



**MINUTES OF THE COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL  
HELD 18 MARCH 2020 AT THE HEALTH AND FITNESS CENTRE, SCHOOL  
STREET, DIMBOOLA COMMENCING AT 3:00PM.**

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**AGENDA**

**1. Acknowledgement of the Indigenous Community and Opening Prayer**

**2. Apologies**

**3. Confirmation of Minutes**

**4. Declaration of Interests**

**5. Public Question Time**

**6. Deputations**

**7. Activity Reports**

**8. Correspondence**

**9. Assembly of Councillors**

9.1 Record of Assembly

**10. Planning Permit Reports**

10.1 Application for Planning Permit PA1661-2020 – Boundary Fencing in an Overlay -  
16-18 Townsend Street, Nhill (PC377188m)

**11. Reports Requiring a Decision**

11.1 Pandemic Influenza Plan - 2020-2024

**12. Special Committees**

- 12.1 Nhill Town Committee
- 12.2 Audit Committee

**13. Late Reports**

- 13.1 Hindmarsh Shire Council CEO Delegation

**14. Other Business**

No report

**15. Confidential Matters**

No report

**16 Confidential Matters**

- 16.1 Confidential Council Report – Contract Award 2019-2020-08 Provision of Technical/Engineering Services for a Panel

**17. Meeting Closed**

**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), Ms. Angela Hoy (Director Infrastructure Services, Mrs. Monica Revell (Director Corporate and Community Services), Mrs. Taegan Jarred (Executive Assistant).

**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.

**3. CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

***That the Minutes of the Ordinary Council Meeting held on Wednesday 4 March 2020 at the Council Chambers Nhill as circulated to Councillors be taken as read and confirmed.***

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

***That the Minutes of the Ordinary Council Meeting held on Wednesday 4 March 2020 at the Council Chambers 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.

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**5. PUBLIC QUESTION TIME**

No Questions

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**6. DEPUTATIONS**

No deputations

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**7. ACTIVITY REPORTS**

**COUNCILLOR ACTIVITIES: FEBRUARY 2020**

**Cr GERSCH, MAYOR**

Attended:

05/02/2020	Council Briefing, Nhill
05/02/2020	Council Meeting, Nhill
06/02/2020	ABC radio interview
07/02/2020	Nhill Friday Fiesta
08/02/2020	Nhill Park Run 2 <sup>nd</sup> anniversary
10/02/2020	Meeting RE: Nhill tennis club, Nhill
11/02/2020	Prof Ross Garnaut Presentation to Regional Leaders, Horsham
11/02/2020	Wimmera Development Association Meeting, Horsham
14/02/2020	RCV Board Meeting, Melbourne
15/02/2020	Superintendent Paul Margetts (Police Commander - Wimmera Division) Farewell, Horsham
18/02/2020	Keep Australia Beautiful 50 <sup>th</sup> Anniversary, Government House, Melbourne
21/02/2020	Overland Rally, Nhill Station
21/02/2020	Nhill Friday Fiesta, Welcome New Residents
25/02/2020	Meeting with Stuart Grimley MP - Member for Western Victoria (Victorian Leader of Derryn Hinch's Justice Party), Nhill
26/02/2020	Ministerial Forum Class 2 Combinations and Permits, Melbourne
28/02/2020	Wimmera Regional Mayors Meeting, Horsham
27/02/2020	ABC Radio Interview RE: Recycling

**Cr COLBERT, DEPUTY MAYOR**

Attended:

05/02/2020	Council Briefing, Nhill
05/02/2020	Council Meeting, Nhill

**Cr ISMAY** Attended:

05/02/2020	Council Briefing, Nhill
05/02/2020	Council Meeting, Nhill
11/02/2020	Rainbow Enduro meeting
14-15/02/2020	SA caravan/camping expo, Adelaide
18/02/2020	Wimmera Mallee Tourism meeting, Rainbow

18/02/2020 Friends of Lake Hindmarsh AGM  
18/02/2020 Friends of Lake Hindmarsh Committee meeting  
20/02/2020 Rail Freight Alliance meeting, Melbourne  
22/02/2020 Enduro discussions with Vorra committee  
23/02/2020 Enduro working bee, Rainbow  
24/02/2020 Rainbow town committee meeting  
25/02/2020 Rainbow 240 Enduro meeting

**Cr LOWE**

Attended:

05/02/2020 Council Briefing, Nhill  
05/02/2020 Council Meeting, Nhill  
10/02/2020 Town Committee Meeting, Jeparit  
13/02/2020 Recording Session, WMPM, Jeparit  
18/02/2020 WMPM Meeting, Jeparit  
28/02/2020 Lorquon Fire Brigade Award Presentation Night, Lorquon

**Cr NELSON**

Attended:

03/02/2020 Town Committee Meeting, Dimboola  
05/02/2020 Council Briefing, Nhill  
05/02/2020 Council Meeting, Nhill  
11/02/2020 WDA Meeting, Horsham  
14/02/2020 Youth Council Retreat Welcome Dinner, Dimboola  
18/02/2020 Keep Australia Beautiful 50<sup>th</sup> Anniversary, Government House,  
Melbourne  
25/02/2020 Wimmera River Stakeholders Meeting, Dimboola

**Cr SCHNEIDER**

Attended:

05/02/2020 Council Briefing, Nhill  
05/02/2020 Council Meeting, Nhill  
18/02/2020 Keep Australia Beautiful 50<sup>th</sup> Anniversary, Government House,  
Melbourne

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**SENIOR MANAGEMENT ACTIVITIES: FEBRUARY 2020**

**GREG WOOD, Chief Executive Officer:**

Attended:

05/02/2020	Council Briefing, Nhill
05/02/2020	Council Meeting, Nhill
11/02/2020	Prof Ross Garnaut Presentation to Regional Leaders, Horsham
11/02/2020	Wimmera Development Association Meeting, Horsham
13/02/2020	Rural Councils Corporate Collaboration (RCCC) Meeting, Horsham
13/02/2020	Wimmera Regional CEO Meeting, Horsham
13/02/2020	Cinema volunteer - NMCC
14/02/2020	Youth Council Retreat Welcome Dinner, Dimboola
15/02/2020	Superintendent Paul Margetts (Police Commander - Wimmera Division) Farewell, Horsham
20/02/2020	Wimmera Southern Mallee Regional Partnership meeting, Horsham
25/02/2020	Meeting with Stuart Grimley MP - Member for Western Victoria (Victorian Leader of Derryn Hinch's Justice Party), Nhill
27/02/2020	Cinema volunteer - NMCC

**ANGELA HOY, Director Infrastructure Services:**

Attended:

05/02/2020	Council Briefing, Nhill
05/02/2020	Council Meeting, Nhill
25/02/2020	Wimmera River Stakeholders Advisory Group Meeting, Dimboola
27/02/2020	Jeparit Library Onsite Meeting
28/02/2020	DELWP Circular Economy Teleconference

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

Attended:

05/02/2020	Council Briefing, Nhill
05/02/2020	Council Meeting, Nhill
07/02/2020	Mentor Session, Mildura
11/02/2020	Prof Ross Garnaut Presentation to Regional Leaders, Horsham
12/02/2020	LGPro Caretaker Period Workshop, Horsham
13/02/2020	Rural Councils Corporate Collaboration (RCCC) Meeting, Horsham
14/02/2020	Library Board meeting, Horsham
14/02/2020	Youth Council Retreat Welcome Dinner, Dimboola
18/02/2020	Library Meeting, Nhill
27/02/2020	LG Pro Introductory Session, Melbourne

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**8. CORRESPONDENCE**

**8.1 GENERAL CORRESPONDENCE**

No report

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**9. ASSEMBLY OF COUNCILLORS**

**Responsible Officer:** Chief Executive Officer  
**Attachment:** 2

**Introduction:**

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

***RECOMMENDATION:***

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

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

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

***CARRIED***

***Attachment: 2***

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<b>10. PLANNING PERMITS</b>
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**10.1 APPLICATION FOR PLANNING PERMIT PA1661-2020 – BOUNDARY FENCING IN AN OVERLAY - 16-18 TOWNSEND STREET, NHILL (PC377188M)**

<b>Responsible Officer:</b>	Director Infrastructure Services
<b>File:</b>	Planning – Applications
<b>Assessment:</b>	200587
<b>Applicant:</b>	Mr Jacob Gawith
<b>Owner:</b>	Mr Jacob Gawith
<b>Subject Land:</b>	16-18 Townsend Street, Nhill (PC377188M)
<b>Proposal:</b>	Boundary Fencing in an Overlay
<b>Zoning &amp; Overlays:</b>	General Residential Zone (GRZ1) Environmental Significance Overlay – Schedule 6
<b>Attachment:</b>	3

**Summary:**

This report recommends that Council issue a planning permit to allow the construction of boundary fencing at 16-18 Townsend Street, Nhill. The existing fencing at the site is a post and wire fence. The proposed fencing will provide privacy and security to the occupants to the newly constructed dwelling on the site.

**Background:**

Planning permit application PA1661-2020 was lodged with Council on the 18 February 2020 for the purpose of providing privacy and security to the nearly completed dwelling on the site.

**Proposal Details:**

The proposal is to construct a solid dividing fence along the east and west boundaries of the site. The fence will be 1.8 metres in height from the rear of the site to the building line of the dwelling, and will be 1.2 metres in height where it is in front of the dwelling. The proposed fence is to be consistent with any other residential fencing.

The land had previously been two lots, however was consolidated in May 2019 to form one lot.

The land is located in the General Residential Zone. The proposal is consistent with the existing development in the area.

**Requirement for Permit:**

A planning permit is required under Clause 42.01 – Environmental Significance Overlay (ESO) of the Hindmarsh Planning Scheme. Clause 42.01-2 identifies that a permit is required to *construct a fence if specified in a schedule to this overlay*. Schedule 6 to the ESO states a permit is required for the construction of a fence that may obstruct the flow of water.

**Definitions:**

There are no definitions specific to this development.

**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 on the northern side to Townsend Street, approximately halfway between Glenferness Street and William Street in Nhill.

The subject land is primarily flat. A dwelling is being constructed on the site with an anticipated completion by May 2020.

The site is located in a primarily residential area with a mixture of new and older dwellings. The land opposite the site is used for a horse stable and associated horse paddocks.

**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, however it is considered that the granting of this permit would not cause material detriment to any person. It was considered that no material detriment would be caused to any person as the proposed fencing is considered a standard structure associated with a residential dwelling. Therefore, no notice under Section 52 was issued for this application.

**Referrals:**

External Referrals/Notices Required by the Planning Scheme:

Section 55 Referrals: Wimmera Catchment Management Authority, who raised no objection to the proposal.

Section 52 Notices: Not required.

Internal Referrals:

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

**Planning Assessment:**

Planning Scheme Requirements:

### **Planning Policy Framework**

Clause 12 Environment and Landscape Values  
Clause 12.03 Water Bodies and Wetlands  
Clause 12.03-1S River corridors, waterways, lakes, and wetlands

### **Local Planning Policy Framework**

Clause 21 - Municipal Strategic Statement  
Clause 21.03-4 Environment  
Clause 21.03-5 Water

### **Zoning Provisions**

Clause 32.08 – General Residential Zone

### **Overlay Provisions**

Clause 42.01 Environmental Significance Overlay  
Schedule 6 – Catchments of wetlands of conservation value

### **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 residential purposes.

**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 41.01 – Environmental Significance Overlay states that before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and Planning Policy Framework.
- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.

Schedule 6 of the ESO nominates that the decisions guidelines for applications under this Schedule are found in the document titled “*Shire of Hindmarsh, Wetlands and Catchments of Conservation Value (WCMA 2007) Decision Guidelines*”.

**Decision Guidelines**

- The Municipal Planning Strategy and Planning Policy Framework.

Planning Response:

It is considered that the application is consistent with the Municipal Planning Strategy and the Planning Policy Framework.

- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.

The statement of conservation significance reads as follows:

*The Hindmarsh Shire contains numerous low-lying areas that hold wetland conservation values. These conservation values indicate areas that may be of ecological significance. Each of these wetlands of conservation value has the potential to receive water from the primary catchment areas identified in ESO 6, as defined by the topography of the landscape. Development and land use within these primary catchments has the ability to affect the quality and quantity of water entering the wetlands of conservation value, and as such, degrade their ecological condition.*

Planning Response:

The proposed fence will follow the contour of the land from north to south. It is considered that the land has been significantly altered through the construction of the

road network, road drainage and the preparation of the lots for dwellings to be constructed.

- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.

Planning Response:

The application does not propose to remove any vegetation.

- Any other matters specified in a schedule to this overlay.

The *Shire of Hindmarsh, Wetlands and Catchments of Conservation Value (WCMA 2007)* Decision Guidelines lists the following criteria for an application at this site: *The material used in the construction of a fence should not act as a barrier that would redirect surface water flow. Any mounding of soil associated with the construction of a fence should not result in the redirection of surface water flow.*

Planning Response:

The material proposed for the construction of the fence is metal panelling. A metal panelling fence would be constructed from ground level and would result in the redirection of the surface water, however any water that would naturally flow across this site would end up in the stormwater drains within the road corridor. The proposed fence will not change this.

**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 18 February 2020. The report is being presented to Council at its meeting on the 18 March 2020 (29 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 PA1661-2020 to allow the construction of boundary fencing at 16-18 Townsend Street, Nhill (PC377188M) subject to the following conditions:***

***Endorsed Plans***

- 1. The plan to be endorsed and which will then form part of the permit is the plan submitted with the application.***
- 2. The location and design of the 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.***

**Permit Expiry**

- 3. This permit will expire if one of the following circumstances applies:***

- The development is not started within two years,***
- 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 within six months afterwards.***

**Note:**

***Wimmera CMA***

***The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent, than the 1% AEP flood, may occur in the future.***

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

***That Council approves planning application PA1661-2020 to allow the construction of boundary fencing at 16-18 Townsend Street, Nhill (PC377188M) subject to the following conditions:***

***Endorsed Plans***

- 1. The plan to be endorsed and which will then form part of the permit is the plan submitted with the application.***
- 2. The location and design of the 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.***

**Permit Expiry**

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**Note:**

**Wimmera CMA**

***The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent, than the 1% AEP flood, may occur in the future.***

**CARRIED**

Attachment: 3

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**11. REPORTS REQUIRING A DECISION**

**11.1 PANDEMIC INFLUENZA PLAN - 2020-2024**

**Responsible Officer:** Director Infrastructure Services

**Attachment:** 4

**Introduction:**

This report seeks adoption of the Hindmarsh Shire Council Pandemic Influenza Plan 2020-2024 by Council.

**Discussion:**

Council's Pandemic Influenza Plan 2009 was reviewed and updated, taking into consideration Appendix 10 of the Victorian Health Management Plan for Pandemic Influenza, October 2014, which is provided as a guide for Local Government.

The Pandemic Influenza Plan 2020-2024 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 (VHMPPPI)
- 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 Plan is a sub-plan of the Municipal Emergency Management Plan (MEMP) and 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

The first Municipal Emergency Management Planning Committee Meeting (MEMPC) for 2020 is scheduled for Friday 27 March 2020, therefore a decision was made for the Committee to conduct an out of session endorsement via email. On 16 January 2020 the following Motion, together with the finalised plan was sent to all members of the

MEMP Committee seeking endorsement:

That the Hindmarsh Shire Council Pandemic Influenza Plan 2020-2024 be endorsed by the Municipal Emergency Management Planning Committee prior to adoption by the Chief Executive Officer, Greg Wood, Hindmarsh Shire Council.

The motion was moved by Angela Hoy and seconded by Gavin Kelly.

A reminder was also forwarded to members on 24 January 2020. The following nine core organisations of the MEMPC, out of a possible thirteen agreed to the endorsement:

- Hindmarsh Shire Council
- VicSES
- Australian Red Cross
- CFA
- Department of Economic Development, Jobs, Transport & Resources
- VicRoads
- West Wimmera Health Service
- Victoria Police
- Ambulance Victoria

Therefore, the motion has been carried by the Municipal Emergency Management Planning Committee.

The Municipal Emergency Management Planning Committee request that Council now adopt the Pandemic Influenza Plan 2020-2024 as a sub-plan of the Municipal Emergency Management Plan.

**Options:**

Option 1: Adopt the Pandemic Influenza Plan 2020-2024.

Option 2: Reject the adoption of the Pandemic Influenza Plan 2020-2024.

**Link to Council Plan:**

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

**Financial Implications:**

The financial implications would have a large impact on the Hindmarsh Shire, if an influenza outbreak was to occur. The Plan provides a clear pathway of preparedness, relief and recovery, to enable an integrated approach to the management of a Pandemic Influenza outbreak and reduce the impact of such an outbreak.

**Risk Management Implications:**

Without a current Pandemic Influenza Plan, Council would be putting the community at high risk of an epidemic.

**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: Angela Hoy, Director Infrastructure Services

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

Author: Noella Smith, Administration Officer - Operations

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

**Communications Strategy:**

Once the Pandemic Influenza Plan 2020-2024 is adopted by Council it will become a sub-plan to Council's Municipal Emergency Management Plan

**RECOMMENDATION:**

***That Council adopts the Hindmarsh Shire Council Pandemic Influenza Plan 2020-2024.***

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

***That Council adopts the Hindmarsh Shire Council Pandemic Influenza Plan 2020-2024.***

**CARRIED**

*Attachment: 4*

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**12. SPECIAL COMMITTEES**

**12.1 NHILL TOWN COMMITTEE**

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

**Attachment:** 5

**Introduction:**

The Nhill Town Committee held its meeting on 17 February 2020. The purpose of this report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

**RECOMMENDATION:**

***That Council notes the minutes of the Nhill Town Committee meeting held on 17 February 2020.***

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

***That Council notes the minutes of the Nhill Town Committee meeting held on 17 February 2020.***

**CARRIED**

*Attachment: 5*

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**12.2 AUDIT COMMITTEE**



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

**Introduction:**

The Audit Committee held its meeting on 5 March 2020. The purpose of this report is to note the minutes from this meeting and endorse the new chairperson. A copy of the minutes is included as an attachment for the information of Council.

**RECOMMENDATION:**

***That Council notes the minutes of the Audit Committee meeting held on 5 March 2020 and endorses Mr. Bernard Young as Chairperson.***

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

***That Council notes the minutes of the Audit Committee meeting held on 5 March 2020 and endorses Mr. Bernard Young as Chairperson.***

**CARRIED**

*Attachment: 6*

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**13. LATE REPORTS**

**13.1 HINDMARSH SHIRE COUNCIL CEO DELEGATIONS**

**Responsible Officer:** Director Corporate & Community Services  
**Attachment Number:** 7

**Introduction:**

This report seeks to modify Hindmarsh Shire Council's (**Council**) Chief Executive Officer's (**CEO**) Instrument of Delegation so that the CEO may award contracts not exceeding \$600,000.00 (including GST), or for goods and services not exceeding \$600,000.00 (including GST).

**Discussion:**

Due to the current situation arising from the spread of COVID-19 and the fact that Victoria has been declared to be in a state of emergency. Council is taking steps to ensure that usual business can continue in the event that Council meetings need to be postponed.

This report seeks a Council Resolution to modify the CEO's Instrument of Delegation so that the CEO may award contracts not exceeding \$600,000.00 (including GST), or for goods and services not exceeding \$600,000.00 (including GST).

This will ensure that current open tenders and future tenders may be awarded once evaluated without undue delay.

It is proposed the updated instrument of delegation will be in place until after the 2020 Council elections, but it can be reviewed earlier if circumstances change.

**Options:**

1. Council can modify the CEO's Instrument of Delegation so that the CEO may award contracts not exceeding \$600,000.00 (including GST), or for goods and services not exceeding \$600,000.00 (including GST);
2. Council can choose to keep the CEO's Instrument of Delegation at the status quo.

**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.

Strategic Objective 4.1. Long-term financial sustainability.

**Financial Implications:**

The CEO will be able to award contracts not exceeding the value of \$600,000.00 (including GST), or for goods and services not exceeding the value of \$600,000.00 (including GST).

**Risk Management Implications:**

Increasing the CEO's delegation limit to enter into contracts will ensure Council is able to continue progressing with key projects ensuring that time and resources are not wasted in the event that future Council meetings need to be postponed or cancelled.

**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:**

N/A

**RECOMMENDATION:**

***That the revised Instrument of Delegation to the Chief Executive Officer be signed and sealed.***

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

***That the revised Instrument of Delegation to the Chief Executive Officer be signed and sealed.***

**CARRIED**

*Attachment: 7*

**14. OTHER BUSINESS**

**15. CONFIDENTIAL REPORTS**

**16. LATE CONFIDENTIAL REPORTS**

In accordance with Section 89 (2) of the *Local Government Act* 1989, Council may close the meeting to the public if items to be discussed are deemed confidential, that is, if the items to be discussed relate to:

- a) Personnel matters;
- b) The personal hardship of any resident or ratepayer;
- c) Industrial matters;
- d) Contractual matters;
- e) Proposed developments;
- f) Legal advice;
- g) Matters affecting the security of Council property;
- h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

**RECOMMENDATION:**

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

***d) Contractual matters***

***16.1 Confidential Council Report – Contract Award 2019-2020-08 Provision of Technical/Engineering Services for a Panel***

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

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

***d) Contractual matters***

***16.1 Confidential Council Report – Contract Award 2019-2020-08 Provision of Technical/Engineering Services for a Panel***

***CARRIED***

**RECOMMENDATION:**

***That Council resumes in open session, releasing the details of items 16.1 as deemed appropriate by the CEO.***

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

***That Council resumes in open session, releasing the details of items 16.1 as deemed appropriate by the CEO.***

***CARRIED***

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<b>17. MEETING CLOSE</b>
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There being no further business Cr R Gersch declared the meeting closed at 4:00pm.

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