



MINUTES OF THE COUNCIL MEETING OF HINDMARSH SHIRE COUNCIL HELD 23 JUNE 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

8. Reports Requiring a Decision

8.1 Adoption of Annual Budget 2021/2022 Incorporating Revenue and Rating Strategy

8.2 Melbourne Cup Day Public Holiday 2021

8.3 Unused Road, Parish of Ni Ni Woorak, North of Crown Allotments 1-13, Section 2 and West of Crown Allotment 1, Section 2

9. Council Committees

9.1 Dimboola Town Committee

9.2 Nhill Town Committee

10. Late Reports

11. Notice of Motion

12. Other Business

13. Confidential Matters

14. Meeting Closed

Crs R Ismay, M Albrecht, 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) and Ms Shauna Johnson (Executive Assistant), Mr Jeff Woodward (Tourism and Economic Development Officer)

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

Cr R Gersch

MOVED: CRS M Albrecht/D Nelson

That Cr Gersch's apology be noted.

CARRIED

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

A Councillor with a conflict of interest in an item on the Agenda must indicate that they have a conflict of interest by clearly stating:

- the item for which they have a conflict of interest;
- whether their conflict is **general** or **material**; and
- the circumstances that give rise to the conflict of interest.

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

No conflicts declared.

4. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 9 June 2021 via Zoom Meeting as circulated to Councillors be taken as read and confirmed.

MOVED: CRS M Albrecht/W Bywaters

That the Minutes of the Ordinary Council Meeting held on Wednesday 9 June 2021 via Zoom Meeting 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

No general correspondence.

7. PLANNING PERMITS

No planning reports.

8. REPORTS REQUIRING A DECISION

8.1 ADOPTION OF ANNUAL BUDGET 2021/2022 INCORPORATING REVENUE AND RATING STRATEGY

Responsible Officer: Director Corporate and Community Services
Attachment Number: 2 – Annual Budget 2021/2022
3 – Budget Submission 1
4 – Budget Submission 2
5 – Budget Submission 3

Introduction:

This report presents the proposed 2021/2022 Annual Budget incorporating the Revenue and Rating Strategy for further consideration, consider submissions received and recommendation to adopt the Budget incorporating the Revenue and Rating Strategy.

Discussion:

At the Council meeting held on Wednesday 5 May 2021 Council resolved to approve the draft 2021/2022 budget incorporating the draft Revenue and Rating Plan for the purposes of public consultation in accordance with the *Local Government Act 2020*.

Advertisements were published in the Weekly Advertiser, Dimboola Banner and Nhill Free Press on Wednesday 12 May 2021, and the Rainbow Jeparit Argus on Thursday 13 May 2021. The preparation of the draft budget incorporating the Revenue and Rating Plan was also promoted on Council's Facebook page and website from 6 May, and included in Council's monthly and fortnightly newsletters.

Submissions

Council received 3 submissions in relation to the draft 2021/2022 budget incorporating the Revenue and Rating Plan.

The first submission was received from Tracey Bone of Nhill expressing how fantastic it was to see Park Street on the list. The submission also provided an idea for Council to consider opening up new blocks for development to build on. The submission suggested the block next to the tennis courts.

In response to this submission there are currently a number of blocks in Nhill that are zoned residential and could be built on. As part of the Council Plan development, consideration will be given to how Council can encourage development of vacant blocks.

The second submission was received from Dimboola Town Committee in relation to works on the Dimboola Soundshell at the recreation reserve. The Dimboola Town Committee have the necessary approvals and has allocated \$29,000 towards the project. The submission requests a contribution towards this project.

In response to this submission Council allocated \$8,500 in the 2016/17 budget towards this project. Funds have been carried forward from this budget allocation, and the balance available following Council covering the cost of the engineering assessment and building permits is proposed to be carried forward into 2021/2022. Council's budget also includes an allocation of \$7,500 for 2021/2022 for Dimboola Town Committee to use on priority projects.

The third submission was received from Wimmera Mallee Pioneer Museum in relation to the adopted Masterplan, and the limitations on the powers and functions in relation to undertaking advertising and marketing.

In response to this submission over the past couple of years Council's tourism and economic development officer has provided assistance with a number of grant applications that have unfortunately been unsuccessful including two applications through Museums Australia Victoria for a roving curator and an application through the Local History Grants program for recording local histories.

Council's tourism and economic development officer offered assistance to the committee with a successful grant application through the Local History Grant funding stream that was for a Collection Significance Assessment which was highlighted as a priority in the Master Plan. The outcome of this assessment will assist the committee to understand the significance of their collection which will guide setting up displays and exhibits as conceptualised by the master plan.

There are also a number of concepts in the Master Plan that require committee implementation prior to grant applications being submitted.

Council's tourism and economic development officer will continue to attend meetings and work with the committee on grant applications to implement the master plan.

Under the Instrument of Delegation (powers and functions) signed on 22 March 2021 the committee are able to undertake advertising and marketing for the Wimmera Mallee Pioneer Museum. This falls within the scope of item 4 'to facilitate Museum activities and events'. Council's tourism and economic development officer will provide assistance with media releases for events held.

Changes

The below changes have been made to the draft budget 2021/2022 incorporating the Revenue and Rating Plan.

Nelson Street Nhill footpath works has been replaced with Queen Street Nhill footpath following a request from Cr Albrecht and Nhill College. The footpath in Queen Street involves concreting a section where primary school students are dropped off / collected and will enable all abilities access from the disabled parking space in Queen Street to the school gates.

Following the unsuccessful grant application for Davis Park, grant income and expenditure has been removed from the budget. Council will continue to apply for grants and advocate for funding for this project.

Council has received additional funding from the State Government for Albacutya Bridge and Llew Schilling Silo Art project. The budget has amended to include the grant funding along with matching expenditure.

There have also been minor administrative changes including an explanation on the differential rates which was excluded from the draft budget. This information has been included in the budget for adoption.

Following the above changes cash and equivalents at 30 June 2022 remain at \$2.02m.

Rates and Charges

The rates and charges calculated for 2021/2022 are based on revaluation figures as at 1 January 2021. The Revenue and Rating Strategy includes differentials for farms and commercial/industrial properties (10 percent discount), recreational properties (50 percent discount), and non-farm vacant land (100 percent penalty).

For 2021/2022 the rate cap has been set at 1.5%. For the 2020/21 year it is proposed that general rates and municipal charge increase in line with the Essential Services Commission (ESC) calculation method, which applies the increase to the average rates payable per assessment.

For 2021/2022 the proposed total rates and charges are \$9.21 million. These rates and charges will go toward maintaining service levels and delivering on capital works programs.

The following table summarises the rates to be determined for the 2021/2022 year. A more detailed analysis of the rates to be raised is contained in the budget document Item 4.1.1 Rates and Charges.

Type or class of land		Budget 2020/2021 \$	Budget 2021/2022 \$	Change
Residential	Cents/\$ CIV	0.46641	0.38926	-16.54%
Farm Land	Cents/\$ CIV	0.41977	0.35033	-16.54%
Business, Industrial & Commercial Land	Cents/\$ CIV	0.41977	0.35033	-16.54%
Recreational and Cultural Land	Cents/\$ CIV	0.23321	0.19463	-16.54%
Urban Vacant Land	Cents/\$ CIV	0.93283	0.77851	-16.54%
Municipal charge	\$/ property	\$200	\$200	0.00%
Kerbside waste / recycling collection charge	\$/ property	\$386	\$393	1.81%

General waste charge	\$/ property	\$13	\$13	0%
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Under section 11(a) of the Valuation of Land Act 1960 Council are required to make a general valuation of ratable land within an area as at 1 January each calendar year. The previous valuation for the Shire was 1 January 2020.

Council's property valuations are undertaken by the Valuer General who has subcontracted the services to Preston Rowe Patterson (PRP). PRP has officially returned the final revaluation data for use in Council's 2021/22 rating period.

Council must adopt the 2022 General Revaluation of all ratable properties within the Shire. The general revaluation has been completed in accordance with section 13DC(1) of the Valuation of Land Act 1960.

Valuations for ratable properties within Hindmarsh Shire Council have increased / decreased as follows:

- Residential 4.27% increase
- Commercial / Industrial 2.14% increase
- Rural 27.03% increase
- Urban Vacant Land 13.75% increase

While Council proposes a rate increase that is in line with the 1.5% cap, as Council rates are based on property valuations, revaluation will mean the actual rate increases experienced by individual ratepayers will differ.

A revaluation means rates increases are impacted by the average rate increase (1.5%) and the property valuation increases of individual properties relative to the average across the municipality. If properties increase by more in value than the Hindmarsh average, rates will increase by more than 1.5%, while properties with values increasing by less than the average will experience a rates increase of less than 1.5% or even a reduction from the previous year.

Rates notices will be issued in August 2021 reflecting the change in property values. Rate payers who feel their property has been incorrectly valued are able to lodge objections within two months after the issues of the rates notice. Objections are considered by PRP.

Capital Works

The 2021/2022 budget includes capital works expenditure of \$12.80m. A number of larger grant funded projects are budgeted to be completed during 2021/2022 including:

- Albacutya Bridge \$3.5m and Albacutya Road widening \$509,923.
- Cabins at Dimboola, Jeparit and Rainbow Caravan Parks \$600,000 (subject to successful grant application).

- Silo Art Project including Llew Schilling Silo \$1.4m.
- Nhill Library upgrade \$110,000.

Key Initiatives

The key initiatives for the 2021/2022 financial year are outlined below. Further details are included in the relevant sections of the budget document.

Community Infrastructure

- Funding obtained through the Local Roads and Community Infrastructure Round 2 funding will enable Council to undertake works on Community Infrastructure including:
 - Jeparit Camp Kitchen;
 - Nhill Tennis Club Rooms;
 - Rainbow Library Park linking Rainbow Library and Oasis;
 - Rainbow Lake; and
 - Davis Park.
- \$10,000 in recurrent and \$50,000 in capital as seed funding for grant opportunities arising during the year.
- \$6,500 to install pedestrian safety fencing at the Nhill Early Years Centre to reduce the risk of a child running directly onto the road.
- \$60,000 to install new solar heating at the Rainbow Swimming Pool due to the existing solar heating not working.

Tourism Development

- \$12,000 to support the Rainbow Desert Enduro in August 2021.
- \$10,000 to support the Peter Taylor Memorial Barefoot Tournament in February 2022.
- \$15,500 Advertising and Marketing.
- \$21,000 implementation of Nhill Streetscape Master Plan initiatives.
- \$20,000 to update the ensuites at the Riverside Holiday Park in Dimboola.

Economic Development:

- Business Assistance Grants. The Business Assistance Grants Program (BAGP) aims to support local businesses expanding their operations or to support new businesses, large and small, to establish in the Shire. It will provide assistance to offset costs associated with expanding or establishing a business in Hindmarsh Shire. \$20,000 has been included in the 2021/22 budget for this project.

Empowered Communities

- \$7,500 to each of the Shire's four Town Committees. This funding can be used as seed funding for grants that will fund works important to the community in each town. In its fourth year, this funding has enabled some fantastic projects in our towns since its inception.

- Hindmarsh Youth Council funding of \$10,000 to allow this successful initiative to continue.
- \$20,000 to its Community Action Grants which will enable community groups to apply for funding for events, minor facility upgrades, small equipment and community assistance.
- \$2,000 to support the Nhill Friday Fiestas in February 2022.

Infrastructure

- Kerb & Channel: Western Highway Median Maintenance Nelson Street \$57,925; Elgin Street, Nhill \$150,227; Scott Street, Jeparit \$128,076; Park Street, Nhill (\$219,569)
- Reseals and Final Seals: Council will undertake reseal and final seal projects totalling \$787,722 in 2021/22. These include: Lorquon Palm Road, Lorquon; Antwerp Woorak Road, "S Bend"; Antwerp Warracknabeal Road, Antwerp; Charles Street, Jeparit; Netherby Baker Road, Netherby; Jeparit East Road, Jeparit; Hindmarsh Street, Dimboola; Salisbury Woorak Road, Nhill.
- Sealed Road Construction: Council will undertake sealed road construction projects totalling \$1.066m in 2021/22. These include: Wimmera Street, Dimboola; Antwerp Woorak Road, Nhill; Kiata North Road, Kiata; Albacutya Road, Rainbow.
- Road Resheet Projects: Council will undertake 7 resheet projects during 2021/22 totalling \$493,729. These include Boundary Road in conjunction with West Wimmera Shire; Lorquon Cemetery Road, Nhill; Horsham Road, Dimboola; Arkona Katyil Road, Dimboola; Propodollah Road, Nhill; Stasinowsky Road, Rainbow; Antwerp Katyil Road, Dimboola.
- Footpaths: Footpath projects totalling \$179,525 will be undertaken during 2021/22. These include: Lake Street, Rainbow; Wimmera Street, Dimboola; Roy Street, Jeparit; Nelson Street, Nhill; Railway Street, Rainbow; Hindmarsh Street, Dimboola.

Options:

Having prepared the proposed budget incorporating the Revenue and Rating Plan and received written submissions from the community Council must now adopt the Budget for 2021/2022.

Link to Council Plan:

The Annual Budget provides the funding for Council to undertake its initiatives and activities proposed in the Council Plan's four key result areas. Each program in the Budget contains a statement about how the program will contribute to the initiatives and strategies detailed in the Council Plan 2017-2021.

Financial Implications:

The 2021/2022 Budget is consistent with the parameters set out in Council's ten-year financial plan.

Risk Management Implications:

The preparation of the Budget and Revenue and Rating Plan is a statutory requirement under the *Local Government Act 2020*.

Conflict of Interest:

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

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

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

Communications Strategy:

Council must give notice of the adoption of the Budget 2021/2022 incorporating the Revenue and Rating Plan. A public notice will be inserted in the Dimboola Banner, Rainbow Jeparit Argus, Nhill Free Press and Weekly Advertiser advising of the adoption of the Budget 2021/2022.

Copies of the adopted Budget incorporating the Revenue and Rating Plan will be placed on Council's website and hard copies will be made available from Hindmarsh Shire Council Customer Service Centres.

A copy of the Budget 2021/2022 incorporating the Revenue and Rating Plan will be sent to the Minister for Local Government.

RECOMMENDATION:

That having considered submissions to the proposed 2021/2022 Budget, Council:

- 1. adopts the 2021/2022 Budget incorporating the Revenue and Rating Plan pursuant to the Local Government Act 2020;***
- 2. gives public notice of the adoption of the 2021/2022 budget incorporating the Revenue and Rating Plan, and makes available for public inspection on Council's website and at Council Customer Service Centres;***
- 3. acknowledges the contribution of submitters to the budget process, and thanks them for their contribution;***
- 4. authorises officers to notify in writing, each person who has made a formal submission to the budget process; and***
- 5. implements the differential rates and fees and charges as detailed in the 2021/2022 annual budget.***

MOVED: CRS B Ireland/D Nelson

That having considered submissions to the proposed 2021/2022 Budget, Council:

- 1. adopts the 2021/2022 Budget incorporating the Revenue and Rating Plan pursuant to the Local Government Act 2020;***
- 2. gives public notice of the adoption of the 2021/2022 budget incorporating the Revenue and Rating Plan, and makes available for public inspection on Council's website and at Council Customer Service Centres;***
- 3. acknowledges the contribution of submitters to the budget process, and thanks them for their contribution;***
- 4. authorises officers to notify in writing, each person who has made a formal submission to the budget process; and***
- 5. implements the differential rates and fees and charges as detailed in the 2021/2022 annual budget.***

CARRIED

Attachment Number: 2 – 5

8.2 MELBOURNE CUP DAY PUBLIC HOLIDAY

Responsible Officer: Chief Executive Officer

Attachment Number: 6

Introduction:

This report outlines the procedure and options for the declaration of substitute public holidays for Melbourne Cup Day 2021.

Discussion:

In 2011, the Victorian Government amended the *Public Holidays Act 1993* to give regional Councils the ability to request alternative local public holiday arrangements in lieu of Melbourne Cup Day. Council need to make the request at least 90 days prior to Melbourne Cup Day.

The Public Holidays Act 1993 section 8A(1) states:

Council may request substitute holiday for Melbourne Cup Day

- (1) *A non-metropolitan Council may request in writing that the Minister make a declaration under section 8(1)—*
 - (a) *that the day appointed under section 6 being the first Tuesday in November (Melbourne Cup Day) is not in a specified year such a public holiday in the whole or any part of the municipal district of that Council; and*
 - (b) *that another day or 2 half-days (one half-day of which may be Melbourne Cup Day) be appointed as a public holiday or 2 public half-holidays in that year.*

- (2) *A request under subsection (1) must—*
- (a) *be made at least 90 days before the Melbourne Cup Day to which the request relate; and*
 - (b) *specify the day or 2 half-days of the substituted public holiday; and*
 - (c) *specify the reasons for making the request.*
- (3) *In making a declaration on a request under subsection (1), the Minister must not appoint a Saturday or a Sunday as a public holiday or a public half-holiday.*
- (4) *A public holiday or 2 public half-holidays appointed under section 8(1) on a request under subsection (1) in respect of part of a municipal district of a Council applies or apply only in that part of the municipal district.*

Since 2012, Hindmarsh Shire Council has successfully applied to the Minister for Small Business for substitute public holidays to Melbourne Cup Day for the Rainbow and Nhill agricultural shows, as these are held each year on weekdays. Dimboola and Jeparit districts continued to take Melbourne Cup Day as a public holiday, as their respective agricultural shows fall on a weekend.

Following the cancellation of 2020 agricultural shows in Hindmarsh Shire and COVID-19 still being a pandemic officers contacted the show societies to determine if 2021 agricultural shows are being planned.

The show societies have indicated they are planning to hold agricultural shows in 2021 on the following dates:

Rainbow	Tuesday 12 October 2021;
Nhill	Thursday 14 October 2021;
Dimboola	Saturday 16 October 2021;
Jeparit	Sunday 17 October 2021.

The Nhill Show public holiday incorporates the localities of Broughton, Yanac, Netherby, Lorquon, Nhill, Glenlee, Kiata, Gerang Gerung and Little Desert.

The Rainbow show public holiday incorporates the localities of Rainbow, Albacutya and Kenmare.

Options:

Council has several options to consider:

1. Council may choose not to nominate any substitutes and Melbourne Cup Day will automatically apply as a public holiday for the whole Shire on the first Tuesday in November;
2. Nominate a substitute public holiday for the whole Shire;
3. Nominate substitute public holidays in each part of the Shire; or
4. Parts of the Shire take Melbourne Cup Day on the first Tuesday of November and other parts of the Shire nominate a substitute public holiday.

Link to Council Plan:

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

Financial Implications:

No Financial Implications.

Risk Management Implications:

There are no risk management implications.

Relevant legislation:

Public Holidays Act 1993 section 8A(1)

Community engagement:

Council officers have liaised with the show societies. By providing a public holiday for the Rainbow and Nhill Show this will allow community members to attend.

Gender equality implications:

A gender impact assessment was completed. Substituting the public holiday will allow community members the ability to attend their local agricultural society.

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 and Community Services

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

Communications Strategy:

Advertisements will be placed in each of the local papers following approval of the Gazettal by the Minister for Small Business.

RECOMMENDATION:

That Council writes to the Minister for Small Business expressing a preference for the following:

- 1. A substitute public holiday in lieu of Melbourne Cup Day for Rainbow Show (Tuesday 12 October 2021) for the localities of Rainbow, Albacutya and Kenmare within the Shire;***
- 2. A substitute public holiday in lieu of Melbourne Cup Day for Nhill Show***

(Thursday 14 October 2021) for the localities of Broughton, Yanac, Netherby, Lorquon, Nhill, Glenlee, Kiata, Gerang Gerung and Little Desert within the Shire; and

3. Melbourne Cup Day for the remainder of the Shire.

MOVED: CRS D Nelson/W Bywaters

That Council writes to the Minister for Small Business expressing a preference for the following:

- 1. A substitute public holiday in lieu of Melbourne Cup Day for Rainbow Show (Tuesday 12 October 2021) for the localities of Rainbow, Albacutya and Kenmare within the Shire;***
- 2. A substitute public holiday in lieu of Melbourne Cup Day for Nhill Show (Thursday 14 October 2021) for the localities of Broughton, Yanac, Netherby, Lorquon, Nhill, Glenlee, Kiata, Gerang Gerung and Little Desert within the Shire; and***
- 3. Melbourne Cup Day for the remainder of the Shire.***

CARRIED

Attachment Number: 6

8.3 UNUSED ROAD, PARISH OF NI NI WOORAK, NORTH OF CROWN ALLOTMENTS 1-13, SECTION 2 AND WEST OF CROWN ALLOTMENT 1, SECTION 2

Responsible Officer: Director Infrastructure Services

Introduction:

This report seeks Council's decision to declare Crown Allotments 1-13, Section 2 and west of Crown Allotment 1, Section 2 not required for public traffic and to notify the Department of Environment, Land, Water and Planning (DELWP) of this decision.

Discussion:

The consultant for the owner of 30 Woorak Ni Ni Lorquon Road has advised Council that they have received approval from DELWP to lease the Titles adjacent to their property so that they can develop the site for the Use and Development of a poultry farm (egg production). This development requires a planning permit which would be the subject to a future council decision.

The offer of Licence from DELWP is subject to payment of Licence Fees and a decision from the relevant Council that the roads are not required for public traffic.

It is recommended that Council sign the DELWP Schedule 4 under Section 400 of the

Land Act 1958, giving notice that the roads described in the Schedule are considered by Council not to be required for public traffic and are therefore unused roads.

The roads are shown below in blue.



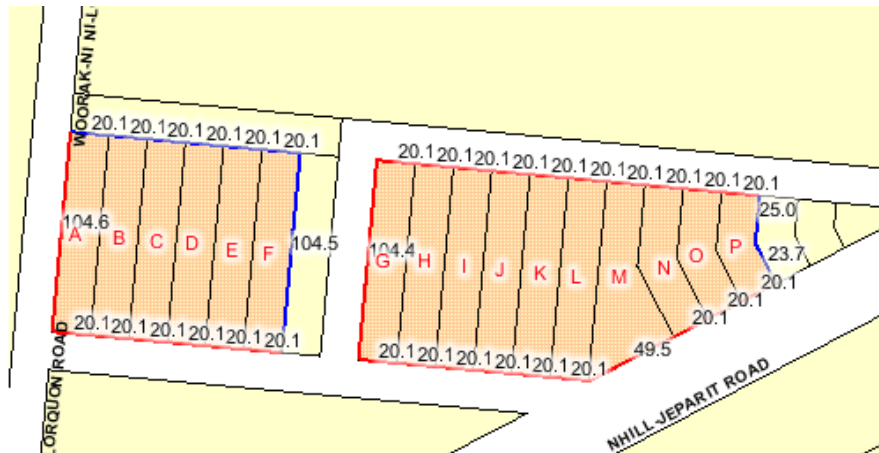
The northern end of one of the existing buildings sits on the crown land reserve, as does the main vehicle access to the site.

Map 2: Permit Area



Where that building is sited and the vehicle access should be part of any planning application, therefore Land Owner Consent from DELWP is required before the application process can proceed.

The applicant owns 16 of the parcels shown below as A to P that are bisected by the road reserve.



Council Officers have visited the site to inspect the un-used roads. Two photos have been included below.

View looking east along northern boundary – photo taken from the west showing processing plant.



View looking north towards the north/south unused road reserve.



Council Officers have checked the MyData Asset Management system and found that the road reserves are not listed on Council's Road Register.

Options:

1. Council can approve the request and sign the DELWP Schedule 4 under Section 400 of the Land Act 1958, giving notice that the roads described in the Schedule are considered by Council not to be required for public traffic and are therefore unused roads.
2. Council can refuse the request and instead notify DELWP that the roads described in the Schedule are considered by Council to be required for public traffic.

Link to Council Plan:

Strategic Objective 3.1.4: Facilitate business and social enterprise incubators, workshops and training.

Financial Implications:

Nil.

Risk Management Implications:

Given the road reserves are currently un-used there does not appear to be any risk implications in declaring the roads as not required for public traffic.

Community engagement:

Given the roads are un-used and not on Council Register no community engagement has been undertaken.

Gender equality implications:

A Gender impact assessment was completed and found to have no impact given the road is unused.

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 – 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:

The decision will be notified to the Applicant.

Next Steps:

The Author will notify the Applicant of the decision.

RECOMMENDATION:

That Council approves the request and signs the DELWP Schedule 4 under Section 400 of the Land Act 1958, giving notice that the roads described in the Schedule are considered by Council not to be required for public traffic and are therefore unused roads.

MOVED: CRS W Bywaters/B Ireland

That Council approves the request and signs the DELWP Schedule 4 under Section 400 of the Land Act 1958, giving notice that the roads described in the Schedule are considered by Council not to be required for public traffic and are therefore unused roads.

CARRIED

9. COUNCIL COMMITTEES

9.1 DIMBOOLA TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment Number: 7

Introduction:

The Dimboola Town Committee held its meeting on 7 June 2021. The purpose of this

report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

RECOMMENDATION:

That Council notes the minutes of the Dimboola Town Committee meeting held on 7 June 2021.

MOVED: CRS W Bywaters/B Ireland

That Council notes the minutes of the Dimboola Town Committee meeting held on 7 June 2021.

CARRIED

Attachment Number: 7

9.2 NHILL TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Number: 8

Introduction:

The Nhill Town Committee held its meeting on 17 May 2021. The purpose of this report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

RECOMMENDATION:

That Council notes the minutes of the Nhill Town Committee meeting held on 17 May 2021.

MOVED: CRS M Albrecht/D Nelson

That Council notes the minutes of the Nhill Town Committee meeting held on 17 May 2021.

CARRIED

Attachment Number: 8

10. LATE REPORTS

11. NOTICES OF MOTION

12. OTHER BUSINESS

13. CONFIDENTIAL REPORTS

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

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

No confidential reports.

15. MEETING CLOSE

There being no further business, Cr R Ismay declared the meeting closed at 3:19pm.