



18 November 2020

To Councillor,  
"as addressed"

NOTICE is hereby given that an **ORDINARY MEETING** of the Hindmarsh Shire Council will be held at the Nhill Memorial Community Centre, 77-79 Nelson Street, Nhill on Wednesday 25 November commencing at **3:00pm**.



Greg Wood  
**Chief Executive Officer**

## AGENDA

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

2. **Apologies**

3. **Declaration of Interests**

4. **Confirmation of Minutes**

5. **Public Question and Submission Time**

6. **Correspondence**

7. **Planning Permit Reports**

8. **Reports Requiring a Decision**

- 8.1 Hindmarsh Shire Council Community Action Grants 2020/21
- 8.2 Hindmarsh Shire Council Business Assistance Grants 2020/21
- 8.3 Reviewed and Updated Privacy Policy
- 8.4 Rainbow Recreational Lake

- 8.5 Riverside Holiday Park Management
- 8.6 Geoscience Australia-Tripartite Site Access Deed Nhill Aerodrome
- 8.7 Albacutya Bridge Construction
- 8.8 Establishment of the Municipal Emergency Management Planning Committee

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| <b>9. Council Committees</b> |
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- 9.1 Wimmera Mallee Pioneer Museum Committee
- 9.2 Yurunga Homestead Committee of Management

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| <b>10. Late Reports</b> |
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| <b>11. Other Business</b> |
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| <b>12. Confidential Matters</b> |
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| <b>13. Meeting Closed</b> |
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**1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER**

***Acknowledgement of the Indigenous Community***

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

***Opening Prayer***

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

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

**2. APOLOGIES**

**3. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY MATERIAL OR GENERAL INTEREST IN ANY ITEM ON THE AGENDA.**

- Material; or
- General.

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

**4. CONFIRMATION OF MINUTES**

***RECOMMENDATION:***

***That the Minutes of the Ordinary Council Meeting held on Wednesday 21 October 2020 at the Nhill Memorial Community Centre, Nhill and the Minutes of the Annual General Statutory Meeting held on 18 November 2020 at the Nhill Memorial Community Centre, Nhill as circulated to Councillors be taken as read and confirmed.***

*Attachment Numbers: 1-2*

**5. PUBLIC QUESTION AND SUBMISSION TIME**

Community members wishing to ask questions at council meetings may do so, in writing, at least 24 hours prior to the council meeting. Both the question and answer will be read out at the meeting. Questions may be submitted by mail, email [info@hindmarsh.vic.gov.au](mailto:info@hindmarsh.vic.gov.au) or delivered in person to a council customer centre but are limited to two questions and 100 words including any pre-amble. Offensive, trivial and

repetitive questions or questions, which have been recently answered, may be excluded at the discretion of the Mayor.

The question must be accompanied by a name and the locality where the questioner resides or works which will be read out at the meeting. By submitting a question, the questioner gives consent to this information being read out in public. Anonymous questions will not be answered.

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## 6. CORRESPONDENCE

No report

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## 7. PLANNING PERMITS

No report

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## 8. REPORTS REQUIRING A DECISION

### 8.1 HINDMARSH SHIRE COUNCIL COMMUNITY ACTION GRANTS 2020/21

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

**Attachment Number:** 3

#### **Introduction:**

This report seeks endorsement from Council to provide round one funding through the Community Action Grants Program to eligible organisations / community groups as outlined in the following report.

#### **Discussion:**

The Community Action Grants program was established to support communities with funds to provide services, self-help and assist with community development, social action and connectedness.

Round one was modified to assist groups and organisations with any financial difficulties they may have experienced during the COVID-19 Pandemic. Total annual funding of \$20,000 was allocated to the program in the 2020/21 budget, categorised into two areas:

- Utility Assistance
- Rent/Lease Assistance

The 2020/21 Community Action Grants Program was promoted with a media release on the Council's website, to local media, and Facebook promotions on Council's Facebook page.

Applications for both categories in round one of funding closed on Friday 30 October 2020 with seven (7) applications for funding totaling **\$3,500.00**.

| Category              | Number of Applicants | Funding Available          | Total Amount Requested |
|-----------------------|----------------------|----------------------------|------------------------|
| Utility Assistance    | Six                  | <b>Round 1</b><br>\$20,000 | \$3,000                |
| Rent/Lease Assistance | One                  |                            | \$500                  |

**Funding applications have been assessed against the following eligibility criteria:**

***All applications must:***

- Demonstrate direct economic and social benefit to the community.
- Not already receive substantial support from Hindmarsh Shire Council.
- Be made by an incorporated community group or not-for-profit organisation or auspiced by such a group.
- Apply for one category per funding round.

**Ineligible Applications:**

Applications by, or for, the following purposes will not be eligible for funding:

- Community organisations who do not provide direct benefit to the Hindmarsh Shire community;
- Individuals;
- Capital works on major facility maintenance;
- Funding to groups for purposes already significantly supported by Hindmarsh Shire Council (e.g. groups that use a Council facility free of charge and pay no utility or operating costs);
- Church groups;
- Parents and Friends Societies/Groups; Projects that are clearly a duplication of an existing service;
- Retrospective funding (projects that have commenced or have been completed will not be funded); and
- Clubs / organisations that have received funds from a successful application through a sub-committee of the club/ organisation.

**Utility Assistance**

The **Utility Assistance** Program offers grants of up to a **\$500.00** to assist with the ongoing costs of running an organisation. These include utility fees, such as electricity, phone and internet, as well as insurance fees.

**Applicants**

1. **The Rotary Club of Nhill** seeks funding of \$500.00 to contribute towards its annual insurance costs. As the insurance was due prior to the closing of this round, the club have already expended these funds. However, the COVID-19 restrictions have made it difficult for the organisation to raise funding this year, and a small contribution from the Council would go some way to alleviating this, ensuring this valuable organisation continues to operate. The annual cost of the Club's insurance is \$1,040.00.
2. **Woorak Hall Inc.** seeks funding of \$500.00 to assist with electricity and insurance costs. Due to COVID-19 restrictions, the organisation has been unable to hold its usual fundraising events, which it would normally use to cover these overheads. The organisation's annual insurance fee is \$1,042.53
3. **Nhill & District Historical Society** seeks funding of \$500.00 to assist with annual utilities fees. The Society's combined utilities totaled \$1,020.58 for the last financial year.
4. **Nhill Lawn Tennis Club** seeks funding of \$500.00 for ongoing costs related to the continuance of the club. The loss of clubrooms has meant that the Club have had to hire toilets and other equipment to continue operation, adding significantly to their annual expenses.
5. **Rainbow Archive & Historical Society** seeks funding of \$500.00 towards its annual electricity fees. The total overall cost of electricity was \$619.00 for the last financial year.
6. **The Rainbow Progress Association** seeks funding of \$500.00 to contribute to its overall running costs for the Oasis (Rainbow Primary Hub), in particular electricity. Based on their last quarterly statement, the Association expects to pay at least \$1,500.00 for electricity for the year.

**Rent/Lease Assistance**

The **Rent/Lease Assistance** Program offer grants of up to **\$500.00** to assist groups or organisations with fees associated with renting, leasing or hiring venues, room, or buildings in which the organization or group operates.

**Applicants**

1. **Rainbow Innovation Centre** seeks funding of \$500.00 to assist with the rental cost of workshop space at the Oasis Community Hub. The Centre provides education opportunities to people with disabilities through a range of workshops and activities, and has more than 20 regular participants. The overall annual hire of the room is \$1,000.00

**Application summary:**

| <b>Applicant</b>                  | <b>Amount Requested</b> | <b>Total Overhead Cost</b> | <b>Recommended Allocation</b> |
|-----------------------------------|-------------------------|----------------------------|-------------------------------|
| <b>Utility Assistance - \$500</b> |                         |                            |                               |
| Rotary Club of Nhill              | \$500.00                | \$1040.00                  | \$500.00                      |

|                                      |          |                   |          |
|--------------------------------------|----------|-------------------|----------|
| Nhill Lawn Tennis Club               | \$500.00 | N/A               | \$500.00 |
| Rainbow Progress Association         | \$500.00 | \$1,500.00 (est.) | \$500.00 |
| Woorak Hall Inc.                     | \$500.00 | \$1,042.55        | \$500.00 |
| Rainbow Archive & Historical Society | \$500.00 | \$619             | \$500.00 |
| Nhill Historical Society             | \$500.00 | \$1,020.58        | \$500.00 |
| <b>Rent/Lease Assistance - \$500</b> |          |                   |          |
| Rainbow Innovation Centre            | \$500    | \$1,000.00        | \$500.00 |

### Options

Council can choose to support some or all, partly or in full, or none of the applications to the Hindmarsh Shire Council Community Action Grants 2020/21.

Successful applicants will be required to complete their projects and acquit the funds received by 30 June 2021.

### Link to Council & Community Plans:

The Community Action Grants relate to Council's Vision of "a caring, active community enhanced by its livability, environment and economy".

### Strategic Objectives:

- 1.1 An actively engaged community.
- 1.1.6 Support and encourage volunteers and work collaboratively.
- 1.2 A range of effective and accessible services to support the health and wellbeing of our community.
- 1.3 A community that is physically active with access to a wide range of leisure, sporting and recreation facilities.
- 2.1 Well-maintained physical assets and infrastructure to meet community and organisational needs.
- 3.2 A thriving tourism Industry.
- 3.2.2 Appealing tourism facilities that promote visitation and meet visitor needs.
- 3.2.3 To 'support locally-significant community-driven events and festivals that stimulate tourism growth in the region'.
- 3.2.6 Promote and support local historic assets and heritage groups

### Financial Implications:

The Community Action Grants Program has \$20,000 available for community groups and organisations for the 2020/21 Financial Year. Council will distribute these funds across two rounds of grant offers.

**Conflict of Interest:**

Under section 130(2) of the *Local Government Act 2020* officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Monica Revell, Director of Corporate and Community Services.  
In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Matt Sherwell, Community Development Officer  
In providing this advice as the Author, I have no disclosable interest in this report.

**Risk Management Implications:**

Risks are to be managed by the successful applicants.

**Communications Strategy**

Successful and unsuccessful applicants will be notified of Council’s decision by phone and via letter correspondence regarding application outcomes.

**RECOMMENDATION:**

***That based on the eligibility and assessment criteria, Council approve the following funding allocations:***

***Utility Assistance***

- 1. A grant of \$500.00 – Rotary Club of Nhill***
- 2. A grant of \$500.00 – Rainbow Progress Association***
- 3. A grant of \$500.00 – Woorak Hall Inc.***
- 4. A grant of \$500.00 – Nhill Lawn Tennis Club***
- 5. A grant of \$500.00 – Rainbow Archive & Historical Society***
- 6. A grant of \$500.00 – Nhill & District Historical Society***

***Rent/Lease Assistance***

- 1. A grant of \$500.00 – Rainbow Innovation Centre***

**TOTAL RECOMMENDED FUNDING ALLOCATED IN ROUND ONE: \$3,500.00**

*Attachment Number: 3*

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**8.2 HINDMARSH SHIRE COUNCIL BUSINESS ASSISTANCE GRANTS 2020/21**

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

**Attachment Number:** 4

**Introduction:**



This report seeks endorsement to provide round one funding through the Business Assistance Grants Program to eligible organisations as outlined in the following report.

**Discussion:**

The Business Assistance Grant Program (BAGP) was established in July 2016 to support local business to expand their operations or for new businesses, large and small to establish themselves in the Shire. It provides assistance to offset costs associated with expanding or establishing a business in Hindmarsh Shire.

This program addresses the ongoing need to attract new business and support existing business in our towns, as more and more small businesses close their doors. Council allocated a total funding amount of \$20,000 to the program for 2020/21, categorised into two areas:

- Business Promotion
- COVID-19 Safety

Council promoted the 2020/21 Business Assistance Grants Program with a media release on the Council’s website, to local media, and Facebook promotions on Council’s Facebook page.

Applications for both categories in round one of funding closed on Friday 30 October 2020 with five (5) applications for funding totaling **\$2,894.30**.

| Category           | Number of Applicants | Funding Available   | Total Amount Requested |
|--------------------|----------------------|---------------------|------------------------|
| Business Promotion | Two                  | Round 1<br>\$20,000 | \$2,076.40             |
| COVID-19 Safety    | Two                  |                     | \$817.90               |

**Funding applications have been assessed against the following eligibility criteria:**

***All applications must:***

- Demonstrate direct economic and social benefit to the community.
- Not already receive substantial support from Hindmarsh Shire Council.
- Apply for one category per funding round.

Applications must meet the following criteria in order to be eligible for a Business Assistance Grant:

***All applications must:***

- Have a registered ABN.
- Provide evidence that the business is currently operating, or is planning to operate in the Hindmarsh Shire.
- Demonstrate an economic benefit and value for money.
- Demonstrate a financial viability of the business.

- Submit only one application per business/property owner.
- Only be applying for one category per funding round.

***Ineligible Applications:***

Applications by, or for, the following purposes will not be eligible for funding:

- General business operating expenses including salaries, wages, overheads, material expenses, utility usage costs etc.
- Legal and financial advice or market research.
- Applications made by small businesses that have outstanding amounts owing to Council (rates, permit payments etc.).
- Schools and their Parents and Friends organisations.
- Businesses owned/operated by Council staff or Councillors or relatives that prompt a perceived or actual conflict of interest.
- Projects that are clearly a duplication of an existing service.
- Retrospective funding (projects that have commenced or have been completed will not be funded).

***Applicants:***

**Business Promotion:**

Supports businesses in the purchasing of promotional goods and services. This includes print media, radio, television, and internet advertising fees, promotional signage and business cards, or any service that facilitates the promotion of the business.

1. **J & A Spreading Pty Ltd** seek funding of \$576.40 to purchase a large, premium grade laminated aluminum sign, digitally printed with their logo and business details.
2. **Nhill Gutter Cleaning Services** seek funding of \$750.00 for print media and radio advertisement cost, as well as the printing of business cards.

**COVID-19 Safety:**

Open to businesses to purchase equipment/supplies related to COVID-19 safety compliance. This includes items such as sneeze guards, masks, hand-sanitizing equipment/supplies, and signage and stickers related to COVID-19 safety compliance.

1. **Emma Dickinson Group Fitness** seek funding of \$241.50 for antibacterial wipes to use on gym and other equipment used by the participants.

***Ineligible Applicants:***

**Business Promotion:**

1. **The Wimmera Mallee Pioneer Museum** sought funding of \$750.00 to develop and maintain an online cataloguing system, build a website, and maintain their social media sites. However, the Wimmera Mallee Pioneer Museum are a

community asset committee of Council, therefore their application has been deemed ineligible.

**COVID-19 Safety:**

1. **J & A Spreading** sought funding of \$485.00 for an automatic hand sanitiser. However, according to the guidelines businesses can only apply for one category per round. As such, this application has been deemed ineligible.

**Application summary:**

| <b>Applicant</b>                         | <b>Amount Requested</b> | <b>Total Cost</b> | <b>Recommended Allocation</b> |
|--|-------------------------|-------------------|-------------------------------|
| <b><i>Business Promotion - \$750</i></b> |                         |                   |                               |
| J & A Spreading Pty Ltd                  | \$576.40                | \$576.40          | \$576.40                      |
| Nhill Gutter Cleaning Services           | \$750.00                | \$750.00          | \$750.00                      |
| Wimmera Mallee Pioneer Museum            | \$750.00                | \$750.00          | \$0.00                        |
| <b><i>COVID-19 Safety - \$500</i></b>    |                         |                   |                               |
| Emma Dickinson Group Fitness             | \$241.50                | \$241.50          | \$241.50                      |
| J & A Spreading Pty Ltd                  | \$485.00                | \$485.00          | \$0.00                        |

**OPTIONS**

Council can choose to support some or all, partly or in full, or none of the applications to the Hindmarsh Shire Council Business Assistance Grants 2020/2021.

Successful applicants are required to complete their projects and acquit the funds received by 30 June 2021, unless the Director of Corporate and Community Services gives prior consent.

**LINK TO COUNCIL PLAN:**

Strategic Objective 3.1: A strong rural economy and thriving towns.

**FINANCIAL IMPLICATIONS:**

A budget total of \$20,000 has been allocated for two rounds of funding.

**CONFLICT OF INTEREST:**

Under section 130(2) of the *Local Government Act 2020* officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible: Monica Revell, Director of Corporate and Community Services.

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

Author: Matt Sherwell, Community Development Officer.

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

**RISK MANAGEMENT IMPLICATIONS:**

Risks are to be managed by successful applicants.

**COMMUNICATIONS STRATEGY:**

Successful and unsuccessful applicants will be notified of Council's decision by phone and via letter correspondence regarding application outcomes.

**RECOMMENDATION:**

**1. That based on the eligibility and assessment criteria; Council approves the following grants:**

**Business Promotion:**

- a) \$576.40 to J & A Spreading Pty Ltd.
- b) \$750.00 to Nhill Gutter Cleaning Services

**COVID-19 Safety:**

- a) \$241.50 to Emma Dickinson Group Fitness.

**2. That based on the eligibility and assessment criteria the following grant applications are ineligible:**

**Business Promotion:**

- a) \$750.00 to the Wimmera Mallee Pioneer Museum

**COVID-19 Safety:**

- a) \$485.00 to J & A Spreading Pty Ltd

**TOTAL RECOMMENDED FUNDING ALLOCATED ROUND 1: \$1,567.90**

Attachment Number: 4

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**8.3 REVIEWED AND UPDATED PRIVACY POLICY**

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

**Attachment Number:** 5

**Introduction:**

This report recommend Council endorsement of the reviewed and updated Privacy

Policy.

**Discussion:**

The ten Information Privacy Principles (IPP) contained within the *Privacy and Data Protection Act 2012* make up the basis for Council's Privacy Policy. The ten IPPs comprise of the following:

1. IPP 1 – collection of personal information
2. IPP 2 – use and disclosure of information
3. IPP 3 – data quality
4. IPP 4 – data security
5. IPP5 – openness
6. IPP 6 – how to access correct information
7. IPP 7 – unique identifiers
8. IPP 8 – anonymity
9. IPP 9 – transferring information outside Victoria
10. IPP 10 – sensitive information

Council officers reviewed the Privacy Policy in light of the ten IPPs and with reference to newly adopted Public Transparency Policy. The reviewed version of Council's Privacy Policy includes definitions and a Policy Statement which expresses Council's commitment to managing personal information in a responsible manner which is compliant with the IPPs outlined in the *Privacy and Data Protection Act 2014*.

**Conclusion**

The Policy will assist Council in complying with the *Privacy and Data Protection Act 2014*.

**Options:**

1. Council can choose to approve the reviewed and updated Privacy Policy;
2. Council can choose to amend the reviewed and updated Privacy Policy;
3. Council can choose to not approve the reviewed and updated Privacy Policy.

**Link to Council Plan:**

|                           |   |
|---------------------------|---|
| Strategic Objective 1.1   | an actively engaged community.  |
| Strategic Objective 4.6   | an organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation |
| Strategic Objective 4.6.2 | Develop a governance and compliance framework within Council  |

**Financial Implications:**

No financial implications.

**Risk Management Implications:**

The Policy will assist Council to be compliant with the *Privacy and Data Protection Act*

2014 and manage personal information responsibly and sensitively.

**Conflict of Interest:**

Under section 130(2) of the *Local Government Act 2020* 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 publish the reviewed and updated Privacy Policy on our website and circulate to all staff and Councillors.

**RECOMMENDATION:**

***That Council approves the reviewed and updated Privacy Policy.***

*Attachment Number: 5*

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## 8.4 RAINBOW RECREATIONAL LAKE

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

**Introduction:**

This report recommends the transfer of ownership from Rainbow Progress Association to Council of the decommissioned GWM Reservoir site south of Rainbow to assist the development of the Rainbow Recreational (swimming and fishing) Lake.

**Discussion:**

The Rainbow community is one of few in the Wimmera region that doesn't have close access to recreational water. Although situated between Lakes Hindmarsh and Albacutya, dry conditions for many years has seen these lakes almost permanently dry. The Wimmera River at Jeparit (almost 40km away) is the nearest recreational water for Rainbow residents to enjoy fishing, kayaking and swimming. Access to the local pool is seasonal and doesn't provide for activities beyond swimming.

In 2018 several members of the local community started working on plans to re-purpose a decommissioned water reservoir for the establishment of a small recreational lake for fishing, swimming and kayaking. The project continued to develop through 2019 in consultation with the Victorian Fisheries Authority (VFA), GWM Water and Council.

In mid-2019 GWM Water secured funding from the VFA of approximately \$100,000 for connection of the Wimmera Mallee Pipeline to provide water supply to the lake. Importantly, GWM Water has also committed to a 'secure' supply for this project. Additionally, Council has recently received further funding from the VFA (on behalf of the recently established Lake Committee Inc.) for initial site development. Although physical works are yet to start, the new Rainbow Lake draws closer to reality.

In late 2019 ownership of the reservoir site transferred from GWM Water to the Rainbow Progress Association with the plan to eventually see ownership transfer through to the Rainbow Lake Committee Inc.

Unfortunately planning constraints make it difficult for a Lake to be operated as a public recreational zone whilst the land is privately held.

To support the development of the Rainbow Recreational Lake, it is proposed that ownership be transferred from Rainbow Progress Association to Council and then a long-term lease arrangement be entered into, passing control of the site to the Rainbow Lake Committee Inc. With Council ownership of the site the rezoning will be possible and will allow for development to re-purpose the Reservoir.

The Committee would then be responsible for the development, maintenance and insurance of the site. The Committee are actively fundraising (via raffles and grain donations) to support the project and will ultimately install a donation box and charge fees for camping to generate income once operational.

Under Section 190(c) of the Local Government Act 1989 Council must, at least 4 weeks before the lease is made, publish a public notice of the proposed lease. Under Section 223 of the Local Government Act 1989 a person has a right to make a submission on the proposed lease.

**Link to Council Plan:**

Strategic Objective 1.1 An actively engaged community

Strategic Objective 1.3 A community that is physically active with access to a wide range of leisure, sporting and recreation facilities

Strategic Objective 2.1 Well maintained physical assets and infrastructure to meet community & organisational needs

Strategic Objective 3.1 A strong rural economy and thriving towns

Strategic Objective 3.2 A thriving tourism industry

**Financial Implications:**

Council have not made any financial contributions to the development of the Rainbow Lake at this stage nor is there an expectation that Council will contribute to the ongoing maintenance or costs of running the site.

The Rainbow Lake Committee Inc. will be responsible for all costs (estimated at approximately \$1,200) associated with the transfer of ownership from the Rainbow

Progress Association to Council.

**Risk Management Implications:**

The Rainbow Lake Committee Inc. will be responsible for public liability insurance and asset coverage for the site.

There is a risk of liability for council under this scenario. However, it can be managed with appropriate lease requirements via a written agreement.

*The council as the owner of the land will have a duty of care as occupier under s14B of the Wrongs Act. The Committee of management will also be an occupier and have a duty of care under the Wrongs Act. Therefore, the council will need to ensure that the proposed activities/use to be undertaken on the land under the lease are appropriate and do not present a significant risk to the public using the land. If the proposed use is considered appropriate, it will be important for the lease agreement to clearly outline the responsibilities of the Committee of Management, including for the day to day management. It is recommended that this be very clear and include requirements that council considers necessary given the types of use, including having a risk management plan in place, emergency management plan, inspections, repairs, and maintenance etc. Additionally, it is recommended the lease agreement require the Committee have appropriate insurance to cover the use of the land and provide an indemnity in favour of the council. Placing conditions in the agreement will assist the council in demonstrating it has met its duty of care as occupier by acting reasonably. (Kristine Minghella MAV Insurance Counsel)*

**Conflict of Interest:**

Under section 130(2) of the *Local Government Act 2020* 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 – Simon Landrigan, Project Management & Early Years Coordinator

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

**Communications Strategy:**

Council will advertise its intention to enter into the lease in local newspapers, on the Council website and Council's Facebook page.

**RECOMMENDATION:**

***That Council***

- 1. approves the transfer of ownership of the Rainbow Lake (former GWM Water Reservoir site) from Rainbow Progress Association to Council.***



- 2. advertises its intention to lease the site to the Rainbow Lake Committee Inc. for 20 years for \$10 per year in order to facilitate development, with ongoing management by the Rainbow Lake Committee Inc.**
  - 3. authorises the CEO to prepare the lease documentation following the public submission period should no submissions be received or prepare a further report to Council if submissions are received.**
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## **8.5 RIVERSIDE HOLIDAY PARK MANAGEMENT**

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

### **Introduction:**

This report seeks support to retain Riverside Holiday Park Dimboola management under council control.

### **Discussion:**

At the meeting held on 22 May 2019 council resolved retain management of the Riverside Holiday Park Dimboola until 30 June 2022 and review as part of the 2021/22 budget preparation.

Since February 2013, Council has managed the Riverside Holiday Park (previously known as the Dimboola Caravan Park). Prior to February 2013, the park was leased to a private operator resulting in Council having no control over the operations of the park. The park was run down, and Council has developed a Master Plan for the Park and continues to invest in the Park to improve the visitor experience.

Improvements to the park have included:

- The installation of five new cabins (four two bedroom cabins, and one access all abilities cabin) during 2016/17
- Works improving the grounds
- Upgrades to two studio cabins
- New laundry equipment
- Painting outside of ensuite blocks

Council has also recently obtained funding to build all-abilities amenities located on the south side of the camp kitchen, and install barbeques and picnic tables in front of the camp kitchen.

Following Council undertaking direct management of the park, visitor numbers have been steadily increasing with the park now being heavily booked during peak periods. Reviews on Trip Advisor rate the park 4.5 out of 5 stars. Reviews praise the cleanliness, size of sites, location and enjoyment staying at the park.



Greg W wrote a review Apr. 2020  
Wagga Wagga, Australia • 7 contributions • 2 helpful votes



**What a pleasant surprise**

"Ended up staying here after we couldn't get in elsewhere!! So glad we did ! Thouroughly enjoyed this park. Beautiful grass sites with plenty of room. The park is kept very clean and tidy and the amenities were spotless."

[Read more](#) ▾

Date of stay: March 2020



BarbaraM5000 wrote a review Mar. 2020  
Adelaide • 5 contributions • 1 helpful vote



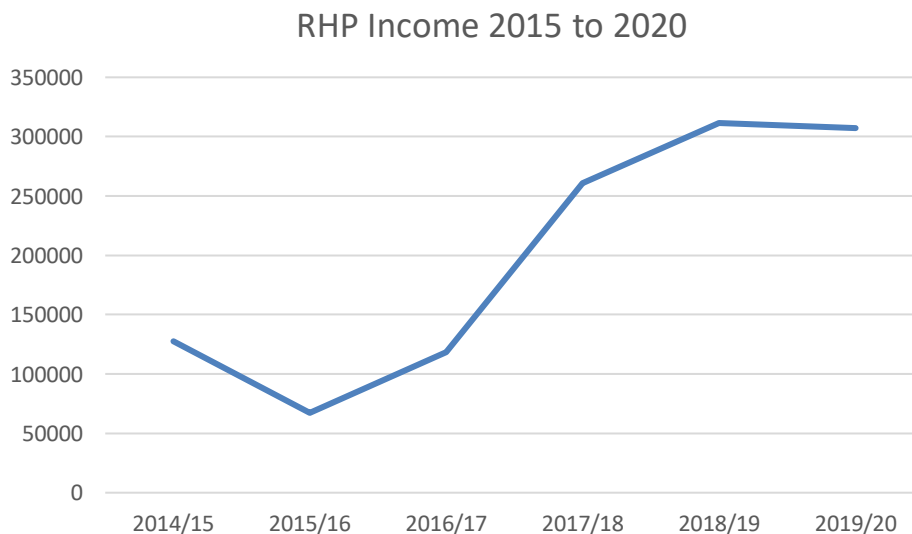
**A welcome resting spot**

"Dimboola is a really convenient stop over during the caravan journey between Adelaide and almost anywhere! The park is grassed, has some shade, offers modern & clean facilities & is our little home away from home after staying here regularly on our adventures. Almost too good to share! Dimboola is a treasure of a town. Maybe I shouldn't tell everyone!"

[Read more](#) ▾

Date of stay: March 2020

The below graph shows income steadily increasing following the redevelopment. (The COVID-19 pandemic from March 2020 resulted in the park being closed during restrictions).



Current management of the park is undertaken by Council, with staff employed in a contracted full-time, part-time or casual basis.

The current management arrangements allow Council to have full control of the operation, decision making and development of the park.

Following the appointment of a full time caretaker in September 2019, Council's caretaker now lives on site ensuring late check-in's can be assisted during peak periods and unacceptable behaviour by patrons can be quickly addressed.

The current income and expenditure at the park for 2018/19 & 2019/20 is shown below:

| Income                           |                                   | Actuals to<br>30 June 2019 | Actuals to<br>30 June 2020 |
|----------------------------------|-----------------------------------|----------------------------|----------------------------|
|                                  |                                   | \$                         | \$                         |
|                                  | Caravan Park Fees                 | 311,513                    | 307,424                    |
| Expenditure                      |                                   |                            |                            |
|                                  | Indoor Salaries – Direct          | 143,587                    | 198,322*                   |
|                                  | Indoor Salaries – General         | 20,132                     | 24,522                     |
|                                  | Contracts and Materials           | 5,969                      | 4,861                      |
|                                  | Caravan Park Building Maintenance | 43,656                     | 23,249                     |
|                                  | Caravan Parks Ground Maintenance  | 7,000                      | 10,506                     |
|                                  | Online Booking System             | 5,114                      | 4,188                      |
|                                  | Caravan Park Linen                | 740                        | 1,544                      |
|                                  | Memberships & Subscriptions       | 1,702                      | 4,944                      |
|                                  | Utilities                         | 26,205                     | 24,023                     |
| <b>Total Expenditure</b>         |                                   | <b>254,105</b>             | <b>296,339</b>             |
| <b>Net Profit / (Loss)</b>       |                                   | <b>57,408</b>              | <b>11,085</b>              |
| <b>Capital Expenditure</b>       |                                   |                            |                            |
|                                  | Upgrades to Fire Equipment        | 0                          | 7,350                      |
| <b>Total Capital Expenditure</b> |                                   | <b>0</b>                   | <b>7,350</b>               |

\*Increased cleaning requirements under COVID-19 restrictions resulted in a significant increase in direct salaries.

The following table provides a summary of occupancy rates for the Riverside Holiday Park, including camping sites and cabins for the period 1 July 2019 to 30 June 2020. Occupancy for 2018/19 is for the twelve month period 1 July 2018 to 30 June 2019.

| 2019/20*              | Nights Available | Nights Occupied | Occupants | Occupancy Percentage | 2018/19<br>Occupancy Percentage |
|-----------------------|------------------|-----------------|-----------|----------------------|---------------------------------|
| All abilities cabin   | 366              | 188             | 385       | 51.36                | 48.21                           |
| 2 bedroom cabins      | 1,464            | 1,138           | 2,236     | 77.73                | 62.32                           |
| Studio cabins         | 732              | 497             | 865       | 67.89                | 64.67                           |
| Powered ensuite sites | 3,660            | 717             | 1,331     | 19.59                | 23.26                           |
| Powered sites         | 15,372           | 2,987           | 5,627     | 19.43                | 22.24                           |
| Non-powered sites     | 12,444           | 992             | 1,653     | 7.97                 | 9.1                             |

\*2019/20 RHP was closed to holiday makers during COVID-19 restrictions which is reflected in lower occupancy rates.

Based on the above information and statistics it is recommended that Council retain the current management method.

**Options:**

1. Council can choose to retain the current management method.
2. Council can choose to contract or lease the Riverside Holiday Park.

**Link to Council Plan:**

Strategic Objective:

- 2.1 Well-maintained physical assets and infrastructure to meet community and organisational needs.
- 3.1 A strong rural economy and thriving towns
- 3.2 A thriving tourism industry
- 3.2.2 Appealing tourism facilities that promote visitation and meet visitor needs

**Financial Implications:**

Council will need to include income and expenditure future budgets.

**Risk Management Implications:**

By retaining management, Council is able to manage risks as they arise and ensure the park is kept to a high standard. There are risks to Council reputation through outsourcing the management of the Riverside Holiday Park.

**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.

**Communications Strategy:**

Council will promote the Riverside Holiday Park through traditional methods and social / online media in line with Council's Communications Strategy.

**RECOMMENDATION:**

***That Council retain internal management of the Riverside Holiday Park Dimboola.***

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**8.6 GEOSCIENCE AUSTRALIA-TRIPARTITE SITE ACCESS DEED NHILL AERODROME**

**Responsible Officer:** Director Infrastructure Services

**Attachment Number:** 6

**Introduction:**

This report seeks Council (as Landholder) approve and delegate the Chief Executive Officer to enter into a Tripartite Site Access Deed with DELWP (Existing Operator) and the Commonwealth of Australia, represented by Geoscience Australia.

**Discussion:**

As part of the Positioning Australia program, Geoscience Australia (Commonwealth Government) and the Department of Environment Land Water and Planning (DELWP) have entered into a Collaborative Project Agreement that will see Geoscience Australia take over responsibility for the operation and maintenance of the Global Navigation Satellite System (GNSS) ground station at the Nhill aerodrome, 78 Aerodrome Road, Nhill.

The original Memorandum of Understanding provided DELWP (Represented by Land Victoria) permission to use the land at the Nhill Aerodrome for the establishment of an AuScope GNSS Continuously Operating Reference Station (CORS), including its responsibility for the ongoing maintenance and operation of the station. At the time of establishing the CORS, Geoscience was the agent for AuScope and has agreed to take over responsibility for the GNSS.

The existing operator has requested that a Collaborative Project Agreement be entered into with Hindmarsh Shire Council and Geoscience Australia, so that Geoscience Australia can access the land for the purposes of:

Collecting and communicating geoscientific and geospatial data by constructing, maintaining and operating scientific equipment including a Global Navigation Satellite System (GNSS) ground station, including but not limited to installing, storing, operating, repairing, maintaining, altering, and replacing scientific equipment consistent with the evolving nature of geoscientific and geospatial technology and any other use permitted by the Existing Access Agreement.

**Options:**

1. Council can choose to approve and delegate the CEO to enter into a Tripartite Site Access Deed with DELWP (Existing Operator) and the Commonwealth of Australia, represented by Geoscience Australia
2. Council can choose not to approve and delegate the CEO to enter into a Tripartite Site Access Deed with DELWP (Existing Operator) and the Commonwealth of Australia, represented by Geoscience Australia

**Link to Council Plan:**

2.4 A community living more sustainably

**Financial Implications:**

There are no financial implications to Hindmarsh Shire. However, if required Geoscience Australia will reimburse the Landholder for its reasonable legal costs in

relation to the preparation, review, negotiation and execution of this document, not exceeding \$1,000.00 (including GST) subject to receipt of a valid tax invoice and evidence of such legal costs being incurred and paid for by the Landholder.

**Risk Management Implications:**

If Council chooses not to enter into a tripartite agreement then operation and maintenance of the GNSS system will be unable to operate from the current site.

**Conflict of Interest:**

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, 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 in this report.

Author – Wayne Schulze, Manager Operations

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

**Communications Strategy:**

Council will enter into a Tripartite Site Access Deed for a period of 20 years with DELWP and Geoscience Australia.

**Next steps:**

Hindmarsh Shire Council's CEO will sign the Tripartite Site Access Deed for a period of 20 years and forward to the other parties for execution of the deed.

**RECOMMENDATION:**

***That Council authorises the CEO to enter into a Tripartite Site Access Deed with DELWP and Geoscience for a period of twenty (20) years for access to the Nhill Aerodrome, 78 Aerodrome Road, Nhill as per the terms and conditions of the Deed.***

*Attachment Number: 6*

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**8.7 ALBACUTYA BRIDGE CONSTRUCTION**

**Responsible Officer:** Director Infrastructure Services

**Introduction:**

This report recommends Council approval for the Chief Executive Officer to finalise federal and state grant agreements and to tender for the construction of a new Albacutya Bridge.

**Discussion:**

Albacutya Bridge has been a top priority for Council for a number of years due to its critical role in servicing the Albacutya region for farmers and earth resource delivery.

A 15 tonne weight limit has been in place following a level three structural report, conducted in December 2015, which found the presence of serious structural defects. A bypass is currently in place through the creek bed to allow for heavy vehicles to directly access the west side of Outlet Creek without having to travel significantly further around. This route carries over 200 vehicles per day during the peak season due to it being used as access the gypsum and limestone mines on the West side of Outlet Creek.

Council has committed \$815,000 (carried forward from the 2016/17 and 2017/18 budget) and were successful in obtaining \$1.3m from the State Government in late 2018 to undertake strengthening works. Council further engaged engineering consultants to undertake level 3 assessments in 2019 that concluded the 2-5 year plan should now be to “secure funding and implement a program for the replacement of the structure”.

Further funding opportunities were prioritised to supplement the \$1.3m state funding and \$815,000 Council funding. Following strong lobbying Council has been offered a \$2,000,000 grant from the Federal Government - Bridge Renewal Program Round 5. This grant will provide sufficient funding to allow the construction of a new Albacutya Bridge and supplementary works including road approaches as recommended in the engineering report. The official notification and grant agreement was sent to Council on 28 October 2020 with requirement to be signed and returned by 30 November 2020. The state government grant agreement will need to be renegotiated to be consistent with a new timeframe and allow for the construction of a new bridge rather than undertake strengthening works.

With both the state and federal funding and council contribution, it is anticipated that the replacement and upgrade project for a dual lane bridge will be achievable. Best estimates from consultant engineers predict a cost of around \$4,000,000 to complete the project when compared to other similar projects.

**Options:**

1. Council authorises the Chief Executive Officer finalise and sign federal and state funding agreements and proceed to tender for a new Albacutya bridge
2. Council not proceed with the construction of a new Albacutya bridge

**Link to Council Plan:**

Strategic Objective 2.1: Well-maintained physical assets and infrastructure to meet community and organisational needs.

Strategic Objective 3.1: A strong rural economy and thriving towns.

**Financial Implications:**

The Albacutya Bridge project will be funded through the Federal and State Governments and Council. It is anticipated that the Albacutya Bridge project will cost just over \$4,000,000. This may vary depending on tender prices to be confirmed following advertisement, but is based on engineering consultant's estimate. The cost will be confirmed in a future Council report to award the contract.

**Risk Management Implications:**

A new bridge will avoid the ongoing use of a less safe alternative truck route

**Conflict of Interest:**

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, 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 in this report.

Author – Daniel Griffiths, Manager Capital Works

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

**Communications Strategy:**

Council Officers will publicise the construction of the new bridge through our usual channels.

**Next Steps:**

Finalise grant agreements and advertise tender documents for the design and construction of the Albacutya Bridge in accordance with our procurement policy.

**RECOMMENDATION:**

***That Council authorises the CEO to finalise federal and state grant agreements and finalise documentation for tendering of the Albacutya bridge project with a budget of \$4,115,000 comprising:***

***\$815,000 council funds***

***\$1,300,000 state grant***

***\$2,000,000 federal grant***



## **8.8 ESTABLISHMENT OF THE MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE**

**Responsible Officer:** Chief Executive Officer

### **Introduction:**

This report notes that the existing Municipal Emergency Management Planning Committee (MEMPC) ceases to exist because of legislative change and it is recommended that the Chief Executive Officer be authorised to establish a new MEMPC in accordance with the provisions of s.68 of the *Emergency Management Legislation Amendment Act 2018*.

### **Discussion:**

For many years, Council has chaired, organised and participated in the Municipal Emergency Management Planning Committee (MEMPC). The MEMPC consisted of Council staff and our Emergency Management (EM) partners in Hindmarsh Shire and the Grampians Region. The MEMPC plans for the actions that agencies will take in the response to and recovery from emergencies in the municipality.

Due to legislative changes, the current MEMPC committee ceases to exist and a new MEMPC must be established by Council before 1 December 2020, or as soon as possible after this date.

The establishment of the new committee is guided by s.68 of the *EMLA Act* and s.59 of the *Emergency Management Act 2013*. Council Officers have been guided by these documents, as well as documentation from Emergency Management Victoria.

On 21 August 2018, the *Emergency Management Legislation Amendment (EMLA) Act 2018* received Royal Assent, inserts, and amends sections of the *Emergency Management Act 2013*. The introduction of the EMLA Act 2018 was completed in three stages being, state, regional and municipal level changes.

The new legislation addresses known and documented risks in emergency management planning by establishing an integrated, comprehensive and coordinated framework for emergency management planning at a state, regional and municipal level.

In the past, the MEMPC was made up of both emergency management response and recovery agencies. The new legislation provides greater clarity of position and identifies more clearly the role in which the MEMPC plays in the overall emergency management planning hierarchy.

As per Section 59 of the *Emergency Management Act 2013*, Council must establish a MEMPC and this is recommended to be done under the Chief Executive Officer's existing delegation. The new Hindmarsh Shire Council Municipal Emergency Management Planning Committee must consist of members or officers from the

following organisations:

- Municipal Council
- Victoria Police
- Country Fire Authority
- Fire Rescue Victoria
- Ambulance Victoria
- Victoria State Emergency Service
- Australian Red Cross
- Department of Health and Human Services

After this Committee is established, the MEMPC will invite others to join, including community members, members from industry and a member from a recovery agency.

**Options:**

Council can note that the legislation supporting the existing Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the *Emergency Management Act 1986* will be repealed on 1 December 2020. Council can also authorise the Chief Executive Officer to establish a new MEMPC under the provisions of s59 and s59F(a) of the *Emergency Management Act 2013* as inserted by the *Emergency Management Legislation Amendment Act 2018*.

**Link to Council Plan:**

- 4.5. Support for the community in the areas of emergency preparedness, response and recovery.

**Financial Implications:**

The MEMPC plans to reduce the likelihood of emergency management incidents, thus reducing the financial impact on Council and the community should an event occur.

**Risk Management Implications:**

*Local Government Act 2020 (LGA 2020)*

| <b>Implications</b>  | <b>Applicable to this Report</b> |
|--|----------------------------------|
| <b>Governance Principles</b><br>(Consideration of the Governance Principles under s.9 of LGA 2020)                     | Yes                              |
| <b>Policy/Relevant Law</b><br>(Consideration of the Governance Principles under s.9 of LGA 2020)                       | Yes                              |
| <b>Environmental/Sustainability Implications</b><br>(Consideration of the Governance Principles under s.9 of LGA 2020) | No                               |
| <b>Community Engagement</b>  | Yes                              |

|   |                                  |
|---|----------------------------------|
| (Consideration of Community Engagement Principles under s.56 LGA 2020)                                    |                                  |
| <b>Public Transparency</b><br>(Consideration of Public Transparency Principles under s.58 of LGA 2020)    | No                               |
| <b>Implications</b>   | <b>Applicable to this Report</b> |
| <b>Strategies and Plans</b><br>(Consideration of Strategic Planning Principles under s.89 of LGA 2020)    | No                               |
| <b>Financial Management</b><br>(Consideration of Financial Management Principles under s.101 of LGA 2020) | No                               |
| <b>Service Performance</b><br>(Consideration of Service Performance Principles under s.106 of LGA 2020)   | No                               |
| <b>Risk Assessment</b>  | No                               |
| <b>Communication</b>  | No                               |
| <b>Human Rights Charter</b>   | No                               |

**Conflict of Interest:**

Under section 130(2) of the *Local Government Act 2020*, officers providing advice to Council must disclose any conflict of interest, including the type of interest.

Officer Responsible – Greg Wood (Chief Executive Officer)

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

Author – John Hutchins, (Wimmera Emergency Management Team)

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

**Communications Strategy:**

After the new MEMPC is established, the MEMPC will engage with the community via community representation on the committee, as well as other opportunities as identified by the committee

**RECOMMENDATION:**

- That Council notes that the legislative authority for Councils existing Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the Emergency Management Act 1986, is repealed on 1 December 2020, by s82(2) of the Emergency Management Legislation Amendment Act 2018 and replaced by the provisions of s68 of the Emergency Management Legislation Amendment Act 2018.***

2. ***That Council authorises the Chief Executive Officer to establish a new MEMPC in accordance with the provisions of s68 of the Emergency Management Legislation Amendment Act 2018 (which inserts a new 'Part 6-Municipal Emergency Management Planning Committees' into the Emergency Management Act 2013 on 1 December 2020).***
3. ***That Council notes that responsibility for municipal level planning is to transfer from the municipal council to the MEMPC and that the MEMPC now reports to and is accountable to the relevant Regional Emergency Management Planning Committee and not to the municipal council.***

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## 9. COUNCIL COMMITTEES

### 9.1 WIMMERA MALLEE PIONEER MUSEUM COMMITTEE

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

**Introduction:**

The Wimmera Mallee Pioneer Museum Committee held its meeting on 19 September 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 Wimmera Mallee Pioneer Museum Committee meeting held on 19 September 2020.***

*Attachment Number: 7*

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### 9.2 YURUNGA HOMESTEAD COMMITTEE OF MANAGEMENT

**Responsible Officer:** Director Corporate & Community Services  
**Attachment Numbers:** 8 - 9

**Introduction:**

The Yurunga Homestead Committee of Management held a general meeting and annual general meeting on 17 September 2020. The purpose of this report is to note the minutes from these meetings. A copy of the minutes is included as an attachment for the information of Council.

**RECOMMENDATION:**

***That Council notes the minutes of the Yurunga Homestead Committee of Management meetings held on 17 September 2020.***

*Attachment Numbers: 8 - 9*

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## 10. LATE REPORTS

No report

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**11. OTHER BUSINESS**

No report

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**12. CONFIDENTIAL REPORTS**

In accordance with Section 66 (2) (a) of the *Local Government Act 2020*, Council may close the meeting to the public to consider confidential information. Confidential information is defined by Section 3 of the *Local Government Act 2020* as being:

- a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
- c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;
- d) law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;
- e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;
- f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
- g) private commercial information, being information provided by a business, commercial or financial undertaking that—
  - i. relates to trade secrets; or
  - ii. if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
- h) confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);
- i) internal arbitration information, being information specified in section 145;
- j) Councillor Conduct Panel confidential information, being information specified in section 169;
- k) information prescribed by the regulations to be confidential information for the purposes of this definition;
- l) information that was confidential information for the purposes of section 77 of the *Local Government Act 1989*

No Report

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**13. MEETING CLOSE**

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