



**MINUTES OF THE COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL
HELD 3 FEBRUARY 2021 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

3. Declaration of Interests

4. Confirmation of Minutes

5. Public Question and Submission Time

6. Correspondence

7. Planning Permit Reports

7.1 VicSmart Report and Planning Applications Approved Under CEO Delegation

8. Reports Requiring a Decision

8.1 Community Engagement Policy

8.2 Councillor Code of Conduct

8.3 COVID-19 Recovery Strategy

8.4 Crown Land Committee of Management

8.5 Community Sports Infrastructure Stimulus Program Grant Application (Round 2)

8.6 Council Submission to the Building Better Regions Fund

9. Council Committees

10. Late Reports

11. Other Business

12. Confidential Matters

12.1 Youth Council Vacant Positions

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).

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

No apologies.

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

- Material; or
- General.

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

4. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 16 December 2020 at the Nhill Memorial Community Centre as circulated to Councillors be taken as read and confirmed.

MOVED: CRS W Bywaters/B Ireland

That the Minutes of the Ordinary Council Meeting held on Wednesday 16 December 2020 at the Nhill Memorial Community Centre as circulated to Councillors be taken as read and confirmed.

CARRIED

Attachment Number: 1

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.

No public questions or submissions.

6. CORRESPONDENCE

6.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer
Attachment Number: 2

Introduction:

The following correspondence is tabled for noting by Council.

Inwards:

- 14/12/2020 – Letter from The Hon Shaun Leane MP regarding 2020-21 Public Libraries Funding Program
- 18/12/2020 – Letter of Congratulations to Mayor from Stuart Grimley MP
- 20/01/2021 – Letter from Victorian Farmers Federation regarding Hindmarsh Shire Council Plan and Rating Strategy

Outwards:

- 21/12/2020 – Letter of Congratulations to Eliza Creek
- 21/12/2020 – Letter of Congratulations to Kaye Webb
- 21/12/2020 – Letter of Congratulations to Lyn Coughlan

RECOMMENDATION:

That Council notes the attached correspondence.

MOVED: CRS M Albrecht/D Nelson

That Council notes the attached correspondence.

CARRIED

Attachment Number: 2

7. PLANNING PERMITS

7.1 VICSMART REPORT AND PLANNING APPLICATIONS APPROVED UNDER CEO DELEGATION

Responsible Officer: Director Infrastructure Services

Introduction:

This report is presented to Council to inform Council, and provide an update on VicSmart permits processed by Council for the period 01 July 2020 to 31 December 2020.

This report also lists the Planning Applications approved under delegation by the CEO for the same period.

Discussion:

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

Key features of VicSmart include:-

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

The table below lists the VicSmart permits that have been approved within this period.

Permit No.	Address	Proposal	Date Lodged	Date Approved	Statutory Days	Comments
VS1686-2020	152 Albacutya Rd Rbw	Buildings and Works – Rural Store (Hay Shed) – Proposed floor area >100m2	15/12/20	23/12/2020	6	N/A
VS1691-2020	51 Lloyd St Dimboola	B&W associated with Section 2 Use in the GRZ – Shed, Gazebo and Shade Structures	01/12/20	08/12/20	5	N/A

In addition, the following Planning Permit Applications were approved under delegation by the Chief Executive Officer.

Permit No.	Address	Proposal	Date Lodged	Date Approved	Statutory Days	Comments
PA1667-2020	20 Campbell St Nhill	Construction of garage / carport	30/06/2020	03/07/2020	44	N/A
PA1669-2020	CA34, Parish Werrap, Lush Rd Rbw	B&W - Construction of hay shed in LSIO	01/06/2020	16/07/2020	10	N/A
PA1670-2020	49 Federal St Rbw	Demolition, Place of Assembly (Library, Customer Service Centre) & reduce car parking to zero	10/08/2020	13/10/2020	36	N/A
PA1683-2020	48 Victoria St Dimboola	Change of Use, to allow for Accommodation in the Commercial 1 Zone	24/09/2020	27/10/2020	19	N/A
PA1616-2019	101 Lloyd St Dimboola	Application to Amend PP for Use as a Place of Assembly to include the demolition of existing amenities block, construction of a new amenities block and landscaping	17/09/2020	28/10/2020	11	N/A
PA1672-2020	145 Lloyd St Dimboola	B&W - Construction of storage shed in LSIO	27/10/20	05/11/20	9	N/A
PA1688-2020	81 Wimmera St Dimboola	Installation of inground swimming pool in the ESO6	04/11/20	05/11/20	1	N/A
PA1687-2020	21 Moulder St Dimboola	B&W - Construction of storage shed in LSIO	18/11/20	04/12/20	16	N/A

Options

N/A

Link to Council Plan:

- Strategic Objective 1.1: An actively engaged community.
 Strategic Objective 2.1: Well-maintained physical assets and infrastructure to meet community and organisational needs.
 Strategic Objective 3.1: A strong rural economy and thriving towns
 Strategic Objective 4.2: Quality customer services
 Strategic Objective 4.6: An organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation.

Financial Implications:

Fees associated with planning permit applications and amendments are set by the State in accordance with the Planning and Environment (Fees) Regulations 2016. These fees are currently being applied to all applications received by Council.

Risk Management Implications:

Risk is managed appropriately by adhering to the VicSmart process.

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 – Janette Fritsch, Manager Development

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

Officer Responsible – Angela Hoy, Director Infrastructure Services

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

Communications Strategy:

Nil

Next Steps:

Next Report to be provided April 2021.

RECOMMENDATION:

That Council notes:

- ***The VicSmart permits issued; and***
- ***The Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 01 July 2020 to 31 December 2020.***

MOVED: CRS R Gersch/D Nelson

That Council notes:

- ***The VicSmart permits issued; and***
- ***The Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 01 July 2020 to 31 December 2020.***

CARRIED

8. REPORTS REQUIRING A DECISION

8.1 COMMUNITY ENGAGEMENT POLICY

Responsible Officer: Director Corporate and Community Services

Attachment Number: 3

Introduction:

This report seeks Council adoption of the Community Engagement Policy in accordance with the *Local Government Act 2020*.

Discussion:

Council Officers have prepared a Community Engagement Policy in accordance with the *Local Government Act 2020*. The draft Community Engagement Policy was presented to Council on 16 December 2020 with the recommendation being that the draft policy would be made available for community consultation. The draft policy was available on Council's website along with a 'Have Your Say' form. The consultation process was promoted on Facebook and through advertisements in local newspapers.

Section 55 of the *Local Government Act 2020 (Act)* requires Council to adopt and maintain a Community Engagement policy. 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 information 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 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 made the draft Community Engagement Policy available to the community for comment and submissions from 17 December 2020 until 20 January 2021. The following comments/submissions were made:

Submission made by anonymous citizen, Nhill:

"Length of engagement periods need to be longer than just the standard 30 days especially when a document is open for feedback over holidays/christmas period such as this one as it is just good practice and not just tokenistic engagement. (As per the lap2 recommendations)

Council is good at informing the community but needs to operate in the other areas of engagement such as consulting, involving, collaborating and empowering, continually the community is told what council is doing and not part of the decision-making process and council is merely consulting them once the decision is made to Tick the box. Information needs to be added on how they will engage with ESL and people who have

disabilities, and diverse literacy levels,

Council can't expect community groups driven by volunteers to respond to requests in a short timeframe especially when they can't have meetings to make decisions. Council has to fit in with the community meeting dates cycle and this has to be taken into account when planning the engagement schedule."

Officer Response to anonymous citizen, Nhill

Council will endeavor to ensure that the length of the engagement period is as long as time permits. The draft Community Engagement Policy was made available for public viewing for a period of 34 days, from the day after the draft Policy was endorsed and until two days before the Council report was due, to give officers an opportunity to complete the Council report. Council is often required to follow timeframes that are set by external bodies which also needs to be taken into consideration when setting engagement periods. For example, the Community Engagement Policy has to be adopted by 1 March 2021 and therefore adoption is required at the Council meeting on 3 February.

When planning for community engagement, the policy requires that "barriers to participation [in the community engagement] need to be removed", this include language and literacy barriers and any barriers that relate to people with disabilities. The policy also requires that when designing an appropriate community engagement process, Council must facilitate "inclusive and accessible communications" for those involved.

Council will work in with relevant community groups when planning engagement that pertains to that particular committee.

Suggestions made by Councillor Bywaters, East Ward

"One suggestion would be for No 7 "inform the community of the outcomes of the engagement "...to include publishing the outcome in the monthly newsletter"

Officer Response to Councillor Bywaters

Councillor Bywaters suggestion to publish outcomes of community engagement in the Council newsletter has been included in Step 7 – inform the community of the outcomes of the engagement. The newsletter can be printed for anyone who requests a hardcopy, otherwise the newsletter is available on Council's website for members of the community to access.

The monthly cinema flyer will also include an information page on the back. Outcomes of community engagement can also be included in on the information page.

Suggestions made by Councillor Albrecht, West Ward

"The policy seems to be missing references to consumer representation on working groups. These may be capital projects or other specific projects.

An example was not having a consumer rep on the working group, which then forwarded

a recommendation to Council about the Jeparit Bridge. Stakeholder reps are considered to be different from consumer reps for the purposes of engagement.”

Officer Response to Councillor Albrecht

Part 8 of the Policy requires that Council “identify the stakeholders who are affected by, interested in, or who can influence or inform the decision [subject to consultation]”. Council officers have amended this slightly to read as follows: “identify the stakeholders, *including community members where appropriate*, who are affected by, interested in, or who can influence or inform the decision” to make it clear that stakeholders who are affected by the decision are required to be involved in the community engagement.

Giving effect to the community engagement principles

The 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 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 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 Community Engagement 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 Community Engagement 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 Community Engagement 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 Community Engagement 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 approve that the Community Engagement Policy.
2. Council can amend the Community Engagement Policy and then approve the Community Engagement Policy.

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 upload the Community Engagement Policy on Council's website and circulate the Community Engagement Policy to all relevant Council Officers.

Next Steps:

Council Officers will make the adopted Community Engagement Policy available on the Council website. Council staff will be provided with a copy of the adopted policy and the Community Engagement process that is to be followed.

RECOMMENDATION:

That Council adopts the Community Engagement Policy.

MOVED: CRS W Bywaters/M Albrecht

That Council adopts the Community Engagement Policy.

CARRIED

Attachment Number: 3

8.2 COUNCILLOR CODE OF CONDUCT

Responsible Officer: Director Corporate and Community Services

Attachment Number: 4

Introduction:

This report seeks Council adoption of the Councillor Code of Conduct in accordance with the *Local Government Act 2020*.

Discussion:

Council Officers have prepared the Hindmarsh Shire Council Councillor Code of Conduct (**Code of Conduct**) in accordance with the *Local Government Act 2020 (Act)*. The Code of Conduct is required to be adopted by Council within four months of the general election.

Section 139 of the Act requires Council to develop and adopt a Councillor Code of Conduct, which:

- must include the standards of conduct (as prescribed by the *Local Government (Governance and Integrity) Regulations 2020 (Regulations)*) expected to be observed by Councillors; and
- must include any provisions prescribed by the Regulations for the purpose of this section; and
- must include provisions addressing any matters prescribed by the Regulations for the purpose of this section; and
- may include any other matters which the Council considers appropriate, other than any other standards of conduct.

Council officers have developed the Councillor Code of Conduct in line with the requirements of section 139 of the Act, the overarching governance principles and in accordance with the Regulations. Council Officers also sought legal advice to ensure that the policy was compliant with the new requirements of the legislation.

Overarching Governance Principles

The Councillor Code of Conduct with references the following overarching governance principles as follows.

Council decisions are to be made and actions taken in accordance with the relevant law

Adopting the Code of Conduct will ensure that Council is compliant with the Act and its requirement to have an adopted Code of Conduct in place within four months of the general election. Council Officers have also sought legal advice to ensure that the Code of Conduct is compliant with the Act.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations

One of the key purposes of the Code of Conduct is to mandate Councillor conduct to build public confidence in the integrity of local government. Building public confidence in the integrity of local government will stem from Councillors complying with the Code of Conduct and the standards of conduct prescribed by the regulations.

Options:

1. Council can approve that the Councillor Code of Conduct.
2. Council can amend the Councillor Code of Conduct and then approve the Councillor Code of Conduct.

Link to Council Plan:

- 4.6 an organisation that takes its risk management responsibilities seriously and embeds a culture of risk management.

Financial Implications:

Nil.

Risk Management Implications:

Establishing a Councillor Code of Conduct will aid Council in managing risks posed by inappropriate Councillor behaviour by setting clear behavioral guidelines and expectations.

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 upload the Code of Conduct to the Councillors' Sharepoint page and upload the Code of Conduct to the Hindmarsh Shire Council Website.

Next Steps:

Council officers will upload the Code of Conduct to the Councillor's Sharepoint page and upload the Code of Conduct to the Hindmarsh Shire Council Website.

RECOMMENDATION:

That Council adopts the Councillor Code of Conduct.

MOVED: CRS B Ireland/M Albrecht

That Council adopts the Councillor Code of Conduct.

CARRIED

Attachment Number: 4

8.3 COVID-19 RECOVERY STRATEGY

Responsible Officer: Director Corporate and Community Services

Attachment Number: 5

Introduction:

This report seeks Council endorsement of the Hindmarsh Shire COVID-19 Recovery Strategy.

Discussion:

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

The 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 Hindmarsh Community, Hindmarsh Shire Council staff, representatives from the Department of Health and Human Services (Emergency Management division) and West Wimmera Health Services.

To inform the strategy 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.

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

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

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

The draft strategy was presented to the Municipal Emergency Management Planning Committee (MEMPC) on Thursday 17 December 2020 for feedback.

The COVID-19 Revitalisation Reference Group resolved on 22 December 2020 to recommend to Council that the Recovery Strategy be adopted.

The strategy will updated throughout the pandemic where required to ensure the document remains relevant to the Hindmarsh community.

Options:

1. Council can endorse that the Hindmarsh Shire COVID-19 Recovery Strategy.
2. Council can refer the Hindmarsh Shire COVID-19 Recovery Strategy back to the committee for further discussion.

Link to Council Plan:

Strategic Objective 1.1:	An active engaged community.
Strategic Objective 1.2:	A range of effective and accessible services to support the health and wellbeing of our community.
Strategic Objective 4.5:	Support for the community in the areas of emergency preparedness, response and recovery.

Financial Implications:

An allocation of \$30,000 is included in the 2020/2021 Council budget to assist fund opportunities and initiatives contained within the Strategy.

Risk Management Implications:

Risk management implications will be managed during each stage of the recovery process.

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 and Officer Responsible – Monica Revell, Director Corporate and Community Services

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

Communications Strategy:

Initiatives will be communicated with the community through newspaper advertisements, Facebook and through Council's newsletter.

RECOMMENDATION:

That Council endorses the Hindmarsh Shire Council COVID-19 Recovery Strategy.

MOVED: CRS D Nelson/R Gersch

That Council endorses the Hindmarsh Shire Council COVID-19 Recovery Strategy.

CARRIED

Attachment Number: 5

8.4 CROWN LAND COMMITTEE OF MANAGEMENT

Responsible Officer: Director Corporate and Community Services

Introduction:

This report seeks support to enter into an agreement appointing Council as the Committee of Management with the Department of Land Water and Planning (DELWP) for Crown Parcel 2028\PP5595 (P392975), Station Street Nhill, utilised by Nhill Tennis Club and Crown Parcels 10~B\PP5664 (P006233) and 9~B\PP5664 (P006232), Rainbow Rises Road Rainbow, utilised by the Rainbow Desert Enduro.

Discussion:

Crown Parcel 2028\PP595 (P392975), Station Street Nhill

Council has been approached by DELWP to enter into a Committee of Management agreement directly with DELWP. The below map highlights the parcel. The parcel is located opposite Council's Nhill Depot, and Council currently own the neighbouring land on the corner of Whitehead Avenue and Station Street.



The Station Street Nhill parcel is currently unreserved and is under a direct lease between the Nhill Lawn Tennis Club Inc. and DELWP. The tennis club pay annual rental fees to DELWP for the site, Council would enter into an agreement with Nhill Lawn Tennis Club Inc for use and maintenance of the site.

At the Council meeting on 16 December 2020 Council resolved to allocate funds from the Local Roads and Community Infrastructure Fund to the Nhill Tennis Club Sporting Facilities. Direct management will allow Council to undertake the installation of new club rooms without the need for approval from DELWP. It will also allow Council to retain ownership of the building and undertake future development of the site for a multipurpose space if determined necessary.

DELWP have advised that it is likely to take between six to twelve months for the Committee of Management appointment process to be completed. DELWP have indicated they would be willing to licence the Nhill site to Council at no fee until the Committee of Management process was completed to enable works on the Tennis Clubrooms to commence.

Crown Parcels 10~BPP5664 (P006233) and 9~BPP5664 (P006232), Rainbow Rises Road Rainbow

Council has been approached by the Rainbow Off Road Racing Committee to enter into a Committee of Management agreement directly with DELWP for the Rainbow Rises site. The below map highlights both parcels.



The Rainbow Rises parcels currently have an appointed community member Committee of Management.

The Committee and VORRA have applied for funding to develop the site, and for the grant application to receive funding the parcel of land needs to be managed by Council. Neither DELWP nor the current COM are willing to facilitate the proposed motor sport development of the site. New land ownership or Crown land management responsibilities are required in order for the motor sport park concept to be progressed. This land is currently reserved as timber plantation and water supply. This reservation will require a change, which will be undertaken by DELWP to Public Purposes to allow for intensified motorsport use and infrastructure.

Council has been supportive of the Rainbow Desert Enduro since the initial event, and for the event to continue and grow infrastructure is required to be built at the Rainbow Rises site.

Council should be aware that the combined parcels are large (9~B\PP5664 approximately 121 hectares and 10~B\PP5664 approximately 30 hectares). Should Council resolve to enter into an agreement for Committee of Management for both parcels then Council would be taking on the responsibility of the Rainbow Airfield, along with all surrounding land.

The below map provides the area of interest in order for development (and future events) by the Rainbow Off Road Racing Committee. It may be possible for Council to negotiate to subdivide the larger parcel removing the airfield so responsibility remains with

DELWP.



Options:

1. Council can enter into a Committee of Management agreement with DELWP for Crown Parcel 2028\PP595 (P392975), Station Street Nhill and authorise the CEO to enter into an agreement with the Nhill Tennis Club.
2. Council can enter into a Committee of Management agreement with DELWP for Crown Parcels 10~B\PP5664 (P006233) and 9~B\PP5664 (P006232), Rainbow Rises Road Rainbow and authorise the CEO to negotiate to subdivide the parcel so the airfield remains DELWP responsibility, and enter into an agreement with the Rainbow Off Road Racing Committee.
3. Council can choose not to enter into a Committee of Management agreement for either site.

Link to Council Plan:

- | | |
|-------------------------|--|
| Strategic Objective 1.1 | An actively engaged community |
| Strategic Objective 1.3 | A community that is physically active with access to a wide range of leisure, sporting and recreation facilities |
| Strategic Objective 2.1 | Well maintained physical assets and infrastructure to meet community & organisational needs |
| Strategic Objective 3.1 | A strong rural economy and thriving towns |
| Strategic Objective 3.2 | A thriving tourism industry |

Financial Implications:

Council would recoup expenses in relation to both sites through user agreements; this would include utility and insurance costs.

Risk Management Implications:

There is risk to Council taking direct management of both parcels at the Rainbow Rises site which includes the Rainbow Airfield. All risks associated with the smaller parcel and Nhill Tennis Club site would be managed.

Conflict of Interest:

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

Author and Officer Responsible – Monica Revell, Director Corporate & Community Services

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

Communications Strategy:

Council will notify DELWP and the user groups of its intention in relation to both parcels.

RECOMMENDATION:

That Council

- 1. Enter into a Committee of Management agreement with DELWP for Crown Parcel 2028\PP595 (P392975), Station Street Nhill.***
- 2. Authorises the CEO to prepare a user agreement with Nhill Tennis Club.***
- 3. Subject to the ability to subdivide the parcel so that the airfield remains DELWP responsibility, enters into a Committee of Management agreement with DELWP for Crown Parcels 10~B\PP5664 (P006233) and 9~B\PP5664 (P006232), Rainbow Rises Road Rainbow.***
- 4. Requests the CEO to establish a community asset committee to manage these parcels of land.***

MOVED: CRS R Gersch/B Ireland

That Council

- 1. Enter into a Committee of Management agreement with DELWP for Crown Parcel 2028\PP595 (P392975), Station Street Nhill.***
- 2. Authorises the CEO to prepare a user agreement with Nhill Tennis Club.***
- 3. Subject to the ability to subdivide the parcel so that the airfield remains DELWP responsibility, enters into a Committee of Management agreement with DELWP for Crown Parcels 10~B\PP5664 (P006233) and 9~B\PP5664 (P006232), Rainbow Rises Road Rainbow.***

4. *Requests the CEO to establish a community asset committee to manage these parcels of land.*

CARRIED

8.5 COMMUNITY SPORTS INFRASTRUCTURE STIMULUS PROGRAM GRANT APPLICATION (ROUND 2)

Responsible Officer: Director Corporate and Community Services

Introduction:

This report recommends that Council submit an application to the Sport and Recreation Victoria's, Community Sports Infrastructure Stimulus Program round 2 for the upgrade of infrastructure at Davis Park, Nhill.

Discussion:

Council has been invited to resubmit its application for funding for the Davis Park Infrastructure Redevelopment through round 2 of the Community Sports Infrastructure Stimulus Program which closes on 2 March 2021. Council's round 1 application for \$3.531m to upgrade Davis Park was unsuccessful.

Only invited applications are eligible for round 2 and conditions of the resubmission are that both the scope of works and funding amount sought remain as per the Round 1 application.

Minimum grant applications of \$1,000,000 are available with funding ratios for co-contributions being 10%.

Over many years' infrastructure upgrades to Davis Park have been discussed. With demolition of the Davis Park Grand stand in 2019 upgrades to Davis Park are needed.

An application to Sport and Recreation's Community Sports Infrastructure Stimulus Program (round 2) will allow for significant upgrades to infrastructure at Davis Park.

At the Council meeting held on 18 December 2019 it was noted that the club requested the redevelopment of Davis Park be prioritised for future funding.

Following discussions held with the mayor, council officers, and representatives of the Nhill and District Sporting Club on Wednesday 10 June 2020, the sporting club have indicated infrastructure upgrades are a high priority, and the opportunity for a new project was supported.

The Nhill and District Sporting Club committee met on Tuesday 16 June 2020 and have provided confirmation of a commitment towards the Davis Park redevelopment and

financial contribution of a minimum of \$50,000 towards the project.

The application through the Community Sports Infrastructure Stimulus Program (round 2) will include upgrades to the facilities at Davis Park to facilitate increased participation in sports with AFL and Netball Victoria compliant change rooms.

Upgrading the infrastructure at Davis Park will provide opportunities for further events, including hosting both the Wimmera League Football finals, and Wimmera Hockey Association Hockey finals.

Options:

1. Council can submit a grant application through the Community Sports Infrastructure Stimulus Program (Round 2) for infrastructure upgrades to Davis Park.
2. Council can choose not to submit a grant application through the Community Sports Infrastructure Stimulus Program (Round 2) at this time.

Link to Council Plan:

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.

Strategic Objective 3.2: A thriving tourism industry.

Financial Implications:

Council's contribution for the project have been included in the 2020/2021 budget.

Risk Management Implications:

Upgrading the Infrastructure facilities at Davis Park will reduce risk through modern compliant facilities meeting AFL and Netball Victoria standards.

Conflict of Interest:

Under section 80C of the LGA officers providing advice to Council must disclose any interests, including the type of interest.

Author & Officer Responsible: Monica Revell, Director Corporate & Community Services
In providing this advice as the Officer Responsible, I have no interests to disclose.

RECOMMENDATION:

That Council submits a grant application through the Community Sports Infrastructure Stimulus Program (Round 2) for infrastructure upgrades at Davis Park in Nhill with the 10% co-contribution being made as follows:

- ***\$200,000 from the Federal Government's Local Road and Community Infrastructure funding program round 2;***
- ***\$100,000 from Council funds allocated in the 2020/2021 budget; and***
- ***\$50,000 (minimum) from Nhill and District Sporting Club.***

MOVED: CRS R Gersch/M Albrecht

That Council submits a grant application through the Community Sports Infrastructure Stimulus Program (Round 2) for infrastructure upgrades at Davis Park in Nhill, totalling \$3,931,760, being made up as follows:

- ***\$3,531,760 from the State Governments Community Sports Infrastructure Stimulus Program round 2;***
- ***\$200,000 from the Federal Government's Local Road and Community Infrastructure funding program round 2 (approved);***
- ***\$100,000 from Council funds allocated in the 2020/2021 budget;***
- ***\$50,000 from Council funds carried forward from 2019/2020; and***
- ***\$50,000 (minimum) from Nhill and District Sporting Club.***

CARRIED

8.6 COUNCIL SUBMISSION TO THE BUILDING BETTER REGIONS FUND

Responsible Officer: Director Corporate and Community Services

Introduction: This report seeks endorsement from Council for the submission of a funding application to the Federal Government's Building Better Regions Program Round 5.

Background:

On 16 December 2020, the Australian Government announced the release of the program guidelines for the new Building Better Regions Fund (BBRF) round 5.

BBRF Round 5 will have \$100 million dedicated to supporting tourism-related infrastructure designed to assist in mitigating the economic impact of the COVID-19 pandemic on the region's tourism industry. The minimum grant amount is \$20,000 and the maximum grant amount is \$10 million.

Applications opened for round 5 on 12 January 2021 and close on 5 March 2021. Projects must be completed by 31 December 2021.

Co-funding contributions are required by Council, and the remoteness classification of a project's location determines the amount of the co-funding requirement.

Project circumstance	Total Commonwealth Government funding (including this grant) towards eligible project costs*
Project classified as remote or very remote	Up to 75 per cent of eligible project costs
Project granted exceptional circumstances exemption from a cash contribution	Up to 100 per cent of total eligible project costs (any level of contribution is encouraged)
All other classifications	Up to 50 per cent of total eligible project costs.

*Total eligible project costs include the grant amount and your cash contribution. The grant will be paid in accordance with the agreed grant percentage of total eligible project costs up to the approved grant amount.

Hindmarsh Shire is required to contribute co-funding of at least \$1 for every \$1 of grant funding requested.

Discussion:

It is proposed that funding be sought through the BBRF Round 5 for the supply and installation of two bedroom accommodation cabins at the Riverside Holiday Park Dimboola, Jeparit Caravan Park and Rainbow Caravan Park.

The demand for increased accommodation options at these caravan parks from their respective communities, visitors and industry has been ongoing and has also been prioritised in numerous Council strategic documents including Community Precinct Plans and Community Action Plans.

Level 2 of the Wimmera Mallee Town & Tourism Strategy commissioned by Wimmera Mallee Tourism and developed by consultants, TRC responds to town and tourism park level opportunities, directions and learnings gathered through site visits and workshops. The Town & Tourism Strategy recommends projects to guide the revitalisation and tourism preparedness of 16 Towns and 24 Caravan Parks across four shires. These projects should be explored, prioritised, implemented and championed by the community, Councils and Wimmera Mallee Tourism.

The Level 2 strategy recommends the inclusion of additional accommodation options at the previously mentioned caravan parks.

The findings of the above strategy is further evidenced through the rise of domestic tourism, and current tourism projects underway including the Wimmera River Discovery Trail and the Albacutya and Rainbow Silo Art projects Hindmarsh will be a destination of choice for many tourists.

The current Council Plan 2017-2021 identifies a thriving tourism industry as a priority for Council, and feedback from the manager of Dimboola Riverside Holiday Park is that during peak periods installation of additional cabins is required.

The total project cost is anticipated to be \$600,000 with Council's contribution towards the project being \$300,000. This allocation would be included in the 2021/2022 Council Budget.

Options:

1. Council can choose to submit an application to the Building Better Regions Fund Round 5;
2. Council can choose not submit an application to the Building Better Regions Fund Round 5.

Link to Council Plan:

- 1.1 An actively engaged community.
- 3.2 A thriving tourism Industry.

Financial Implications:

Council's contribution towards the grant application will be included in the 2021/2022 Council Budget.

Risk Management Implications:

Appropriate risk assessments will be prepared in accordance with Council procedures and policies prior to the implementation of the project.

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 & Author, I have no interests to disclose.

Communications Strategy:

Not applicable.

RECOMMENDATION:

That Council

- 1. Submits a funding application to the Building Better Regions Fund Round 5 for cabin installation at Dimboola, Jeparit & Rainbow Caravan Parks.***
- 2. Allocates Council's co-contribution of \$300,000 towards the grant application in the 2021/2022 Council Budget.***

MOVED: CRS B Ireland/D Nelson

That Council

- 3. Submits a funding application to the Building Better Regions Fund Round 5 for cabin installation at Dimboola, Jeparit & Rainbow Caravan Parks.***
- 4. Allocates Council's co-contribution of \$300,000 towards the grant application in the 2021/2022 Council Budget.***

CARRIED

9. COUNCIL COMMITTEES

No reports.

10. LATE REPORTS

No reports.

11. OTHER BUSINESS

MOVED: CRS W Bywaters/R Gersch

That Council write and congratulate the First Languages and Arts Training Indigenous Corporation, Cultural Learning Centre, Dimboola.

CARRIED

MOVED: CRS W Bywaters/R Gersch

That Council write and congratulate the 2021 Youth Councillors individually.

CARRIED

MOVED: R Gersch/M Albrecht

That Council acknowledges and thanks staff of Hindmarsh Shire Council for their volunteer work at the screening of The Dry on Thursday 28 January 2021.

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 Positions

MOVED: CRS R Gersch/B Ireland

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 Positions

CARRIED

13. MEETING CLOSE

There being no further business, Cr R Ismay declared the meeting closed at 3:30pm.
