;
- Assessing the risk from the identified hazard – both the significance of the risk and the likelihood that the risk will occur;
- Identifying any foreseeable hazard that has the potential to cause harm or damage to persons or property within the Shire;
- Elimination of the hazard or where this is not possible minimising either the likelihood of the risk occurring, or in the event that the risk occurs, its impact;
- Ensuring the treatment plan listed includes achievable treatments to address risks faced by Council;
- Regular discussion with Senior Management Team about high risks faced by Council;
- Review and update Council's Risk Management Framework; and
- Provide ongoing Risk Management awareness training for all staff.

Link to Council Plan:

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:

Nil.

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

Officer Responsible & Author: Monica Revell, Director Corporate & Community Services

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

MOVED WELSH / SCHNEIDER

That the Audit Committee receives the Risk Management update.

CARRIED

Refer attachment 6.1 & 6.2

7. Hindmarsh Shire Council Quarterly Financials

Responsible Officer: Director Corporate & Community Services
Attachment Number: 7.1 Quarterly Finance report ending 31 December 2019

Introduction:

The purpose of this report is to provide the Audit Committee the quarterly finance report to 31 December 2019.

Discussion:

The quarterly finance report for the period ending 31 December 2019 was presented to Council on 5 February 2020.

The report includes a comprehensive income statement, balance sheet, cash flow and capital works statement, along with a dashboard providing information on various financial and non-financial elements of councils business.

As at 31 December 2019 the Comprehensive Income Statement reports a year to date surplus of \$4,425,775 against a budgeted surplus of \$4,452,939. Cash at 31 December 2019 was \$7,636,670, with capital works expenditure \$5,298,991 against a year to date budget of \$5,031,490.

Link to Council Plan:

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:

This decision has no financial implications.

Risk Management Implications:

The preparation of the quarterly statement 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 Officer Responsible, I have no interests to disclose.

MOVED SCHNEIDER / THIELE:

That the Audit Committee receives the quarterly finance report for the period ending 31 December 2019.

CARRIED

Refer attachment 7.1

8. VAGO Audit Update

Responsible Officer: Director Corporate & Community Services
Attachment Number: 8.1 Audit Strategy Hindmarsh 2020

Verbal report to be given during the meeting by Mr Richard Ainio, Crowe Horwath on the 2019/20 VAGO Audit.

MOVED WELSH / THIELE:

That the Audit Committee receives the verbal audit update.

CARRIED

Refer attachment 8.1

9. Internal Audit Update

Responsible Officer: Director Corporate & Community Services
Attachment Number: 9.1 Internal Audit Recent Publications
9.2 Internal Audit Report Contract Management

Verbal report to be given during the meeting by RSD Audit on the recent internal audit for contract management and internal audit recent publications.

MOVED SCHNEIDER / WELSH:

That the Audit Committee receives the verbal internal audit update and internal audit report for Contract Management.

CARRIED

Refer attachment 9.1 & 9.2

10. Public Interest Disclosure Policy

Responsible Officer: Director Corporate & Community Services

Attachment Number: 10.1 Public Interest Disclosure Policy

Introduction:

Commencing 1 January 2020, the Protected Disclosure Act 2012 was renamed the Public Interest Disclosures Act 2012 (PID Act) requiring a review and rename of Council's Protected Disclosure Policy.

Discussion:

Apart from the change in name, further amendments were required to Council's policy including:

- The terms 'protected disclosure' and 'protected disclosure complaint' were replaced with the terms
 - 'public interest disclosure' – disclosure by a natural person of information that shows / tends to show or information that the person reasonably believes shows / tends to show improper conduct or detrimental action (previously a protected disclosure)
 - 'public interest complaint' – a public interest disclosure that has been determined by IBAC, the Victorian Inspectorate or IOC to be a Public Interest Complaint (previously a protected disclosure complaint).
- Improper conduct has been revised to specify the following categories:
 - Corrupt conduct;
 - Criminal offence;
 - Serious professional misconduct;
 - Dishonest performance of public functions;
 - Intentional or reckless breach of public trust;
 - Intentional or reckless misuse of information;
 - Substantial mismanagement of public resources;
 - Substantial risks to health and safety of a person;
 - Substantial risk to the environment;
 - Conduct of any person that adversely affects the honest performance by a public officer of their functions for the benefit of another person.
- The threshold for the detrimental action test has been lowered. Prior to 1 January 2020, a discloser would have had to prove that detrimental action was a 'substantial reason' for their employer taking action against that employee. However, from 1 January 2020, 'substantial' has been removed from the relevant section of the PID Act. In practice terms that means that if the fact that the employee has made a disclosure forms any part of the reason for which action is taken against the employee, it will constitute detrimental action and will be reportable as a public interest disclosure under the scheme as well as being a criminal offence.

Link to Council Plan:

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:

This decision has no financial implications.

Risk Management Implications:

The Public Interest Disclosure Policy reduces Council's risk of breaching its obligations under the Public Interest Disclosure Act 2012 and allows Council to facilitate a process where a person can make a disclosure that they believe constitutes improper conduct without fear of reprisal.

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 Officer Responsible, I have no interests to disclose.

MOVED WELSH / SCHNEIDER:

That the Audit Committee receives the Public Interest Disclosure Policy.

CARRIED

Refer attachment 10.1

11. Conflict of Interest Policy (Councillors)

Responsible Officer: Director Corporate & Community Services
Attachment Number: 11.1 Conflict of Interest Policy (Councillors) (Draft)

Introduction:

It was identified that Council did not have a Conflict of Interest Policy (Councillors) to communicate how Council handles conflicts of interest. As a result, a policy was drafted to address this omission. This policy is in draft form and will be taken to the next Council meeting on 4 March 2020.

Discussion:

The purpose of the Policy is to:

- guide Councillors and Section 86 Committees on what a conflict of interest is;
- guide Councillors and Section 86 Committees on when they are required to disclose conflicts of interest;
- ensure Council's organisational and decision making processes are transparent; and
- ensure that Council is compliant with the *Local Government Act 1989*.

The update to this Policy primarily consisted of:

- reviewing Council's current processes and documenting them into this Policy.
- consulting with Senior Management and relevant stakeholders;
- revising the draft Policy after feedback from relevant stakeholders; and
- seeking Council endorsement of final draft policy.

Link to Council Plan:

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:

This decision has no financial implications.

Risk Management Implications:

This Policy will assist Council in the handling conflicts of interest appropriately to maintain its governance responsibilities and ensure that all decisions are made transparently and irrefutably.

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 Officer Responsible, I have no interests to disclose.

MOVED THIELE / ROBERTS:

That the Audit Committee receives the draft Conflict of Interest Policy (Councillors).

CARRIED.

Attachment: 11.1

12. Conflict of Interest Policy (Staff)

Responsible Officer: Director Corporate & Community Services
Attachment Number: 12.1 Conflict of Interest Policy (Staff) (Draft)

Introduction:

It was identified that Council did not have a Conflict of Interest Policy (Staff) to communicate how Council handles conflicts of interest. As a result, a policy was drafted to address this omission. This policy is in draft form and is pending on final CEO endorsement.

Discussion:

The purpose of this Policy is to:

- guide Council employees on what a conflict of interest is;
- guide Council employees on when they are required to disclose conflicts of interest;
- ensure Council's organisational and decision making processes are transparent; and
- ensure that Council is compliant with the *Local Government Act 1989*.

The update to this Policy primarily consisted of:

- reviewing Council's current processes and documenting them into this Policy.
- consulting with Senior Management and relevant stakeholders; and
- revising the draft Policy after feedback from relevant stakeholders.

Link to Council Plan:

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:

This decision has no financial implications.

Risk Management Implications:

This Policy will assist Council staff in the handling conflicts of interest appropriately to maintain its governance responsibilities and ensure that all decisions are made transparently and irrefutably.

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 Officer Responsible, I have no interests to disclose.

MOVED WELSH / THIELE:

That the Audit Committee receives the draft Conflict of Interest Policy (Staff).

CARRIED.

Attachment: 12.1

13. Reimbursements

Responsible Officer: Director Corporate & Community Services
Attachment Number: 13.1 Reimbursement Listing

Introduction:

This report provides the audit committee with a list of reimbursements made to the CEO and Councillors for the period 01 September 2019 to 31 January 2020.

Discussion:

With the determination by the CEO in July 2019 that Corporate Credit Cards were not required it is necessary for reimbursements to be made for bona fide business transactions paid by the CEO and Councillors.

A listing is provided for review by the Audit Committee of payments made to the CEO and Councillors (excluding Councillor Allowances).

Link to Council Plan:

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:

This decision has no financial implications.

Risk Management Implications:

Reimbursement will not be made where the transaction cannot be supported with a tax invoice.

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 Officer Responsible, I have no interests to disclose.

MOVED SCHNEIDER / WELSH:

That the Audit Committee receives the reimbursement listing for the CEO and Councillors for the period 01 September 2019 to 31 January 2020.

CARRIED.

Attachment 13.1

14. Late Reports

15. General Business

16. Next Meeting

The next meeting will be held on Thursday 4 June 2020, commencing at 3pm.

There being no further business to discuss, the Chairperson declared the meeting closed at 4:10pm.



HINDMARSH SHIRE COUNCIL

INSTRUMENT OF DELEGATION

to

CHIEF EXECUTIVE OFFICER

Approved XX March 2020

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Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989* (**the Act**) and all other powers enabling it, Hindmarsh Shire Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on XX XX XXXX;
2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.
3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

The COMMON SEAL OF THE
HINDMARSH SHIRE COUNCIL
was affixed on day of March 2020
in the presence of:

Councillor: Cr.....

Chief Executive Officer:
Mr Greg Wood

.....
Date

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

4. if the issue, action, act or thing is an issue, action, act or thing which involves:
 - 4.1 awarding a contract exceeding the value of \$600,000 (including GST), or for goods and services exceeding the value of \$600,000 (including GST) except that these limits shall not apply for the supply of fuel for plant and vehicles provided that:
 - 4.1.1 arrangements entered into must satisfy an approved Ministerial arrangement under s186(5)(c) of the Local Government Act 1989 which provides for exemption from other provisions of s186 of the Act requirements for public tendering by a Council, and
 - 4.1.2 the Chief Executive Officer must consider price and any potential detrimental effect on local businesses of any contract entered into, before entering into such a contract.
 - 4.2 making a local law under Part 5 of the Act;
 - 4.3 approval of the Council Plan under s.125 of the Act;
 - 4.4 adoption of the Strategic Resource Plan under s.126 of the Act;
 - 4.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
 - 4.6 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
 - 4.7 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;
 - 4.8 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
 - 4.9 appointment of Councillor or community delegates or representatives to external organisations; or

- 4.10 the return of the general valuation and any supplementary valuations;
 - 5. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
 - 6. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
 - 7. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a:
 - 7.1 policy; or
 - 7.2 strategy adopted by Council; or
 - 8. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 9. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.
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