



ATTACHMENTS

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**MINUTES OF THE COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL
HELD 16 DECEMBER 2020 AT THE NHILL MEMORIAL COMMUNITY CENTRE,
77-79 NELSON STREET NHILL COMMENCING AT 3:00PM.**

AGENDA

1. Acknowledgement of the Indigenous Community and Opening Prayer

2. Apologies, Oath of Office and Councillor Code of Conduct

2.1 Apologies

2.2 Oath of Office and Councillor Code of Conduct (New Councillor)

3. Declaration of Interests

4. Confirmation of Minutes

5. Public Question and Submission Time

6. Correspondence

7. Planning Permit Reports

7.1 Application for Planning Permit PA1682-2020 – Development of Two Dwellings, Retention of the Existing Dwelling, Relocate an Existing Outbuilding and Associated Three Lot Subdivision at 4 Elizabeth Street, Nhill, 3418

8. Reports Requiring a Decision

8.1 Procurement Policy Review

8.2 Draft Community Engagement Policy

8.3 Reviewed and Updated Media Policy

8.4 Wimmera River Discovery Trail – Jeparit Footbridge

8.5 Rural North West Region Councillor Representative to the Rural Councils
Victoria Board

8.6 Local Roads and Community Infrastructure Fund

8.7 A-Double Access to Hindmarsh Roads

8.8 2021 Council Meeting Dates

9. Council Committees

9.1 COVID-19 Community Revitalisation Reference Group

10. Late Reports

11. Other Business

12. Confidential Matters

12.1 Youth Council Expressions of Interest

12.2 Australia Day Awards 2021

12.3 Wimmera Development Association Community Representative

13. Meeting Closed

Present:

Crs R Ismay, M Albrecht, R Gersch, D Nelson, B Ireland, W Bywaters.

In Attendance:

Mr Greg Wood (Chief Executive Officer), Ms Monica Revell (Director Corporate and Community Services), Ms Angela Hoy (Director Infrastructure Services), Ms Shauna Johnson (Executive Assistant), Mr Jeff Woodward (Tourism and Economic Development Officer), Ms Helen Thomson (Manager Governance and Human Services), Mr Paul Spencer (Senior Assets Engineer).

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

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

2. APOLOGIES, OATH OF OFFICE AND COUNCILLOR CODE OF CONDUCT

2.1 APOLOGIES

No apologies.

2.2 OATH OF OFFICE AND COUNCILLOR CODE OF CONDUCT

Attachment Number 16 – Oath/Affirmation of Office and Councillor Code of Conduct Declaration

The result of a by-election in East Ward was declared on 14 December 2020. Ms Wendy Bywaters was declared elected. Pursuant to the *Local Government Act 2020*:

Section 30 Oath or Affirmation of Office

- (1) A person elected to be a Councillor is not capable of acting as a Councillor until the person has taken the oath or affirmation of office in the manner prescribed by the regulations.
- (2) The oath or affirmation of office must be—
 - (a) administered by the Chief Executive Officer; and
 - (b) dated and signed before the Chief Executive Officer; and
 - (c) recorded in the minutes of the Council, whether or not the oath or affirmation was taken at a Council meeting.

Section 139 Councillor Code of Conduct

- (6) Until a Council adopts a Councillor Code of Conduct under subsection (4), the

Councillors must comply with the existing Councillor Code of Conduct.

Pursuant to the *Local Government (Governance and Integrity) Regulations 2020*:

Section 5 Oath or Affirmation of Office

For the purposes of section 30(1) of the Act, the prescribed manner for taking the oath or affirmation of office is—

- (a) in accordance with the requirements of Part 2 of the Oaths and Affirmations Act 2018; and
- (b) in person or, with the approval of the Chief Executive Officer, by means of an audio-visual link; and
- (c) in the following form—

"I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 and any other Act to the best of my skill and judgement."

The Chief Executive Officer, Mr Greg Wood, will now:

1. administer the Oath or Affirmation of Office Declaration, to be made by the newly elected Councillor, and
2. witness the Councillor's signing of the Oath of Office, stating that they will abide by the Councillor Code of Conduct.

Oath

I swear (or promise) by Almighty God (or the person may name a god recognised by the person's religion) that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of the conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 or any other Act to the best of my skill and judgement.

Or

Affirmation

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of the conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 or any other Act to the best of my skill and judgement.

Ms Wendy Bywaters decided to take the Affirmation of Office.

Attachment Number 16 – attached to the end of minutes

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.

Cr M Albrecht declared a general conflict of interest in item 12.1 Youth Council Expressions of Interest due to a family member applying.

Cr W Bywaters declared a material conflict of interest in item 12.3 Wimmera Development Association Community Representative due to registering an expression of interest.

4. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 25 November 2020 at the Nhill Memorial Community Centre, Nhill and of the Special Council Meeting held on 8 December 2020 at the Nhill Memorial Community Centre, Nhill as circulated to Councillors be taken as read and confirmed.

MOVED: CRS B Ireland/D Nelson

That the Minutes of the Ordinary Council Meeting held on Wednesday 25 November 2020 at the Nhill Memorial Community Centre, Nhill and of the Special Council Meeting held on 8 December 2020 at the Nhill Memorial Community Centre, Nhill as circulated to Councillors be taken as read and confirmed.

CARRIED

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 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.

Chris Johnson, Dimboola

Question 1:

At the Special Hindmarsh Shire Council Meeting held on December 8 the CEO Mr Greg Woods stated he did not know how long it takes for the Chief Medical Officer (CMO) takes to issues an event permit. Did the HSC obtain permits from the CMO for the BBQs held for the 16 days of activism against gender violence and the Town Committees Christmas events?

Answer:

Both the town BBQs and the Town Christmas events were/are Tier 3 events under the COVID-safe Events Framework. As per the Tier 3 event process they were registered by 1 week prior the event and a Covid-safe Checklist was completed and uploaded onto the Government Covid-safe Events website. The Tier 3 events, at the time of registering, were allowed up to 500 people. That has now been upgraded to 1000 people (after the recent council meeting), so long as other risk elements did not trigger them to a Tier 2 event. These potential triggers are reflected in an online questionnaire when you register the events. A Tier 3 Event does not need assessment and approval from the CMO so long as the COVID-safe Events Framework procedure is followed.

Question 2:

At the CFA West Region - Community Engagement held on November 17 Facebook live feed Monica Revell was asked where the evacuation point in Dimboola is. While I am aware the evacuation point is the Train Park, many in the community did not know this, some stating the College oval and others the Recreation Reserve Oval. Her answer was, "in case of an emergency go to a friend or relative place." In the case if the

community was engulfed in flames was that the appropriate advice considering that HSC has an emergency management plan?

Answer:

Council receives advice from the Incident Control Centre and Department of Health and Human Services regarding the requirement to set up relief centres. During the recent fires Council was not requested to activate a relief centre. Council would not set up a relief centre where there is direct risk to the community and would work with neighbouring Council's if required.

The Train Park referred to in the question is Dimboola's place of last resort, this is only for people who have chosen to stay and defend their properties but their personal Bushfire Survival Plans cannot be implemented or failed. A place of last resort is a space that provides a minimum level of protection, it is not guaranteed emergency services will be present, and does not provide meals, amenities or special needs.

Wendy Werner, Jeparit

Question 1:

Jeparit Footbridge: One year ago at the Jeparit community infrastructure meeting the Shire (PK) told us that the Railway bridge has been inspected and is 'a very solid structure' and, that 'we want to use that as an iconic part of the track". If there are 14000 visitors expected to use this trail, why is the Shire changing its focus to an ugly, incongruent foot bridge that is much further from town? I ask the Councillors to DENY the recommendation to obtain quotes for an alternative footbridge and instead focus on the ICONIC Railway Bridge River crossing, (97 words).

Answer:

The initial assessment completed on the bridge determined that an onsite assessment of the structural integrity and predicted lifespan of the bridge was required. The cost for this assessment quoted as in the vicinity of \$150,000, plus significant costs involved with bringing the bridge to a safe standard for trail user access. Council was required to weigh up the costs involved including the assessment, works to bring it up to standard and ongoing and possibly significant maintenance costs in the future and the liability of bridge removal costs once the structure reached the end of it's life. A new structure will be built to today's standard with a long life and smaller ongoing maintenance costs. The location of the walking track from the rail bridge to four mile beach crosses areas of significant cultural heritage that are avoided with the new bridge location.

The location of the proposed bridge will allow for users who only want to undertake short walks to park close to the bridge and walk around four mile beach.

Council is still proposing to install signage at the rail bridge and believe it will be a popular stopping point for tourists to take photos.

Question 2:

Jeparit Camp kitchen: If the Jeparit Node has been funded through the Hindmarsh trail works (cf Jeparit community infrastructure meeting), and \$10,000 has put aside in the budget for several years now to fund the camp kitchen project, why is the Shire proposing that these same projects are now funded AGAIN through new money when surely this new money could be put towards new unfunded projects? (66 words)

Answer:

Additional funding is now available that will allow for a larger camp kitchen facility in Jeparit including a camp kitchen on a concrete slab with all abilities access including paths and seating which is far in excess of the original budget.

Hamish Merrett, Nhill

Question 1:

Drainage: The council have now deliberately and neglectfully flooded six of our blocks of land causing financial, mental, and environmental problems.

Given that the works carried out by the Hindmarsh Shire caused this issues, what is the Hindmarsh shire doing to rectify this?

Answer:

The Drain that Mr Merrett is referring to is a watercourse that delivers water to the Nhill Lake. The Land area is flat and does not have enough fall or width/clearance for water distribution, it is also impeded by vegetation growth. Water will always take the easiest path unless directed otherwise. The Drain to the best of our knowledge has been there for over 50 years in some form or another.

Council Officers met on site in May 2020 with Mr Merrett who gave in writing permission for Council staff to access the property at any time. Staff were able to clear the vegetation and tidy up the drainage area in May 2020. Since then significant vegetation growth has re-occurred impeding the water flow.

Mr Merrett was notified prior to the 8th of December that we would be turning on the water, and staff requested access to the property in order to tidy up the drain to reduce possible flooding. Mr Merrett denied access, and council staff were unable to undertake any works.

We will continue discussions with Mr Merrett.

Question 2:

Planning Permit: The Shire have threatened us with fines and actions including the need for a planning permit for our business. Given that most industrial business operating in Nhill require permits, but do not have them.

Is it council policy to bully and victimise people that bring issues and problems to them?

Answer:

Panel Beating, in the Industrial Zone, is a Section 2 Use, meaning that a Planning Permit is required.

Mr Merrett advised that the previous panel beating business on this land, ceased operation in about 2006.

Section 68(2)(b) of the Planning and Environment Act 1987 states that a permit for the use of land expires if the use is discontinued for a period of two years.

Mr Merrett's business therefore cannot rely on the Planning Permit issued in 2002 and a new Planning Permit Application is required.

6. CORRESPONDENCE

6.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Attachment Numbers: 3 - 4

Introduction:

The following correspondence is tabled for noting by Council.

Inwards:

- 18/11/2020 – Letter to Mayor and Councillors from International Campaign to Abolish Nuclear Weapons, Australia.
- 04/12/2020 – Letter of Congratulations to Mayor from The Hon. Gayle Tierney MP.

MOVED: CRS R Gersch/D Nelson

That Council notes the attached correspondence.

CARRIED

7. PLANNING PERMITS

7.1 APPLICATION FOR PLANNING PERMIT PA1682-2020 – DEVELOPMENT OF TWO DWELLINGS, RETENTION OF THE EXISTING DWELLING, RELOCATE AN EXISTING OUTBUILDING AND ASSOCIATED THREE LOT SUBDIVISION AT 4 ELIZABETH STREET, NHILL, 3418

Responsible Officer: Director Infrastructure Services
Subject Land: 4 Elizabeth Street, Nhill VIC 3418

Proposal: Development of two dwellings, retention of the existing dwelling, relocate an existing outbuilding and associated three lot subdivision

Zoning and Overlays: General Residential Zone Schedule 1
No Overlays

- Clause 32.08-3 – Subdivision
- Clause 32.08-6 – Building and Works associated with construction of two dwellings

Attachment Numbers: 5 - 7

- 5 – Clause 55 Two or more dwellings on a lot assessment
- 6 – Clause 56 Residential Subdivision assessment
- 7 – Development Plans & Landscape Plan – Sheets 1 to 7

Summary:

Planning application PA1682-2020, lodged with Council on 11 September 2020, seeks planning approval for the following at 4 Elizabeth Street, Nhill (site):

- **Clause 32.08-3 Subdivision** – create three lots from the existing 2,023 m² site.
 - Lot 1 866.49 m² – the existing dwelling is to be retained on this lot.
 - Lot 2 - 578.33 m² – a new dwelling is proposed to be constructed on this lot.
 - Lot 3 – 578.33 m² – a new dwelling is proposed to be constructed on this lot.
- **Clause 32.08-6 Buildings and Works** – associated with the development of proposed Lots 2 and 3 each with a single storey detached dwelling and the development of a carport for the existing dwelling on Lot 1.

As detailed in this report, the application displays a high level of compliance with the strategic direction and the relevant provisions of the Hindmarsh Planning Scheme.

This report recommends that Planning Permit PA1682-2020 be issued, to allow the development of two dwellings, retention of the existing dwelling, relocate an existing outbuilding and associated three lot subdivision at 4 Elizabeth Street, Nhill.

Background:

Planning Application PA1682-2020 was lodged with Council on 11 September 2020 for the three-lot subdivision and development of two single storey dwellings, retention of the existing dwelling, relocate an existing outbuilding.

Proposal Details:

Subdivision

The application proposes the subdivision of the existing 2023 m² site into a total of three lots, as follows:

- Lot 1 – 866.49 m²
- Lot 2 – 578.33 m²
- Lot 3- 578.33 m²

Lot 1 retains the existing dwelling, a carport and a relocated outbuilding. Lot 2 and Lot 3 will each be developed with a single storey dwelling. Sites will be connected to utilities.

Development

Lot 1 - Existing dwelling

The existing single storey weatherboard dwelling, setback from Elizabeth Street 9.367 metres, is to be retained. A carport/shed, currently located in the proposed Lot 2, will be relocated to the rear of the existing dwelling on Lot 1. The existing dwelling will be setback 3.5 metres from the western boundary of Lot 2. The carport will be relocated within this setback on Lot 1. Elevations have not been provided of this relocated carport structure, which will be required as a condition.

Vehicle access to Lot 1 will be from a double width vehicle crossover with Lot 2. Council's Engineers require that each vehicle cross over has a minimum width of 3 metres as measured from the boundary of the respective lot. Lot 1 will be required to have a minimum cross over width of 3 metres as measured from the eastern boundary of that lot, which will be required as a condition.

Lot 2 and Lot 3 – new single storey dwelling on each lot

Lot 2 and 3 will each be developed with a single storey detached dwelling setback from Elizabeth Street 8.17 metres to the front porch or 9 metres to the dwelling façade with side setbacks 1.38 metres.

Each dwelling will be provided with three bedrooms, an open plan living, kitchen and meals area, bathrooms and laundry and a single garage with tandem car space, meeting the requirements of Clause 52.06 Car Parking.

Vehicle access to the two dwellings on Lots 2 and 3 will also be from Elizabeth Street.

Subject Site & Locality:

The subject site is located on the north side of Elizabeth Street, Nhill. A 3.5 metre wide

laneway known as Fry Lane runs along the western boundary of the site. The adjacent property at 6 Elizabeth Street, to the west of the laneway, is developed with a single storey dwelling. The rear yards of the adjoining properties at 6 and 8 King Street adjoin the eastern boundary of the site and are each developed with single storey detached dwellings.

The site is within an established residential area within Nhill. The commercial centre of Nhill is located approximately 750 metres to the south east of the site. Recreational facilities are located at Davies Park, at the end of Elizabeth Street.

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 Aboriginal Cultural Heritage Sensitivity.

Advertising:

Section 52 Notice of Application

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

The application is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act and pursuant to Section 52 of the *Planning and Environment Act 1987*.

The following forms of advertising were undertaken:

- Notices were sent to owners and occupiers of adjoining land;
- A sign was placed on the site for (14 days); and;
- The application was made available for public exhibition at Council's Nhill Office.

No objections have been lodged with Council.

Referrals:

External Referrals

Powercor Australia

The application was referred to Powercor Australia who advised:

- No objection subject to conditions. The Powercor Australia conditions are detailed in the report.

GWM Water

The application was referred to GWM Water who advised:

- No objection subject to conditions. The GWM Water conditions are detailed in the report.

Internal Referrals

The application was referred internally to the following Departments:

- Engineering – No objection to the development subject to conditions requiring separate access to each lot with alterations for a 3 metre wide crossover for Lot 1 and drainage
- Building – Comments detailed in the permit notes.

Assessment against Hindmarsh Planning Scheme:

Planning Policy Framework (PPF)

Clause 11.01-1S Settlement

Clause 11.01-1R Settlement- Wimmera Southern Mallee includes:

Support the ongoing growth and development of Edenhope, Hopetoun, Nhill, St Arnaud, Stawell and Warracknabeal as the key service hubs in their sub-regional communities of interest.

Clause 11.02-1S Supply of urban land

To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Clause 15.01 Built Environment

Clause 15.01-2S Building Design objective is:

To achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Clause 15.01-3S Subdivision design objective is:

To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Clause 15.01-4S Healthy neighbourhoods

Clause 15.01-5S Neighbourhood character

Clause 16.01 Residential Development

Clause 16.01-1S Housing Supply

To facilitate well-located, integrated and diverse housing that meets community needs.

Clause 19.03-2S Infrastructure design and provision objective is:

To provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.

Clause 19.03-3S Integrated water management objective is:

To sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

Local Planning Policy Framework (LPPF)

Clause 21.00 - Municipal Strategic Statement

Clause 21.02 - Vision – Strategic Framework

Clause 21.03 - Objectives – Strategies – Implementation

Clause 21.03-2 - Economic Development

Clause 21.03-6 - Urban Development

Objective

To promote and enhance the roles of the main towns as the service and business centres for the Shire and as a focus for communities.

Nhill

Key Issues (relevant to application)

Further development should consolidate the town and be accommodated by infill development.

Planning Response:

The proposed subdivision and development of two single storey dwellings located in proximity to existing services and sporting facilities is supported by the relevant planning policies in the PPF and LPPF relating to Settlement, Built Environment, Housing, Infrastructure and Urban Development. The proposal will accommodate infill development within the town which is encouraged in Clause 21.03-6.

Clause 32.08 – General Residential Zone

The objectives of the General Residential Zone are contained in Clause 32.08 (relevant to the application):

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*

Clause 32.08-3 Subdivision

Permit Requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6

Clause 32.08-4 Construction or extension of a dwelling or residential building

Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area

Each lot exceeds the minimum garden area requirement. Lot 1 provides for in excess of 70% garden area on a site that requires 35%. Lots 2 and 3 provide for 70% garden area, in excess of the 30% required.

Clause 32.08-6 Construction of two or more dwellings on a lot

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.

This Clause requires applications under this provision to be assessed against the requirements of Clause 55. The application displays a high level of compliance with the provisions of clause 55 as detailed later in this report.

Planning Response:

The application is consistent with the Municipal Planning Strategy and Planning Policy Framework as discussed above. The development will respect the neighbourhood character of the area. The development will encourage a diversity of housing types and housing growth particularly in this location with good access to services and transport in Nhill. The proposal will therefore comply with the objectives of the zone.

Particular Provisions

Clause 53.01 Public Open Space Contribution and Subdivision

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no

amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*.

53.01-1 Exemption from public open space requirement specified in the scheme

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
 - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
 - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building. It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation. It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

Planning Response:

The proposed three lot subdivision does not meet one of the exemptions under Clause 53.01-1. Therefore, a 5% public open space contribution to the value of the land is required in accordance with this Clause.

Clause 55 – Two or more Dwellings on a lot and Residential Buildings

The application has been assessed against the requirements of Clause 55 and will have a high level of compliance with the relevant objectives and standards of the clause.

Clause 55.02 Neighbourhood character

The existing single storey, detached weatherboard dwelling is to be retained. Proposed is the construction of two single storey brick dwellings to the west of the existing dwelling. All dwellings will be oriented towards Elizabeth Street and share similar scale, setbacks and heights. All dwellings will be setback a minimum of 9 metres from Elizabeth Street. These front setbacks will be landscaped.

Clause 55.03 Site Layout and Building Massing

The existing and proposed buildings will share similar front and side setbacks, height, design features and provide opportunities for landscaping throughout the sites.

Clause 55.04 Amenity Impacts

The proposed development will not contribute to any amenity impact on adjoining properties. The development will not contribute to overlooking nor overshadowing. The proposed two dwellings will not impact on solar access to existing habitable room windows on neighbouring properties.

Clause 55.05 On Site Amenity and Facilities

Each dwelling will be oriented toward Elizabeth Street. Private open space is located to the rear of each dwelling. The living areas and secluded private open space of the proposed dwellings, benefit from a northern orientation. Storage is provided to each dwelling in the rear private open space. Bin storage areas and letterbox areas are detailed on the plans.

Clause 55.06 Detailed Design

The design detail of the proposed two new dwellings is respectful of the existing neighbourhood character given their single storey, detached form and hipped roof form. Details of the relocated carport/shed for the existing dwelling are required as a condition.

Clause 56 – Residential Subdivision

The application has been assessed against the requirements of Clause 56 and will have a high level of compliance with the relevant objectives and standards of the clause.

The subdivision is considered to respect the existing neighbourhood character (Standard C6) and is consistent with the state and local planning policies applicable to the application. The subdivision achieves a good lot diversity for the overall area in compliance with Standard C7 (Lot diversity and distribution). All lots are oriented towards the street to comply with Standard C10 (Street orientation).

Lot access from Elizabeth Street will be satisfactory to comply with Standard C21 with new crossovers to be constructed before the issue of a Statement of Compliance or before the occupation of the dwellings to Council's design standards. A three (3) metre wide clearance for the crossover from the eastern boundary for Lot 1 will be required and will be addressed as condition.

The site has access to existing infrastructure in the area including reticulated water, sewer and electricity connections to comply with Standards C22, C24 and C25. Comments have been received from all referral authorities including Council's Engineers who require conditions for access and drainage. Conditions will be placed on the permit for the provision of suitable infrastructure on the site.

Conditions in relation to site management will be required to ensure that the site and surrounding area is protected from degradation and nuisance before and during the construction of the subdivision works to comply with Standard C26.

General Provisions

Clause 65 - Decision Guidelines

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

Clause 65.01 Approval of an application or plan

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

- *The matters set out in Section 60 of the Act.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The 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.*

Planning Response:

The application complies with the relevant decision guidelines as outlined above. The proposal is supportive of, and complies with the Planning Policy Framework, having regard to the benefit the proposal will have for the infill development of the site for residential purposes.

The two new dwellings will contribute to the diversity of housing stock in Nhill. The proposal will enable infill residential development and a subdivision that does not impact on the amenity of the area and facilitates the orderly planning of the area.

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 Director Infrastructure Services advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

Processing Times:

14/09/2020 Application lodged

26/09/2020	Fee received
7/10/2020	Further information requested
13/10/2020	Response to further information and amended plans received pursuant to Section 50 of the <i>Planning and Environment Act 1987</i>
27/10/2020	Public notification commenced – letters sent
28/10/2020	Public notice – sign erected on site
11/11/2020	Public notice – sign removed from site
16/12/2020	Presented to Council for approval

The report is being presented to Council for approval at the meeting held 16 December 2020 (49 statutory days).

The statutory processing time requirements of the *Planning and Environment Act 1987* have been satisfied in this instance.

Link to Council Plan:

The application is consistent with the Council Plan.

Financial Implications:

The subdivision will have positive financial implications through a potential increase in Rates income to Council.

Risk Management Implications:

There are no risks to be managed by Council, except if the planning permit is not approved, Council could be seen to be holding up development within the municipality.

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 – Louise Lunn, Consultant Town Planner

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

Co-Author – Bernadine Pringle, Consultant Town Planner

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

Communications Strategy:

Advise the applicant of the Council's decision.

Next Steps:

Issue planning permit and signed plans if approved by Council.

RECOMMENDATION:

That Planning Permit PA1682-2020 be approved, to allow the development of two single storey dwellings, retention of the existing dwelling, relocate an existing outbuilding and associated three lot submission at 4 Elizabeth Street, Nhill, subject to the following conditions:

Endorsed Plans

- 1. Before the commencement of development, amended plans generally in accordance with this application must be submitted to the Responsible Authority for approval. Once approved, the plans will be endorsed and will then form part of the permit. The plans must be amended to show:***
 - (a) The location and elevations of the relocated carport/shed for the existing dwelling (Dwelling 1) on Lot 1.***
 - (b) The vehicle crossover to Lot 1 to have a minimum width of 3.0 metres as measured from the eastern boundary of that lot.***
- 2. The location and design of the development as shown on the endorsed plans shall not be altered or modified, whether or not in order to comply with any statute or statutory rule or local law or any other reason without the written consent of the Responsible Authority.***
- 3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.***
- 4. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.***
- 5. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.***
- 6. The exterior colour and cladding of the buildings must be of a non-reflective nature and / or either painted or have a pre-painted finish in natural, muted toning (or such other colour as is approved by the Responsible Authority) to the satisfaction of the Responsible Authority.***

Engineering Conditions

Access/Vehicle Crossovers

7. ***Before the occupation of the development approved by this permit, a new crossover to be constructed from Elizabeth Street to each lot to have independent access to the satisfaction of the Responsible Authority.***
8. ***The crossovers must be constructed as per IDM- 260 standard and at a location and of a size to the satisfaction of the Responsible Authority.***
9. ***The vehicle crossovers must be constructed at the permit holder's expense to provide ingress and egress to the site to the satisfaction of the Responsible Authority.***

Drainage

10. ***All stormwater and surface water discharging from the site for the approved development must be directed to the legal point of discharge (LPD) being the southern side of the property to the table drain in the Elizabeth Street road reserve to the satisfaction of the Responsible Authority.***
11. ***No effluent or polluted water of any type may be allowed to enter the Council's Stormwater drainage system.***

Landscaping

12. ***Before the Occupancy Permit being issued for the buildings hereby permitted, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority.***
13. ***The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.***

General

14. ***Provision must be made on the land for the storage of waste and recycling bins in a location that is not visible from the street to the satisfaction of the Responsible Authority.***

Subdivision

15. ***The subdivision as shown on the endorsed plan must not be altered or modified without the consent in writing of the Responsible Authority.***
16. ***Before the issue of a Statement of Compliance, the permit holder must pay a Public Open Space Contribution to the Responsible Authority of 5% of the site value. Such payment will satisfy in full any Public Open Space requirement under the Planning Scheme. The payment must be made no less than 7 days before the issue of a Statement of Compliance for the subdivision.***

Mandatory Telecommunications Conditions

17. The owner of the land must enter into an agreement with:

- (a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and**
- (b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

18. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- (a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
- (b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

Grampians Wimmera Mallee Water Conditions

19. The owner / applicant must provide individually metered water services to each lot in accordance with GMMWater's requirements.

20. The owner / applicant must provide individual sewer services to each lot in accordance with GMMWater's requirements.

21. The owner / applicant is responsible for verifying the condition of any existing sewer connection point/s to determine their suitability for use.

22. The owner / applicant must provide plans and estimates of all proposed sewerage works prior to commencement for GMMWater's approval.

23. The owner / applicant must provide GMMWater with an updated drainage plan for all lots submitted by a qualified plumber.

- 24. The owner / applicant must ensure any existing water or sewer services and GWMWater assets made redundant by this development are abandoned in accordance, at the owner's cost, in accordance with GWMWater's standards.**
- 25. The owner / applicant must provide three metre wide easements in favour of GWMWater over the existing sewer located on the Northern boundary of the lots.**
- 26. The plan of subdivision submitted for certification must be referred to GWMWater in accordance with Section 8 of the Subdivision Act.**

Powercor Australia Conditions

- 27. Powercor's letter dated 20 November 2020 shall be supplied to the applicant in its entirety.**
- 28. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act**
- 29. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributors requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributors electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.**
- 30. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR). Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.**

Permit Expiry

- 31. This permit will expire if:**
 - (a) The plan of subdivision is not certified within 2 years of the date of this permit; or**
 - (b) A Statement of Compliance is not issued within 5 years of the certification of the plan of subdivision.**

The Responsible Authority may extend the time associated with (a) above if a request is made in writing before the permit expires or within six months afterwards. The timeframe associated with (b) above cannot be extended under the Subdivision Act 1988.

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

- (a) The development is not started within two years of the date of this permit*
- (b) 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:

- (c) Within six months afterwards for commencement; or*
- (d) Within twelve months afterwards for completion.*

Notes:

Building

- This permit is not a Building Permit. Please consult a Building Surveyor and ensure a Building Permit is obtained.*

Planning

- A copy of this permit and endorsed plans must be provided to all builders and contractors who are to work on site so they are aware of the conditions to which this approval applies.*

Engineering

- A Consent to Works Within Road Reserve Permit must be obtained from Council's Engineering Department (Phone: 03 5391 4444) for the construction or alteration of any vehicle crossovers prior to the construction of each crossover.*
- Standard designs / drawings of vehicle crossings can be obtained from Council's Engineering Department.*
- Any proposed crossover shall have satisfactory clearance to any side entry pit, power or telecommunications pole, manhole cover or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant authority and shall be at the permit holder's expense.*

Powercor

- It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributors web portal, "mySupply" which can be accessed via the following link: <https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator>*

MOVED: CRS R Gersch/D Nelson

That Planning Permit PA1682-2020 be approved, to allow the development of two single storey dwellings, retention of the existing dwelling, relocate an existing outbuilding and associated three lot submission at 4 Elizabeth Street, Nhill, subject to the following conditions:

Endorsed Plans

- 1. Before the commencement of development, amended plans generally in accordance with this application must be submitted to the Responsible Authority for approval. Once approved, the plans will be endorsed and will then form part of the permit. The plans must be amended to show:***
 - (a) The location and elevations of the relocated carport/shed for the existing dwelling (Dwelling 1) on Lot 1.***
 - (b) The vehicle crossover to Lot 1 to have a minimum width of 3.0 metres as measured from the eastern boundary of that lot.***
- 2. The location and design of the development as shown on the endorsed plans shall not be altered or modified, whether or not in order to comply with any statute or statutory rule or local law or any other reason without the written consent of the Responsible Authority.***
- 3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.***
- 4. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.***
- 5. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.***
- 6. The exterior colour and cladding of the buildings must be of a non-reflective nature and / or either painted or have a pre-painted finish in natural, muted toning (or such other colour as is approved by the Responsible Authority) to the satisfaction of the Responsible Authority.***

Engineering Conditions

Access/Vehicle Crossovers

- 7. Before the occupation of the development approved by this permit, a new crossover to be constructed from Elizabeth Street to each lot to have independent access to the satisfaction of the Responsible Authority.***

8. *The crossovers must be constructed as per IDM- 260 standard and at a location and of a size to the satisfaction of the Responsible Authority.*
9. *The vehicle crossovers must be constructed at the permit holder's expense to provide ingress and egress to the site to the satisfaction of the Responsible Authority.*

Drainage

10. *All stormwater and surface water discharging from the site for the approved development must be directed to the legal point of discharge (LPD) being the southern side of the property to the table drain in the Elizabeth Street road reserve to the satisfaction of the Responsible Authority.*
11. *No effluent or polluted water of any type may be allowed to enter the Council's Stormwater drainage system.*

Landscaping

12. *Before the Occupancy Permit being issued for the buildings hereby permitted, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority.*
13. *The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.*

General

14. *Provision must be made on the land for the storage of waste and recycling bins in a location that is not visible from the street to the satisfaction of the Responsible Authority.*

Subdivision

15. *The subdivision as shown on the endorsed plan must not be altered or modified without the consent in writing of the Responsible Authority.*
16. *Before the issue of a Statement of Compliance, the permit holder must pay a Public Open Space Contribution to the Responsible Authority of 5% of the site value. Such payment will satisfy in full any Public Open Space requirement under the Planning Scheme. The payment must be made no less than 7 days before the issue of a Statement of Compliance for the subdivision.*

Mandatory Telecommunications Conditions

17. *The owner of the land must enter into an agreement with:*

- (a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and**
- (b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

18. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- (a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
- (b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

Grampians Wimmera Mallee Water Conditions

- 19. The owner / applicant must provide individually metered water services to each lot in accordance with GMMWater's requirements.**
- 20. The owner / applicant must provide individual sewer services to each lot in accordance with GMMWater's requirements.**
- 21. The owner / applicant is responsible for verifying the condition of any existing sewer connection point/s to determine their suitability for use.**
- 22. The owner / applicant must provide plans and estimates of all proposed sewerage works prior to commencement for GMMWater's approval.**
- 23. The owner / applicant must provide GMMWater with an updated drainage plan for all lots submitted by a qualified plumber.**
- 24. The owner / applicant must ensure any existing water or sewer services and GMMWater assets made redundant by this development are abandoned in accordance, at the owner's cost, in accordance with GMMWater's standards.**

25. The owner / applicant must provide three metre wide easements in favour of GWMWater over the existing sewer located on the Northern boundary of the lots.

26. The plan of subdivision submitted for certification must be referred to GWMWater in accordance with Section 8 of the Subdivision Act.

Powercor Australia Conditions

27. Powercor's letter dated 20 November 2020 shall be supplied to the applicant in its entirety.

28. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act

29. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributors requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributors electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

30. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR). Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

Permit Expiry

31. This permit will expire if:

- (a) The plan of subdivision is not certified within 2 years of the date of this permit; or**
- (b) A Statement of Compliance is not issued within 5 years of the certification of the plan of subdivision.**

The Responsible Authority may extend the time associated with (a) above if a request is made in writing before the permit expires or within six months afterwards. The timeframe associated with (b) above cannot be extended under the Subdivision Act 1988.

32. This permit will expire if one of the following circumstances applies:

- (a) The development is not started within two years of the date of this permit**
- (b) 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:

- (c) Within six months afterwards for commencement; or***
- (d) Within twelve months afterwards for completion.***

Notes:

Building

- This permit is not a Building Permit. Please consult a Building Surveyor and ensure a Building Permit is obtained.***

Planning

- A copy of this permit and endorsed plans must be provided to all builders and contractors who are to work on site so they are aware of the conditions to which this approval applies.***

Engineering

- A Consent to Works Within Road Reserve Permit must be obtained from Council's Engineering Department (Phone: 03 5391 4444) for the construction or alteration of any vehicle crossovers prior to the construction of each crossover.***
- Standard designs / drawings of vehicle crossings can be obtained from Council's Engineering Department.***
- Any proposed crossover shall have satisfactory clearance to any side entry pit, power or telecommunications pole, manhole cover or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant authority and shall be at the permit holder's expense.***

Powercor

- It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributors web portal, "mySupply" which can be accessed via the following link: <https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator>***

CARRIED

Attachment Numbers: 5 - 7

8. REPORTS REQUIRING A DECISION

8.1 PROCUREMENT POLICY REVIEW

Responsible Officer: Director Corporate and Community Services

Attachment Number: 8

Introduction:

A review has been conducted on Council's Procurement Policy adopted on 7 February 2018 in line with the *Local Government Act 1989* requirements. This report seeks Council endorsement for a minor change to the Procurement Policy.

Discussion:

The *Local Government Act 1989* (the Act) section 186A requires Council to prepare, approve and comply with a Procurement Policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by the Council. Council must review the Procurement Policy annually and make it available for public inspection at Council offices and on its website.

The purpose of this Policy is to:

1. provide policy and guidance to Council to allow consistency and control over Procurement activities;
2. demonstrate accountability to rate payers;
3. provide guidance on ethical behaviour in public sector purchasing;
4. demonstrate the application of elements of best practice in purchasing; and
5. increase the probability of obtaining the right outcome when purchasing goods and service

The policy applies to all contracting and procurement activities at Council and is binding upon Councillors, Council staff and temporary employees, contractors and consultants while engaged by Council.

The current review determined that Council's current Policy made no reference to statutory payments that were above the CEO delegation. These payments include Fire Services Levy and fortnightly payroll. Based on this the following paragraph has been inserted into the Policy.

2.3.6 Statutory Payments

The Chief Executive Officer has authority to approve statutory payments (eg. Fire Services Levy, fortnightly payroll) to Government and Legislated authorities that are in excess of the Chief Executive Officer delegations.

Link to Council Plan:

Strategic Objective 4.1: Long-term financial sustainability.

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

Financial Implications:

The Procurement Policy provides the processes to be followed when tendering for goods and services. Financial delegations are assigned to positions and authorise limits for signing purchase orders and authorising invoices.

Risk Management Implications:

Purchases and payments are reviewed regularly by the Finance Team to ensure compliance with the policy.

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:

The Procurement Policy is available to key suppliers and available on Council's website.

RECOMMENDATION:

That following a review Council updates the Procurement Policy to include:

- **2.3.6 Statutory Payments**

The Chief Executive Officer has the authority to approve statutory payments (eg Fire Services Levy, fortnightly payroll) to Government and Legislated authorities and in line with legislated requirements that are in excess of the Chief Executive Officer delegations.

MOVED: CRS M Albrecht/W Bywaters

That following a review Council updates the Procurement Policy to include:

- **2.3.6 Statutory Payments**

The Chief Executive Officer has the authority to approve statutory payments (eg Fire Services Levy, fortnightly payroll) to Government and Legislated authorities and in line with legislated requirements that are in excess of the Chief Executive Officer delegations.

CARRIED

Attachment Number: 8

8.2 DRAFT COMMUNITY ENGAGEMENT POLICY

Responsible Officer: Director Corporate and Community Services

Attachment Number: 9

Introduction:

Council Officers have prepared a draft Community Engagement Policy in accordance with the *Local Government Act 2020*. The next part of the process in the development of the Policy is to consult with the community on the content of the policy. Council officers are seeking Council endorsement of the draft Policy before commencing the community engagement process.

Discussion:

Section 55 of the *Local Government Act 2020 (Act)* requires Council to adopt and maintain a Community Engagement policy. Council is required to adopt its Community Engagement Policy by 1 March 2021. The Policy must:

- be developed in consultation with the community; and
- give effect to the community engagement principles; and
- be capable of being applied to the making of Council's local laws; and
- be capable of being applied in relation to the Council's budget and policy development; and
- describe the type and form of community engagement proposed, having regard to the significance and complexity of the matter and the level of resourcing required; and
- specify a process for informing the municipal community of the outcome of the community engagement; and
- include deliberative engagement practices which can be applied to the development of the Community Vision, Council Plan, Financial Plan and Asset Plan; and
- include any other matters prescribed by the regulations.

Council officers have developed the draft Communication Policy in line with the requirements of section 55 of the Act and in accordance with the community engagement principles contained in the Act.

Be developed in consultation with the municipal community

Council officers recommend that Council engages in participatory engagement with the Hindmarsh community in the development of the Community Engagement Policy. This will involve making the draft Community Engagement Policy available to the community for comment and submissions from 17 December 2020 until 20 January 2021. Any comments or submissions received will be considered in the report to Council endorsing the final draft of the Policy.

Giving effect to the community engagement principles

The draft Community Engagement Policy gives effect to the Community Engagement Principles in the following way:

Principle 1 – *a community engagement process must have clearly defined objective and scope*

The Policy contains a Community Engagement Plan template which must be used when planning community engagement. The template requires that the officer must set the objective and scope of the engagement when developing a Community Engagement Plan.

Principle 2 – *participants in community engagement must have access to objective, relevant and timely information to inform their participation*

In Step 8 of the community engagement, implementation and evaluation process, Council officers are required to ensure that those involved in the community engagement have access to relevant information that will inform their participation in the community engagement process.

Principle 3 – *participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement.*

Clause 8 of the draft Policy requires Council to consider stakeholder and community interest. This will in turn inform the persons and groups that Council will engage with. The Community Engagement Plan also requires Council to identify the key stakeholders in an issue to ensure that Council is engaging with the relevant people.

Principle 4 – *participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement.*

Council will ensure that participants involved in community engagement will be provided with relevant and timely information to inform their participation in the community engagement.

Principle 5 – *participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making.*

The Community Engagement Plan template requires Council officers to turn their mind to the level of influence the engagement with the community will have on the decision being made. This will be communicated to those involved in the community engagement to ensure that their expectations are managed appropriately.

Be capable of being applied to the making of Council's local laws and be capable of being applied in relation to Council's budget and policy development

The draft Community Engagement Policy can be applied to the development of local laws and the development of Council policies and budgets. Clause 16 of the Community Engagement Policy provides a community engagement guide for Council to follow and includes reference to how Council will engage to the community with respect to the making of Local Laws, budgets and policies.

Describe the type and form of community engagement proposed, having regard to the significance and complexity of the matter and the level of resourcing required; and specify a process for informing the municipal community of the outcome of the community engagement

The draft Policy sets out the types of community engagement that are available to Council and how Council will assess which community engagement type will be used for different matters and situations. The draft Policy also sets out a Community Engagement Plan template which will be used to ascertain the appropriate level of Community Engagement for different Council projects.

The draft Policy also includes how Council will communicate the outcome of community engagement processes.

Include deliberative engagement practices which must include and address any matters prescribed by the regulations for the purposes of this paragraph and be capable of being applied to the development of the Community Vision, Council Plan, Financial Plan and Asset Plan

Clause 5 of the Policy provides for deliberative engagement practices that Council will use when developing strategic plans and documents that require deliberative engagement. Those practices include:

- Working with advisory groups;
- Proposals and ideas are discussed by a panel of community members;
- Participants are asked to consider and prioritise ideas;
- A representative group participates in a series of sessions of information exchange in order to reach consensus.

Options:

1. Council can endorse that the draft Community Engagement Policy be made available to the Hindmarsh community for comment or submissions.
2. Could can amend the draft Community Engagement Policy and then endorse the draft Community Engagement Policy be made available to the Hindmarsh community for comment or submissions.

Link to Council Plan:

- 1.1 an active engaged community.

Financial Implications:

Nil.

Risk Management Implications:

Ensuring that we engage with the community in the development of the Community Engagement Policy will enable Council to mitigate the risk of the community not being satisfied with the way that Council conducts community engagement.

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 – Monica Revell, Director Corporate and 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 officers will engage in participatory engagement with the Hindmarsh community and make a copy of the draft Community Engagement Policy available on Council's website and at Council offices from 17 December 2020 until 20 January 2021. Members of the Hindmarsh community will be able to make submissions and ask questions regarding the draft policy, all of which will be considered and addressed in the report made to Council.

Next Steps:

Following the participatory engagement process, Council will consider submissions received prior to adopting the Community Engagement Policy at the February 2021 Council meeting.

RECOMMENDATION:

That Council endorses the draft Community Engagement Policy being made available for public comment and submissions from 17 December 2020 until 20 January 2021.

MOVED: CRS W Bywaters/B Ireland

That Council endorses the draft Community Engagement Policy being made available for public comment and submissions from 17 December 2020 until 20 January 2021.

CARRIED

Attachment Number: 9

8.3 REVIEWED AND UPDATED MEDIA POLICY

Responsible Officer: Director Corporate and Community Services

Attachment Number: 10

Introduction:

This report seeks Council approval of the reviewed and updated Hindmarsh Shire Council Media Policy.

Discussion:

The Hindmarsh Shire Council Media Policy (**Policy**) was developed in 2009 and last reviewed in 2017. The review period on the Policy was three years. Council Officers have completed the review and made the necessary recommended alterations to the Policy.

The Policy applies to all Councillors, Youth Councillors, Council employees and volunteers. The purpose of the Policy is to establish the protocols for managing communication between Council and media to ensure coordinated, coherent, professional, accurate and reliable presentation of Council and Council business.

Council Officers conducted a review on the Policy and made some minor changes to the policy including:

- replacement of reference to 'section 86 committees' with 'council committees';
- updated legislative references;
- inclusion of related documents; and
- update of policy template.

Options:

1. Council can approve the reviewed and updated Media Policy.
2. Council can amend the reviewed and updated Media Policy.

Link to Council Plan:

1.1 an actively engaged community.

Financial Implications:

Nil.

Risk Management Implications:

The implementation of and adherence to the Media Policy will enable Council to present a consistent and cohesive message to the Community, mitigating the risks of community confusion, unrealistic community expectations and creating a divide between Council and the community.

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 – Monica Revell, Director Corporate and 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 officers will ensure that the updated Media Policy will be made available on Council's website, on Council's SharePoint for all Councillors to access and on Council's intranet for all Council staff to access.

RECOMMENDATION:

That Council approves the updated Hindmarsh Shire Council Media Policy.

MOVED: CRS D Nelson/M Albrecht

That Council approves the updated Hindmarsh Shire Council Media Policy.

CARRIED

Attachment Number: 10

8.4 WIMMERA RIVER DISCOVERY TRAIL – JEPARIT FOOTBRIDGE

Responsible Officer: Director Corporate and Community Services

Introduction:

The purpose of this report is to update Council on the proposed Jeparit Footbridge across the Wimmera River as part of the Wimmera River Discovery Trail and seek approval for the CEO to prepare tender documentation and advertise for design and construction of a new two-metre wide bridge.

Discussion:

The development of the Wimmera River Discovery Trail (WRDT) currently underway for the section between Dimboola and Lake Hindmarsh (Four Mile Beach) requires a method for trail users to safely cross the Wimmera River at Jeparit.

Throughout initial planning and project development it was intended to utilise the old Jeparit Rail Bridge with a retro-fitted walkway built on top of the existing structure.

Whilst negotiations with VicTrack for use of the rail bridge were successful, the WRDT Project Control Group (PCG) were informed that an assessment of structural integrity and predicted lifespan of the bridge would cost in the vicinity of \$150,000.

The recommendation from the PCG is to utilise this spend on installing a new footbridge rather than pursuing the old rail bridge as the preferred option. Significant contingency was included in the original project budget allocated to the river crossing to allow for potential of installing a new bridge if the rail bridge proposal became untenable.

The PCG remain confident, based on cost estimates that a new bridge can be installed within the project budget allocated as part of the grant application.

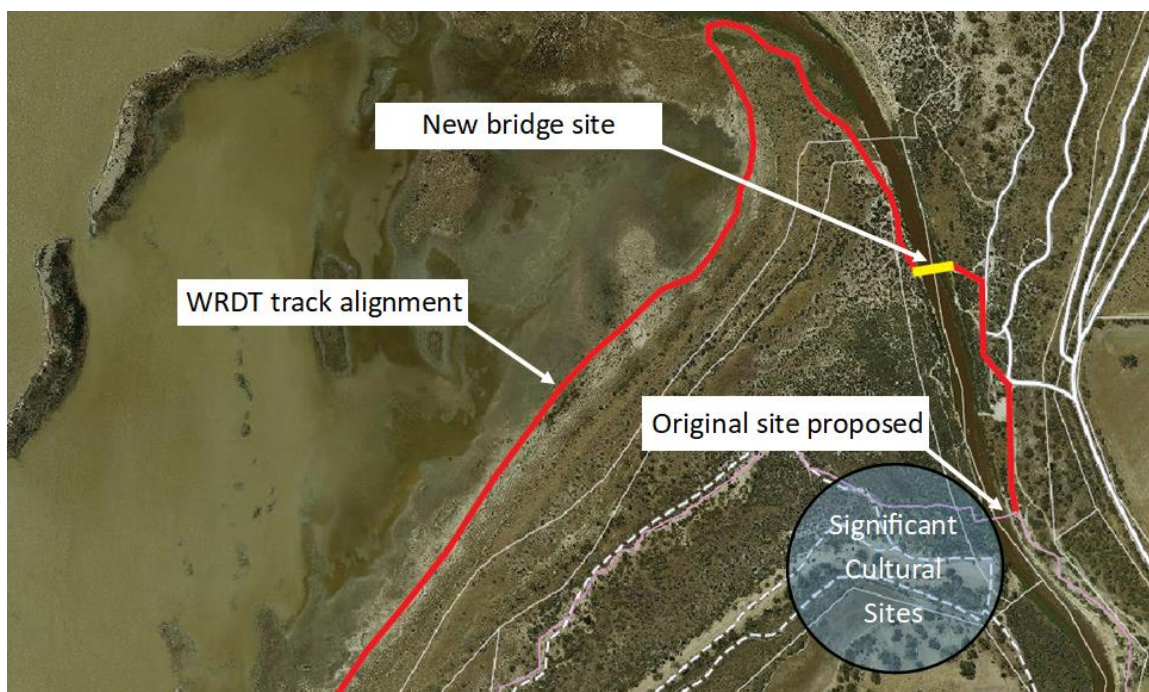
Proposed location:

Following site visits with Barengi Gadjin Land Council (BGLC) and Parks Victoria (PV), and support for the location from Wimmera River Catchment Authority (WMCA) it is proposed to locate the new bridge approximately 650m north of the Jeparit Ski Club.

This site will link the western (lake) side of the Wimmera River to existing tracks along Lake Hindmarsh shorefront. The northern-most track that this will link to is the preferred route option from BGLC after initial site surveys.

Alternative locations closer to the Ski Club were initially proposed and assessed but impacted on significant cultural sites, and had restricted accessibility for surveys and construction on the western bank.

The new proposed site will see a significant reduction in native vegetation offset needed.



Bridge Style:

The PCG have received initial design concepts and cost estimates to install a bridge 2m wide (for cycling standards) based on the example below. The final design will reflect minimum height recommendations from WCMA incorporating clearance necessary so as to not impact boating/skiing activities.



Visitor Experience:

The proposed bridge location and lakeside trail alignment offers considerable visitor experience.

Exiting the bridge on the western bank places trail users into the lake environment which is distinctly different from the river environments along the rest of trail.

The trail alignment takes visitors close to the mouth of the river and offers great views across to Four Mile Beach.

Proximity and easy vehicle access to the Jeparit Ski Club area will facilitate short walks for people to experience the river mouth and lake shore, and allow the bridge to be utilised by more than just long distance cyclists and walkers.



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
- Strategic Objective 3.2 A thriving tourism industry
- Strategic Objective 3.2.2 Appealing tourism facilities that promote visitation and meet visitor needs

Financial Implications:

The bridge forms part of the Wimmera River Discovery Trail project. The \$1.2m project is funded by the Federal and State Government and Council.

Risk Management Implications:

There is a risk utilising the existing rail bridge for Council due to the age of the bridge, by erecting a new bridge Council will ensure a bridge that meets today's standards is built.

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 and Community Services.

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

Author – Jeff Woodward, Tourism Officer

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

Communications Strategy:

Council will consult with the Jeparit Ski Club prior to finalising the bridge to ensure it will not impact on their use of the Wimmera River.

RECOMMENDATION:

That Council authorises the CEO to prepare tender documentation and advertisements for design and construction of a new two-metre wide bridge approximately 650m north of Jeparit Ski Club.

MOVED: CRS D Nelson/B Ireland

That Council authorises the CEO to prepare tender documentation and advertisements for design and construction of a new two-metre wide bridge approximately 650m north of Jeparit Ski Club.

CARRIED

8.5 RURAL NORTH WEST REGION COUNCILLOR REPRESENTATIVE TO THE RURAL COUNCILS VICTORIA BOARD

Responsible Officer: Chief Executive Officer

Introduction:

This report recommends that the CEO be authorised to vote on behalf of Council for the Rural North West Region Councillor representative on the Rural Councils Victoria board.

Discussion:

Following the nomination process for the Rural North West region Councillor Representative on the Rural Councils Victoria Board, an election process is required to be undertaken.

Two nominations were received for the Rural North West region Councillor representative, Cr Rob Gersch, Hindmarsh Shire Council, and Cr Tony Driscoll, Northern Grampians Shire Council.

Rural Council's Victoria (RCV) Incorporated Rules Section 13 'General Rights of members' details the voting rights of members. Section 52 'Ballot' requires each member provided with an electronic ballot form to vote within 10 business days. Voting for the current election closes at 5pm on Monday 21 December 2020.

The successful representative will hold office until they cease to become a Councillors or until the date upon which the election of the next Councillor Committee members is completed.

Options:

1. Council authorises the CEO to vote for Cr Rob Gersch on behalf of Council for the North West region Councillor representative.
2. Council authorises the CEO to vote for Cr Tony Driscoll on behalf of Council for the North West region Councillor representative.

Link to Council Plan:

Strategic Objective 3.1.7: Active involvement in Rural Councils Victoria (RCV) and Wimmera Development Association (WDA).

Financial Implications:

Not applicable.

Risk Management Implications:

Not applicable.

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 disclosable interests in this report.

Author – Monica Revell, Director Corporate & Community Services

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

Communications Strategy:

Not applicable

RECOMMENDATION:

That Council authorises the CEO to vote for Cr Rob Gersch for the Rural North West Region Councillor Representative to the Rural Councils Victoria Board.

MOVED: CRS B Ireland/M Albrecht

That Council authorises the CEO to vote for Cr Rob Gersch for the Rural North West Region Councillor Representative to the Rural Councils Victoria Board.

CARRIED

8.6 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE FUND

Responsible Officer: Director Infrastructure Services

Introduction:

This report seeks in-principal support from Council for round 2 of the Local Roads and Community Infrastructure key projects.

Discussion:

Council received notification on 30 October 2020 that the Federal Government's Local Roads and Community Infrastructure (LRCI) Program has been extended. Under the LRCI program extension, Council will receive an additional funding allocation of \$867,423. Funding will be available from 1 January 2021, with the program being extended until the end of 2021.

Council received \$1,080,798 through the initial LRCI grant which was allocated to road projects throughout the Shire. Normally Council would consider using these additional funds on upgrading roads due to the significant number of kilometers of road Council is responsible for, however given our recent success with roads funding applications our construction programme for 2020/2021 is at full capacity. Following the announcement of the LRCI extension Council Officers held a meeting to discuss community projects that were deemed the highest priority and be physically achievable within the time and budget constraints.

The projects recommended for funding are as follows:

1. Rainbow Library Community Park - \$100,000 (estimate)

This project will create a footpath link between the new Rainbow Library and the Oasis entrance. The project will consist of an all abilities path, open space grassed areas, tree planting, shade structures and picnic areas, as well as an interpretive display of local history. Consultation with the Oasis committee in regards to designs and features will be undertaken prior to the project commencing.

2. Rainbow Lake - \$ 90,000 (estimate)

This project will purchase and install picnic tables, electric BBQ's and a shade shelter at the Rainbow Lake on the Dimboola Rainbow Road, Rainbow. Rainbow Lake will be a recreational facility used by community members and tourists.

3. Jeparit Camp Kitchen - \$200,000 (estimate)

This project will erect a Camp Kitchen opposite the Jeparit Caravan Park at the Jeparit Riverside precinct, including associated walking paths and landscaping. The proposed design incorporates two electric barbeques, a sink with running water, and stainless steel benches. The Camp Kitchen will be erected on a concrete base and be accessed by an all abilities path.

4. Nhill Tennis Club Sporting Facilities - \$250,000 (estimate)

This project will build a new club room for Nhill Tennis Club consisting of a building with open plan space, all abilities amenities and storage, and a large veranah on the front for viewing tennis games.

Nhill Tennis Club rooms were demolished following a wind event which ripped part of the roof off. Currently the club have a non-satisfactory facility and are hiring toilets for game days. Council has been liaising with the Nhill Tennis Club to determine their

requirements.

5. Davis Park Nhill - \$227,000

This project will upgrade the facilities at Davis Park Nhill, including new change rooms, club rooms and netball court. This allocation will form part of the required Council contribution of \$400,000 (\$200,000 Local Roads & Community Infrastructure, \$100,000 Council budget 2020/2021, \$50,000 Council budget 2019/2020 carried forward and \$50,000 club contribution) for future grant opportunities as well as \$27,000 for permits and netball court design.

Council previously allocated money from round 1 LRCI funding towards this project, but following the unsuccessful state grant application and requirement for round 1 LRCI funds to be expended by 30 June 2021 reallocated the funding towards a road project. Round 2 LRCI funds are required to be expended by 30 December 2021 enabling time for future sporting infrastructure grant applications.

Options:

1. Council endorses and allocates up to \$867,423 from the Local Roads and Community Infrastructure Funds for the following projects: Rainbow Library Community Park; Rainbow Lake; Jeparit Camp Kitchen; Nhill Tennis Club Sporting Facilities; and Davis Park Nhill.
2. Council endorses other projects to be funded from the Local Roads infrastructure Fund round 2.

Link to Council Plan:

Strategic Objective 1.1: An actively engaged community.

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

Strategic Objective 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 and organisational needs.

Financial Implications

Projects approved by Council will be funded through the Local Roads and Community Infrastructure grant for \$867,423.

Risk Management Implications

Appropriate Risk Management Plans will be established once the projects nominated are approved prior to any resulting works commencing.

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.

Author & Officer Responsible – Angela Hoy, Director Infrastructure Services
In providing this advice as the Author and Officer Responsible, I have no disclosable interests in this report.

Communications Strategy:

To be established.

RECOMMENDATION:

That Council

- 1. endorses and allocates up to \$867,423 from the Local Roads and Community Infrastructure program for the following projects: Rainbow Library Community Park; Rainbow Lake; Jeparit Camp Kitchen; Nhill Tennis Club Sporting Facilities; and Davis Park Redevelopment Nhill; and***
- 2. authorises the CEO vary the projects should final guidelines not allow for the above projects.***

MOVED: CRS R Gersch/D Nelson

That Council

- 1. endorses and allocates up to \$867,423 from the Local Roads and Community Infrastructure program for the following projects: Rainbow Library Community Park; Rainbow Lake; Jeparit Camp Kitchen; Nhill Tennis Club Sporting Facilities; and Davis Park Redevelopment Nhill; and***
- 2. authorises the CEO to vary the projects should final guidelines not allow for the above projects.***

CARRIED

8.7 A-DOUBLE ACCESS TO HINDMARSH ROADS

Responsible Officer: Director Infrastructure Services

Attachment Number: 11

Introduction:

The purpose of this report is for Council to make a decision on the use of Council maintained roads by A-doubles.

Discussion:

The new National Class 2 Road Train Notice, A-Double vehicles up to 36.5 metres long will be permitted to operate on set routes within North West Victoria without a permit.

Following the resolution at Councils meeting 23 September 2020 (item 6.1) letter received by the Mayor from the Victorian Farmers Federation. The Victoria Farmers Federation has requested that Hindmarsh Shire Council extend the access to all local roads in the Hindmarsh Shire Municipality.

The set routes approved by Vic Roads are shown in Fig 1. below and do not connect to Hindmarsh Shire, and it is unclear how vehicles would move from Hindmarsh Shire Council roads to the VicRoads approved Network.

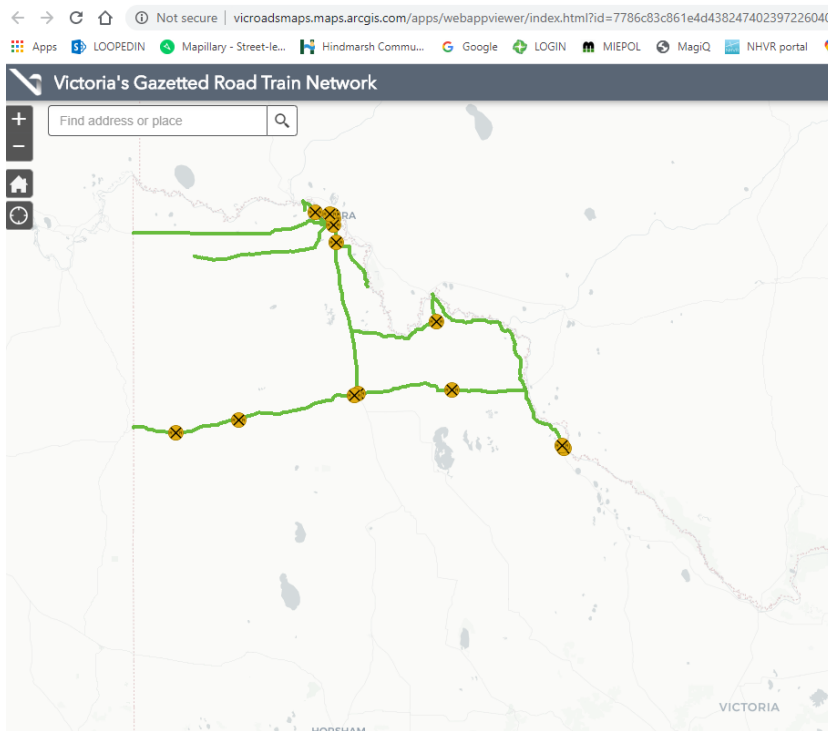


Fig 1.

Vicroads have also approved some temporary routes for Drought Assistance as shown on Fig 2. Below. These routes include the Western Highway, Borung Highway and Henty Highway that connect Hindmarsh Shire to the set routes further North, however it is not clear how long the Drought Assistance Routes will remain open for.

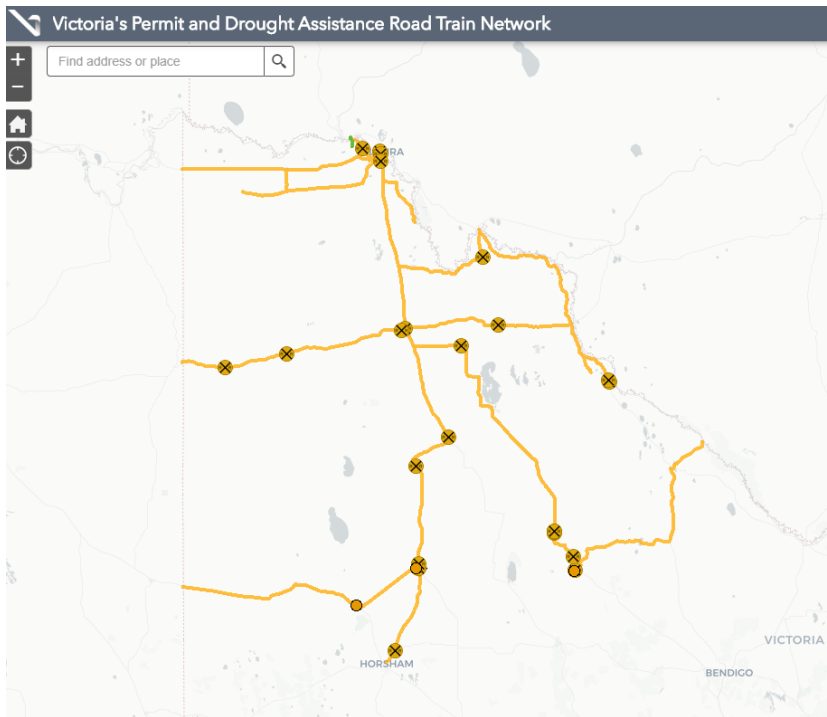
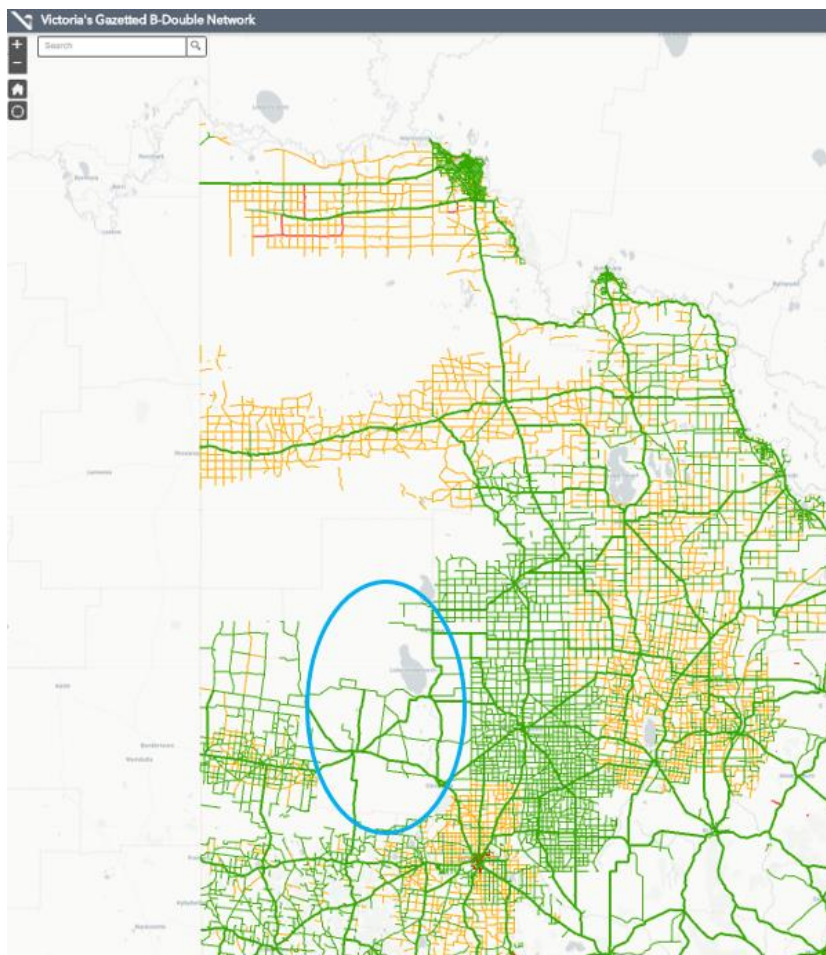


Fig 2.

With respect to A-Doubles, Hindmarsh Shire Council has not yet gazetted any routes and very few permits have been issued, however there have been some operators found on Shire roads without permits and this is expected to grow further. Before gazetted any roads, Council should consider reviewing road standards, hierarchy and the identification of non-compliant parts of the road network before considering opening it to A-Doubles, whether by gazetted or by permit.

Hindmarsh Shire Council (Council) has taken a conservative approach towards the introduction of new heavy vehicle technology, compared to other municipalities which can be seen clearly when reviewing the shire area circled blue on the access maps for B-Doubles as shown on Fig 3. below:



Council's strategy has been to gazette some key connector roads for B-Double routes and issue route specific NHVR applications for road users wishing to connect to this route, rather than the widespread gazetting of almost all roads by neighboring Shires. This conservative approach has come under pressure as the number of B-doubles has grown significantly and many operators are not using the NHVR permit system. Council roads were not originally constructed with B-Doubles in mind who are unable to traverse safely on our narrow roads. The recent road improvement projects such as Rainbow-Nhill Road, Antwerp Woorak Rd and widening projects on curves (Winiam E Rd, Albacutya Rd etc) have allowed for some B Double movements.

Options:

1. Council can choose not to gazette any routes for A-Doubles and not to issue any permits for A-Doubles for any routes in the Shire
2. Council can choose to increase the number of gazetted routes for B-Doubles and issue permits for other routes when safe to do so on the condition and width of roads and inform the VFF of the decision
3. Council can choose to commence the gazetting of some routes for A-Doubles and issue permits for other routes when safe to do so on the condition and width of roads and inform the VFF of the decision

4. Council can choose to allow A Doubles/B-Doubles to use all shire roads, and inform the VFF of the decision. Gazetting all roads will eliminate the need for permits, however there are safety risks and financial risks as described below.

Link to Council Plan:

- 1.1 An actively engaged community
- 1.1.6 Continue to engage with our farming community on road and road related infrastructure maintenance and improvements
- 2.1 Well-maintained physical assets and infrastructure to meet community and organizational needs
- 2.1.3 Develop and prioritise detailed plans relating to new infrastructure, infrastructure upgrade and renewal (including roads, bridges, drains, footpaths and buildings) for each town.
- 3.4 Transport solutions that support the needs of our communities and businesses
- 3.4.1 Advocate for flexible and responsive public and freight transport
- 3.4.2 Investigate innovative transport solutions and facility upgrades

Financial Implications:

Major/Critical impact on construction and maintenance costs if council chooses any options other than option 1 that is to remain as is with the current gazetted routes for B-Doubles.

Risk Management Implications:

There is a risk that the extension of authorisation to additional heavy vehicular traffic may reduce safety for other road users on roads which cannot be safely traversed by passing vehicles due to width and road conditions.

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 – Paul Spencer, Senior Assets Engineer

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

Communications Strategy:

Pendent on Council's decision appropriate contact will be made in writing advising the VFF of Council's decision

Next Steps:

Council Officers should undertake a review of the current Roads Hierarchy System, and Road Management Plans and begin to re-enter community discussions with key stake holders on existing road networks within the Hindmarsh Shire Municipality

RECOMMENDATION:

That Council reply to the VFF that it understands the need to improve road transport efficiency, but Hindmarsh Shire Council is unable at this point in time to extend the access to all local roads in the Hindmarsh Shire Municipality for A-Double Access as requested.

MOVED: CRS R Gersch/B Ireland

That:

- ***Council reply to the VFF that it understands the need to improve road transport efficiency, but Hindmarsh Shire Council is unable at this point in time to extend the access to all local roads in the Hindmarsh Shire Municipality for A- Double Access as requested; and***
- ***officers undertake a review of the current roads hierarchy system and roads management plans and begin to re-enter community discussions with key stakeholders on existing road networks within the Hindmarsh Shire Municipality for the purpose of increasing A-Double and B-Double access.***

CARRIED

Attachment Number: 11

8.8 2021 COUNCIL MEETING DATES

Responsible Officer: Chief Executive Officer

Introduction:

This report seeks approval from Council for the 2021 meeting dates and their advertisement in the local media.

Discussion:

Each year Council advertises the meeting dates for the upcoming 12 months in the local newspapers. The advertised dates are for the Council meetings and the Annual Statutory Meeting.

It is proposed that Council hold one meeting per month, commencing at 3:00pm, with the exception of June and September having two meetings due to legislative requirements to adopt the budget and annual accounts.

Council will continue to live stream Council meetings throughout 2021, which will mean that all meetings will need to be held in Nhill.

It is proposed that in keeping with practice of other councils around the state, Council does not meet in January.

It is the officers' recommendation to hold Briefing meetings prior to the ordinary Council meetings, commencing at 1:00pm.

The proposed dates below have also taken into consideration external organisations conferences and forums such as Municipal Association of Victoria conferences, Rural Council Victoria conferences, National General Assembly conference and LGPro conferences, to avoid clashes where possible.

Options:

Council may choose to adopt the recommended timing and location for Ordinary Council Meetings and Council Briefings or select alternative dates, times or locations to hold its meetings.

Link to Council Plan:

Not applicable.

Financial Implications:

None.

Risk Management Implications:

Not applicable.

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 & Author – Greg Wood, Chief Executive Officer

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

Communications Strategy:

The advertisement for the meeting dates will appear in the Dimboola Banner, Dimboola Courier, Nhill Free Press, and the Rainbow Jeparit Argus. The meeting dates will also be listed on Council's website.

Next Steps:

Advertise the dates, times and locations as determined by Council.

RECOMMENDATION:

That Council holds Council meetings at the Nhill Memorial Community Centre, 77-79 Nelson Street Nhill, continues to live stream meetings and sets the following times and dates for 2021:

WEDNESDAY	TIME
3 February 2021	3:00pm
3 March 2021	3:00pm
7 April 2021	3:00pm
5 May 2021	3:00pm
2 June 2021	3:00pm
23 June 2021	3:00pm
7 July 2021	3:00pm
4 August 2021	3:00pm
8 September 2021	3:00pm
22 September 2021	3:00pm
6 October 2021	3:00pm
10 November 2021 (Annual Statutory Meeting)	6:00pm
24 November 2021	3:00pm
15 December 2021	3:00pm

MOVED: CRS R Gersch/W Bywaters

That Council holds Council meetings at the Nhill Memorial Community Centre, 77-79 Nelson Street Nhill, continues to live stream meetings and sets the following times and dates for 2021:

WEDNESDAY	TIME
3 February 2021	3:00pm
3 March 2021	3:00pm
7 April 2021	3:00pm
5 May 2021	3:00pm
2 June 2021	3:00pm
23 June 2021	3:00pm
7 July 2021	3:00pm
4 August 2021	3:00pm
8 September 2021	3:00pm
22 September 2021	3:00pm
6 October 2021	3:00pm
10 November 2021 (Annual Statutory Meeting)	6:00pm
24 November 2021	3:00pm
15 December 2021	3:00pm

CARRIED

9. COUNCIL COMMITTEES

9.1 COVID-19 COMMUNITY REVITALISATION REFERENCE GROUP

Responsible Officer: Director Corporate & Community Services
Attachment Number: 12

Introduction:

The COVID-19 Community Revitalisation Reference Group held its meeting on 1 December 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 COVID-19 Community Revitalisation Reference Group meeting held on 1 December 2020.

MOVED: CRS D Nelson/B Ireland

That Council notes the minutes of COVID-19 Community Revitalisation Reference Group meeting held on 1 December 2020.

CARRIED

Attachment Number: 12

10. LATE REPORTS

No late reports.

11. OTHER BUSINESS

MOVED: CRS R Gersch/D Nelson

That Council

- *write and congratulate Lyn Coughlan for her certificate of recognition for 40 years of service to the Education Department and Nhill P-12 College;*
- *write to Eliza Creek of Nhill with congratulations for winning the prestigious Newsboys Foundation music award; and*
- *write and congratulate Kaye Webb for 45 years of service to the Education Department and Dimboola Memorial Secondary College.*

CARRIED

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*

RECOMMENDATION:

That the meeting be closed in accordance with Section 66 of the Local Government Act 2020, to consider:

- a) Council business information relating to personal matters.***

- 12.1 Youth Council Expressions of Interest**
- 12.2 Australia Day Awards 2021**
- 12.3 Wimmera Development Association Community Representative**

MOVED: CRS R Gersch/W Bywaters

That the meeting be closed in accordance with Section 66 of the Local Government Act 2020, to consider:

a) Council business information relating to personal matters.

- 12.1 Youth Council Expressions of Interest**
- 12.2 Australia Day Awards 2021**
- 12.3 Wimmera Development Association Community Representative**

CARRIED

The Council meeting was closed to the public at 4:12pm to consider personal matters.

Meeting re-opened up to the public at 5:01pm.

13. MEETING CLOSE

There being no further business Cr R Ismay declared the meeting closed at 5:02pm.



The Hon Shaun Leane MP

Minister for Local Government
Minister for Suburban Development
Minister for Veterans

121 Exhibition Street
Melbourne, Victoria 3000 Australia
Telephone: +61 3 8392 2240
DX 210074

Ref: BMIN-2-20-8227

Cr Ron Ismay
Mayor
Hindmarsh Shire Council
92 Nelson Street
NHILL VIC 3418
rismay@hindmarsh.vic.gov.au

Dear Cr Ismay

I am pleased to inform you that the Victorian Government will provide \$117,702 to Hindmarsh Shire Council as part of the 2020-21 *Public Libraries Funding Program*. This funding assists local government in providing library services to Victorians.

The Victorian Government has allocated a record \$45.835 million to the *Public Libraries Funding Program* in 2020-21 which will support councils, regional library corporations and Vision Australia.

In addition to the recurrent funding support provided to local government through the *Public Libraries Funding Program*, the Victorian Government is also supporting public libraries in 2020-21 through the \$1.1 million *Premiers' Reading Challenge Book Fund* to enable libraries to purchase additional resources, and the \$10 million *Living Libraries Infrastructure Program* to improve public library facilities.

Colin Morrison, Acting Executive Director, Local Government Victoria will shortly be providing your council's Chief Executive Officer with a funding agreement for signing.

If you would like further information about the *Public Libraries Funding Program* please contact Amanda Minniti, Senior Manager, Recurrent Programs Local Government Victoria, at plfp@ecodev.vic.gov.au

Thank you for your ongoing support of library services in Victoria.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Shaun Leane', written in a cursive style.

The Hon Shaun Leane MP
Minister for Local Government
Minister for Suburban Development
Minister for Veterans

Date: 11/12/2020

Cc Mr Greg Wood CEO



STUART GRIMLEY MP

Member for Western Victoria
State Leader of Derryn Hinch's Justice Party



Hindmarsh Shire Council
Mayor Ron Ismay
PO Box 250
Nhill, Vic 33418

Ron

Dear Cr Ismay,

I write to express my sincere congratulations on your re-appointment as Mayor of Hindmarsh.

I have enjoyed working with you and your Council in the past and look forward to doing so into the future. 2020 has been an extremely challenging time for all of us, given the bushfires and COVID-19, but I trust your community has pulled together and supported each other.

I look forward to working with you in 2021, where I hope there will be a more sense of normality as people's lives get back to what they enjoy.

If there is a suitable date and time, I would welcome meeting with you and your CEO either via virtual meeting or face-to-face.

In the meantime, should I be of assistance, please don't hesitate to contact me or my office.

Kind regards,

Stuart Grimley
16 / 12 / 20

Stuart Grimley MP
Member for Western Victoria
State Leader of Derryn Hinch's Justice Party

RECEIVED

18 DEC 2020

ASSESS #	
ACTION	EA
INFO	
X REF	





Cr Ron Ismay
Mayor
Hindmarsh Shire Council
92 Nelson Street
NHILL VIC 3418

By email: info@hindmarsh.vic.gov.au

20 January 2021

Dear Cr Ismay,

RE: Hindmarsh Shire Council plan and rating strategy

On behalf of the Victorian Farmers Federation (VFF) I would like to congratulate all incoming councillors on their successful election to Hindmarsh Shire Council. The VFF is the peak representative body for Victorian farmers and farming communities. We look forward to working with the new Council to help deliver the economic conditions required for local farm businesses and in turn rural and regional Victoria to prosper.

Agriculture is a key driver of Victoria's regional economy, generating \$15.9 billion each year and directly creating 81,000 jobs which are mainly concentrated in rural and regional areas.

Despite its resilience, the agriculture sector faces many challenges including from global market pressures, seasonal and climate variability, and more recently, challenges directly associated with COVID-19. Local Government has an important role in facing these challenges alongside industry to help create local jobs and preserve our environment.

The VFF encourages Council to address these challenges by placing agriculture at the forefront of its future Council Plan and related strategies by focussing on the following areas:

- Reduce cost and regulation barriers through measures such as improved heavy vehicle access
- Support existing and new agricultural value chains
- Support the right to farm through protecting agricultural land from inappropriate and inconsistent uses
- Maintain and improve local road networks
- Develop new water assets in conjunction with water service providers
- Facilitate and support telecommunications infrastructure such as mobile phone towers

We encourage Council to undertake a review of its current services used by farming businesses, identify service delivery gaps and take action to ensure farms and agribusinesses can operate effectively and efficiently. This can be achieved through the establishment of advisory groups including local farm business representation, ensuring there is an ongoing and consistent voice to Council on the issues that matter to the farm sector.

In addition to this support, the VFF encourages Council to actively consider the farm sector's place within its rating strategy. Rates represent a significant burden on the farm sector. Across Victoria the average farm pays anywhere between \$10,000 and \$15,000 in rates every year, and there are many farm businesses paying double and triple these amounts.

In line with the recommendations made in the report from the Local Government Rating System Review, the Victorian Government has made it clear it believes local governments must take responsibility for their own rating decisions and levels, reflecting their obligations as a distinct and essential tier of government.

The VFF therefore encourages Council to actively consider the rating burden it forces onto the farming sector when developing its future rating strategy. The Local Government Rating System Review has made it abundantly clear that councils can use a range of mechanisms to ease the rating burden on the farm sector through the use of differential rates, rebates and the municipal charge. As in previous years, the VFF will be a strong voice against any unfair and inequitable rate rises.

The VFF looks forward to hearing from Hindmarsh Shire Council about any plans it may have to better support farming businesses and communities in the forthcoming year and we welcome any opportunity to discuss these plans with you. We also welcome the opportunity to speak with Council directly about its proposed rating strategy and how a fairer rating strategy can be achieved for the farm sector.

VFF Stakeholder Policy and Advocacy Manager Luke Hooke can be contacted by email lhooke@vff.org.au to discuss these or any other matters.

We wish all councillors success and best wishes for their term ahead.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Emma Germano', with a stylized flourish at the end.

Emma Germano
President



22 December 2020

Eliza Creek
13 Glenferness Street
NHILL VIC 3418

**Administration
Centre**

PO Box 250
92 Nelson Street
Nhill VIC 3418
Ph: (03) 5391 4444
Fax: (03) 5391 1376

Dear Eliza

Re: Letter of Congratulations

At its meeting on 16 December 2020, Hindmarsh Shire Council resolved that I write to you to extend Council's congratulations for winning the prestigious 2020 Newsboys Foundation Regional Music Award.

email:
info@hindmarsh.vic.gov.au

website:
www.hindmarsh.vic.gov.au

I would like to congratulate you on your hard work and determination to continue to strive for what you are passionate about, and for recently passing your grade 6 flute exam.

ABN 26 550 541 746

**Customer Service
Centres**

Jeparit
10 Roy Street
JEPARIT VIC 3423
Ph: (03) 5391 4450
Fax: (03) 5397 2263

It is wonderful to read about the obstacles you have overcome in order to partake in flute lessons. We understand how hard it can be to find a strong internet connection and can imagine that having to resort to online lessons may have been difficult at times.

Dimboola
101 Lloyd Street
DIMBOOLA VIC 3414
Ph: (03) 5391 4452
Fax: (03) 5389 1734

We would like to wish you all the best in your future studies at school and hope you have the opportunity to continue to play the flute and keep working towards your goals.

Rainbow
15 Federal Street
RAINBOW VIC 3424
Ph: (03) 5391 4451
Fax: (03) 5395 1436

Yours sincerely

Greg Wood
Chief Executive Officer



22 December 2020

Kaye Webb
38 Lloyd Street
DIMBOOLA VIC 3414

**Administration
Centre**

PO Box 250
92 Nelson Street
Nhill VIC 3418
Ph: (03) 5391 4444
Fax: (03) 5391 1376

email:
info@hindmarsh.vic.gov.au

website:
www.hindmarsh.vic.gov.au

ABN 26 550 541 746

**Customer Service
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Jeparit

10 Roy Street
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Dimboola

101 Lloyd Street
DIMBOOLA VIC 3414
Ph: (03) 5391 4452
Fax: (03) 5389 1734

Rainbow

15 Federal Street
RAINBOW VIC 3424
Ph: (03) 5391 4451
Fax: (03) 5395 1436

Dear Kaye

Re: Letter of Congratulations

At its meeting on 16 December 2020, Hindmarsh Shire Council resolved that I write to you to extend Council's congratulations for 45 years of service to the Education Department and Dimboola Memorial Secondary College.

Your commitment and dedication to Dimboola Memorial Secondary College, the staff and students over the years is an amazing feat. It is fantastic to see members of our community passionate about what they do. Your welcoming smile for both students, teachers and the community leaves a positive impact.

Congratulations again, and thank you for your outstanding commitment to the students, teachers and members of the community in Dimboola and surrounding towns.

Yours sincerely

Greg Wood
Chief Executive Officer



22 December 2020

Lyn Coughlan
7 Madden Street
NHILL VIC 3418

**Administration
Centre**

PO Box 250
92 Nelson Street
Nhill VIC 3418
Ph: (03) 5391 4444
Fax: (03) 5391 1376

Dear Lyn

Re: Letter of Congratulations

At its meeting on 16 December 2020, Hindmarsh Shire Council resolved that I write to you to extend Council's congratulations on your certificate of recognition for 40 years of service to the Education Department and Nhill P-12 College.

email:
info@hindmarsh.vic.gov.au

website:
www.hindmarsh.vic.gov.au

Your commitment and dedication to Nhill College, passing on your knowledge in visual communications and design, encouraging students to showcase their work to the community should be recognised. It is fantastic to see members of our community passionate about what they do and to see the lasting positive impacts that teachers can have on a student's life.

ABN 26 550 541 746

**Customer Service
Centres**

Jeparit
10 Roy Street
JEPARIT VIC 3423
Ph: (03) 5391 4450
Fax: (03) 5397 2263

Congratulations again, and thank you for your outstanding commitment to the students and members of the community in Nhill and surrounding suburbs.

Dimboola
101 Lloyd Street
DIMBOOLA VIC 3414
Ph: (03) 5391 4452
Fax: (03) 5389 1734

Yours sincerely

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

Rainbow
15 Federal Street
RAINBOW VIC 3424
Ph: (03) 5391 4451
Fax: (03) 5395 1436

Greg Wood
Chief Executive Officer

POLICY



Community Engagement Policy

1 Purpose

The purpose of this policy is to give effect to the community engagement principles provided in the Act and to provide guidance on the requirements and processes for staff when undertaking community engagement.

The community engagement principles are:

- a community engagement process must have clearly defined objective and scope;
- participants in community engagement must have access to objective, relevant and timely information to inform their participation;
- participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement;
- participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;
- participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making.

2 Scope

This policy applies to Councillors, Council staff including senior managers, contractors and consultants when undertaking community engagement on behalf of Council.

The policy applies to planning, design, implementation and evaluation of community engagement activities as directed by Council, recommended by staff or legislated by the Victorian *Local Government Act 2020* including:

- Community Vision;
- Council Plan;
- Asset Plan;
- Financial Plan;
- Other engagement processes as determined, which may include but are not limited to:
 - The making of local laws;
 - Budget and policy development;
 - When decisions of a strategic nature, where community input will inform outcomes, are required – including for strategies, projects, assets and/or services which directly impact the community.

The policy does not apply to community engagement processes that are subject to prescribed processes imposed by other Victorian legislation such as land-use planning applications or other Council processes such as service requests or complaints.

3 Background

Section 55 of the *Local Government Act 2020* requires a Council to adopt and maintain a community engagement policy.

A community engagement policy must:

- be developed in consultation with the municipal community; and
- give effect to the community engagement principles; and
- be capable of being applied to the making of Council's local laws; and
- be capable of being applied in relation to Council's budget and policy development; and
- describe the type and form of community engagement proposed, having regard to the significance and complexity of the matter and the level of resourcing required; and specify a process for informing the municipal community of the outcome of the community engagement; and
- include deliberative engagement practices which must include and address any matters prescribed by the regulations for the purposes of this paragraph and be capable of being applied to the development of the Community Vision, Council Plan, Financial Plan and Asset Plan; and
- include any other matters prescribed by the regulations.

4 Definitions

Council	means Hindmarsh Shire Council
Act	means <i>Local Government Act 2020</i>
Community	means the people who have a stake and interest in Hindmarsh Shire and includes people who live, work, study or conduct business or are involved in local community groups or organisations in the municipality
Deliberative engagement	means engagement that is measured, considered and has the involvement of others.
Community engagement	is a planned process with the specific purpose of working with individuals and groups to encourage active involvement in decisions that affect them or are of interest to them.

5 Community engagement

Council will call for different levels of engagement, having regards to the significant, complexity and anticipated level of impact of what is being proposed, and the stakeholders we need to target.

Council operates under five levels of public participation:

1. **Inform:** providing the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.
2. **Consult:** obtaining public feedback on analysis, alternatives and/or decisions.
3. **Involve:** working directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

4. **Collaborate:** to partner with the public in each aspect of the decision including the development of alternatives and identification of the preferred solution.
5. **Empower:** to place final decision making in the public.

5.1 Type of community engagement

Community engagement may include multiple levels of public participation, both at different stages of the process and because different stakeholders will choose to engage at different levels. The type or form of engagement practices undertaken can be broadly described as either deliberative or participatory.

5.1.1 Deliberative engagement

Deliberative engagement involves the highest three levels of public participation, 'involve', 'collaborate' and 'empower'. Deliberative engagement allows for discussion and the possibility of consensus. The key features of a deliberative process are to come to a decision after considering all information and prioritising and weighing solutions. Deliberative engagement can be scaled to fit the size and impact of the project.

Examples of deliberative engagement practices are:

- Working with advisory groups;
- Proposals and ideas are discussed by a panel of community members;
- Participants are asked to consider and prioritise ideas;
- A representative group participates in a series of sessions of information exchange in order to reach consensus.

Projects most suited to deliberative engagement include those where the outcome will have far-reaching or long term effects and issues where there is considerable community concern or division about the alternatives.

5.1.2 Participatory engagement

Participatory practices take place at the first two levels of public participation, 'inform' and 'consult' and involve one-way information exchange either from Council to community or community to Council. Participatory engagement typically occurs when feedback is invited on ideas, alternatives or draft documents.

Examples of participatory practices are:

- Surveys;
- Polls, idea gathering;
- Submissions.

5.1.2.1 Submissions process

On matters where the only form of community participation is an invitation to make submissions, and engagement on the matter was formerly governed by section 223 of the *Local Government Act 1989*, Council will make the information available to the community for 21 days and invite the community to make submissions to Council with their feedback.

6 Statutory requirements

Some elements of community engagement are directed by statutory requirements. Under the Act, Council has a statutory obligation to develop a long term Community Vision, Financial Plan and Asset Plan, as well as a four-year Council Plan.

Under the *Public Health and Wellbeing Act 2008*, Council has a statutory requirement to develop a four-year Municipal Public Health and Wellbeing Plan. Council has an obligation to ensure the community has an opportunity to participate in the development of these plans.

7 Community engagement guide

As a guide, the lowest type of community engagement to be implemented for these plans is set out below:

MATTER	COMMUNITY ENGAGEMENT APPROACH
Community vision	Deliberative engagement
Council plan	Deliberative engagement
Financial plan	Deliberative engagement
Asset plan	Deliberative engagement
Budget	Participatory engagement
Making of a local law	Participatory engagement
Acquiring or selling land	Participatory engagement
Leasing Council land	Participatory engagement
Other statutory and non-statutory plans, strategies or policies, service planning and capital works projects	Level to be selected depending on the complexity of the matter*

*when assessing what level of community engagement to undertake consideration must be given to the following factors:

- Level of community interest;
- Effect on the community; and
- Who or which part of the community the matter affects.

8 Community engagement planning, implementation and evaluation

To ensure effective community engagement, Council implements the following eight steps to design, deliver and complete community engagement.

1. Clearly define the purpose and scope of the community engagement

- 1.1. Document the project purpose, scope, engagement objectives, timelines, and the decision to be made.
- 1.2. Take into account relevant legislation in framing community engagement.
- 1.3. Determine initial expectation of the level of participation outlined in clause 5.

2. Understand stakeholder and community interests:

- 2.1. Identify the stakeholders, including community members where appropriate, who are affected by, interested in, or who can influence or inform the decision.
- 2.2. Consider if there are barriers to participation that need to be removed to ensure an appropriate balance of views.
- 2.3. Identify the preferred methods for engagement.
- 2.4. Ensure that participants understand their role and level of influence on the decision making process.

3. Design an appropriate community engagement process

- 3.1. Identify the stages of the engagement process and any negotiable or non-negotiable aspects.
- 3.2. Ensure those who will be involved in the community engagement process have access to objective, relevant and timely information.
- 3.3. Plan inclusive and accessible communications and methods to support engagement.
- 3.4. Identify data requirements that are relevant and measurable, and how it will be analysed.
- 3.5. Plan how the data collected will be managed and ensure compliance with Council's privacy policy.
- 3.6. Identify the skills and resources needed to ensure effective community engagement.
- 3.7. Document the approach and obtain authorisation.

4. Deliver genuine and respectful engagement

- 4.1. Ensure all activities are inclusive and accessible.
- 4.2. Be clear about the purpose and level of engagement.

5. Review and interpret the engagement data

- 5.1. Collate and review the data from each engagement activity.
- 5.2. Identify any limitations to the appropriate balance of information.
- 5.3. Analyse the data to identify themes, priorities and preferences.

6. Apply the outcomes of the engagement to inform the decision making process

- 6.1. Include outcomes of community engagement when preparing Council reports regarding subjects or issues that have been the subject of community engagement.
- 6.2. Where appropriate, provide further opportunity for community input, for example to comment on a draft document.

7. Inform the community of the outcomes of the engagement

- 7.1. Reporting of outcomes and updates will always be through Council’s website “Have Your Say” engagement platform as well as provided directly to those who asked to be kept informed and have provided contact details.
- 7.2. Outcomes of community engagement may also be included in Council’s monthly newsletter.

8. Evaluate the community engagement process for improvement

- 8.1. Assess whether community engagement objectives were achieved.

9 Responsibilities

Responsibilities for implementing this policy are shared as follows:

PARTY / PARTIES	ROLES AND RESPONSIBILITIES
Councillors	Ensure that matters under consideration are informed by the planned level of community engagement.
Executive leadership team	<p>Consult with Councillors to establish the engagement process to be used.</p> <p>Champion better practice community engagement through policy, process and leadership.</p> <p>Monitor implementation and compliance with this policy.</p>
Managers	Manage areas of responsibility to ensure community engagement is consistent with this policy.
Staff	Undertake to make community engagement activities consistent with this policy.

10 Human rights charter

This policy is consistent with the *Charter of Human Rights and Responsibilities Act 2006*.

11 Related documents

Hindmarsh Shire Council Public Transparency Policy

Hindmarsh Shire Council Privacy Policy

Local Government Act 1989

Local Government Act 2020

Privacy and Data Protection Act 2014

Victorian Charter of Human Rights and Responsibilities 2006

Public Records Act 1973

12 Version history

Community Engagement Policy		Policy Category	Community Engagement
Version Number	01	Policy Status	DRAFT
Approved/Adopted By		Approved/Adopted on:	
Responsible Officer	DCCS		
Version History	Date	Version	Description
	XX February 2021	01	

DRAFT

Appendix 1 COMMUNITY ENGAGEMENT PLAN TEMPLATE



Project summary:

Item	Details
Project Name	
Project Manager	
Project Details	
Project Purpose	
Start Date	
End Date	

Engagement summary: *(please overwrite section in italics)*

Item	Details
Objective of engagement	<i>What is Council engaging on and why?</i>
Scope	<i>Who will the engagement be with? Who does it affect?</i>
Type of engagement	<i>Deliberative engagement or participatory engagement?</i>

Item	Details
Key stakeholders	<i>Who will be impacted by any decisions?</i>
Target audience	<i>Who will engagement be conducted with?</i>
Engagement design: <ul style="list-style-type: none"> • Method/s • Venue/s • Time/s • Location/s • Resources 	<i>How will the engagement be undertaken?</i> <i>List, expand on and repeat to all planned activities...</i>
Purpose of engagement findings	<i>How will the information gathered be used? Information needs to be used in line with Council's Privacy Policy.</i>
Communicating outcomes of engagement	<i>How will the community be updated or informed on the outcome of the community engagement?</i>
Other relevant information	<i>May include stakeholders, multiple phases of engagement, questions, methods of promotion, etc</i>

Sign off and approval

Project Manager

Date

Director

Date



Councillor Code of Conduct

DATE OF RESOLUTION
XX February 2021

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CODE



Councillor Code of Conduct

1 Introduction

The *Local Government Act 2020* (**Act**) requires a Council to develop and maintain a Councillor Code of Conduct. The Councillor Code of Conduct is required to be periodically reviewed. This Councillor Code of Conduct (**Code**) has been adopted by Council to comply with the requirements of the Act.

A Councillor Code of Conduct:

- Must include the Standards of Conduct prescribed by the *Local Government (Governance and Integrity) Regulations 2020* (**Regulations**) expected to be observed by Councillors;
- Must include any provisions prescribed by the Regulations;
- Must include provisions addressing any matters prescribed by the Regulations; and
- May include any other matters which Council considers appropriate, other than any other Standards of Conduct.

2 Purpose of this Code

The purpose of this Code is to:

- Set out the Standards of Conduct expected of Councillors;
- Foster good working relations between Councillors to enable Councillors to work constructively together in the best interests of the municipal community;
- Lift the standard of behaviour of Councillors during Council meetings, Councillor briefings and any other meetings which Councillors participate in from time to time; and
- Mandate Councillor conduct designed to build public confidence in the integrity of local government.

3 Roles

3.1 Role of Council

The role of Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community (see s 8 of the Act). Council provides good governance if:

- It performs its role in accordance with the Overarching Governance Principles in s 9 of the Act; and
- The Councillors perform their roles in accordance with s 28 of the Act.

In performing its role, Council may:

- Perform any duties or functions and exercise any powers conferred on it under the Act or any other Act; and
- Perform any other functions that it considers are necessary to enable that performance.

Good governance is fundamental to Council being able to perform its role. Good governance relies on, among other things, good working relationships between Councillors.

3.2 Role of a Councillor

Section 28 of the Act provides that the role of a Councillor is:

- To participate in the decision-making of Council;
- To represent the interests of the municipal community in that decision-making; and
- To contribute to the strategic direction of Council through the development and review of key strategic documents of Council, including the Council Plan.

In performing the role of a Councillor, a Councillor must:

- Consider the diversity of interests and needs to the municipal community;
- Support the role of Council;
- Acknowledge and support the role of the Mayor;
- Act lawfully and in accordance with the oath or affirmation of office;
- Act in accordance with the Standards of Conduct; and
- Comply with Council procedures required for good governance.

The role of a Councillor expressly excludes the performance of any responsibilities or functions of the Chief Executive Officer (**CEO**).

3.3 Role of the Mayor

Section 18 of the Act provides that the role of the Mayor is to:

- Chair Council meetings;
- Be the principal spokesperson for the Council;
- Lead engagement with the municipal community on the development of the Council Plan;

- Report to the municipal community, at least once each year, on the implementation of the Council Plan;
- Promote behaviour among Councillors that meets the Standards of Conduct set out in this Code;
- Assist Councillors to understand their role;
- Take a leadership role in ensuring the regular review of the performance of the CEO;
- Provide advice to the CEO when the CEO is setting the agenda for Council meetings; and
- Perform civic and ceremonial duties on behalf of the Council.

In addition to that role, the Mayor has the following specific powers:

- To appoint a Councillor to be the chair of a delegated committee;
- To direct a Councillor, subject to any procedures or limitations specified in Council's Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing Council from conducting its business; and
- To require the CEO to report to Council on the implementation of a Council decision.

3.4 Role of the CEO

Section 94A of the *Local Government Act 1989* sets out the functions of the CEO, which include:

- Establishing and maintaining an appropriate organisational structure for Council;
- Ensuring Council decisions are implemented without undue delay;
- Day to day management of Council's operations in accordance with the Council Plan;
- Developing, adopting and disseminating a Staff Code of Conduct;
- Providing timely advice to Council;
- Ensuring that Council receives timely and reliable advice about its legal obligations;
- Supporting the Mayor in the performance of the Mayor's role; and
- Carrying out Council's obligations as an employer with respect to Councillors as deemed employees under the workplace health and safety legislation.

From 1 July 2021, s 94A of the *Local Government Act 1989* will be replaced by s 46 of the Act. The CEO's functions will then include:

- supporting the Mayor and the Councillors in the performance of their roles;
- ensuring the effective and efficient management of the day to day operations of the Council;
- ensuring that Council receives timely and reliable advice about its legal obligations;

- supporting the Mayor in the performance of the Mayor's role;
- setting the agenda for Council meetings after consulting the Mayor;
- when requested by the Mayor, reporting to Council in respect of the implementation of a Council decision;
- carrying out Council's obligations as an employer with respect to Councillors as deemed employees under the workplace health and safety legislation;
- establishing and maintaining an organisational structure for Council;
- being responsible for all staffing matters, including appointing, directing, managing and dismissing members of Council staff; and
- managing interactions between members of Council staff and Councillors and ensuring that policies, practices and protocols that support arrangements for interaction between Council staff and Councillors.

The CEO will determine the extent to which Councillors will be informed of decisions made in pursuit of these functions. Councillors acknowledge that any information provided by the CEO is provided as a courtesy and in pursuit of maintaining good working relationships.

Councillors accept that they must not seek to direct the CEO with respect to the fulfilment of these functions.

It is neither the role nor the responsibility of the CEO to mediate disagreements arising between Councillors, or to draft, or otherwise assist in the drafting of, an application under this Code or the Act.

3.5 Role of Councillor Conduct Officer

The CEO will from time to time appoint a member of Council staff as the Councillor Conduct Officer under s 150 of the Act.

The Councillor Conduct Officer must:

- assist Council in the implementation and conduct of the internal arbitration process;
- assist the Principal Councillor Conduct Registrar to perform his or her functions; and
- assist the Principal Councillor Conduct Registrar in relation to any request for information.

It is neither the role nor the responsibility of the Councillor Conduct Officer to draft, or to otherwise assist in the drafting of, an application under this Code or the Act.

3.6 Role of the Principal Councillor Conduct Registrar

The Principal Councillor Conduct Registrar is appointed by the Secretary Department of Jobs, Precincts and Regions under s 148 of the Act and is employed by the State Government under Part 3 of the *Public Administration Act 2004*. The role of the Principal Councillor Conduct Registrar relevantly includes:

- receiving and examining applications for the appointment of an arbiter;
- appointing an arbiter from the panel list kept by the Secretary Department of Jobs, Precincts and Regions as required; and
- publishing guidelines in relation to processes and procedures relating to internal arbitration process applications as considered necessary.

4 Standards of conduct

The Standards of Conduct to be observed by Councillors are set out in the Regulations. Failure to comply with the Standards of Conduct constitutes 'misconduct' for the purposes of the Act. If allegations of misconduct cannot be resolved between Councillors informally, they will be referred to the internal arbitration process, which may result in the imposition of sanctions.

4.1 Treatment of others

A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the Councillor:

- Takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the *Equal Opportunity Act 2010*;
- Supports Council in fulfilling its obligation to achieve and promote gender equality;
- Does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and Councillors; and
- In considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.

4.2 Performing the role of Councillor

A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor:

- Undertakes any training or professional development activities that Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor;
- Diligently uses Council processes to become informed about matters which are subject to Council decisions;
- Is fit to conscientiously perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- Represents the interests of the municipal community in performing the role of a Councillor by considering and being responsive to the diversity of interests and needs of the municipal community.

4.3 Compliance with good governance measures

A Councillor, in performing the role of a Councillor, to ensure the good governance of Council, must diligently and properly comply with the following:

- Any policy, practice or protocol developed and implemented by the CEO in accordance with s 46 of the Act for managing interactions between members of Council staff and Councillors;
- The Council expenses policy adopted and maintained by Council under s 41 of the Act;
- The Governance Rules developed, adopted and kept in force by Council under s 60 of the Act; and
- Any directions of the Minister for Local Government issued under s 175 of the Act.

4.4 Councillor must not discredit or mislead Council or public

In performing the role of a Councillor, a Councillor must:

- Ensure that their behaviour does not bring discredit upon Council; and
- Not deliberately mislead Council or the public about any matter related to the performance of their public duties.

4.5 Standards do not limit robust political debate

Councillors acknowledge that nothing in the Standards of Conduct is intended to limit restrict or detract from robust public debate in a democracy. So, while Councillors must always meet these Standards of Conduct, participation in vigorous debate of matters before Council for decision should not be viewed as being inconsistent with them.

5 Prohibited Conduct

In addition to observing the Standards of Conduct, Councillors acknowledge that the Act prohibits them from engaging in certain conduct and that doing so constitutes a criminal offence. This conduct relates to:

- Misuse of position;
- Improper direction and improper influence;
- Confidential information;
- Conflict of interest; and
- Electoral conduct.

Councillors acknowledge that, while these matters are not Standards of Conduct and are not to be addressed as a contravention of this Code, they undertake to comply with them.

In the case of non-compliance, these matters could be the subject of an application to a Councillor Conduct Panel made by the Chief Municipal Inspector, or of a complaint to the Local

Government Inspectorate, the Independent Broad-based Anti-corruption Commission or Victoria Police, depending on the nature of the allegation.

5.1 Misuse of position

A Councillor must not misuse his or her position:

- To gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
- To cause, or attempt to cause, detriment to Council or another person.

Circumstances involving the misuse of position by a Councillor include, but are not limited to:

- Making improper use of information acquired as a result of the Councillor's position (current and past);
- Disclosing information that is confidential information;
- Directing, or improperly influencing, or seeking to direct or improperly influence, a member of Council staff;
- Exercising or performing, or purporting to exercise or perform, a power, duty or function that the Councillor is not authorised to exercise or perform;
- Using public funds or resources in a manner that is improper or unauthorised; and
- Participating in a decision on a matter in which the Councillor has a conflict of interest.

5.2 Directing a member of Council staff

A Councillor must not intentionally direct, or seek to direct, a member of Council staff:

- In the exercise of a delegated power, or the performance of a delegated duty or function of Council;
- In the exercise of a power or the performance of a duty or function exercised or performed by the staff member as an authorised officer under the Act or any other Act;
- In the exercise of a power or the performance of a duty or function the staff member exercises or performs in an office or position the staff member holds under the Act or another Act; or
- In relation to advice provided to Council or a delegated committee, including advice in a report to Council or delegated committee.

5.3 Confidential information

A Councillor must not intentionally or recklessly disclose information that the he or she knows, or should reasonably know, is confidential information.

For the purposes of the Act 'confidential information' means the following information:

- Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- Security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
- Land use planning information, being information that if prematurely released is likely to encourage speculation in land values;
- 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;
- Legal privileged information, being information to which legal professional privilege or client legal privilege applies;
- Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
- Private commercial information, being information provided by a business, commercial or financial undertaking that:
 - Relates to trade secrets; or
 - If released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
- Confidential meeting information, being the records of meetings closed to the public under the Act;
- Internal arbitration information, being information specified in s 145 of the Act;
- Councillor Conduct Panel confidential information, being information specified in s 169 of the Act;
- Information prescribed by regulations to be confidential information for the purposes of the Act; and
- Information that was confidential information for the purposes of s 77 of the *Local Government Act 1989*.

A Councillor may disclose information that would be considered 'confidential information' if the information that is disclosed is information that Council has determined should be publicly available.

Otherwise, a Councillor may disclose information that the he or she knows is confidential information in the following circumstances:

- For the purposes of any legal proceedings arising out of the Act;
- To a court or tribunal in the course of legal proceedings;
- Pursuant to an order of a court or tribunal;

- In the course of an internal arbitration and for the purposes of the internal arbitration process;
- In the course of a Councillor Conduct Panel hearing and for the purposes of the hearing;
- To a Municipal Monitor to the extent reasonably required by the Municipal Monitor;
- To the Chief Municipal Inspector to the extent reasonably required by the Chief Municipal Inspector;
- To a Commission of Inquiry to the extent reasonably required by the Commission of Inquiry; and
- To the extent reasonably required for any other law enforcement purposes.

Councillors acknowledge that they will have access to confidential information in many forms and that it will not always be labelled as being 'confidential'. Councillors will take reasonable steps to inform themselves about the confidential nature of any Council information before discussing it outside the organisation.

5.4 Conflict of interest

If a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting of Council or a delegated committee, a meeting of a community asset committee, or any other meeting held under the auspices of Council, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest in accordance with the Governance Rules (unless any of the exemptions apply).

A Councillor may have a 'general' or a 'material' conflict of interest in a matter being considered at a meeting.

A Councillor has a 'general' conflict of interest in a matter if an impartial, fair-minded person would consider that the Councillor's private interests could result in the Councillor acting in a manner that is contrary to their public duty.

For the purposes of general conflict of interest:

- 'private interests' means any direct or indirect interest of a Councillor that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief; and
- 'public duty' means the responsibilities and obligations that a Councillor has to members of the public in their role as a relevant person.

A Councillor has a 'material' conflict of interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

The benefit may arise or the loss incurred:

- Directly or indirectly; or
- In a pecuniary or non-pecuniary form.

For the purposes of a material conflict of interest, any of the following is an 'affected person':

- The Councillor;
- A family member of the Councillor;
- A body corporate of which the Councillor or their spouse or domestic partner is a Director or a member of the governing body;
- An employer of the Councillor, unless the employer is a public body;
- A business partner of the Councillor;
- A person for whom the Councillor is a consultant, contractor or agent;
- A beneficiary under a trust or an object of a discretionary trust of which the Councillor is a trustee;
- A person from whom the Councillor has received a disclosable gift (i.e. Exceeding \$500 in value).

Councillors acknowledge that they must be clear about their associations with parties external to Council and to avoid conflicts between those associations and their role as Councillors.

5.5 Other legislative requirements

The Act includes requirements relating to eligibility to be a Councillor, electoral conduct and the election period ('caretaker period'). Allegations in relation to contravention of these provisions should be directed to the Victorian Electoral Commission or the Local Government Inspectorate, depending on the nature of the allegation, for investigation and any consequent action.

Councillors acknowledge that they are responsible for complying with the various provisions relating to these matters

6 Good Governance

Councillors will support the role of Council by ensuring that Council gives effect to the overarching governance principles when participating in Council's decision-making functions.

The overarching governance principles are set out in s 9(2) of the Act and are as follows:

- Council decisions are to be made and actions taken in accordance with the relevant law;
- Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- The municipal community is to be engaged in strategic planning and strategic decision making;

- Innovation and continuous improvement is to be pursued;
- Collaboration with other councils and governments and statutory bodies is to be sought;
- The ongoing financial viability of Council is to be ensured;
- Regional, state and national plans and policies are to be taken into account in strategic planning and decision making; and
- The transparency of Council decisions, actions and information is to be ensured.

6.1 Council decision-making

Councillors are committed to ensuring a high level of transparency in Council's decisions and Council's decision-making processes. Councillors acknowledge that Council decisions cannot be made other than by resolutions made at properly constituted Council meetings following fulsome public debate in the Council Chamber. While Councillors will engage in informal discussion of matters coming before Council for decision, they acknowledge that these informal discussions are not decision-making forums, and that a final position on such matters cannot be reached before the Council meeting.

Councillors acknowledge the role that reports prepared by members of Council staff provide professional advice which assists in informing Councillors about matters before Council for decision. Councillors will pay respect and attention to the information provided by members of Council staff to assist Council's decision-making functions.

6.2 Use of Council resources

Councillors commit to using Council resources effectively, economically and only for proper purposes connected with their role as a Councillor, consistent with relevant Council policies and procedures, including:

- Maintaining adequate security over Council property, facilities and resources provided by Council to assist in performing their role;
- Complying with any legislation and Council policies and procedures applying to the use of Council property, facilities and resources provided by Council to assist in performing their role;
- Ensuring any expense claims are submitted in compliance with all applicable legislation and Council policy;
- Not using Council resources, including services of Council staff, for private purposes, unless legally or properly authorised to do so, and paying for those resources where appropriate; and
- Not using public funds or resources in a manner that is improper or unauthorised.

6.3 Use of Council information

In addition to avoiding prohibited conduct with respect to confidential information, Councillors acknowledge that, as part of their participation in Council decision-making, they will be privy to information which of a sensitive nature. Councillors will be:

- Aware that they are only entitled to access information which is relevant to a matter before Council for decision;
- Mindful that, except on matters before Council for decision, they enjoy the same access to rights to information as any other member of the public;
- Prudent in the use of information that they acquire as Councillors;
- Observant of any specific policies that Council has adopted with respect to access to and use of Council information;
- Respectful of the status of any confidential information until the matter ceases to be confidential; and
- Careful that information is not used in a way which can cause detriment to others.

6.4 Gifts and benefits

Councillors will avoid situations giving rise to the appearance that a person or body, through the provisions of gifts, benefits or hospitality of any kind, is attempting to gain favourable treatment from an individual Councillor or from Council.

Councillors will take all reasonable steps to ensure that their immediate family members do not receive gifts or benefits that give rise to the appearance of an attempt to gain favourable treatment.

Councillors will only accept gifts that exceed the gift disclosure threshold (currently, \$500) if:

- the name and address of the person making the gift are known to them; or
- at the time when the gift is made, they reasonably believe that the name and address provided are the true name and address of the person making the gift.

Anonymous gifts that exceed the gift disclosure threshold will be disposed of to Council within thirty (30) days of receiving the gift.

Councillors will comply with the Councillor Gift Policy, once adopted, and any other policies and procedures adopted by Council from time to time relevant to the acceptance of gifts.

6.5 Child Safe Standards

Council is committed to the safety, participation and empowerment of all children and has zero tolerance towards incidents of child abuse. Council adheres to the Victorian Child Safe Standards and related legislating including Failure to Disclose, Failure to Protect and Grooming offences. All allegations and safety concerns will be treated very seriously and consistently with child protection legislation, regulations and guidelines and in accordance with Council policy and procedures.

Council is also committed to the cultural safety of Aboriginal children and Torres Strait Islander children, the cultural safety of children from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children with a disability.

Councillors will maintain the highest standards of professional conduct in attitude, behaviour and interactions with children and young people and, as leaders, uphold the rights and best interests of the children.

6.6 Communications

Councillors recognise that, as representatives of the local community, they have a primary responsibility to be responsive to community views and to adequately communicate the position and decisions of Council.

Councillors are committed to respecting the function of the Mayor as the spokesperson of Council in accordance with the Act.

Councillors undertake to comply with Council's Media Policy and any other relevant policies, as adopted from time to time.

Councillors acknowledge that individual Councillors are entitled to express their personal opinions through the media. In doing so, Councillors will make it clear that:

- Their comments are being made as an individual and reflects their own personal views and do not represent the position of Council;
- The matter has, or has not, been determined by Council, as the case may be; and
- The majority of Council may hold a different opinion.

Councillors should consider the short- and long-term impact of personal comments, and the potential detrimental impact on Council credibility and unity. Councillors will ensure that such comments avoid being derogatory, offensive or insulting of Council, Councillors, members of Council staff, members of the community and others and are factually accurate.

6.7 Social Media

Councillors acknowledge that social media offers opportunities for dialogue between Councillors and the community and can lead to more effective communication but that confidentiality, governance, legal, privacy and regulatory risks can arise in connection with their use of social media.

Council's Social Media sites are managed by members of Council staff and Councillors will not seek to interfere with that management.

Councillors will seek to ensure that posts on their own social media pages are consistent with the Standards of Conduct and pay due regard for the views of other Councillors, Council's reputation and members of Council staff.

Should Councillors receive any enquiries for Council services through their social media pages, they will redirect those enquiries through Council's customer request for service system, and will not commit Council or members of Council staff to actions or undertaking.

Councillors undertake to include on their own social media pages a statement that the views expressed thereon are their own and do not represent the position of Council. Councillors acknowledge that a disclaimer on their own social media pages and posts will

not, in itself, mean all content will necessarily be interpreted as personal use unrelated to their Councillor role.

6.8 Personal dealings with Council

When Councillors deal with Council in their private capacity (eg as a ratepayer, recipient of a Council service or applicant for a permit), they will not expect or request preferential treatment in relation to any such private matter. Councillors will avoid any action that could lead members of Council staff or members of the community to believe that they are seeking preferential treatment.

6.9 Occupational health and safety

Councillors acknowledge that meeting Council's obligations as an employer under the *Occupational Health and Safety Act 2004* by, among other things, providing a safe workplace for members of Council staff and visitors to Council premises is essential.

Councillors are committed to working in ways that protect and promote the health and safety of members of Council staff and visitors to Council premises and to minimise risks to them.

6.10 Elections

Councillors may nominate as candidates in elections at all levels of government. If nominating as a candidate in an election, or assisting in the campaign of a candidate in an election, Councillors commit to not using their position as a Councillor for purposes associated with their campaign, or the campaign of any other candidate.

7 Interpersonal Disputes Between Councillors

Councillors acknowledge that interpersonal differences and disputes (as distinct from allegations of contravention of the Standards of Conduct) may arise from time to time. Councillors commit to taking reasonable steps to resolve any interpersonal difference or dispute that arises without recourse to formal processes with a view to maintaining effective working relationships.

In resolving interpersonal differences or disputes, Councillors will consider pursuing informal steps, including:

7.1 Informal discussions between Councillors

Councillors will first consider discussing their interpersonal difference or dispute informally with a view to resolving it.

7.2 Facilitated discussion

If Councillors are unable to discuss their interpersonal difference or dispute informally, or their informal discussions are unsuccessful, they will consider approaching a fellow Councillor, chosen with the agreement of both Councillors, to facilitate a discussion with a view to resolving their interpersonal difference or dispute.

If the interpersonal difference or dispute cannot be resolved informally, the Councillors will consider whether any of the conduct giving rise to it constitutes a contravention of the Standards of Conduct. If they consider that it does, they may choose to pursue it as such under Part 8 of this Code.

8 Allegations of Contravention of the Standards of Conduct

An allegation that the Standards of Conduct have been breached by a Councillor can be made by:

- Council, by resolution;
- a Councillor; or
- a group of Councillors.

Where an allegation is made by Council or by a group of Councillors, a single Councillor must be nominated to act as the representative of Council or the group of Councillors (as the case may be) in the internal resolution process. Only that Councillor will be entitled to participate in the internal resolution process.

When an allegation of a breach of the Standards of Conduct is alleged, the Councillors who are party to the allegation undertake to use their best endeavours to resolve it in a courteous and respectful manner without recourse to formal processes under this Code or under the Act. If, after these endeavours have been exhausted, the allegation remains unresolved, either or both of the Councillors may have recourse to any or all of the internal resolution processes set out in this Code.

Councillors accept the following three-phase internal resolution process:

- Direct negotiation between the parties, facilitated by the Mayor;
- External mediation between the parties, facilitated an independent mediator engaged by the CEO; and
- Formal internal arbitration process.

Councillors recognise that the first and second phases are voluntary and that they are not obliged to agree to either of them but undertake, before commencing any formal dispute resolution process, to use their best endeavours to resolve the matter in a courteous and respectful manner between themselves. Where, after these endeavours have been exhausted, the matter still remains unresolved, the parties may resort to any or all of Council's three-phase dispute resolution process.

8.1 The application

An application alleging a breach of the Standards of Conduct must:

- 1) include the:
 - a) name of the Councillor alleged to have breached the Standards of Conduct;
 - b) clause(s) of the Standards of Conduct that the Councillor is alleged to have breached;

- c) particular misconduct, or behaviour, that the Councillor is alleged to have engaged in that resulted in the breach; and
 - d) phase of the internal resolution process being pursued by the Councillor making the allegation at the first instance; and
- 2) be submitted to the Councillor Conduct Officer for:
- a) action, if the application seeks engagement in the first or second phase of the internal resolution process; or
 - b) referral to the Principal Councillor Conduct Registrar, if the application seeks a formal internal arbitration process.

If an application received by the Councillor Conduct Officer does not meet the requirements of this Part 8.1, the Councillor Conduct Officer will return it to the Councillor submitting it with a brief statement of the ways in which the application is deficient.

A Councillor may revise and resubmit to the Councillor Conduct Officer a deficient application, provided that the Councillor submits the revised application no later than 3 months after the alleged breach of the Standards of Conduct occurred (see s 143(3) of the Act).

8.2 Process on receiving an application

8.2.1 Application for direct negotiation

On receiving an application from a Councillor which meets the requirements of Part 8.1 of this Code and which seeks a direct negotiation, the Councillor Conduct Officer will take the following steps:

- 1) notify Mayor and the CEO (for the CEO's information only) and provide them with a copy of the application;
- 2) notify the Councillor the subject of allegation in the application and provide them with a copy of the application;
- 3) request the Councillor the subject of the application to advise whether they will participate in the direct negotiation within 5 days of receiving the application, noting that, if no advice is received, the Councillor will be taken to have declined;
- 4) if the Councillor agrees to participate in the direct negotiation:
 - a) the Councillor Conduct Officer will, with the cooperation of the Councillors involved in the application and the Mayor, arrange a suitable time and place for the direct negotiation, to be no later than 5 days from the date of the advice provided under paragraph 3);
 - b) the direct negotiation must be completed with the Mayor providing a record of the outcome to the Councillors involved in the application and the CEO no later than 5 days after the direct negotiation takes place; and

- c) if the direct negotiation is not complete within 5 days of the date nominated for it to take place, the Councillors will be taken as not having agreed to participate in a direct negotiation, unless both Councillors agree to extend the time for completion;
- 5) if the direct negotiation is not completed in accordance with this Part 8.2.1 for whatever reason, or if the direct negotiation does not resolve the allegation the subject of the application, the Councillor Conduct Officer will advise the:
 - a) Councillor making the application and ask the Councillor to advise whether they wish to escalate the matter to another phase of the internal resolution process and, if so, which phase;
 - b) Councillor the subject of the application; and
 - c) CEO; and
- 6) the Councillor Conduct Officer will make arrangements to close or to escalate the application, as the case may be, according to the advice of the Councillor making the application.

Where the Mayor is a party to the allegation, the direct negotiation is to be facilitated by the Deputy Mayor (if any) or the immediate past Mayor. The Deputy Mayor or the immediate past Mayor (if there is no Deputy Mayor) will perform the functions ascribed to the Mayor.

8.2.2 External mediation

On receiving an application from a Councillor which meets the requirements of Part 8.1 of this Code and which seeks an external mediation, or on escalating an application where a direct negotiation has not been completed or has not resolved the allegation, the Councillor Conduct Officer will take the following steps:

- 1) notify the CEO and provide them with a copy of the application;
- 2) notify the Councillor the subject of allegation in the application and provide them with a copy of the application;
- 3) request the Councillor the subject of the application to advise whether they will participate in external mediation within 5 days of receiving the application, noting that, if no advice is received, the Councillor will be taken to have declined;
- 4) if the Councillor agrees to participate in external mediation:
 - a) the CEO, or a member of Council staff nominated by the CEO for the purpose (**the CEO's nominee**), will engage a mediator, to be chosen by the CEO (or the CEO's nominee);
 - b) the CEO (or the CEO's nominee) will, with the cooperation of the Councillors involved in the application, arrange a suitable time and place

for the external mediation, to be no later than 5 business days from the date of the advice provided under paragraph 3); and

- c) if the external mediation is not complete within 5 business days of the date nominated for it to take place, the Councillors will be taken as not having agreed to participate in the external mediation, unless both Councillors agree to extend the time for completion;
- 5) if the external mediation resolves the application, the mediator will document the agreement reached by the Councillors involved and provide a copy of the agreement to both Councillors and to the CEO;
- 6) if the external mediation is not completed in accordance with this Part 8.2.2 for whatever reason, the CEO (or the CEO's nominee) will advise the:
 - a) Councillor making the application and ask the Councillor to advise whether they wish to escalate the matter to another phase of the internal resolution process and, if so, which phase; and
 - b) Councillor the subject of the application; and
 - c) the CEO (or the CEO's nominee) will ask the Councillor Conduct Officer to make arrangements to close or to escalate the application, according to the advice of the Councillor making the application.

8.2.3 Internal arbitration process

A breach of the Standards of Conduct constitutes 'misconduct' for the purposes of the Act and may be referred to an arbiter for determination. The process for internal arbitration is prescribed by Part 6 of the Act and r 11 of the Regulations.

Internal arbitration may be commenced either after the first two phases of the internal resolution process prove unsuccessful in resolving the allegation, or as the first step in an application.

On receiving an application from a Councillor which meets the requirements of Part 8.1 of this Code and which seeks an internal arbitration process, or on escalating an application where a facilitated discussion and/or mediation has not been completed or has not resolved the allegation, the Councillor Conduct Officer will:

- 1) refer the application to the Principal Councillor Conduct Registrar;
- 2) notify the Councillors involved in the application of the referral;
- 3) notify the CEO of the referral (for the CEO's information only);
- 4) await advice from the Principal Councillor Conduct Registrar about the application; and
- 5) take such steps as are necessary to give effect to the Principal Councillor Conduct Registrar's advice, in accordance with any instructions received.

Councillors recognise that an application for internal arbitration for an allegation of a breach of the Standards of Conduct will only be accepted by the Principal

Councillor Conduct Registrar, and an arbiter will only be appointed, if the Principal Councillor Conduct Registrar is satisfied that:

- 6) the application is not frivolous, vexatious, misconceived or lacking in substance; and
- 7) there is sufficient evidence to support an allegation of a breach of the Councillor Code of Conduct.

It is for the Councillor or Councillors submitting an application to ensure that the application meets these requirements.

If the Principal Councillor Conduct Registrar is satisfied that an application for internal arbitration should be accepted, the Principal Councillor Conduct Registrar will appoint an arbiter from a panel list compiled by the Secretary to the Department of Jobs, Precincts and Regions.

In conducting an arbitration the arbiter must:

- 8) ensure that the parties involved are given an opportunity to be heard;
- 9) ensure that a Councillor who is a party does not have a right to representation, unless the arbiter considers that representation is necessary to ensure that the process is conducted fairly;
- 10) conduct the hearing with as little formality and technicality as the proper consideration of the matter permits; and
- 11) ensure that the hearing is not open to the public.

Additionally, in conducting an arbitration the arbiter:

- 12) may hear each party to the matter in person or solely by written or electronic means of communication;
- 13) is not bound by the rules of evidence and may be informed in any manner the arbiter sees fit;
- 14) may at any time discontinue the hearing if the arbiter considers that the:
 - a) application is vexatious, misconceived, frivolous or lacking in substance; or
 - b) Councillor making the application, or representing the group of Councillors making the application, has not responded, or has responded inadequately, to a request for further information.

If, at the completion of the internal arbitration process, the arbiter determines that a Councillor has breached the Standards of Conduct, the arbiter may make a finding of misconduct against the Councillor and impose any one or more of the following sanctions:

- 15) direct the Councillor to make an apology;
- 16) suspend the Councillor from the office of Councillor for a period specified by the arbiter (not exceeding one month);

- 17) direct that the Councillor be removed from any position where the Councillor represents Council for a period determined by the arbiter;
- 18) direct that the Councillor is removed from being the chair of a delegated committee for a period determined by the arbiter; and/or
- 19) direct a Councillor to attend or undergo training or counselling specified by the arbiter.

The arbiter must provide a written copy of the arbiter's findings and statement of reasons to:

- 20) Council;
- 21) the applicant(s) and the respondent; and
- 22) the Principal Councillor Conduct Registrar.

A copy of the arbiter's decision and statement of reasons must be tabled at the next Council meeting after the arbiter's findings and statement of reasons are provided. If the arbiter's decision and statement of reasons contain any confidential information, the confidential information must be redacted before it is tabled

Councillors recognise that a failure to participate in and comply with the internal arbitration process or a direction given to the Councillor by an arbiter is 'serious misconduct' for the purposes of the Act. Allegations of 'serious misconduct' are heard by a Councillor Conduct Panel.

8.3 Responsibility of Councillors

It is the responsibility of a Councillor or Councillors submitting an application to prepare the application, including by identifying and collating the evidence which supports it.

While members of Council staff may provide some administrative support, that support will not extend to assisting Councillors with the preparation of the substance of an application.

9 Related documents

Social Media Policy

Privacy Policy

Media Policy

Child Safety Standards Policy

Conflict of Interest Policy

Local Government Act 2020

Governance Rules

Local Government (Governance and Integrity) Regulations 2020

Councillor Gifts and Hospitality Policy

10 Version history

Councillor Code of Conduct		Policy Category	Governance
Version Number	02	Policy Status	DRAFT
Approved/Adopted By		Approved/Adopted on:	

Responsible Officer	CEO		
Version History	Date	Version	Description
	01 February 2017	01	Councillor Code of Conduct from 2017
		02	Councillor Code of Conduct from 2020



COVID-19 Recovery Strategy
December 2020





Introduction and background

On 14 March 2020 the State Government declared a State of Emergency as a result of the COVID-19 pandemic.

The COVID-19 pandemic has impacted our community in a number of ways economically and socially. In response to the pandemic Hindmarsh Shire Council has developed a Recovery strategy to support the local community and staff.

To assist with the development of the strategy a COVID-19 Community Revitalisation Reference Group was formed consisting of members from the Hindmarsh Community, Hindmarsh Shire Council staff, representatives from the Department of Health and Human Services (Emergency Management division) and West Wimmera Health Service.

The Reference Group sought information from the community in the form of a COVID-19 impacts survey. The survey contained a broad range of questions in order to gain an understanding from all age groups within the Shire the impacts of the COVID-19 pandemic.

The strategy is aligned with the Hindmarsh Shire Council Plan 2017-2021 and follows the Key Result Areas (KRA):

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

The strategy follows the State Governments 'Victoria's roadmap for reopening – How we live in regional Victoria' steps on the pathway to COVID-normal and is based on current knowledge of impacts and potential impacts.

Our Municipality

Hindmarsh Shire is located in the Wimmera region in western Victoria and covers an area of 7,527 square kilometers. Hindmarsh Shire has four main towns Nhill, Dimboola, Jeparit, and Rainbow with approximately 1.85 people per kilometer of local road. Today it is estimated that 5,588 people live in Hindmarsh.

According to the 2016 Census, 26.9% of Hindmarsh residents are over the age of 65, with English the only language spoken in 88% of homes. Our most significant group of migrants are Karen refugees from Burma (Myanmar), with approximately 190 calling Nhill home.

Council's relative socio-economic disadvantage rating is 2, 32% of households had a weekly household income of less than \$650 according to the 2016 Census.

Situated on the Western Highway, the main thoroughfare between Melbourne and Adelaide, Hindmarsh has many travelers pass through our Shire each day.

Throughout the COVID-19 pandemic Hindmarsh has remained COVID free. This is a testament to our community following the advice of the State and Federal Governments.



Council legislated responsibility

Under the Local Government Act 2020, Local Government Act 1989, Emergency Management Act 1986, Emergency Management Act 2013 and Public Health and Wellbeing Act 2008 Council has legislated responsibility to protect public health in emergencies.

Council follows 4 stages of planning:

Stage 1 – Planning (before the emergency). Council has an adopted Pandemic Plan and works closely with organisations and government agencies in planning for emergencies.

Stage 2 –Activation (before the emergency). Council and government agency discussions on activating the pandemic management plan.

Stage 3 – Response (during the emergency). Council follows the phases of the pandemic plan from detection through to high severity event and assists coordinate relief requirements to individuals impacted by the emergency.

Stage 4 – Recovery (after the event). Council is responsible for coordinating recovery requirements for the community.

At the time of preparing this strategy Council was currently in stage 3 – Response, final impacts of the pandemic are yet to be determined. Due to the ongoing nature of this event this strategy will be updated on an as needs basis.

Current Impacts of the Pandemic

Local businesses such as cafes, pubs, restaurants, beauty therapists, and caravan parks closed or were partially closed during the pandemic. Dine in food premises were limited to take away service only during certain stages of the pandemic restrictions imposed by the State Government.

Council has had to close customer service centres, libraries, halls, senior citizens centres, visitor information centre, cinema screenings, and caravan parks during the different stages of the pandemic.

Services previously delivered by volunteers, including Meals on Wheels, have been delivered by Council employees since March 2020.

Closures of schools and childcare centres has resulted in families balancing working and having children at home. For families with school aged children there was also the requirements to assist with home schooling.

Staff redeployment and additional staffing has been implemented for outreach support providing regular contact to vulnerable members of the Hindmarsh community. Council officers were also regularly touching base with local businesses to discuss the impacts of the pandemic and offer support navigating both the state and federal government assistance grants.

Community members without access to technology were further isolated as a result of restrictions, particularly our elderly community.

Council received 91 survey responses from the COVID-19 impacts survey which sought community feedback from 14 August 2020 to 25 September 2020.



Social Connection and Mental Health were identified as the biggest issues for Hindmarsh, with a number of respondents having reduced hours, becoming unemployed or closed / reduced business hours.

What is recovery?

Recovery aims to return individuals and communities to a new normal level following an emergency event and is about supporting those affected by the emergency in the reconstruction of physical infrastructure and restoration of social, economic, emotional and physical well-being. .

The Department of Health and Human Services (DHHS) is the lead agency for recovery across Victoria. Council has worked closely with DHHS in the development of this strategy.



State Government – Roadmap for reopening regional Victoria

**STAYING
APART
US
KEEPS
TOGETHER**

Victoria's roadmap for reopening – How we live in regional Victoria

COVIDSafe principles



Wear a face mask



Physical distancing
(1.5 metres)



Good hand hygiene



Don't go to work unwell



Cough and sneeze into
tissue or elbow



Outdoor activities

	First Step	Second Step	Third Step	Last Step	COVID Normal
Trigger points for easing restrictions – the decision for easing restrictions will be considered with Public Health advice, and preconditions being in place.					
	First Step applies to Metropolitan Melbourne	11.59pm on 13 September 2020 Second Step commences at 11.59pm on 13 September	When threshold met Move from Second Step to Third Step when regional Victoria reaches <5 new cases (regional average over last 14 days) and 0 cases with unknown source (regional total last 14 days)	Later of threshold being met and 23 November 2020 Move from Third Step to Last Step if we reach no new cases for 14 days (state-wide)	When threshold met Move from Last Step to COVID Normal if we reach no new cases for 28 days (state-wide), no active cases (state-wide) and no outbreaks of concern in others states or territories
Restrictions					
Social	Curfew: eased to 9pm – 5am Leave home: for 4 reasons and stay local (5km) Public gatherings: increased to 2 people or a household that can meet outdoors for two hours maximum Visitors to the home: increased to 1 nominated visitor if living alone/single parent (all children under 18) ('single social bubble'), professional respite care for people with complex needs allowed	Curfew: not in place. Leave home: only for 4 reasons, no limit on distance, special arrangements for border communities. Public gatherings: up to 5 people from a maximum of two households can meet outdoors for social interaction (infants under 12 months of age are not included in the cap). Visitors to the home: 1 nominated visitor if living alone/single parent (all children under 18) ('single social bubble'), Professional respite care for people with complex needs allowed.	Leave home: no restrictions on reasons to leave home or distance but stay safe. Public gatherings: up to 10 people outdoors. Visitors to the home: create a 'household bubble' with one nominated household allowing up to 5 visitors from that household at a time (infants under 12 months of age are not included in the cap).	Leave home: no restrictions on reasons to leave home or distance but stay safe. Public gatherings: up to 50 people outdoors. Visitors to the home: up to 20 visitors at a time.	Leave home: no restrictions. Public gatherings: no restrictions but organisers encouraged to keep records of attendees. Visitors to the home: no restrictions but organisers encouraged to keep records of attendees.
Education and childcare	Childcare and early educators: closed except for permitted workers Schools: remote learning unless an exemption applies Adult education: only onsite for those on permitted list	Childcare and early educators: open. Schools: staged return to onsite learning for all students in Term 4 with safety measures in place. Adult education: learn from home if you can.	Childcare and early educators: open. Schools: return to onsite learning for all students in Term 4 with safety measures in place. Adult education: learn from home if you can, onsite learning for hands-on, skills-based learning.	Childcare and early educators: open. Schools: onsite learning for all with safety measures in place. Adult education: return to onsite learning for all with safety measures in place.	Childcare and early educators: open. Schools: onsite learning. Adult education: return to onsite learning.
Work	Only go to work if you are in a permitted industry	Work from home if you can.	Work from home if you can.	Work from home if you can.	Phased return to onsite work for workers who have been working from home.
Shopping, eating and drinking out	Hospitality: take-away and delivery only Retail: essential only with others only for click and collect Real estate: certain permitted activities can be done in person but auctions online only Shopping: 1 person per household	Hospitality: take-away and delivery only. Retail: open, with density and other restrictions, hairdressing open. Real estate: private inspections and auctions online only. Shopping: no person limits.	Hospitality: predominantly outdoor seated service, group limit of 10 and density limits. Retail: all open, hairdressing open with safety measures, other beauty/personal care closed. Real estate: private inspections by appointment only, auctions outdoors subject to gathering limits. Shopping: no person limits.	Hospitality: indoor (group limit of 20 and seated service, cap 50 patrons), outdoor dining subject to density quotient Retail: all open. Real estate: operating with safety measures and record-keeping.	Hospitality: no restrictions but record-keeping of patrons to continue. Retail: all open. Real estate: operating with safety measures and record-keeping.

Victoria's roadmap for reopening – How we live in regional Victoria



	First Step	Second Step	Third Step	Last Step	COVID Normal
Exercise and recreation	<p>Outdoor recreation: must be within 5km, all sport and recreation facilities closed, outdoor playgrounds open.</p> <p>Exercise: outdoors, up to two hours per day total, split into a maximum of two sessions</p>	<p>Type: outdoor exercise and recreation allowed.</p> <p>Duration: no time or frequency limit.</p> <p>Type: outdoor playgrounds and outdoor pools open.</p>	<p>Outdoor contact and non-contact sport for ≤ 18, outdoor non-contact sport only for adults, with gathering and density limits, outdoor skateparks open, outdoor fitness for 10 people.</p>	<p>No exercise restrictions. facilities open subject to safety measures. Organised contacts sports resume for all ages. Limitations for spectators.</p>	<p>No restrictions on community sports or spectators.</p>
Ceremonies and special occasions	<p>Weddings: only for compassionate reasons, with up to 5 people (including the couple, two witnesses and celebrant)</p> <p>Funerals: allowed with up to 10 people (not including infants under 12 months of age or people required to conduct the funeral)</p> <p>Religion: places of worship closed.</p>	<p>Weddings: allowed with up to 5 people (including the couple, two witnesses and celebrant).</p> <p>Funerals: allowed with up to 10 people (not including infants under 12 months of age or people required to conduct the funeral).</p> <p>Religion: places of worship closed, outdoor gatherings (not ceremonies) of up to 5 people, plus 1 faith leader, proximate to a place of worship, are allowed.</p>	<p>Weddings: allowed with up to 10 people (including the couple, two witnesses and celebrant).</p> <p>Funerals: allowed with up to 20 people (not including infants under 12 months of age or people required to conduct the funeral).</p> <p>Religion: outdoor religious gatherings for up to 10 people plus a faith leader are allowed, facilities open for private worship for households or social bubbles, plus a faith leader.</p>	<p>Weddings: allowed with 50 people (including the couple, two witnesses and celebrant), 20 in a private residence.</p> <p>Funerals: allowed with 50 people (not including infants under 12 months of age or people required to conduct the funeral), 20 in a private residence.</p> <p>Religion: public worship (not including private ceremonies e.g. baptism, bat mitzvah) can resume in outdoor and indoor settings subject to density quotient.</p>	<p>Weddings, funerals, religion: no limits but organisers required to keep records of attendees.</p>
Entertainment, leisure and travel	<p>Intrastate travel: not allowed, unless for a permitted purpose</p> <p>Entertainment: all venues closed</p> <p>Accommodation: closed, except emergency</p>	<p>Intrastate travel: not allowed, unless for a permitted purpose</p> <p>Entertainment: all venues closed.</p> <p>Accommodation and camping: closed, except for a permitted purpose.</p>	<p>Intrastate travel: allowed across Third Step area</p> <p>Entertainment: outdoor venues and events, subject to pre-approved plans.</p> <p>Accommodation: open, with caps per the social bubble.</p>	<p>Intrastate travel: allowed</p> <p>Entertainment: indoor and outdoor venues open with density quotient and patron caps. Staged return to events with seated spectators. Large events treated on an individual basis based on requirements and epidemiology at the time.</p> <p>Accommodation: open.</p>	<p>Intrastate travel: allowed</p> <p>Borders: continued international border controls, state border controls activated in case of outbreaks.</p> <p>Entertainment venues: open, safety measures and record-keeping.</p>

STAYING APART
KEEPS US TOGETHER





Response Action Plan - Community Liveability

	Impacts	First & Second Step	Third Step	Last Step	COVID Normal	Resources / Comments
Senior Citizens Centre's	Senior Citizens Centre's closed to the public from March 2020	Closed	Closed	Closed	Gradual reopening	Council will move to reopen when it is safe to do so, and in line with State Government advice.
Libraries	Libraries closed to the public from March 2020	Closed	Click & Collect services offered, libraries gradually opening to public with limits per social distancing requirements Story time sessions hosted online	Libraries open to public with limits per social distancing requirements. Story time sessions hosted online	Gradual reopening Story time sessions and other activities gradually reintroduced.	Council will move to reopen when it is safe to do so, and in line with State Government advice. Small group activities to be planned to encourage people to utilise local libraries. This includes book chat, story time, rhyme time, STEM activities.
Community Care Services	Operating with strict protocols	Operating with strict protocols	Operating with strict protocols	Operating with strict protocols	Operating as per normal	Council has continued Community Care Services throughout the pandemic with additional measures in place to protect staff and consumers.
Meals on Wheels	Delivered by Council employees	Delivered by Council employees	Delivered by Council employees	Gradual reintroduction of volunteers delivering service	Volunteers delivering service	Council will call for volunteers for the delivery of meals on when in line with the State Government Last Step.



	Impacts	First & Second Step	Third Step	Last Step	COVID Normal	Resources / Comments
						Council will promote the meal voucher program that allows eligible consumers the option of purchasing meals from local food premises.
Community Assistance	<p>Increased vulnerability amongst community members.</p> <p>Community groups and organisations unable to operate.</p>	Social outreach support over the telephone is being provided to assist vulnerable community members.	<p>Social outreach support over the telephone is being provided to assist vulnerable community members.</p> <p>Community Action Grants Round 1 Open.</p>	Small group meetings will be coordinated to encourage community members to participate and re-engage with other community members.	Group meetings will be coordinated.	<p>Community Assistance is available to vulnerable community members providing outreach support.</p> <p>Council's Community Assistance Grants Round 1 provides support to community groups and organisations through a financial contribution towards fixed costs (eg. Insurance, affiliation fees, rent, utilities etc.)</p>
Long term public health measures	Limited health services being delivered face to face.	Telehealth implemented.	Telehealth appointments, limited face to face appointments.	Telehealth appointments, limited face to face appointments	Telehealth appointments, face to face appointments	Council will assist in promotion of long term public health measures,
Community Connections	Connections made via the telephone only.	Connections made via the telephone only	Connections made via the telephone only	Gradual introduction of one on one meetings	Group activities able to be coordinated	Council officers have been contacting vulnerable community members throughout the pandemic and providing further assistance where required. Due to



	Impacts	First & Second Step	Third Step	Last Step	COVID Normal	Resources / Comments
						restrictions Council was unable to undertake in person activities. Council will promote one on one meetings and gradually introduce group sessions when the restrictions allow.
Recreation – walking tracks, fishing	Walking tracks remained open; Fishing pontoons and boat ramps were closed at various stages of restrictions	Walking tracks remained open; Fishing Pontoons and boat ramps closed	Walking tracks open; fishing pontoons and boat ramps reopened	All open	All open	Work with local Town Committees to develop refuge points on walking tracks for placement of seating.
Youth Services	Activities limited to online only; Youth Council unable to meet in person	Online activities promoted; Youth Council meetings online.	Online activities promoted; Youth Council meetings online.	Gradual introduction of outdoor activities; Gradual commencement of face to face Youth Council meetings	Outdoor activities promoted; Youth Council meetings face to face	Support Youth wellbeing and seek funding to deliver Youth wellbeing activities; Organise Youth activities to promote engagement and social connection. Update Council's Youth Strategy following community consultation



Response Action Plan – Built & Natural Environment

	Impacts	First & Second Step	Third Step	Last Step	COVID Normal	Resources / Comments
Town Beautification	Increased cleaning required for amenities and high touch areas.	Additional cleaning undertaken on public amenities and high touch areas.	Additional cleaning undertaken on public amenities and high touch areas.	Additional cleaning undertaken on public amenities and high touch areas.	Cleaning return to normal levels.	Town Beautification was strengthened during the pandemic through the employment of an additional 8 employees for 6 months under the Working for Victoria program
Community Centres and Public Halls	Closed	Closed	Closed	Closed	Gradual opening	Community centres and public halls closed during the pandemic in line with restrictions. Council will gradually open facilities when restrictions allow.
Sport and Recreation	Winter Sport cancelled. Recreation facilities closed	Closed	Sport operating under strict requirements. Recreation facilities remain closed.	Sport operating under strict requirements. Recreation facilities gradually reopening for under 18's.	Sport operating under strict requirements. Recreation facilities gradually reopening for all ages.	Council provided assistance to community groups and organisations who use Council owned facilities and buildings through the waiving of building insurance for 2020/2021.



Response Action Plan – Competitive and Innovative Economy

	Impacts	First & Second Step	Third Step	Last Step	COVID Normal	Resources / Comments
Caravan Parks	Caravan parks were closed during certain stages of restrictions	First step - Caravan parks open to essential travelers only. Second step – Caravan parks open to essential travelers and residents of regional Victoria.	Caravan Parks reopening to all Victorians. Increased cleaning requirements and Social distancing must be adhered to.	Caravan Parks open. Increased cleaning requirements and Social distancing must be adhered to.	Caravan Parks open.	Caravan parks have been impacted by the closures during certain stages of the restrictions and through increased cleaning requirements.
Tourism	Reduced tourism due to restrictions imposed.	Most tourism businesses closed.	Gradual reopening of tourism businesses to regional Victorians.	Tourism open to all Victorians.	Tourism open.	Restrictions and border closures have impacted local tourism. Tourism promotion to be undertaken promoting the attractions of Hindmarsh.
Business Assistance	Business closures / reduced hours. Additional cleaning required and sanitization stations and floor markings.	Hospitality businesses only open for take away. Many businesses have reduced hours.	Gradual reopening of hospitality businesses in line with restrictions.	Businesses reopening in line with restrictions.	Businesses reopen.	Restrictions have meant business closures and reduced hours. Council reallocated staff to check in with businesses and help them navigate through the grants available from State and Federal Government.
Rural Lifestyle	Increased demand on residential and	Small increase in demand for residential and	Increase in demand for residential and	Increase in demand for residential and	Increase in demand for residential and	The COVID-19 Pandemic has resulted in a significant increase in sales of



	Impacts	First & Second Step	Third Step	Last Step	COVID Normal	Resources / Comments
	lifestyle properties throughout the Shire.	lifestyle properties throughout the Shire.	lifestyle properties throughout the Shire.	lifestyle properties throughout the Shire.	lifestyle properties throughout the Shire.	residential and lifestyle properties throughout the Shire.
Communication	Communication undertaken through online platforms (website and social media), and through local newspapers.	Communication through online platforms and local newspapers.	Communication through online platforms and local newspapers.	Communication through online platforms, local newspapers and Council newsletter.	Communication through online platforms, local newspapers and Council newsletter.	Communication to the community was through online platforms (including Council's website and social media), and through local newspapers and Council's newsletter.



Response Action Plan – Our People, Our Processes

	Impacts	First & Second Step	Third Step	Last Step	COVID Normal	Resources / Comments
Customer Services	Customer service Centres closed to the public.	Customer Service Centres closed to the public.	Customer Service Centres re-opened to the public.	Customer Service Centres open to the public	Customer Service Centres open to the public.	Customer Service centres were closed during stages of the COVID-19 pandemic restrictions. Upon re-opening additional cleaning and sanitization measures in place.
Financial Hardship Policy	Policy available for people experiencing hardship.	Hardship policy available for people requiring assistance with their rates payments.	Hardship policy available for people requiring assistance with their rates payments.	Hardship policy available for people requiring assistance with their rates payments.	Hardship policy available for people requiring assistance with their rates payments.	Council's hardship policy is available to people having trouble paying their rates. Individuals are encouraged to contact Council to discuss their situation.
Workforce Redeployment	Reduced workloads for limited number of staff, including caravan park and cinema staff.	Staff redeployed to assist in other departments within Council.	Staff gradually returning to normal duties.	Staff return to normal duties.	Staff return to normal duties.	Council redeployed staff during the pandemic to provide additional support for vulnerable community members.



Opportunities & Initiatives

	Action	Potential Partnerships	Timeline	Resources / Comments / Funding Required
Women's Health	<p>Support women's health & wellbeing, champion community members to stand up against violence against women through short videos.</p> <p>Community BBQ's to raise awareness of Respect for Women.</p>	<p>Hindmarsh Shire Council Municipal Association of Victoria Local Organisations and community members</p>	December 2020	<p>\$2,500 funding through MAV for 16 Days of Activism – encourage community members to become champions and call out violence against women.</p> <p>Community BBQ's to be held in Jeparit, Dimboola, Nhill and Rainbow raising awareness for Respect for Women.</p>
Mental Health	<p>Raise community awareness around support available through the Rural Outreach Program</p>	<p>Hindmarsh Shire Council Rural Outreach Program Wimmera Primary Care Partnership</p>	January 2021	<p>Promote Rural Outreach Program through various platforms to encourage community members to utilise this service.</p>
Physical Health	<p>Promote Hindmarsh Shire's many walking tracks, outdoor gym equipment, skate parks and recreation activities.</p>	N/A	February 2021	<p>Promotion of recreation activities through various platforms to encourage community members to utilise the many walking tracks, outdoor gym equipment, skate parks and recreation activities available in Hindmarsh.</p>
Communication	<p>Community Newsletter</p>		Monthly from January 2021	<p>Preparation of one page community newsletter providing community members with key information on Hindmarsh Shire Council activities.</p>



	Action	Potential Partnerships	Timeline	Resources / Comments / Funding Required
Hindmarsh Promotion	<p>TV Advertising Radio Advertising Updating Brochures Websites / Facebook pages</p>	<p>Visit Hindmarsh State Government</p>		<p>Promotion of Hindmarsh attractions and dining options through various platforms including TV; Radio; updated brochures; Facebook; Websites.</p>
Business Assistance	<p>Provide support to local businesses to navigate state and federal government assistance grants.</p> <p>Provide Business Assistance Grants Program.</p> <p>Provide assistance with QR Codes.</p> <p>Waiving fees and charges</p>		<p>December 2020</p>	<p>Council has staff available to assist local businesses navigate state and federal assistance grants.</p> <p>Council assisting local dining businesses to set up outdoor dining and temporarily increase red line with Victorian Liquor Commission.</p> <p>Round 1 Business Assistance Grants awarded in November 2020, Round 2 will open early in 2021.</p> <p>Council staff will provide assistance to local businesses in setting up QR codes for monitoring patrons and customers.</p> <p>Council provided financial assistance through the waiving of food registration and street furniture permits to local small businesses.</p>
Community Group Assistance	<p>Provide Community Assistance Grant program.</p> <p>Provide waiver of insurance for community groups utilising Council buildings.</p>		<p>December 2020</p>	<p>Round 1 Community Assistance Grants awarded in November 2020, Round 2 will open early in 2021.</p> <p>Council provided a waiver of building insurance for organisations utilizing Council buildings.</p>



	Action	Potential Partnerships	Timeline	Resources / Comments / Funding Required
Shop Local	Promotion of shopping locally through Facebook and newsletters.	Trader Groups Hindmarsh Shire Council		
Rural Living	Promotion of the benefits of living in Hindmarsh Shire.	Visit Hindmarsh	December 2020	Promote the benefits of living in Hindmarsh through various platforms to encourage community members to utilise this service.
Outreach Support	Provide support to vulnerable members of the community.		Ongoing to June 2021	Provide social support to vulnerable members of the community and pathways for connection to new and existing clubs and activities within the Shire.
Events and Activities	Promote and organise Events and Activities within the Shire.		June 2021	Promotion of events within Hindmarsh Shire
Social Connections	Work with locals to reconnect into groups and organisations throughout Hindmarsh Shire	Local groups and Organisations	February 2020	Council's Social Outreach worker to assist community members with reconnecting into local organisations and groups throughout Hindmarsh Shire. Encourage local groups and organisations to promote their activities and meeting times.
Re-opening	Provide assistance to community groups and small business by providing guidance on COVID-19 safe environments.	Local groups and small business	Ongoing	Provide guidance to community groups and small business on COVID safe plans. Provide COVID safe environments in Council libraries, senior citizen centres, playgroups etc.



	Action	Potential Partnerships	Timeline	Resources / Comments / Funding Required
				Environmental Health Officer to provide assistance and advice to small business regarding COVID safe procedures and additional cleaning
Youth	Support Youth Wellbeing	Schools	June 2021	Support Youth Wellbeing through a range of activities and events delivered both in schools and externally Seek feedback from young people to develop a Youth strategy.
Town Beautification	Tidy up towns to lift spirits in the communities		February 2021	Utilise Working for Victoria staff to tidy up towns and plant additional trees to lift spirits of residents and visitors
CALD Community	Provide communications with multicultural communities	Learning Centres Victoria Police	March 2021	Work with learning centres and Victoria Police to ensure multicultural community members are provided with relevant information to assist with the pandemic messaging.



Online Services and Resources

There are many ways to support other people, or be supported if you are feeling anxious or uncertain. The following information is provided to assist you with contacts should you require further assistance.

Lifeline Australia Ph: 13 11 14 www.lifeline.org.au

A crisis support service offering short term support at any time for people who are having difficulty coping or staying safe.

Beyond Blue Ph: 1300 224 636 www.beyondblue.org.au

Mental health information and support for all Victorians

Kids Helpline Ph: 1800 551 800 www.kidshelpline.com.au

A free, private and confidential 24/7 phone and online counselling service for young people aged 5 to 25 years.

Rural Outreach Program Ph: 1300 688 732

Responds to the immediate needs of people living in the Wimmera Southern Mallee Shires, improving the wellbeing of community members struggling with tough times and to support them navigating services.

Eheadspace Ph: 1800 650 893 www.headspace.org.au/eheadspace/

Online and web chat support and counselling for 12 – 25 year olds, their family and friends.

