



## ATTACHMENTS

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**LATE ATTACHMENTS**

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**MINUTES OF THE COUNCIL MEETING OF HINDMARSH SHIRE COUNCIL HELD 7 JULY 2021 AT THE NHILL MEMORIAL COMMUNITY CENTRE, 77-79 NELSON STREET NHILL, COMMENCING AT 3:00PM.**

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**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. Activity Reports**

**7. Correspondence**

**8. Planning Permit Reports**

8.1 Application for Planning Permit - PA1712-2021 – Buildings and Works, Including the Construction of Classrooms and an Administration Area at the Nhill Lutheran School at 2 Mackay Street Nhill VIC 3418

**9. Reports Requiring a Decision**

9.1 Lease 13 Bow Street Rainbow

9.2 Local Roads and Community Infrastructure Fund – Phase 2

**10. Council Committees**

- 10.1 Jeparit Town Committee
- 10.2 Nhill Town Committee
- 10.3 Audit and Risk Committee

**11. Late Reports**

- 11.1 Regional Infrastructure Fund Round 2
- 11.2 Silo Art

**12. Notice of Motion**

**13. Other Business**

**14. Confidential Matters**

**15. Meeting Closed**

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

**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) and Mr Matt Sherwell (Community Development Officer)

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**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.

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**2. APOLOGIES**

No apologies.

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**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.

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**4. CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

***That the Minutes of the Ordinary Council Meeting held on Wednesday 23 June 2021 at the Nhill Memorial Community Centre as circulated to Councillors be taken as read and confirmed.***

**MOVED: CRS R Gersch/B Ireland**

***That the Minutes of the Ordinary Council Meeting held on Wednesday 23 June***

**2021 at the Nhill Memorial Community Centre as circulated to Councillors be taken as read and confirmed.**

**CARRIED**

*Attachment Number: 1*

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## **5. PUBLIC QUESTION AND SUBMISSION TIME**

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

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

### **Moira Deeming – Taylors Hill**

Under Victorian law, is it legal for Local Government Councils to provide sex based/targeted services and facilities separately to gender identity based/targeted services and facilities? If not, why not? For example, can we legally put signs on a set of public toilets declaring that one is for biological males (including males with an intersex condition), one is for biological females (including biological females with an intersex condition) and one is for people with transgender identities (of any biological sex)? If not, why not?

***The BCA (Building Code Australia) contains requirements for Braille and tactile signage in commercial class buildings, which is what public toilets are classed as.***

***Currently, the BCA only considers and regulates Male, Female & Unisex sanitary facilities.***

***Separate sanitary facilities are required by the BCA for males and females, a unisex facility may be provided instead of separate facilities for each sex in some instances.***

**6. ACTIVITY REPORTS**

**COUNCILLOR ACTIVITIES: JUNE 2021**

**Cr ISMAY, MAYOR**

Date	Meeting	Location	Comments
26/05/2021	Rural Summit Welcome Gathering	Nagambie	
27/05/2021	Rural Summit	Nagambie	
08/06/2021	Site Meeting with Director of Infrastructure	Albacutya	
09/06/2021	Council Meeting	Nhill	
09/06/2021	Council Briefing	Nhill	
11/06/2021	Liaison Meeting with CEO and Regional Roads Victoria		
11/06/2021	Inspection of Caravan Park with CEO and Director Corporate and Community Services		
15/06/2021	WMT Meeting	Rainbow	
16/06/2021	Planning Consultation	Nhill	
17/06/2021	COVID Presentation with Dr Robert Grenfell	Nhill	
18/06/2021	Oasis Open Day	Rainbow	
21/06/2021	Davis Park Consultation	Nhill	
23/06/2021	Council Briefing	Nhill	
23/06/2021	Council Meeting	Nhill	
23/06/2021	Inspection of Drainage Issue	Nhill	
24/06/2021	Interview with ABC Wimmera		
28/06/2021	Discussion with CEO and Cr David Clark (President - MAV)	Nhill	

**Cr ALBRECHT, DEPUTY MAYOR**

Date	Meeting	Location	Comments
09/06/2021	Audit & Risk Committee	Zoom	
09/06/2021	Council Briefing	Zoom	
09/06/2021	Council Meeting	Zoom	
15/06/2021	Nhill Historical Society Meeting	Nhill	Discussion as to the current arrangements with DELWP and the lease of the property.
16/06/2021	Council Plan & Council Vision – Councillor Development Session	Nhill	
21/06/2021	Nhill Town Committee	Nhill	Presentation about community interest in a Dog Park.
22/06/2021	Wimmera Development Association Board Executive Committee Meeting	Zoom	Key business: review of draft budget.
22/06/2021	Wimmera Development Association Board Meeting	Zoom	Key business: Presentation of 'The Heart of the High Street' which was a project exploring main street

			activation across the Wimmera.
23/06/2021	Council Briefing	Nhill	
23/06/2021	Council Meeting	Nhill	

**Cr GERSCH**

Date	Meeting	Location	Comments
26/05/2021	Rural Summit	Nagambie	
27/05/2021	Rural Summit	Nagambie	
09/06/2021	Council Meeting		
11/06/2021	RCV Board Meeting	Zoom	
26/06/2021	Nhill Sporting Club 40 Year Reunion	Nhill	

**Cr IRELAND**

Date	Meeting	Location	Comments
26/05/2021	Rural Summit	Nagambie	A great experience meeting CEO's, Mayors and Councillors across the 38 rural shires sharing experiences and the various issues that confront all councils no matter how big or small. Also a range of guest speakers on subjects such as waste management, encouraging big business to move to the country, population movement and ages, housing and employment in the country and others.
27/05/2021	Rural Summit	Nagambie	
28/05/2021	Rural Summit	Nagambie	
9/06/2021	Council Meeting		
9/06/2021	Council Briefing Meeting		
14/06/2021	Jeparit Town Committee Meeting		
15/06/2021	Wimmera Mallee Pioneer Museum Meeting		
16/06/2021	Council Plan and Mission Meeting		
17/06/2021	Yurunga Homestead Meeting		Quorum not reached, general discussions.
23/06/2021	Council Briefing Meeting		
23/06/2021	Council Meeting		
23/06/2021	Meeting with Nhill resident Hamish Merrett		Regarding casual water on his property.

**Cr NELSON**

Date	Meeting	Location	Comments
07/06/2021	Dimboola Town Committee Meeting		
09/06/2021	Audit Committee Meeting	Zoom	
09/06/2021	Council Meeting		
09/6/2021	Council Briefing		



16/06/2021	Council Plan Meeting	Nhill	
23/06/2021	Council Briefing	Nhill	
23/06/2021	Council Meeting	Nhill	
29/06/2021	Seniors Concert	Dimboola	

**Cr BYWATERS**

Date	Meeting	Location	Comments
07/06/2021	Dimboola Town Committee Meeting	Zoom	
09/06/2021	Council Meeting	Zoom	
09/06/2021	Council Briefing	Zoom	
15/06/2021	Nhill & District Historical Society General Meeting	Nhill	
16/06/2021	Council Plan, Council Vision and Council Development Session	Nhill	
17/06/2021	COVID-19 Information Session with Dr Grenfell	Online	
23/06/2021	Council Meeting	Nhill	
23/06/2021	Council Briefing	Nhill	
25/06/2021	Hindmarsh Visitor Information Centre, Volunteer	Nhill	I am proud to be one of over 40 volunteers helping keeping the Hindmarsh visitor information Centre open from 10.30 am to 3.30 pm seven days a week.
25/06/2021	Rainbow Talks 3, Supernova Film Screening	Nhill Memorial Community Centre	Wimmera Pride Project presented Rainbow Talks 3 and the guest speaker was Andrew Rogers. Andrew is an educator and trainer in the field of diversity and inclusion. He is Lead Educator at Val's LGBTI Ageing and Aged Care and is known for his commitment to improving the wellbeing of older LGBTIQ people. A confident and sometimes challenging speaker, Andrew is active in his work to improve health and wellbeing outcomes for the LGBTIQ+ community. Andrew spoke with us after the movie and answered questions.
29/06/2021	Seniors Melodies Concert	Nhill Memorial Community Centre	A Sin-a-long and get together with Leo Tellefson and Sandra Loats enjoyed by many. Thanks to staff members Tracey and Matt and to everyone for turning out on the day. It was great see so many people singing,

			clapping and rocking along, and fabulous to meet the Rainbow Groupies. Unfortunately I couldn't make it to the Dimboola event in the afternoon, but I'm sure Cr Deb was there tapping her shoes to the tunes.
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## 7. CORRESPONDENCE

### 7.1 GENERAL CORRESPONDENCE

**Responsible Officer:** Chief Executive Officer

**Attachment Numbers:** 2, 3, 4, 5 and 6

**Introduction:**

The following correspondence is tabled for noting by Council.

**Inwards:**

- 21/06/2021 – Thank You Letter to Mr Greg Wood from Wimmera Southern Mallee LLEN
- 28/06/2021 – Letter from Dimboola Town Committee regarding Proposed Event Funding

**Outwards:**

- 25/06/2021 – Letter to the Hon. Shaun Leane, Minister for Local Government, from Hindmarsh Shire Council regarding Adoption of Annual Budget 2021/2022 Incorporating Revenue and Rating Plan
- 28/06/2021 – Letter to the Hon. Jaala Pulford, Minister for Small Business, from Hindmarsh Shire Council regarding Public Holiday Arrangements for Melbourne Cup Day 2021
- 28/06/2021 – Letter to the Nhill Agricultural and Pastoral Society from Hindmarsh Shire Council regarding Public Holiday Request for Nhill Show Day 2021

**RECOMMENDATION:**

***That Council notes the attached correspondence.***

***MOVED: CRS R Gersch/B Ireland***

***That Council notes the attached correspondence.***

**CARRIED**

*Attachment Numbers: 2 – 6*

**MOVED: CRS W Bywaters/D Nelson**

***That Council supports the Dimboola Town Committee event on Saturday 4 September 2021, providing \$2,000 financial contribution consisting of \$500 in-kind contribution and \$1,500 cash contribution from the Arts and Culture ledger, and up to \$6,000 from the COVID Recovery Funding ledger should grant applications be unsuccessful.***

**CARRIED**

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**8. PLANNING PERMITS**

**8.1 APPLICATION FOR PLANNING PERMIT - PA1712-2021 – BUILDINGS AND WORKS, INCLUDING THE CONSTRUCTION OF CLASSROOMS AND AN ADMINISTRATION AREA AT THE NHILL LUTHERAN SCHOOL AT 2 MACKAY STREET NHILL VIC 3418**

**Responsible Officer:** Director Infrastructure Services  
**File:** Planning - Applications  
**Assessment:** 111340  
**Applicant:** Mr Damon Prenzler, Nhill Lutheran School  
**Owner:** Lutheran Church of Australia, Victorian District  
**Subject Land:** 2 Mackay Street, Nhill (Lots 1 to 6 Block 1 on PS001033) 56-58 Queen Street, Nhill (Lots 39-40 Block 1 on PS 001033)  
**Proposal:** Buildings and Works including the construction of classrooms and an administration area at the Nhill Lutheran School at 2 Mackay Street, Nhill  
**Zoning & Overlays:** General Residential Zone Schedule 1 (GRZ1)  
**Attachment Number:** 7

**Summary**

This report recommends that Council approve Planning Permit PA1712-2021 for buildings and works including the construction of classrooms and an administration area at Nhill Lutheran School at 2 Mackay Street, Nhill.

**Background**

The Nhill Lutheran School (school), at 2 Mackay Street, Nhill, has a current enrolment of 66 students with 8 full time staff.

The school commissioned Brand Architects to prepare a master plan to detail the future development of the campus. Brand Architects, in response, prepared the Nhill Lutheran School Masterplan December 2020 (Masterplan).

The Masterplan is to be implemented over the following three stages:

- Stage 1A provides for the:
  - demolition of the central modular component of the existing school, being the meeting room, staff room, art room/kitchen and classroom 5 located to the south of the entry corridor;
  - relocation or 'decanting' of classrooms A, B, C and D and rooms 1 and 2 for use whilst the proposed works are constructed. These buildings will be demolished once the new works are complete;
  - demolition of the existing two netball courts located to the east of the existing school buildings;
  - construction of a new entry foyer, four classrooms, toilets and small group learning areas generally in the area where the existing buildings are located however setback further from the property boundary with Mackay Street;
  - landscaping of proposed outdoor spaces that include the outdoor learning area, kitchen garden, chook pen and school farm yard;
- Stage 1B provides for the refurbishment of the multi-purpose hall, computer room and library, commonly known as the BER Wing
- Stage 2 includes works associated with a future classroom, outdoor learning spaces and sport /recreation area and any development works not completed as part of the previous stages

Planning application PA1712-2021 relates to those works detailed in Stage 1A of the Masterplan.

### **Proposal details**

Works proposed under Stage 1A are as follows:

#### Demolition

No planning permit is required for the demolition of existing buildings on site. Items to be demolished include:

- the existing school building which includes classrooms A, B, C, D and E, administrative offices, corridors, staff rooms and central modular component, being the meeting room, staff room and art room/kitchen – comprising a floor area of approximately 906 square metres
- two hard courts to the east of the hall
- two sheds and water tanks located in proximity to the classrooms

The proposed demolition works are detailed in **Attachment 1 Existing demolition floor plan**.

The multi-purpose hall, computer room and library, commonly known as the BER Wing, will be retained. A condition of the funding of the BER Wing was the requirement that the building be retained until 2025.

### New school building and associated works

Proposed works include the following:

- Construction of a single storey 677.65 square metre new school building setback a minimum of 30 metres from Mackay Street. The school currently is setback approximately 2 metres from this frontage. Within this increased setback will be an outdoor learning area to be part covered in shade structures. The proposed building will extend over the existing hard courts generally located to the east of the school. The proposed works are detailed in **Attachment 2 Proposed site plan**.
- The proposed school building will comprise of a new entry foyer, four classrooms, a central learning hub, toilets, small group learning area, art/science room, stores, a principal's office, general office and first aid area. A verandah will run along part of the north, east and southern elevations of the building. **Attachment 3 Floor plan** details these works.
- The proposal provides for an overall decrease in floor area of approximately 259 square metres. The existing floor area measures 1,211.36 metres square with the proposed area (including existing building area to be maintained) equals 952.07 square metres.
- The finished floor level of the building is 140.60 metres (AHD), identical to that of the existing classrooms that are to be demolished. The building is to be set above ground level by approximately 400mm.
- An overall height of 5.4 metres is proposed as measured to the highest point on the skillion roof. Wall heights are approximately 3.8 to 4 metres.
- The building will appear contemporary in design with a skillion roof, materials that include brick, scion matrix or similar compressed sheet cladding and colour bond metal sheeting (custom orb or similar). Window and door frames will be powder coated aluminium. See **Attachment 4 Elevations** and **Attachment 5 Views** for presentations of the proposed development.

### **Requirement for a permit**

A planning permit is required under Clause 32.08-9 (GRZ) for buildings and works associated with a Section 2 Use. The existing use, of a school, is a section 2 use as it is not captured in either section 1 or section 3 of clause 32.08-1.

The application is able to meet the statutory car parking requirement therefore no permit is required under clause 52.06-1 Car parking.

### **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 2018 as the proposed development is not within part of the land that is affected by an Aboriginal Cultural Heritage Sensitivity Area.

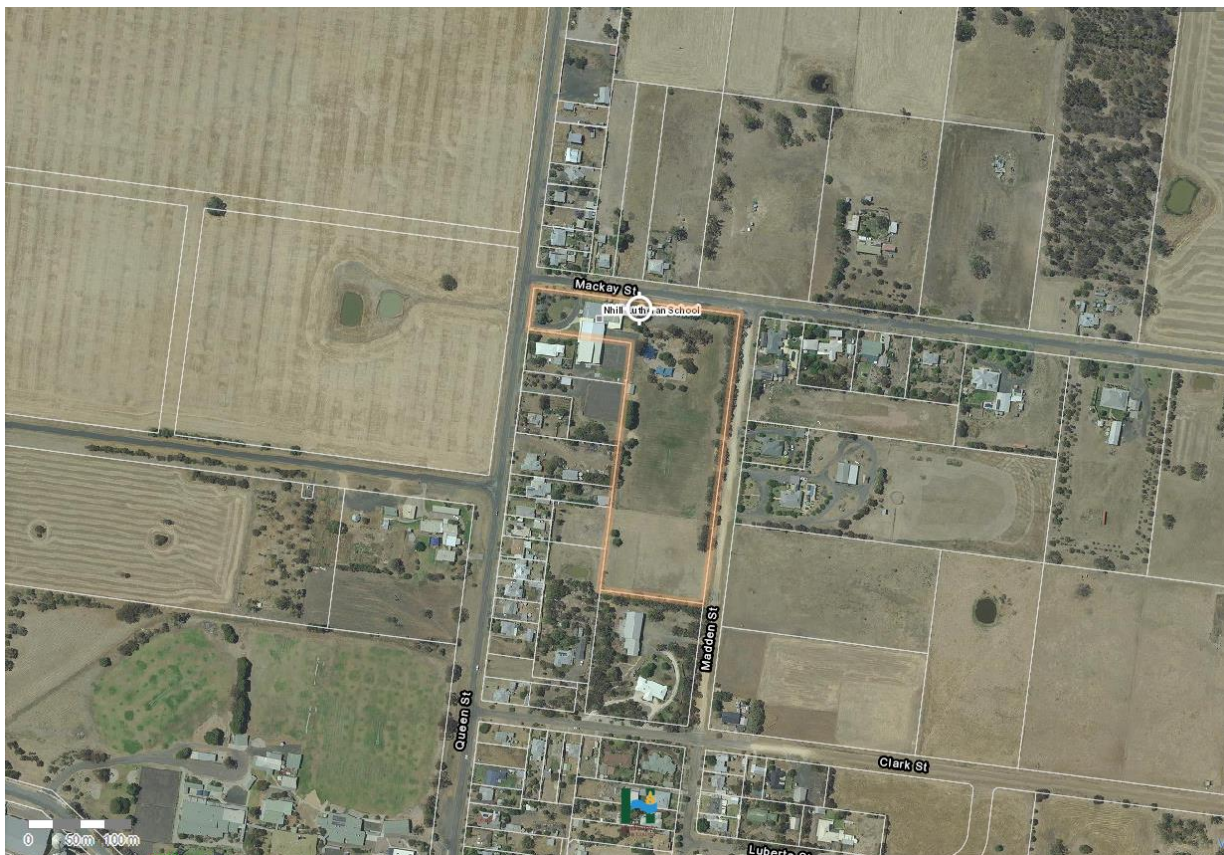
### Subject site and locality

Nhill Lutheran School has been in existence since 1977.

The site is L shaped with a frontage to Mackay Street of 202.21 metres, to Queen Street of 43.98m and to Madden Street of 278 metre. The site has an overall area of approximately 3.26 hectares. The existing school is located within the northern part of the site.

The school is setback approximately 2 metres from the Mackay Street boundary and to the east of the circular vehicle entry/bus parking area accessed from that street.

Land to the east of Madden Street and Mackay Street is zoned RLZ, subject to a lot on the intersection of Mackay Street and Nhill-Netherby Road that is zoned GRZ1. The school is setback a minimum of 129 metres from Madden Street to the east.



Current features of the school include the following:

#### School building

- Five classrooms, two rooms, corridors, meeting room, staff room, kitchen/art room and administrative offices to the north
- South of corridor 6 is a multipurpose room, library, offices and computer area. This wing is to be retained.

#### Vehicle access ways

- an access way runs along the northern boundary of 54 Nhill-Netherby Road providing vehicle access to the existing principal's residence and 14 car parking spaces
- an access way from Mackay Street to Nhill-Netherby Road providing 8 car parking spaces
- an access way from Mackay Street providing 7 car parking spaces and a bus zone.

#### Sporting facilities

- Two hard courts to the east of the classroom and library area
- Playing fields to the south east

#### Principal's residence

The above is accessed from Queen Street and sits to the west of the existing school.

The school currently provides for a total of 66 students. It is anticipated that this enrolment will increase to 89 students by 2024, averaging around 84 students for 2027 to 2030.

The school currently employs the equivalent of 8 full time staff. It is anticipated that up until 2030 it will employ an average of 10 full time staff.

Clause 52.06-5 Table 1 prescribes 1 car space to each employee that is part of the maximum number of employees on the site at any one time.

Based on the above, 10 car parking spaces will be required. The site currently provides for 29 car parking spaces. These car parking spaces are to be retained.

A three metre wide easement runs along the western boundary of the existing school building and hall.

### **Advertising Section 52**

*(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 wouldn't cause material detriment to any person.*

The applicant provided Council with a statutory declaration stating that the application was advertised by way of notice on site for 14 days as required under the **Planning and Environment Act 1989**,

Council received no objections to this application.

### **Referrals**

External referrals

The application was not required to be referred externally.

### **Internal referrals**

The application was referred to the Engineering Department who had no objection to the proposal.

### **Planning assessment**

#### Planning policy framework

- Clause 11.01-1S Settlement
- Clause 11.01-1R Settlement – Wimmera Southern Mallee  
Provide for easy access to housing, education, employment and community facilities, particularly in Horsham and district towns.
- Clause 15.01-2S Building design
- Clause 15.02-1S Energy and resource efficiency
- Clause 17.01-1S Diversified economy
- Clause 19.02-2S Education facilities

#### Local planning policies

- Clause 21.02 Vision-Strategic Framework
- Clause 21.03 Objectives – strategies -implementation

#### Zones

- General Residential Zone – purpose includes:  
*To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The existing use, as an education centre, is a section 2 use within a General Residential Zone.

A permit is required under Clause 32.08-9 Buildings and works for works associated with a Section 2 use.

In assessing the application regard must be had to the following decision guidelines as detailed at clause 32.08-13.

#### General

The Municipal Planning Strategy and the Planning Policy Framework recognize the importance of ensuring that towns provide educational facilities to meet the needs of its



population. The purpose of the GRZ allows educational uses to serve local community needs in appropriate locations.

The Nhill Lutheran School has been established on the site since 1977. This school assists in meeting the educational needs of the community.

The proposed works are to occur in the northern part of a large site where the school currently exists. Numbers 2A Mackay Street and 32 Madden Street, to the east, are located approximately 130 metres from the proposed works. Number 1 and 5 Mackay Street, to the north, are located 20 metres from the proposed works. In both cases, roads separate the dwellings from the school buildings.

There will be no amenity impact on neighbouring properties given the distances between those sites and the proposed works. Furthermore, no objections were lodged by residents of those properties.

*Non-residential use and development*

The use currently exists on site and has done so since 1977. Given its longevity, it is apparent that the school serves local community needs.

The scale of the use is comparable to what is currently occurring on site. It is not anticipated that student enrolments will increase substantially over the next decade. Currently 66 students are enrolled with this number anticipated to increase to approximately 84 students by 2027. An increase of approximately 18 students in this period can be accommodated on site. Available car parking exceeds current requirements and will meet the statutory requirement even with this increase in student numbers.

The proposed single storey building will have an overall height of 5.4 metres. The footprint of the proposed works is comparable to that of the existing building to be demolished as part of Stage 1A.

The proposed building will be setback 30 metres from the Mackay frontage, an increase in setback of approximately 28 metres.

The proposed design provides for landscaping in the outdoor learning area to the north of the new building. This will enhance the streetscape presentation of the school.

It is proposed to do further landscaping to the rear of the new building at a later stage.

Existing car parking and access ways will be retained. As previously detailed, the existing car parking spaces exceed requirements and this will remain the case even with the anticipated increase in students to 84 in 2027.

The school currently provides for three vehicle access ways to the school: two from

Queen Street and one from Mackay Street. Two of these access ways provide for vehicles to access and exit from different entry points.

Vehicle access to the site is therefore safe and convenient.

The proposal will therefore comply with the relevant decision guidelines of the GRZ provisions.

### 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.

In reaching its decision Council has had regard to the following:

- The matters set out in Section 60 of the Act
- The Municipal Planning Strategy and the Planning Policy Framework
- The purpose of the zone
- All matters required to be considered in the zone
- 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 the local planning policies.

### **Report to Council**

The Manager Development advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

### **Processing Times**

11/03/2021 – Application Lodged

23/03/2021 – Fee received

01/04/2021 – RFI issued

29/04/2021 – Final response to RFI received

20/05/2021 – Advertising instruction sent

11/06/2021 – Statutory Declaration returned

17/06/2021 – Final response to referrals received

07/07/2021 – Presented to Council for approval

This report is being presented to Council at its meeting on the 7 July 2021. (56 days). The statutory processing time requirements of the Planning and Environment Act 1987 have been satisfied.

**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, on behalf of Janette Fritsch, Manager Development.

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

**Communications Strategy:**

Advise the applicant of Council's decision.

**Next Steps:**

Issue the planning permit and endorse the plans if approved.

**RECOMMENDATION:**

***That Council approves planning application PA1712-2021 for buildings and works including the construction of classrooms and an administration area at the Nhill Lutheran School at 2 Mackay Street, Nhill, VIC 3418, subject to the following conditions:***

**Endorsed Plans**

- 1. The demolition of the existing building and the use 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.***

**General Requirements**

- 2. The buildings and the site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area to the satisfaction of the Responsible Authority.***

**Amenity**

- 3. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:***
  - a) transport of materials, goods or commodities to or from the land.***
  - b) appearance of any building, works or materials.***
  - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour,***

*steam, soot, ash, dust, waste water, waste products, grit or oil.*

*d) presence of vermin.*

*e) others as appropriate.*

4. *The site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area.*

#### **Engineering**

5. *All stormwater and surface water discharging from the site must be conveyed to the Legal Point of Discharge drains to the satisfaction of the Responsible Authority. No effluent or polluted water of any type will be allowed to enter any Council drainage system.*

#### **Time Limit**

6. *The development approved by 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, and the use is not commenced within four years of the date of this permit.*

**MOVED: CRS M Albrecht/D Nelson**

***That Council approves planning application PA1712-2021 for buildings and works including the construction of classrooms and an administration area at the Nhill Lutheran School at 2 Mackay Street, Nhill, VIC 3418, subject to the following conditions:***

#### **Endorsed Plans**

1. ***The demolition of the existing building and the use 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.***

#### **General Requirements**

2. ***The buildings and the site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area to the satisfaction of the Responsible Authority.***

#### **Amenity**

- 3. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:**
- a) transport of materials, goods or commodities to or from the land.**
  - b) appearance of any building, works or materials.**
  - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.**
  - d) presence of vermin.**
  - e) others as appropriate.**
- 4. The site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area.**

**Engineering**

- 5. All stormwater and surface water discharging from the site must be conveyed to the Legal Point of Discharge drains to the satisfaction of the Responsible Authority. No effluent or polluted water of any type will be allowed to enter any Council drainage system.**

**Time Limit**

- 6. The development approved by 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, and the use is not commenced within four years of the date of this permit.**

**CARRIED**

Attachment Number: 7

## 9. REPORTS REQUIRING A DECISION

### 9.1 LEASE 13 BOW STREET RAINBOW

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

**Introduction:**

This report seeks Council approval to enter into a lease for 13 Bow Street Rainbow (also known as the Llew Schilling Silo) for 30 years with the option of 10 year extensions for a total lease option of 90 years.

**Discussion:**

Council received funding through the Victorian Government's flagship tourism infrastructure funding for up to \$2.1m for tourism projects in Hindmarsh Shire.

The funding offered is for three projects: Rainbow Silo Art Re-imagined, Hindmarsh Silo Art project, and Business Innovation Pilot.

The majority of this funding is for the Rainbow Silo Art re-imagined project which involves utilising the Llew Schilling Silo at 13 Bow Street Rainbow for internal artwork, internal staircase and lift, viewing platform on top of the silo, night projects and possible elements of external artwork.

As part of receiving the funding Council is required to have security over the Llew Schilling Silo. Officers have been liaising with Mr Schilling and presented three options to Mr Schilling for consideration:

1. Establish a lease of the silo and surrounding land impacted by the project (refer to Appendix 1: site map and project area) for an initial period of 30 years with optional 10 year extensions to a maximum of 90 years.

Under this option:

- a. The extensions are solely at HSC discretion.
  - b. Lease is perpetual as a caveat on the land and not impacted or voided by any future sale of the property by the owner.
  - c. HSC has first option to purchase is the land is ever listed for sale.
2. HSC purchase project area at current market price and will pay for valuation and subdivision.

Under this option Council will undertake a valuation of the full parcel of land and incur costs associated with subdividing the land. Council will take ownership of the silo and surrounding land impacted by the project.

The current owner will retain ownership of the parcel of land outside of the silo

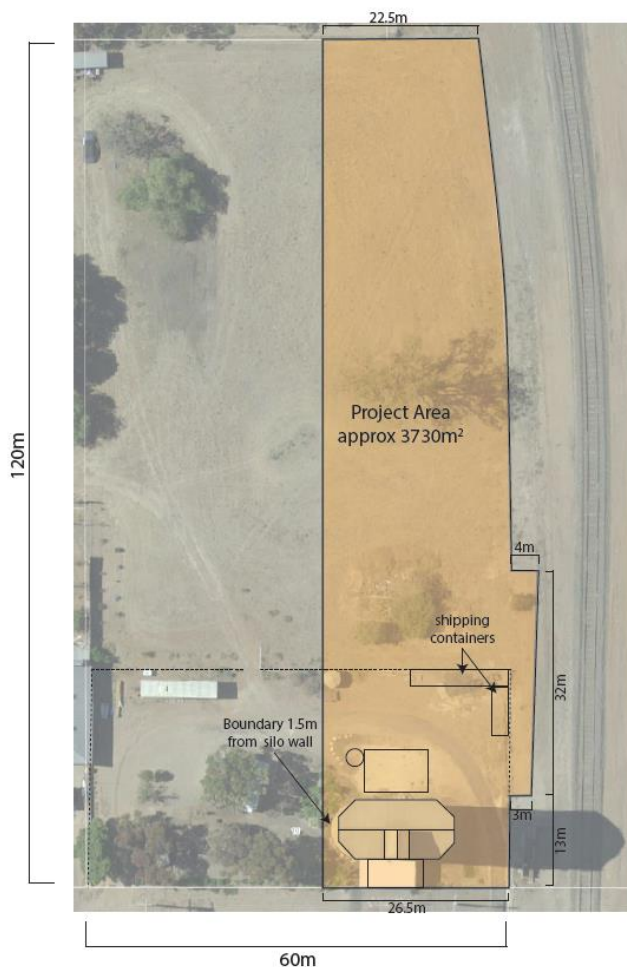
and surrounded land impacted by the project allowing for continuation of his current arrangements.

3. HSC purchase entire land parcel and establish a lease arrangement with the current owner to allow him to live and maintain control of the property outside of the project area.

Under this option Council will undertake a valuation and purchase the full parcel of land. A lease agreement would be drafted to allow the current owner to reside and maintain control of the property outside of the silo and surrounded land impacted by the project allowing for continuation of his current living arrangements.

Mr Schilling's preference is option 1 establishing a long term lease of the silo and surrounding land impacted by the project. The lease terms being an initial term of 30 years, with the option of 10 year extensions for a total lease option of 90 years with rent set at \$1 per annum. Extensions would be at Council's discretion, and provision has been made in the lease agreement for Council to have first option should the silo be placed on the market.

The site map and proposed project area are shown below. The lease area is shaded in orange.



**Options:**

1. Council enter into a long term lease agreement with Mr Schilling for 13 Bow Street Rainbow including the silo and project area. The lease terms being an initial term of 30 years, with the option of 10 year extensions for a total lease option of 90 years with rent set at \$1 per annum.
2. Council negotiate with Mr Schilling to purchase the silo and project area at 13 Bow Street Rainbow which incorporates the silo.
3. Council negotiate with Mr Schilling to purchase the entire site at 13 Bow Street Rainbow then establish a lease arrangement with Mr Schilling for the land and buildings outside of the silo and project area.
4. Council may choose not to enter into any arrangement with Mr Schilling, meaning the project will not go ahead.

**Link to Council Plan:**

Strategic Objective 3.2: A thriving tourism industry

Strategic Objective 3.1: A strong rural economy and thriving towns

**Financial Implications:**

Under the terms of the lease rent will be set at \$1 per annum. Council's annual budget will require an allocation for maintenance on the site.

**Risk Management Implications:**

All risk management implications will be managed during the project. Should Council choose to not go ahead with entering into any arrangement with Mr Schilling there may be reputational damage.

**Relevant legislation:**

Local Government Act 2020

**Community engagement:**

The community will be engaged throughout the process of the Silo Art project through media releases, Facebook posts and articles in Council's newsletters. A project working group will be established to ensure the success of the project.

**Gender equality implications:**

A gender impact assessment will be completed as part of the overall project.

**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 – Monica Revell, Director Corporate and Community Services

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



**Communications Strategy:**

Officers will liaise with Mr Schilling following Council's decision.

**RECOMMENDATION:**

**That Council:**

- 1. authorises the CEO to draft and sign a lease agreement entering into a long term lease with Mr Schilling for 13 Bow Street Rainbow including the silo and project area as detailed in this report, and**
- 2. the lease terms be for an initial term of 30 years, with the option of 10 year extensions for a total lease option of 90 years with rent set at \$1 per annum.**

**MOVED: CRS M Albrecht/D Nelson**

**That Council:**

- 1. authorises the CEO to draft and sign a lease agreement entering into a long term lease with Mr Schilling for 13 Bow Street Rainbow including the silo and project area as detailed in this report, and**
- 2. the lease terms be for an initial term of 30 years, with the option of 10 year extensions for a total lease option of 90 years with rent set at \$1 per annum.**

**CARRIED**

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## **9.2 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE FUND – PHASE 2**

**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 with changes to the original projects report caused by unsuccessful funding applications.

**Discussion:**

Council at the 16 Dec 2020 meeting resolved to:

1. Endorses and allocate 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. Authorise the CEO to vary the projects should final guidelines not allow for the above projects.

The original projects recommended for funding are were follows:

1. Rainbow Library Community Park - \$100,000 (estimate)
2. Rainbow Lake - \$ 90,000 (estimate)

3. Jeparit Camp Kitchen - \$200,000 (estimate)
4. Nhill Tennis Club Sporting Facilities - \$250,000 (estimate)
5. Davis Park Nhill - \$227,000

Unfortunately and, not for lack of trying, Council's submission for grant funding for the Davis Park Grandstand was not successful. Consequently Council Officers recommend that the project be reduced to \$80,000 to get the project shovel ready for when another grant opportunity arises. The remaining \$147,000 allocation of the original project bid could then be used towards the Jeparit Swimming Hole Retaining Wall Project of which there is \$68,910 budget remaining. The design is underway and it is highly unlikely that the project including the deck could be built for remaining budget amount. Whilst Council was given the CEO authority to vary the projects should the final guidelines not allow for the above projects, the guidelines still allow for all of the original projects as approved by Council to be accepted.

It is important to note that all projects under the Local Roads and Community Infrastructure Funds must be finalised by the 31 July 2021, but can be amended by variation with the monetary amounts, but no new projects are able to be added past this date, hence the recommendation to include the Jeparit retaining wall.

**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; Davis Park Nhill (reduced to \$80,000) and the Jeparit Swimming Hole Retaining Wall Project (\$147,000)
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.

**Community engagement:**

The community has had community input into these projects, through community information sessions, club meetings, as well as through the budget process which has now been adopted as the 2021-2022 Annual Budget.

**Gender equality implications:** All projects listed will undergo a future gender impact assessment, as this requirement was added after the December Council Report.

**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. Re-allocates \$147,000 to the Jeparit Swimming Hole project from the Local Roads and Community Infrastructure program (round 2) and reduces the allocation to the Davis Park Redevelopment from \$227,000 to \$80,000.**
- 2. Authorises the CEO to vary the budgeted amounts for Round 2 LRCI projects should there be cost savings and an under/over spend in the projects nominated.**

**MOVED: CRS B Ireland/D Nelson**

**That Council:**

- 1. Re-allocates \$147,000 to the Jeparit Swimming Hole project from the Local Roads and Community Infrastructure program (round 2) and reduces the allocation to the Davis Park Redevelopment from \$227,000 to \$80,000.**
- 2. Authorises the CEO to vary the budgeted amounts for Round 2 LRCI projects should there be cost savings and an under/over spend in the projects nominated.**

**CARRIED**

**10. COUNCIL COMMITTEES**

**10.1 JEPARIT TOWN COMMITTEE**

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

**Introduction:**

The Jeparit Town Committee held its meetings on 15 March 2021 and 14 June 2021. The purpose of this report is to note the minutes from these meetings. A copy of the minutes is included as attachments for the information of Council.

**RECOMMENDATION:**

**That Council:**

1. *notes the minutes of the Jeparit Town Committee meetings held on 15 March 2021 and 14 June 2021; and*
2. *approves appointment as members of the Jeparit Town Committee:*
  - *President – Jason Hutson*
  - *Treasurer – Teresa Smith*
  - *New Committee Members – Sharon Reilly and Tony Simpson*
  - *Existing Committee Members – Cheryl Quinn, Wendy Werner, Graham Blair and Mel Wagener.*

**MOVED: CRS B Ireland/M Albrecht**

**That Council:**

1. *notes the minutes of the Jeparit Town Committee meetings held on 15 March 2021 and 14 June 2021; and*
2. *approves appointment as members of the Jeparit Town Committee:*
  - *President – Jason Hutson*
  - *Treasurer – Teresa Smith*
  - *New Committee Members – Sharon Reilly and Tony Simpson*
  - *Existing Committee Members – Cheryl Quinn, Wendy Werner, Graham Blair and Mel Wagener.*

**CARRIED**

*Attachment Numbers: 8 and 9*

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**10.2 NHILL TOWN COMMITTEE**

**Responsible Officer:** Director Corporate and Community Services  
**Attachment Number:** 10

**Introduction:**

The Nhill Town Committee held its meeting on 21 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 Nhill Town Committee meeting held on 21 June 2021.***

**MOVED: CRS M Albrecht/R Gersch**

***That Council notes the minutes of the Nhill Town Committee meeting held on 21 June 2021.***

**CARRIED**

*Attachment Number: 10*

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### **10.3 AUDIT AND RISK COMMITTEE**

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

**Attachment Number:** 11

**Introduction:**

The Audit and Risk Committee held its meeting on 9 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 Audit and Risk Committee meeting held on 9 June 2021.***

**MOVED: CRS D Nelson/M Albrecht**

***That Council notes the minutes of the Audit and Risk Committee meeting held on 9 June 2021.***

**CARRIED**

*Attachment Number: 11*

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## 11. LATE REPORTS

### 11.1 REGIONAL INFRASTRUCTURE FUND ROUND 2

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

**Introduction:**

This report seeks endorsement from Council for the submission of a funding application to the Victorian Government's Regional Jobs and Infrastructure Fund – Regional Infrastructure Fund Round 2.

**Discussion:**

Council received notification on 1 July 2021 that the guidelines for Round 2 of the Victorian Government's Regional Jobs and Infrastructure Fund – Regional infrastructure Fund (RIF) had been released with a closing date of 10 August 2021.

The RIF round 2 seeks to assist the growth of rural Victoria by providing grants for infrastructure projects that have the potential to stimulate economic and community activity, including those that seek to support recovery from COVID-19 and other major economic challenges, in regional Victoria.

The objectives of the fund are:

- To create and retain jobs and support regional economies and communities, including transition, diversification and recovery efforts.
- To increase economic and social benefits through improved community access and usability of precincts, town or region.
- To increase economic and social benefits through investment in strategic and public enabling infrastructure.

Round 2 of the program will be delivered as a single competitive round with applications to be received from eligible organisations to support infrastructure projects that have a focus on strengthening regional jobs, economic and community outcomes.

A co-funding contribution is required from Council and as Hindmarsh Shire Council is classed as a Small Rural Council the funding ratio is \$4:\$1. Grants will be capped at \$3 million per project with the minimum amount of funding for a project being \$20,000.

It is proposed that funding of up to \$500,000 will be sought for the development of permanent facilities at the Rainbow Desert Enduro and Rainbow Rises 240 site at Rainbow with a contribution from Council of \$125,000 allocated from the Federal Government's Local Roads and Community Infrastructure fund round 3.

Developments will include:

- Construction of the pit area and access road;

- Supply and installation of power to the site;
- Construction of sheds for catering services, food court, storage, workshop (hot works) and under cover spectator area;
- Office, meeting, event management and first aid rooms;
- Construction of public amenities and amenities including showers for drivers and crew;
- Appropriate fencing and pedestrian access areas; and
- Rainwater storage tanks for collection of storm water from sheds for use in amenities and facilities.

The construction of permanent infrastructure will provide greater efficiencies for the local volunteer community organisation that helps to organise and run the Rainbow Desert Enduro and Rainbow Rises 240.

Permanent infrastructure will increase the attractiveness of Rainbow as a location for other off-road motor sports and will provide better facilities for drivers, crews and spectators.

**Options:**

1. Council can choose to submit an application for funding to the Regional Infrastructure Fund Round 2.
2. Council can choose not to submit an application for funding to the Regional Infrastructure Fund Round 2.

**Link to Council Plan:**

Strategic Objective 1.1	An actively engaged community
Strategic Objective 1.2	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 3.1	A strong rural economy and thriving towns
Strategic Objective 3.2	A thriving tourism industry

**Financial Implications:**

Council's contribution towards the grant application will be an allocation from the Federal Government's Local Roads and Community Infrastructure fund round 3.

**Risk Management Implications:**

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

**Relevant legislation:**

Not applicable.

**Community engagement:**

A community engagement plan has not been prepared but the works as outlined in the report were identified and prioritised by a community based committee however a community engagement plan will be prepared prior to implementation of the project.

**Gender equality implications:**

A Gender impact assessment will be undertaken prior to any works commencing should the application be successful.

**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 – Phil King, Economic and Community Development Manager.  
In providing this advice as the Author, I have no disclosable interests in this report.

**Communications Strategy:**

To be established if funding is obtained.

**Next Steps:**

Liaise with the Rainbow Desert Enduro committee to ensure all details and costs for the project are available for inclusion in the grant application.

**RECOMMENDATION:**

***That Council:***

- 1. endorses a funding application of up to \$500,000 through Regional Infrastructure Fund Round 2 for the development of permanent infrastructure at the Rainbow Desert Enduro and Rainbow Rises Site, and***
- 2. allocates up to \$125,000 from the Federal Government's Local Community and Infrastructure Fund Round 3 as Councils co-contribution towards the project.***

***MOVED: CRS R Gersch/B Ireland***

***That Council:***

- 1. endorses a funding application of up to \$500,000 through Regional Infrastructure Fund Round 2 for the development of permanent infrastructure at the Rainbow Desert Enduro and Rainbow Rises Site, and***
- 2. allocates up to \$125,000 from the Federal Government's Local Community and Infrastructure Fund Round 3 as Councils co-contribution towards the project.***



**CARRIED**

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## 11.2 SILO ART

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

### **Introduction:**

This report seeks to inform Council that the next funded Silo Art Trail instalment in Hindmarsh Shire will be at Arkona rather than Dimboola as stated in the original funding announcement from the Minister. This report clearly highlights the reasons for this whilst demonstrating a continued positive outcome for the visitor economy of Dimboola and Jeparit.

### **Discussion:**

In December 2020 the State Government announced a funding package of \$4.9m to implement the first round of priority projects from the *Silo art extension project – Priority investments overview* report developed for Regional Development Victoria. \$120 000 of this package was allocated to Hindmarsh Shire for a new Silo Art Trail project. The report and funding announcement named Dimboola as the site for this.

Council officers have since been informed from GrainCorp (Dimboola silo owners) that they would not grant permission for silo art at Dimboola due to the site currently in the process of being sold. For privacy reasons GrainCorp could not inform Council of the purchaser's name or the timeframe of this sale.

Council officers had previously engaged in discussions with the owner of Arkona silos, 10km north of Dimboola, as a potential Silo Art Trail site. Following hearing from GrainCorp regarding Dimboola not being available, further discussions and agreement for the use of Arkona has been obtained.

The Arkona site offers many positives over the Dimboola site, including:

- Strengthening the Silo Art Trail route along the Dimboola Rainbow road with potentially greater attraction to Jeparit than if the Dimboola site was used.
- Negates issues of community housing and school impacts that would have arisen in Dimboola due to significantly increased traffic and parking along residential streets.
- Will remain an asset attracting people into Dimboola as the closest town, services and amenities to Arkona. This attraction can be strengthened by interpretive tourism signage at the silo site highlighting Dimboola.
- If the final artwork style is divisive, as art often is, the local community can choose whether to visit the site or not minimising any potential negativity or backlash that may occur if it was in Dimboola.

### **Link to Council Plan:**

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:**

There are no financial implications to Council for the changing of location as this is a fully funded project.

**Risk Management Implications:**

There is a risk to Council that the Dimboola community may dislike the change of site. However, this risk will be minimised through a clear communications strategy.

**Conflict of Interest:**

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

Author: Jeff Woodward, Tourism and Economic Development Officer  
In providing this advice as the Author, I have no interests to disclose.

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

**Communications Strategy:**

The Arkona Silo Art site will be announced in a media release following the Council Briefing. Reasons behind the decision to substitute Dimboola with Arkona, plus the continued positive impact to Dimboola, as discussed in this report will be reiterated in the media release.

***MOVED: CRS W Bywaters/D Nelson***

***That Council receives this report.***

***CARRIED***

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**12. NOTICES OF MOTION**

**13. OTHER BUSINESS**

***MOVED: CRS D Nelson/W Bywaters***

***That Council:***

- Writes to and congratulates John and Alex O'Halloran on revitalising the Dimboola Store which has just been sold to local people; and***

- ***Writes to and congratulates Linda Millane and Tori Lehmann on purchasing the Dimboola Store.***

**CARRIED**

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#### **14. 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*

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#### **15. MEETING CLOSE**

There being no further business, Cr R Ismay declared the meeting closed at 3:51pm.



# STUART GRIMLEY MP

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



Mayor Ron Ismay  
Hindmarsh Shire Council  
PO Box 250  
Nhill, Vic. 3418



Dear Mayor Ismay, *Ron*

RE: Victoria's Big Housing Build Program

I write to you today to ensure you are aware of the Victorian Government Big Housing Build Program. The program aims to deliver social and affordable housing to Victorians. I have recently asked Mr Richard Wynne (Minister for Planning and Housing) to ensure there is sufficient allocation of funds to each council in Western Victoria .

Through my regular meetings with Western Victorian councils, there has been a recurring issue of housing shortages, particularly in the more regional LGAs. The Big Housing Build Program has a purpose of helping to ease these shortages by providing social and affordable housing. However only 7 of the 24 councils in Western Victoria are guaranteed a minimum investment from the government. Your council has not been allocated a minimum investment.

Minister Wynne has recently sent me a response outlining what councils must do to increase their chances of funding. In the letter he stated that, "I encourage councils within your electorate to consider partnering with community housing providers to identify and develop project proposals for these funds."

I am strongly encouraging your council, if you have not already, to make a proposal for the Big Housing Build Program. Currently the government has not yet allocated \$485 million of funds for the program.

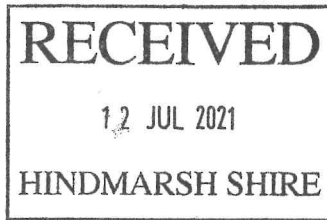
Minister Wynne has also noted that "Homes Victoria will work with local governments to discuss their priorities for social and affordable housing and to ensure projects contribute to positively to local neighbourhoods."

I have attached the Ministers response. To contact Homes Victoria please visit their website at [www.vic.gov.au/homes-victoria](http://www.vic.gov.au/homes-victoria). If you require any further information or assistance, please feel free to contact my office, via email at [stuart.grimley@parliament.vic.gov.au](mailto:stuart.grimley@parliament.vic.gov.au) or via phone on 03 5218 5001.

Yours Sincerely,

*7/7/21*  
Stuart Grimley  
Member for Western Victoria  
State Leader-Derryn Hinch's Justice Party





ASSESS #	
ACTION	DIS
INFO	DE
X REF	321082

53 Taverner St,  
 RAINBOW 3424  
 4.7.2021

To the CEO, Mayor and all Councillors,  
 Hindmarsh Shire Council,  
 92 Nelson St.  
 NHILL 3418.

**Public Consultation of Road Gazetting of B Double Routes within the Shire - Taverner St, Rainbow.**

To recap-

My first letter to CEO Wood dated 22.3.2021 setting out the problems the ratepayer/homeowners face because of the use of Taverner Street as a 'go to' with the traffic of B-Doubles - to date **3 months** later no response has been received from Mr. Wood.

In view of that I then sent the same letter to the **Hindmarsh Shire Council**, to be tabled and addressed at the next meeting which I believe was the 9.6. 2021

How unfortunate was it that the meeting of the 9.6.2021 was not only not live streamed but also not recorded and as it has evolved only selective items received an entry into the minutes of that meeting.

**I refer to my letter to Council which cannot be found within those minutes if meeting.**

**WHY?**

Why was my letter not given the same amount of time and discussion as

every other subject listed in the Agenda. Where within the minutes were the recommendation of what the shire would do to examine my suggested alternate route for the B-Doubles away from Taverner St.

Why have'nt I received one word from the Shire and why hasn't the site for the alternate route been examined with myself in attendance?

Why is the Hindmarsh Shire Council not prepared to assist the ratepayer/homeowners that live on Taverner Street -such lack of action flies in face of what the shire has stated in their Council Plan and has stated publicly for careful consideration of road safety issues for all users -pedestrians, cars, school buses, and presumably residents.

In view of the above I contacted a shire councillor and expressed dissatisfaction of the Shire Council's performance. The Councillor then contacted the shire and for which I have received the **following totally unsatisfactory letter** (copy attached). However my thanks to the Councillor for this assistance.

A precise that letter states - I quote

"The content of your submission was included ' in the report' presented at council meeting of 5th May. Subsequently Council requested that your concerns be referred to the Rainbow Town Committee for discussion."

May I enquire as to what 'report' do you refer? And why was it included in anything other than my total letter itself? My letter should have been discussed solely.

Why should my letter be sent onto any third party? If I had wanted the town committee to be involved this stage I would have contacted them myself and as they are just an unelected off shoot of the shire I see no value of their input as has been proven.

I see no discussion in the minutes of meeting of the 5th May re my

letter.

**Why.**

The letter from the Shire goes on to say- I quote

"The Rainbow Town Committee at their meeting of the 21st June support the reduction of the speed limit and they will advocate and lobby VicRoads through the council to reduce the speed limit in town.

With the regard to an alternate route the town committee **felt is not a financially feasible option** at this time as the Gypsum Pit owners would unlikely fund this and council would need to seek alternate funding."

Please advise what 'through the council' actually means.

Please advise exactly how the town committee through the shire will accomplish this?

Has the town committee been to examine the alternate route as I have suggested - if so why I have I not heard from any of the 10 members of that committee or do they just continue with lip service to the shire. Why haven't I heard of any of this from the shire or the town committee?

They state **at this time** the gypsum mine owners would unlikely fund the alternate route. How would they know this - have they contacted any of the mine/land owners or is it just presumption on their lazy behalf. If the mine owners have no other route they will, or perhaps go through Hopetoun instead.

Which as this time as against any other time? **Now** is an excellent time.

Why has the town committee felt it is not a financially feasible option **now** to finance another route. Is the town committee more interest in the mine owners than the homeowners/ratepayers of the shire who are in the unfortunate position of having their homes being damaged.

It is the landowners, the mine owners, truck drivers who are benefitting

financially from the gypsum mines, and not Rainbow or its residents. Rarely does a truck pull unto the service station for fuel or to patronise the food outlets.

Rainbow is just "go thru" to somewhere else, and I am most surprised to see a town committee put those values against the townspeople they are supposed to represent.

I believe none of the town committee members live in Taverner Street so they are hardly the ones to made decisions for those who do and whose homes are the ones being damaged.

As far as lobbying Vicroads to lower the speed limit - this was requested some years ago to Vicroads and we were told this could not be done as Taverner Street was a public road and the speed limit would stay at 60 zone even though the kindergarten and schools were in Taverner Street, and it was up to the police to enforce the speed limit.

How would this help?

This could not be enforced 24 hour a day for months on end by the police or would the town committee members be prepared to do this and how would they enforce speedsters?

The only positive action is to have the B-Doubles off Taverner Street altogether.

I would be interested in which of the town committee or shire members or mine owners are prepared to come to our homes and repair the damage already noted - at their cost of course, and when the same thing happens again next year and again the next year for the next 15 years - the life of some of the mines. Hands up please!

Please find enclosed copy (not to scale) of the proposed alternate route/s for the B-Doubles to by pass Taverner St, Rainbow.



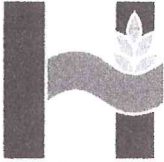
As the problem of the B-Doubles using Taverner Street has not been resolved or had expected assistance from the Hindmarsh Shire Council and now the Rainbow Town Committee from my previous letter, I request **this letter** be tabled at the next shire meeting for the expected assistance to be given to the ratepayers of Rainbow from all the Hindmarsh Shire Councillors.

Yours fathfully,

  
Anne Simms

Ratepayer

encl..2



**Hindmarsh  
Shire Council  
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  
Centres**

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

**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

22 June 2021

Anne Simms  
53 Taverner Street  
RAINBOW VIC 3424

Dear Anne

**Re: B Double Public Consultation Closed 2 April 2021**

Thank you for your submission to the written feedback on the proposed guidelines for assessing roads for the suitability of carrying B-Doubles.

The content of your submission was included in the report presented at the Council meeting on the 5 May 2021. Subsequently Council requested that your concerns be referred to the Rainbow Town Committee for discussion.

The Rainbow Town Committee held its meeting on 21 June 2021 and advise that they support the reduction of the speed limit and that they will advocate and lobby VicRoads through the Council to reduce the speed limit in town.

With regards to your request for the trucks to use another route, the town committee felt that this is not a financially feasible option at this point in time as the Gypsum Pit owners would unlikely fund this, and Council would need to seek alternative funding.

Please also note that Council is currently reviewing our processes for receiving correspondence, so that we can ensure prompt and appropriate responses to all our community members.

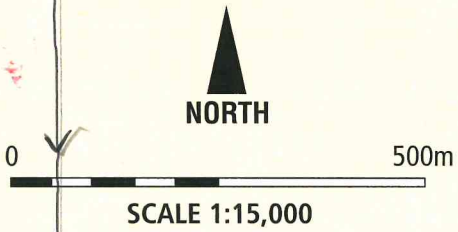
Yours sincerely

TOTALLY UNACCEPTABLE.

# Rainbow



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6 Park St Nhill, Victoria 3418. www.westprint.com.au  
Cartography by flatEARTHmapping.com.au



## 1 KEY TO MAP FEATURES

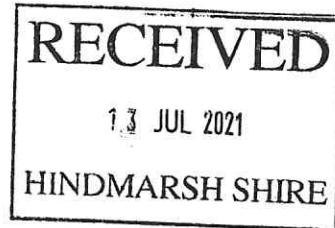
- 1 Lutheran Church
- 2 Doll display
- 3 Shire office & Civic Centre
- 4 Post Office & public telephone
- 5 Archive & Historical Society
- 6 Newsagency
- 7 Railway murals
- 8 Catholic Church
- 9 Eureka Hotel
- 10 Royal Hotel
- 11 Playground & disabled toilet
- 12 Uniting Church
- 13 Adult Education Centre
- 14 Anglican Church
- 15 King Street Rotunda
- 16 Playground
- 17 Tennis & netball courts



NOT TO SCALE		LEGEND	
Highway; Route numbers		Perennial lake; Swamp	
Major road, sealed		Park or reserve; Other area	
Minor road, sealed; Unsealed		Fuel; Caravan park; Accommodation	
Railway line and station		Information centre; Toilets; Church	

WHEATLANDS RD WEST  
HOPETOUN ROAD  
TAVERNIER  
GRAY ST  
QUEEN ST  
ALBERT ST  
BOW ST  
FEDERAL ST  
EDDY ST  
WINIFRED ST  
LAKE ST  
SANDERS ST  
DIMBOCLA - RAINBOW ROAD  
BIRCHMID RD  
KARACHANISBEAL BEACH  
Rainbow to Hopetoun 47 km  
Rainbow to Nhill 67 km  
Rainbow to Jeparit 32 km

11<sup>th</sup> July 2021



ASSESS #	
ACTION	DIS
INFO	
X REF	330758

330544  
330543

To

Angela Hoy

Director Infrastructure Services

Hindmarsh Shire Council

92 Nelson Street Nhill 3418

Dear Angela,

I would like the information in this letter distributed to the Shire Councilors, as unable to make comment in 'Have your say' on the Hindmarsh Shire website re the road management plan.

Please have this letter noted as correspondence in and read at the next shire meeting also.

I have been onto the website to make a comment on the current road management plan - Western Beach Road is the only road in the 'have your say' - that does not have the ability to do so. Western Beach Road Rainbow is also noted as not being owned by the Shire. If this is so -could you please explain on what grounds the Hindmarsh Shire Council gave Albacutya Gypsum mine the right to use Western Beach Road as a transport route prior to ownership, that now allows hundreds of trucks per day on a single sealed lane road during the gypsum season?

There are hundreds of B-doubles that already use Western Beach Road per day during Gypsum season

There is no mention of road trains that are using the road.

The road management plan grossly underestimates the number of B- double use of the road per week, as there are hundreds per day during the gypsum season!

If there is any discrepancy with the road counters relating to truck numbers, I would be happy to provide evidence from private surveillance in future.

I ask that B-doubles be excluded from using the single sealed road - Western Beach Road

I also ask that road trains be banned from using Western Beach Road.

I ask that the Hindmarsh Shire Council address outstanding complaints of dust and noise for my house on Western Beach Road.

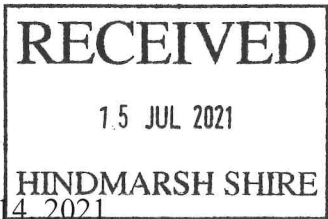
The dust and noise continues to be a health hazard to the household and the environment.

Should you require any further information,  
please feel free to contact me

kind regards,

A handwritten signature in black ink, appearing to read "Carol Paech".

Carol Paech  
15 Western Beach Road  
Rainbow 3424



To the Hindmarsh Shire CEO and Council,

I wish to respond to the article in The Wimmera Mail Times Wednesday July 14, 2021. This article is about the swimming hole improvements in Jeparit. In this article the CEO Greg Woods States that "Hindmarsh Shire Council selected the swimming area as a 'visitor node', which will serve as the end of the 68 km Wimmera Discovery Project."

The swimming hole was never envisioned to be the **end** of the Wimmera River Discovery Trail. The original Wimmera Mallee Destination Management plan commissioned by the Wimmera Development Association in 2019 always included Lake Hindmarsh as the Final destination of the first Stage of this project, and Council's own report tabled at the 16 December 2020 meeting ended the trail at the Four Mile Beach. What has happened to this original plan? How has the \$1.2 million dollars grant been spent if not on the rail Bridge crossing at Jeparit?

Lake Hindmarsh has always been revered by locals and visitors alike. Countless times I hear "I have always loved coming here", "I had such fond memories of camping here when I was young" Today even with the lake dry there are a steady stream of visitors looking for a quiet piece of nature. A place to watch the sunrise and sunset, a place where families and friends can come in large groups to spend their school holidays....where else can you have the whole beach to yourself? Yet the Council in its wisdom has again ignored the opportunities this beautiful and tranquil Four Mile Beach camp ground provides.

Anecdotally, there have been several stumbling blocks for getting the trail from the Jeparit Visitor node to Four Mile Beach. To do this the trail is currently mapped through the Jeparit Golf course and over the Old Railway Bridge. In December 2020, the Council decided to explore an alternate crossing of the Wimmera River due to the cost of a structural integrity and lifespan assessment on the existing Rail Bridge.

The use of an alternate crossing for the Wimmera River Discovery Trail (WRDT) is at odds with the original Wimmera Mallee destination management plan and was proposed without any community consultation, this crossing lacks regard for the current tourism policy and the current planning scheme. To minimize the importance of this iconic rail bridge as part of the WRDT is a huge mistake that could dramatically affect visitation numbers.

At the Council meeting September 23, 2020, a report was tabled under Item 9.4 Wimmera River Discovery Trail Development Update and states

#### **"Jeparit Rail Bridge**

As the refurbishment of the Jeparit Rail Bridge is expected to be a significant cost of the project, appropriate engineers have been appointed to carry out assessments on the structural integrity of the bridge and to design plans for a pedestrian crossing. Once this work has been carried out, Council will be able to obtain costs for the refurbishment of the bridge.

Did the Shire appoint Appropriate engineers? Did the Shire approach other engineering companies to quote on assessment of the rail bridge? No! This assessment was not performed as **Shire Officers** determined in the interim that the price tag for this assessment was too high, and requested that the Councillors approve a tender for an alternate river crossing at the December 20, 2020 meeting. It is my understanding that the Shire employee's role is to present a balanced argument to Councillors rather than simply bulldozing their preferred option, and deciding for the Councillors. No estimates for remediation of the current bridge were presented. No estimates for the proposed new bridge, or indeed any comparative estimates for the assessment were presented and no community engagement to determine the level of support for retaining current trail over the railway bridge, and now in this article it seems the Shire in its wisdom will not even finish the trail...This is not

transparent governance, it is certainly not good governance. Surely this means the Shire will have to give back a substantial portion of the funding for this trail? Or will they simply use it in Dimboola, leaving Jeparit to miss out on crucial tourism dollars again?

How has it come to this?

It seems that the decision to tender for a new bridge was solely predicated upon the price tag of a structural assessment of the rail bridge, rather than the actual structural integrity of the bridge. The Hindmarsh Shire Council contracted with just one engineering firm to provide an initial inspection and quote for an assessment. This is at odds with my understanding of HSC policy or indeed good business practice in general which demands approaching several companies for quotes on large projects such as this.

In 2016 when this trail was first imagined it was touted to bring up to \$3.3 million dollars to the region a year. Our own Councillors of the time believed it would bring 20 000 visitors to our Shire each year. I believe that the price tag for the structural assessment is appropriate for the number of visitors and the boost to our local economy that this trail and river crossing could bring to our local town. Further a desktop analysis from an alternate structural engineering firm that I have spoken to personally has stated "we can see why the Council would have advised you 12 months ago that the substructure of the former bridge is quite solid. We agree with their call". So why hasn't Council continued down this path?

The Council report of September 23, 2020 makes no mention of the possibility of an alternative river crossing, instead The Community was lead to believe that work on this bridge would take priority over other sections of the river (such as the Dimboola Node), and sufficient funding was allocated to this bridge as part of the Wimmera River Discovery Trail (WRDT). I cant help but wonder if the real objective behind this alternate bridge, and now the axeing of the river crossing is due to the overspending of the Dimboola section? How much of the \$1.2 million in funding has already been spent on this trail?

So why is the trestle bridge so important to the WRDT?

The Wimmera River Discovery Trail is envisioned to provide a recreational walking/biking trail between Dimboola and Lake Hindmarsh (stage 1), and is part of a larger vision discussed in the Wimmera Mallee Destination Management plan published by the Wimmera Development Association in April 2019.

In this report The WRDT was identified as a priority project in the Grampians Region Cycling and Trails Infrastructure Business and Master Plan, stating it [the trail] will be developed and promoted as a suite of experiences for a number of markets offering journeys of different lengths along the river corridor as well as visitor experiences at key hubs including Horsham, Dimboola, Jeparit and Ebenezer where visitors may do short walks or experience the river, environment and cultural stories without actually doing major sections of the Trail. **Because of the long distances, [and] the relatively unchanging landscape along the route... the redevelopment of the old Jeparit railway bridge would appeal to a broader market and assist in better positioning the overall trail experience.'**

The use of the trestle bridge as the river crossing was billed as iconic by our own Shire Officers at the only community conversation December 2019, but somehow it has fallen from Iconic status and being touted as 'a very solid structure' in September 2020, to being in disrepair and not worth following up two months later. There was no other option floated at this meeting, or at any time since. What a surprise then to see this tender for an alternate bridge being recommended before any public consultation with respect to this change of direction. Time and time again the Shire has omitted the Community as being a stakeholder in this project. The Shire does not see the community as a stakeholder even as they expect 20 000 visitors to the area each year which will

require infrastructure/services planning for the Jeparit township and surrounding areas. This could possibly be the largest boost to Jeparit's economy since the towns formation, but the Shire in its shortsightedness has chosen to disregard this amazing cultural heritage asset and instead plonk a new bridge somewhere downstream of the current railway bridge. (Or is it now just 50 metres upstream -ruining the beauty of the approach to this magnificent structure). This Shire and the Council has prematurely changed direction with respect to this crossing without proper community consultation, again leaving the four mile beach camp ground high and dry.

Is the trestle bridge a very sound structure, or in poor condition?

The Hindmarsh Shire Council has repeatedly refused to release the engineering report, that was used as a basis to change strategy on the river crossing, falsely stating that it is not their report. A freedom of information request has since revealed that this report is in fact owned by the council, and, as it was paid for by public funds should be freely available to the community as major stakeholders in this project. Why has the community been denied access to a report that was paid for with public funds and, since the actual structural integrity assessment has not be performed, on what basis has the Shire determined that the trestle bridge is actually 'in poor condition'?

Further, the use of a new bridge is at odds with the current tourism policy whose focus is on promoting heritage assets, and the current Planning scheme of August 2020 02.03-5 which states that the Shire will 'Protect those places in Hindmarsh Shire that are of historic and cultural significance.' I contend that the railway bridge is one of those historic, and culturally significant places, and the current decision to bypass this bridge with a new steel bridge or indeed end the trail in Jeparit, will leave our beautiful rail bridge to fall into disrepair. I fear this will leave history to show this as a missed opportunity to save our iconic trestle bridge and further develop our tourist economy.

The four mile beach camp ground is currently a hidden gem, a place where those in the know stop by for some peace and tranquillity. It could be much more, the infrastructure is there. With an influx of visitors from the WRDT the current toilet and shower block could be upgraded, the Kiosk could be reopened, and accommodations built, providing a huge boost to both Jeparit and the Shire's local economy.

In conclusion, I as a member of the community and ratepayer of the Shire request that the HSC applies its own policy with respect to spending public monies, and investigate an alternative engineering company to determine assessment and refurbishment costs of the Jeparit Rail Bridge. This Shire should spend more time researching the viability of the current rail bridge rather than jumping to a new bridge or failing to ensure a river crossing at this point, allowing our beautiful iconic trestle bridge to fall into the river. The \$1.2 million dollars in funding have been allocated to the WRDT. We all know how competitive getting these grants are. Lets not waste our opportunity. This is a most important piece of the tourism puzzle in our region, bringing younger tourists and their families to the area. Lets be bold and finish the job we started.

Yours Sincerely

Wendy J Werner

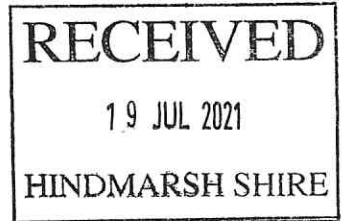
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# ANNE WEBSTER MP

FEDERAL MEMBER FOR MALLEE

**THE NATIONALS**  
*for Regional Australia*



9 July 2021

Hindmarsh Shire Council  
CEO Mrs Greg Wood  
PO BOX 250  
NHILL VIC 3418

Dear Greg,

**Re: B-double access on local roads in the Hindmarsh Shire**

Roy Dickinson from Nhill has spoken to me regarding the issue of B-double truck access to his farm. Roy advised that his farm is situated 40km from Nhill and that the Hindmarsh Shire Council will not approve B-doubles on local roads. Roy believes that most, if not all VicRoads can take B-double size trucks. The current system requires a permit (lasting 12 months) if the road is not gazetted for use by B-doubles. There are very few roads in the Hindmarsh Shire Council where B-double trucks are allowed, including the roads to his farm. He believes all farmers with B-doubles should be able to access all their paddocks in the Shire without having to apply for a permit. He feels councils don't understand that B-doubles are more efficient and ultimately more cost effective/safe.

Can I ask for a review of the situation and for Roy to be contacted please. I would appreciate being cc'd in to his reply.

Kind regards,

Dr Anne Webster MP  
Federal Member for Mallee  
DW





**Barengi  
Gadjin**

LAND COUNCIL  
ABORIGINAL CORPORATION RNTBC  
ICN: 4395

Councillor Ron Ismay  
Mayor  
Hindmarsh Hindmarsh Shire Council  
PO Box 250  
Nhill VIC 3418  
[rismay@hindmarsh.vic.gov.au](mailto:rismay@hindmarsh.vic.gov.au)

Dear Mayor

**Request to close Ebenezer Mission Road and transfer ownership to Barengi Gadjin Land Council**

I write to you to request Council consider the closure of Ebenezer Mission Road, and transfer ownership to Barengi Gadjin Land Council.

As you may be aware the BGLC and the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk People are currently in the final stages of negotiations with the State of Victoria for a settlement under the *Traditional Owner Settlement Act 2010*. As part of these negotiations BGLC has requested that the State consider transferring ownership of the Ebenezer Mission Road to BGLC.

Ebenezer Mission is of significant cultural and historical importance to the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples. It is the place where many of our ancestors were forcibly removed to and holds deep emotional and spiritual significance that is still keenly felt by all Wotjobaluk People today. These feelings are mixed and range between joy and celebration to pain and sadness, reflecting the history of the mission. This is the place where the Wotjobaluk People's ancestors were protected from the violence of the invading pastoralists and where together their cultural traditions survived. But this is also the place where Wergaia language and ceremonies were not allowed to be practiced, through the Missionaries attempts to 'civilise and Christianise' the Wotjobaluk residents.

It is the place where many of our ancestors suffered and died, sometimes violently, only to be buried in unmarked graves in the mission cemetery. There are stories handed down from our ancestors to us today. These stories suggest that the unmarked graves continue from the current fenced off cemetery to under the current paved carpark and road. Some of these stories point to a mass children's grave being situated in this location.

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**Barengi  
Gadjin**  
LAND COUNCIL  
ABORIGINAL CORPORATION RNTBC  
ICN: 4395

It is for the reasons stated above that BGLC seeks the closure of Ebenezer Road, and transfer of ownership of the entirety of the road. It would then be our intention to install an access gate at that location so as to enable access to the site, and for BGLC as the land manager to then undertake necessary cultural heritage inspections.

BGLC is of the view that the closure and transfer of the road will have no impact on surrounding property owners, as the made road provides no through access point.

We trust Hindmarsh Council will vote in favour of closure and transfer of the road in light of the significance of the area and look forward to hearing your response in due course.

Yours Sincerely

Tim McCartney  
Acting Chief Executive Officer  
Barengi Gadjin Land Council

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**Hindmarsh**  
Shire Council

**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](mailto:info@hindmarsh.vic.gov.au)

website:  
[www.hindmarsh.vic.gov.au](http://www.hindmarsh.vic.gov.au)

ABN 26 550 541 746

**Customer Service  
Centres**

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

**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

8 July 2021

Kaylene Pietsch  
Chairperson  
Dimboola Town Committee  
Email: [dimboolatc@gmail.com](mailto:dimboolatc@gmail.com)

Dear Kaylene

**Re: Event Funding Submission**

Thank you for your letter dated 28 June 2021 regarding the inaugural Dimboola Steampunk Festival to be held on 4 September 2021.

Council considered your submission at its meeting held on Wednesday 7 July 2021 and resolved to financially support the event.

Council will provide the Dimboola Town Committee with funding of \$2,000 from the Arts and Culture ledger. This will be made up of \$500 in-kind to cover Council expenses in relation to the event, along with \$1,500 cash contribution.

Council has also allocated up to \$6,000 from the COVID recovery ledger to support the event should grant applications submitted for the event be unsuccessful.

On behalf of Council I would like to thank you for your letter. We look forward to the inaugural Dimboola Steampunk Festival and thank the committee for their work in bringing this event to fruition.

Please contact me on 03 5391 4444 or email [mrevell@hindmarsh.vic.gov.au](mailto:mrevell@hindmarsh.vic.gov.au) if you require any further information.

Yours sincerely

Monica Revell  
**Director Corporate and Community Services**



**Hindmarsh**  
Shire Council  
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

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10 Roy Street  
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DIMBOOLA VIC 3414  
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Fax: (03) 5395 1436

12 July 2021

John and Alex O'Halloran  
134 Eggleston Street  
OCEAN GROVE VIC 3226  
Email: [johngohalloran@bigpond.com](mailto:johngohalloran@bigpond.com)

Dear John and Alex

**Re: Letter of Congratulations**

At its meeting on Wednesday 7 July 2021, Hindmarsh Shire Council resolved that I write to you to extend Council's congratulations on revitalising the Dimboola Store.

Thank you for choosing to invest in Hindmarsh and for choosing Dimboola as a place to start and grow your business. You have done a great job of revitalising the Dimboola Store and it's been good to see how you have transformed your business into a comfortable social space that has encouraged people to stop in Dimboola when travelling through, and to come back again.

Having the Dimboola Store in Dimboola is a significant asset to the community and a great accomplishment for Dimboola. You have provided service with a smile and have contributed to bringing a lot of tourism to Dimboola, as well as creating a space for local residents to come together to relax and enjoy a great cup of coffee.

We would like to wish you all the best with your next venture in life and thank you again for the service you have provided to Dimboola, the community, staff and travellers.

Yours sincerely

Greg Wood  
**Chief Executive Officer**



**Hindmarsh**  
Shire Council  
Administration  
Centre

PO Box 250  
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Nhill VIC 3418  
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12 July 2021

Linda Millane and Tori Lehmann  
Dimboola Store  
86 Lloyd Street  
DIMBOOLA VIC 3414

Dear Linda and Tori

**Re: Letter of Congratulations**

At its meeting on Wednesday 7 July 2021, Hindmarsh Shire Council resolved that I write to you to extend Council's congratulations on purchasing the Dimboola Store.

It is fantastic to see a well-established business remain open and being purchased by local community members.

The Dimboola Store has been a very successful business in Hindmarsh and has brought a lot of tourism to Dimboola. It has been a place that has encouraged travellers to pull off the highway to stop and take a break, but has also been a comfortable community space for local residents to get together and catch up.

It is important for social connection, especially with how tough times have been, and we believe that the Dimboola Store offers this to our community, along with great coffee and food. Council is very happy to see that it's here to stay.

We would like to wish you all the best with your exciting new business venture. We look forward to following what you achieve in the coming years.

Yours sincerely

Greg Wood  
**Chief Executive Officer**



**Hindmarsh**  
Shire Council

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

**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

22 July 2021

Carol Paech  
15 Western Beach Road  
RAINBOW VIC 3424  
Email: [carolpaech@gmail.com](mailto:carolpaech@gmail.com)

Dear Carol

**Re: Western Beach Road B Double Use and Road Management Plan  
2021-2023**

Thank you for your letter received 13 July 2021 in relation to the above.

As previously advised in my email of 12 July 2021, Council considers your letter to be a response to Council seeking written feedback in relation to the proposed B Double Routes for Gazetting. Your letter will not be read out but will be tabled as inwards correspondence.

Following the close of written submissions on 16 July 2021, a Council Report is being prepared. The contents of your letter, including your request that B Doubles and road trains be excluded from using Western Beach Road, will appear in the attachments to the 4 August 2021 Agenda, with your name and contact details being redacted, along with all the other submissions received.

All submissions will receive a response from Council following a decision at that meeting.

Western Beach Rd, is part owned by Hindmarsh Shire and Parks Vic, the current alignment of the road darts in and out of the Shire's Road Reserve and Parks Vic. We are currently in the process to align the road correctly. Council consulted with Parks Vic as to the permit conditions for the Albacutya Gypsum mine.

Our traffic data counters recorded 185 per day on Western Beach Rd on 24 February 2021. Traffic counts will vary from time to time depending on the gypsum season, and the dates installed to collect the data.

With regards to your request to address the noise and dust, as previously advised, the new dual bridge once completed should reduce the dust issues from the Bypass and the intersection with Kurnbrunin Rd. The bridge is due for completion in February 2022. There will also be upgrades to the bridge approaches as previously mentioned.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Angela Hoy', with a stylized, flowing script.

Angela Hoy  
**Director Infrastructure Services**



**Hindmarsh**  
Shire Council

**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

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Centres**

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

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

22 July 2021

Anne Simms  
53 Taverner Street  
RAINBOW VIC 3424  
Email: [anneb.rainbow@gmail.com](mailto:anneb.rainbow@gmail.com)

Dear Anne

**Re: Taverner Street Rainbow B Double Use**

Thank you for your letter dated 4 July 2021 sent by post and received by Council on 12 July 2021. I have been asked to respond on behalf of the CEO and Councillors in relation to the above matter.

I can advise that your letter will be listed as incoming correspondence at the next Council Meeting.

I have provided below a timeline of recent correspondence received, dates responded and actions undertaken:

<b>Date</b>	<b>Your Item</b>	<b>Action</b>	<b>HSC response</b>
06/03/2021	Submission in response to Council seeking public feedback regarding road gazetting	Submission included in attachments to Council Agenda held 05/05/2021.	Responded 22/06/2021.
05/05/2021	As above.	Your suggestions were referred to Rainbow Town Committee for comment.	Responded 22/06/2021 following discussion at Rainbow Town Committee Meeting
14/05/2021	Follow up letter to 06/03/2021 letter received.	Included as Inward Correspondence in 09/06/2021 Council Agenda.	Responded 22/06/2021.
04/07/2021	Received 12 July	General reference to previous correspondence sent requesting meeting to be tabled at 4 August 2021 Council Meeting	This letter dated 21/07/2021



12/07/2021	Response to Council's letter of 22/06/2021 & including a suggestion for alternate B Double Route	Please see Action below.	This letter dated 21/07/2021
------------	--	--------------------------	------------------------------

Following the close of written submissions relating to B Double Routes on 16 July 2021, a Council Report is being prepared. The contents of your letter will appear in the attachments to the 4 August 2021 Agenda, with your name and contact details being redacted, along with all the other submissions received for Council consideration.

All submissions will receive a response from Council following a decision at that meeting.

In response to other comments raised in your most recent correspondence dated 4 July 2021 I can advise:

The Council Meeting held on 9 June 2021 was unfortunately not able to recorded and live streamed due to technical difficulties. The following was recorded in the minutes of the meeting which are available on Council's website.

### **7.1 GENERAL CORRESPONDENCE**

*Responsible Officer: Chief Executive Officer*

*Attachment Numbers: 2 – 5*

*Introduction: The following correspondence is tabled for noting by Council.*

*Inwards:*

- 05/05/2021 – Letter to Mayor from Murray Darling Association.
- 07/05/2021 – Letter from Wimmera Health Care Group RE Community Stakeholder Update
- 14/05/2021 – Letter to CEO and Councillors from Anne Simms RE Public Consultation over Road Gazetting.
- 29/05/2021 – Letter to Councillors from Nhill & District Sporting Club Inc. RE Unsuccessful Outcome for Clubroom Redevelopment

*That Council notes the attached correspondence.*

#### **MOVED: CRS W Bywaters/B Ireland**

*That Council notes the attached correspondence from the Nhill & District Sporting Club Inc. as read and received. CARRIED*

*Cr R Gersch and Cr M Albrecht returned to the meeting at 1:31pm.*

#### **MOVED: CRS W Bywaters/B Ireland**

*That Council notes the attached correspondence from the Murray Darling Association, Wimmera Health Care Group and Anne Simms as read and received.*

We have also referred your concerns onto the Rainbow Town Committee for discussion.

Your question as to what 'report' do I refer to in my correspondence to you, it was the Council Report "Guidelines standards and processes for gazetting of B Double Roads" presented to the Council Meeting on 5 May 2021. Your submission along with all the other submissions was tabled in an attachment to the report to which only Councillor's had access to due to confidentiality. As your original letter dated 22 March 2021 contained comments about the B Double Routes it was included as a submission in the public consultation request for feedback for council to review and consider with all the other submissions received.

With respect to other issues raised, Council (as the road network is within the Hindmarsh Shire), can advocate for changes to Regional Roads Victoria (RRV) speed limits. Please note the outcome can change from year to year with policy/standards/guideline changes at the State level. You are correct that enforcement of speed limits is the role of Victoria Police.

With regards to your suggestion about an alternative route and your request to have the route examined with yourself in attendance, I can advise that your suggested alternative route in its current form is not suitable for heavy vehicle truck movements and has already been considered by Council Officers to be unviable unless future funding opportunities become available.

I can further advise the alternative Route was discussed at the Rainbow Town Committee Meeting in June 2021.

With regards to your allegation of property damage Council recommends you contact Regional Roads Victoria (RRV) as we are not the Responsible Road Authority for Taverner Street. Contact details are as listed below.

VicRoads contact centre on 13 11 71

Regional Roads Victoria contact centre on 133 RRV (133 778)

Visit a [VicRoads Customer Service Centre](#)

Write to VicRoads at:  
Manager Contracts and Transactional Services  
VicRoads  
L1, North Building

60 Denmark St  
Kew VIC 3101

Write to RRV at:  
Regional Roads Victoria  
88 Learmonth road  
Wendouree  
Victoria 3350

Yours sincerely

A handwritten signature in black ink, appearing to read 'Angela Hoy', with a long horizontal flourish extending to the right.

Angela Hoy  
**Director Infrastructure Services**



**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](mailto:info@hindmarsh.vic.gov.au)

website:  
[www.hindmarsh.vic.gov.au](http://www.hindmarsh.vic.gov.au)

ABN 26 550 541 746

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

23 July 2021

Dr Anne Webster MP  
1/146A Eighth Street  
MILDURA VIC 3500  
Email: [anne.webster.mp@aph.gov.au](mailto:anne.webster.mp@aph.gov.au)

Dear Anne

**Re: Roy Dickinson Letter - B Doubles on roads in Hindmarsh Shire**

Thank you for your letter dated 9 July 2021, making representations on behalf of Mr Roy Dickinson.

As per your request, please find attached a copy of our response to Mr Dickinson.

Please feel free to contact me should you have any further queries.

Yours sincerely

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

Greg Wood  
**Chief Executive Officer**



**Hindmarsh**  
Shire Council

**Administration  
Centre**

PO Box 250  
92 Nelson Street  
Nhill VIC 3418  
Ph: (03) 5391 4444  
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Ph: (03) 5391 4451  
Fax: (03) 5395 1436

23 July 2021

Roy Dickinson

[REDACTED]  
Email: [REDACTED]  
CC: [anne.webster.mp@aph.gov.au](mailto:anne.webster.mp@aph.gov.au)

Dear Roy

**Re: B Doubles on roads in Hindmarsh Shire**

I have been asked to respond on behalf of the CEO in relation to the above matter.

We have received correspondence from Dr Anne Webster with regards to the issue of B double access to your farm and the current requirement for you to obtain a permit, as well your belief that all farmers being able to access their paddocks without having to apply for a permit. Anne has requested that we contact you to review your concerns and to cc her with our response to you.

We are currently reviewing our permit system which is regulated by the National Heavy Vehicle Regulator (NHVR) through the Department of Transport (DOT).

A B Double Working Group was formed at the request of Council to review our current gazetted roads structure of which you are a part of. I would like to thank you for your valuable contribution to this group and recent meetings.

At the 9 June 2021 Ordinary Council Meeting Council moved that Council:

- 1. approves and authorises the Chief Executive Officer to publish the proposed changes to road use for B Doubles access in Table 1 as above for public consultation.*
- 2. Considers public submissions in relation the proposed changes to road use for B Doubles at the August 2021 Council meeting.*

**Table 1**

<b>Road Name</b>	<b>Comments &amp; Traffic Data</b>	<b>Recommendation to Open to full B Double with no conditions</b>	<b>Recommendation to Open to Local B Double Access with conditions</b>
<b>Janetzki Rd</b>	18 ADT per week – non peak season - Only leads to windfarm	No - as limestone road only	Yes should be for local traffic only, Dry weather
<b>Coker Dam Rd</b>	Already a B double Gazetted Route	n/a From Dimboola to Kiata South	n/a
<b>Winiam East Road</b>	ADT per Week 100 non peak	No - Mainly 4m seal some 6.2, 8m corner to be upgraded next year. Once fully upgraded could be opened for all traffic	Yes should be for local traffic only
<b>Sandsmere Rd</b>	ADT week unknown	No- straight Rd, repaired under flood recovery, limestone and earth	Yes should be for local traffic only, Dry weather
<b>Yanac South Road</b>	21 ADT per week non peak	No- Upgraded under flood recovery, straight road. Alternative Route is Broughton Rd which is already a	Yes should be for local traffic only, Dry weather

		B Double Gazetted	
<b>Winiam Road</b>	61 ADT per week peak/non peak	No - Narrow 4m x seal alternative routes are Nhill Harrow road, Western Highway	Yes should be for local traffic only.
<b>Nhill Diapur Rd</b>	Already a B Double Gazetted Route	n/a	n/a
<b>Tarranyurk East Rd</b>	26 ADT per week – non peak	No- Partly sealed, turns to limestone. Short staking issues	Yes should be for local traffic only, Dry weather. Limit to 22m short stacking issues
<b>Aubrey Rd</b>	ADT unknown – Yarriambiack Shire	n/a	n/a
<b>O'Reilly</b>	Suggested by Council Officers ADT unknown links Diapur Yanac	No - Narrow 4m seal	Yes should be for local traffic only
<b>Ellam- Willenabrina</b>	Suggested by Council Officers	No – narrow seal and Limestone links to Geodetic	Yes should be for local traffic only, Dry weather
<b>King Road</b>	ADT Unknown	No - Mix of limestone and earth	Yes should be for local traffic only, Dry weather
<b>Drendel Rd</b>	Suggested By Council Officers Currently B double Gazetted –	No – limestone road	Yes portion of road only should be for local traffic only, Dry weather, Northern end of

	43 ADT per week peak		road is very narrow and will need widening at some point if the whole road is to be opened to B Doubles. Amend NHVR map portion only
<b>Werner Road</b>	15 ADT per week	No - Mix of limestone and earth	Yes should be for local traffic only, Dry weather
<b>Solly Rd</b>	Suggested By Council Officers 26 ADT per week peak	No – limestone	Yes should be for local traffic only, Dry weather
<b>Stasinowsky's Rd</b>	Suggested By Council Officers 31 ADT per week peak	No – limestone	Yes should be for local traffic only, Dry weather
<b>Katyil/Wail between Antwerp Warracknabeal to Borong Highway</b>	Suggested By Council Officers 42 ADT per week peak	No - Narrow seal	Yes should be for local traffic only
<b>Tarranyurk West Rd</b>	46 ADT per week – non peak	No - Narrow seal then limestone	Yes should be for local traffic only, Dry weather
<b>Rainbow-Nhill Road</b>	Construction Complete, trafficable width suitable	Yes - 8m sealed	n/a
<b>Mt Elgin Rd</b>	35 ADT per week – non peak	No - Narrow seal	Yes should be for local traffic only



<b>Boyeo-Tarranginnie Rd</b>	unknown	No - Limestone	Yes should be for local traffic only, Dry weather
<b>Kinimakatka Rd (North South)</b>	41 ADT per week Non Peak	No - limestone	Yes should be for local traffic only, Dry weather
<b>Kinimakatka Rd (East West)</b>	61 ADT per week – Non Peak	No - Narrow seal - limestone	Yes should be for local traffic only, Dry weather
<b>Heinrich Rd</b>	Suggested by Council Officers 14 ADT per week non peak links Burma Rd & Pigick Bus route	No – Limestone	Yes should be for local traffic only, Dry weather
<b>Burma Rd</b>	Suggested by Council Officers 9 ADT per week links to Heinrich	No – Lime stone	Yes should be for local traffic only, Dry weather
<b>Pigick Kurnbrunin</b> -	Suggested by Council Officers 9 ADT per week links to North and South of Pigick Bus Route	No – Lime stone	Yes should be for local traffic only, Dry weather
<b>Western Beach Rd</b>	Unable to open as this road is not	n/a - Narrow seal if Shire acquires	n/a

	owned by HSC 23 non peak – 185 peak per week	Road the Yes for all traffic in future	
<b>Perenna Rd</b>	Suggested by Council Officers 41 ADT per week - peak	No - Seal and Limestone	Yes should be for local traffic only, Dry weather
<b>Netting Fence From Perenna Rd</b>	Suggested by Council Officers	No - Limestone links to Rainbow Nhill	Yes should be for local traffic only, Dry weather

As Council is yet to meet in August I cannot advise as to whether or not Council will agree to the proposed changes in table 1.

Moving forward with support from the B Double Working Group, subject to Council approval and community consultation, we hope to be able to address all of the other roads in Hindmarsh Shire not mentioned in table 1.

Yours sincerely



Angela Hoy  
**Director Infrastructure Services**

# PROPOSED THREE UNIT DEVELOPMENT

32 ROCKLEY STREET NHILL 3418



## SHEET LIST

SHEET NO.	SHEET NAME
TP 01	COVERSHEET
TP 02	NEIGHBOURHOOD DESCRIPTION1
TP 03	NEIGHBOURHOOD DESCRIPTION2
TP 04	DEMOLITION PLAN
TP 05	PROPOSED SITE PLAN
TP 06	PROPOSED GROUND FLOOR PLAN
TP 07	AREA ANALYSIS
TP 08	ELEVATION (1)
TP 09	ELEVATION (2)
TP 10	SHADOW DIAGRAM
TP 11	LANDSCAPE PLAN

DATE	ISSUE	AMENDMENTS
22/12/20	REV A	DRAWINGS PREPARED FOR COUNCIL APPROVAL
02/03/21	REV B	DRAWINGS PREPARED FOR COUNCIL ASSESSMENT
30/03/21	REV C	DRAWINGS AMENDED AS PER RFI PA1698-2020
26/04/21	REV D	DRAWINGS AMENDED AS PER COUNCIL EMAIL 12/04/21
07/05/21	REV E	DRAWINGS AMENDED AS PER COUNCIL EMAIL 07/05/21



32 ROCKLEY STREET NHILL 3418

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INFO@DREAMWORXDD.COM.AU

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Project Number 01ROCK

Date 07/05/21

Drawn by RT

Checked by IJA

DRAWING TITLE COVERSHEET

SHEET NUMBER TP 01

**FOR TOWN PLANNING** SHEET SIZE A3 Scale NTS



NO. 32 ROCKLEY STREET (SUBJECT SITE)  
EXISTING DWELLING, WEATHERBOARD AND TILE ROOF



NO. 30 ROCKLEY STREET (ADJOINING SITE)  
EXISTING DWELLING, WEATHERBOARD AND TIN ROOF



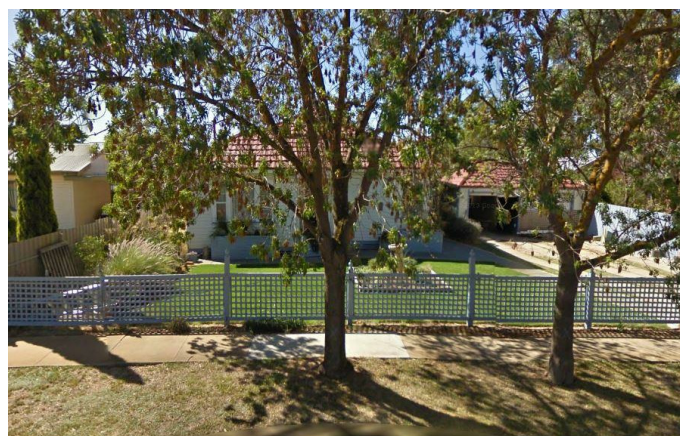
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EXISTING DWELLING, WEATHERBOARD AND TIN ROOF



NO. 26 ROCKLEY STREET (ADJACENT SITE)  
VACANT LAND



NO. 34 ROCKLEY STREET (ADJACENT SITE)  
EXISTING DWELLING, WEATHERBOARD AND TIN ROOF



NO. 36 ROCKLEY STREET (ADJACENT SITE)  
EXISTING DWELLING, WEATHERBOARD AND TIN ROOF



NO. 38 ROCKLEY STREET (ADJACENT SITE)  
EXISTING DWELLING, WEATHERBOARD AND TIN ROOF



NO. 193 NELSON STREET (ADJOINING SITE)  
EXISTING DWELLING, WEATHERBOARD AND TIN ROOF



NO. 25 ROCKLEY STREET (OPPOSITE SITE)  
EXISTING DWELLING, WEATHERBOARD AND TIN ROOF



NO. 27 ROCKLEY STREET (OPPOSITE SITE)  
EXISTING DWELLING, WEATHERBOARD AND TIN ROOF



NO. 29 ROCKLEY STREET (OPPOSITE SITE)  
EXISTING DWELLING, WEATHERBOARD AND TIN ROOF



NO. 31 ROCKLEY STREET (OPPOSITE SITE)  
EXISTING DWELLING, WEATHERBOARD AND TIN ROOF

DATE	ISSUE	AMENDMENTS
22/12/20	REV A	DRAWINGS PREPARED FOR COUNCIL APPROVAL
02/03/21	REV B	DRAWINGS PREPARED FOR COUNCIL ASSESSMENT
30/03/21	REV C	DRAWINGS AMENDED AS PER RFI PA1698-2020
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07/05/21	REV E	DRAWINGS AMENDED AS PER COUNCIL EMAIL 07/05/21



32 ROCKLEY STREET NHILL 3418

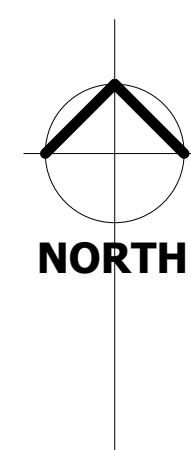
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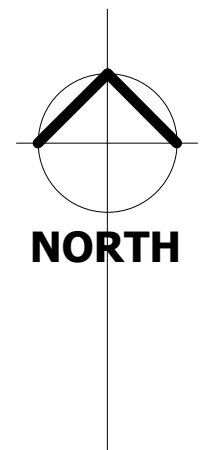
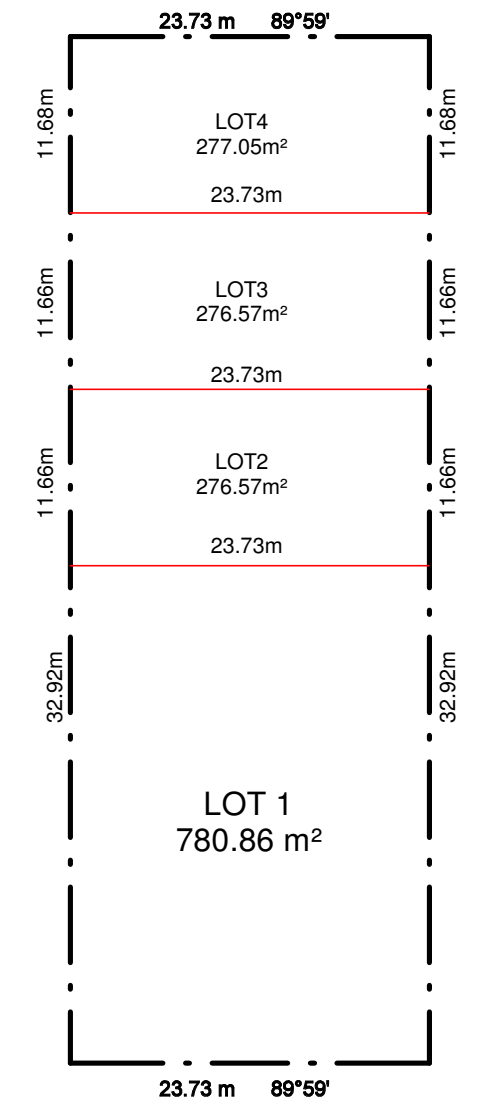
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Project Number	01ROCK
Date	07/05/21
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Checked by	IJA

DRAWING TITLE		NEIGHBOURHOOD DESCRIPTION1	
SHEET NUMBER		TP 02	
<b>FOR TOWN PLANNING</b>	SHEET SIZE	A3	Scale NTS



JOHNSON STREET



2 SUBDIVISION PLAN  
1 : 500

DATE	ISSUE	AMENDMENTS
22/12/20	REV A	DRAWINGS PREPARED FOR COUNCIL APPROVAL
02/03/21	REV B	DRAWINGS PREPARED FOR COUNCIL ASSESSMENT
30/03/21	REV C	DRAWINGS AMENDED AS PER RFI PA1698-2020
26/04/21	REV D	DRAWINGS AMENDED AS PER COUNCIL EMAIL 12/04/21
07/05/21	REV E	DRAWINGS AMENDED AS PER COUNCIL EMAIL 07/05/21



32 ROCKLEY STREET NHILL 3418

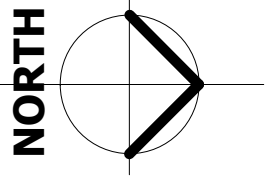
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Project Number	01ROCK
Date	07/05/21
Drawn by	RT
Checked by	IJA

DRAWING TITLE		NEIGHBOURHOOD DESCRIPTION2	
SHEET NUMBER		TP 03	
FOR TOWN PLANNING	SHEET SIZE	A3	Scale 1 : 500



DATE	ISSUE	AMENDMENTS
22/12/20	REV A	DRAWINGS PREPARED FOR COUNCIL APPROVAL
02/03/21	REV B	DRAWINGS PREPARED FOR COUNCIL ASSESSMENT
30/03/21	REV C	DRAWINGS AMENDED AS PER RFI PA1698-2020
26/04/21	REV D	DRAWINGS AMENDED AS PER COUNCIL EMAIL 12/04/21
07/05/21	REV E	DRAWINGS AMENDED AS PER COUNCIL EMAIL 07/05/21



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Project Number	01ROCK
Date	07/05/21
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Checked by	IJA

DRAWING TITLE		DEMOLITION PLAN	
SHEET NUMBER		TP 04	
FOR TOWN PLANNING	SHEET SIZE	A3	Scale
			1 : 200

7/05/2021 2:22:30 PM

ROCKLEY STREET

EXISTING TREE TO BE REMOVED

PROP. VEHICLE CROSSING AS PER COUNCIL STANDARD DRAWINGS

PROP. VEHICLE CROSSING AS PER COUNCIL STANDARD DRAWINGS

JOHNSTON STREET

5400

3000

SUBJECT SITE  
NO. 32 ROCKLEY STREET

EXISTING DWELLING

NEW LOCATION OF EXISTING SHED

S.P.O.S

PROP. DWELLING 1

PROP. DWELLING 2

PROP. DWELLING 3

LOT 12  
1400/462

S.P.O.S

3775

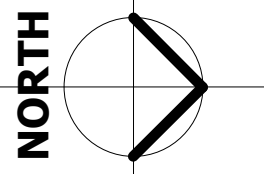
S.P.O.S

S.P.O.S

S.P.O.S

NO. 30

LOT 1  
TP 626832



EXISTING TREE TO REMAIN

EXISTING TREE TO REMAIN

DATE	ISSUE	AMENDMENTS
22/12/20	REV A	DRAWINGS PREPARED FOR COUNCIL APPROVAL
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Date 07/05/21

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Checked by IJA

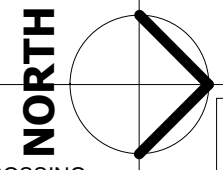
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SHEET NUMBER TP 05

FOR TOWN PLANNING SHEET SIZE A3 Scale 1 : 200

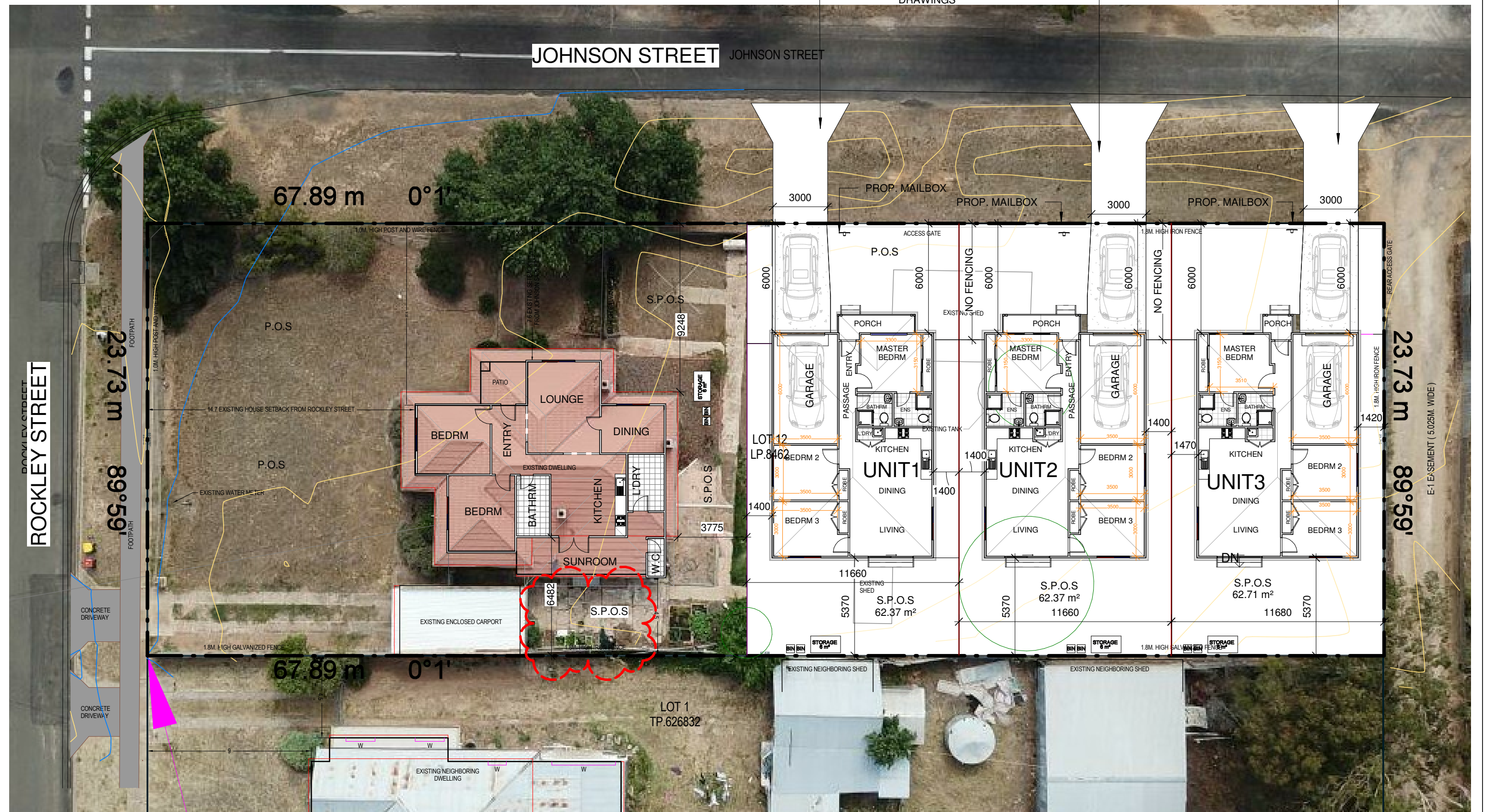
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DWELLING 1 SIZE			DWELLING 2 SIZE			DWELLING 3		
Name	Area	Area (sq)	Name	Area	Area (sq)	Name	Area	Area (sq)
UNIT1 GARAGE	22.19 m <sup>2</sup>	2.39	UNIT2 GARAGE	22.19 m <sup>2</sup>	2.39	UNIT3 GARAGE	22.19 m <sup>2</sup>	2.39
UNIT1 PORCH	4.74 m <sup>2</sup>	0.51	UNIT2 LIVING	86.86 m <sup>2</sup>	9.35	UNIT3 PORCH	2.11 m <sup>2</sup>	0.23
UNIT1 LIVING	86.86 m <sup>2</sup>	9.35	UNIT2 PORCH	4.74 m <sup>2</sup>	0.51	UNIT3 LIVING	86.86 m <sup>2</sup>	9.35
Total	113.78 m <sup>2</sup>	12.25	Total	113.78 m <sup>2</sup>	12.25	Total	111.15 m <sup>2</sup>	11.96



PROP. VEHICLE CROSSING AS PER COUNCIL STANDARD DRAWINGS

PROP. VEHICLE CROSSING AS PER COUNCIL STANDARD DRAWINGS



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26/04/21	REV D	DRAWINGS AMENDED AS PER COUNCIL EMAIL 12/04/21
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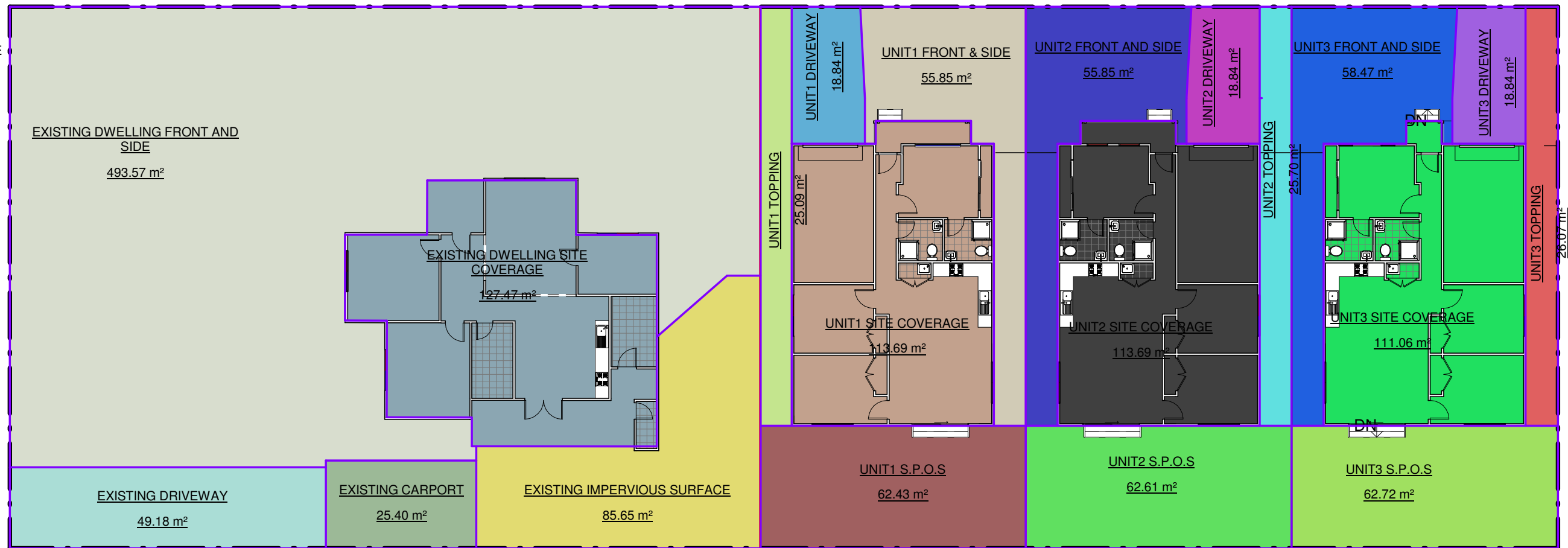
Project Number	01ROCK
Date	07/05/21
Drawn by	RT
Checked by	IJA

DRAWING TITLE	PROPOSED GROUND FLOOR PLAN		
SHEET NUMBER	TP 06		
FOR TOWN PLANNING	SHEET SIZE	A3	Scale 1 : 200

7/05/2021 2:22:33 PM

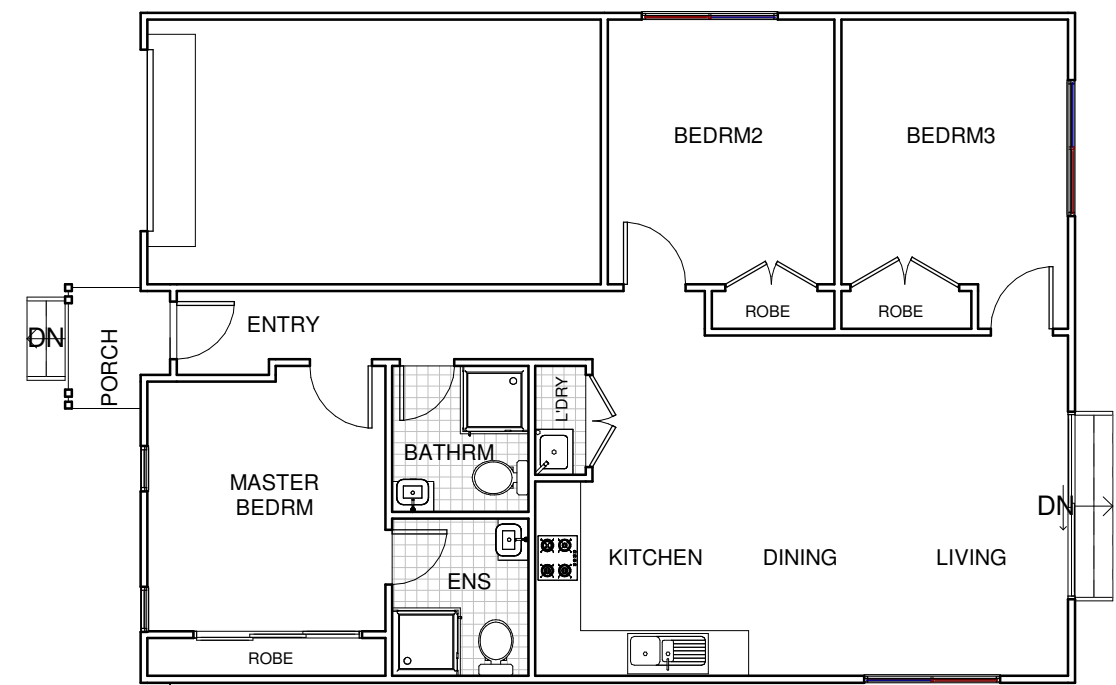


- EXISTING CARPORT
- EXISTING DRIVEWAY
- EXISTING DWELLING FRONT AND SIDE
- EXISTING DWELLING SITE COVERAGE
- EXISTING IMPERVIOUS SURFACE
- UNIT1 DRIVEWAY
- UNIT1 FRONT & SIDE
- UNIT1 S.P.O.S
- UNIT1 SITE COVERAGE
- UNIT1 TOPPING
- UNIT2 DRIVEWAY
- UNIT2 FRONT AND SIDE
- UNIT2 S.P.O.S
- UNIT2 SITE COVERAGE
- UNIT2 TOPPING
- UNIT3 DRIVEWAY
- UNIT3 FRONT AND SIDE
- UNIT3 S.P.O.S
- UNIT3 SITE COVERAGE
- UNIT3 TOPPING



TOTAL SITE COVERAGE:	493.58 m <sup>2</sup>	30.67%
TOTAL PERMEABILITY:	925.74 m <sup>2</sup>	57.47%
TOTAL GARDEN AREA :	995.66 m <sup>2</sup>	61.80%
TOTAL HARD SURFACE UNIT1 :	43.93 m <sup>2</sup>	15.88%
TOTAL HARD SURFACE UNIT2 :	44.54 m <sup>2</sup>	16.10%
TOTAL HARD SURFACE UNIT3 :	44.90 m <sup>2</sup>	16.20%
TOTAL HARD SURFACE EXISTING :	134.83 m <sup>2</sup>	17.26%
TOTAL P.O.S AND S.O.P.S UNIT1 :	143.37 m <sup>2</sup>	
TOTAL P.O.S AND S.O.P.S UNIT2 :	144.16 m <sup>2</sup>	
TOTAL P.O.S AND S.O.P.S UNIT3 :	144.64 m <sup>2</sup>	
TOTAL P.O.S AND S.O.P.S EXISTING DWELLING:	579.22 m <sup>2</sup>	

Area Analysis		
Name	Area	Percentage
EXISTING CARPORT	25.40 m <sup>2</sup>	1.58%
EXISTING DRIVEWAY	49.18 m <sup>2</sup>	3.05%
EXISTING DWELLING FRONT AND SIDE	493.57 m <sup>2</sup>	30.64%
EXISTING DWELLING SITE COVERAGE	127.47 m <sup>2</sup>	7.91%
EXISTING IMPERVIOUS SURFACE	85.65 m <sup>2</sup>	5.32%
UNIT1 DRIVEWAY	18.84 m <sup>2</sup>	1.17%
UNIT1 FRONT & SIDE	55.85 m <sup>2</sup>	3.47%
UNIT1 S.P.O.S	62.43 m <sup>2</sup>	3.88%
UNIT1 SITE COVERAGE	113.69 m <sup>2</sup>	7.06%
UNIT1 TOPPING	25.09 m <sup>2</sup>	1.56%
UNIT2 DRIVEWAY	18.84 m <sup>2</sup>	1.17%
UNIT2 FRONT AND SIDE	55.85 m <sup>2</sup>	3.47%
UNIT2 S.P.O.S	62.61 m <sup>2</sup>	3.89%
UNIT2 SITE COVERAGE	113.69 m <sup>2</sup>	7.06%
UNIT2 TOPPING	25.70 m <sup>2</sup>	1.60%
UNIT3 DRIVEWAY	18.84 m <sup>2</sup>	1.17%
UNIT3 FRONT AND SIDE	58.47 m <sup>2</sup>	3.63%
UNIT3 S.P.O.S	62.72 m <sup>2</sup>	3.89%
UNIT3 SITE COVERAGE	111.06 m <sup>2</sup>	6.89%
UNIT3 TOPPING	26.07 m <sup>2</sup>	1.62%
LAND SIZE	1611.03 m <sup>2</sup>	



1 TYPICAL FLOOR PLAN  
1 : 100

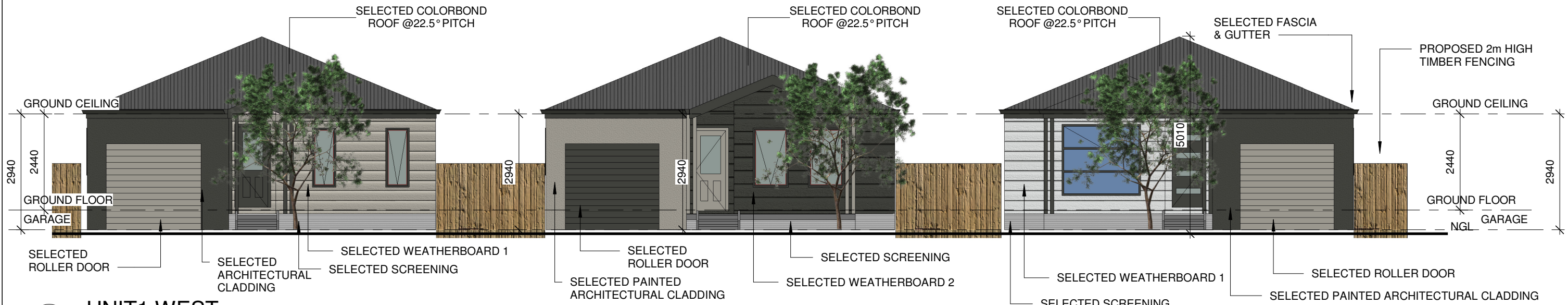
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02/03/21	REV B	DRAWINGS PREPARED FOR COUNCIL ASSESSMENT
30/03/21	REV C	DRAWINGS AMENDED AS PER RFI PA1698-2020
26/04/21	REV D	DRAWINGS AMENDED AS PER COUNCIL EMAIL 12/04/21
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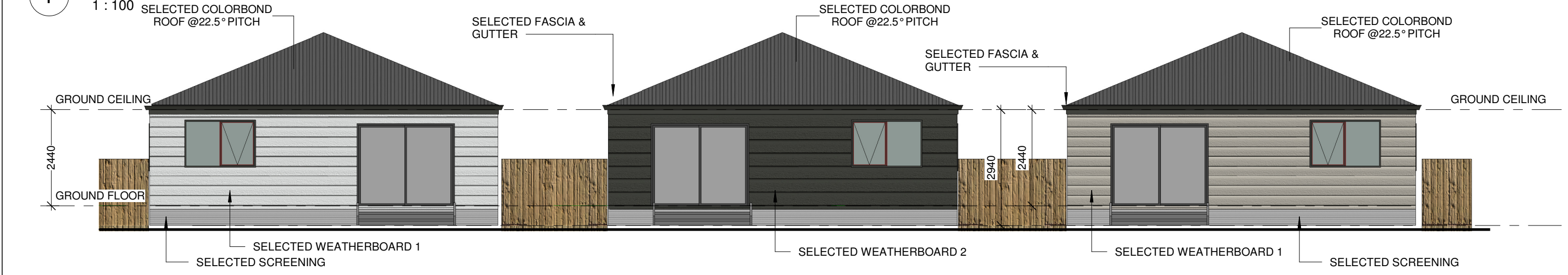
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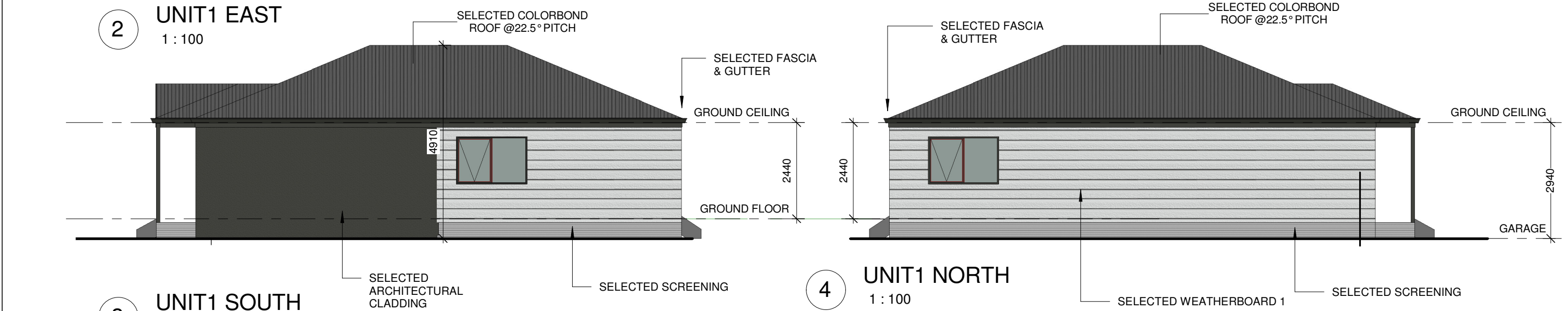
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SHEET NUMBER		TP 07	
FOR TOWN PLANNING	SHEET SIZE	A3	Scale
			As indicated



1 UNIT1 WEST  
1 : 100



2 UNIT1 EAST  
1 : 100



3 UNIT1 SOUTH  
1 : 100

4 UNIT1 NORTH  
1 : 100

DATE	ISSUE	AMENDMENTS
22/12/20	REV A	DRAWINGS PREPARED FOR COUNCIL APPROVAL
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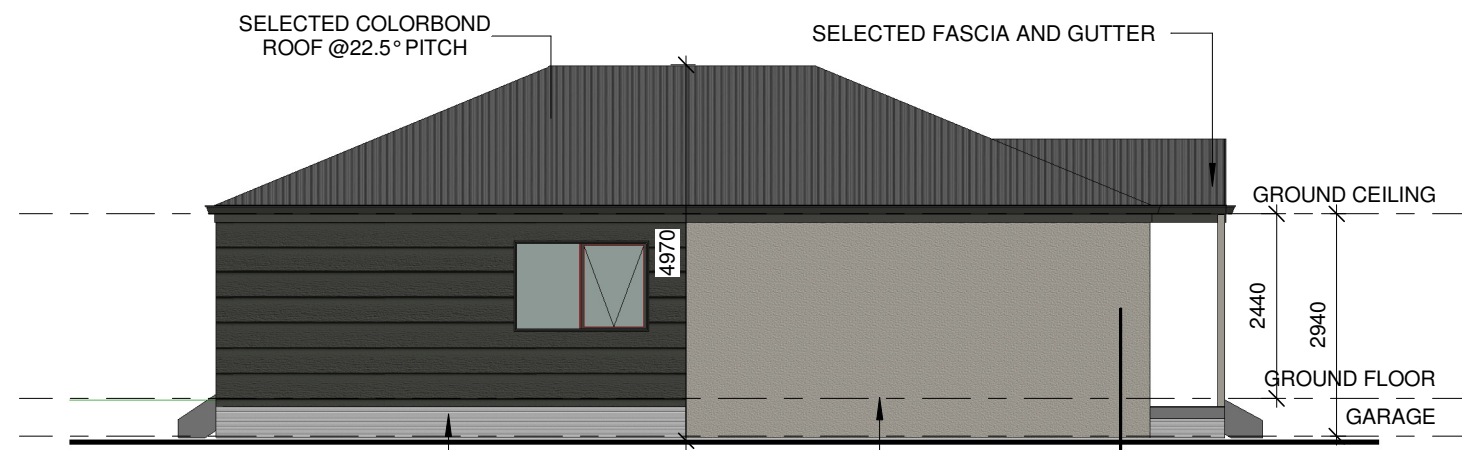


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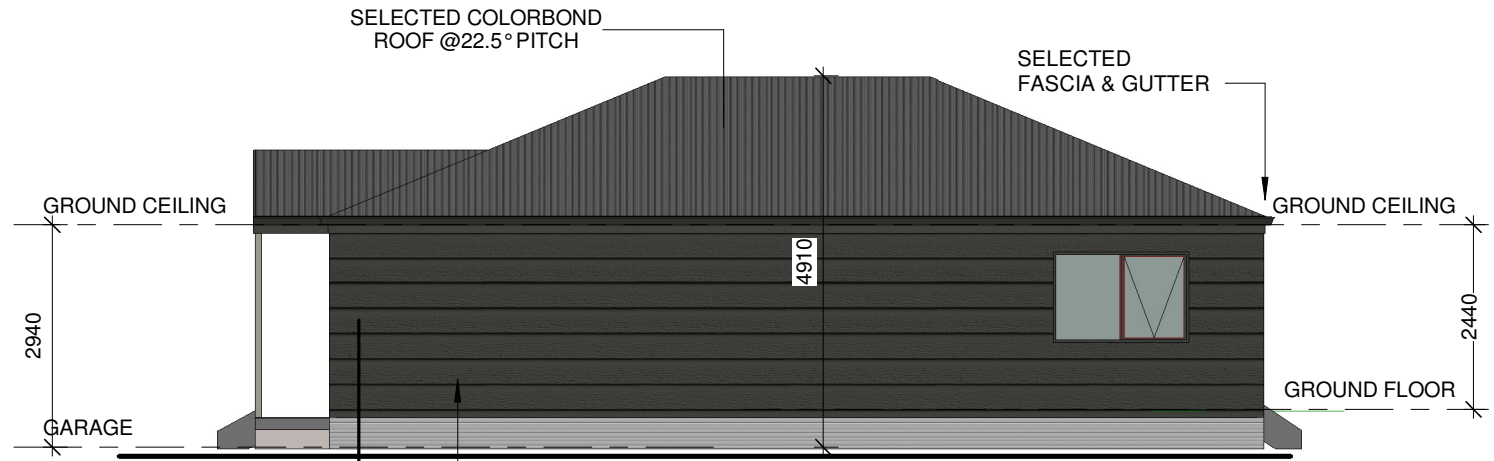
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Date	07/05/21
Drawn by	RT
Checked by	IJA

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SHEET NUMBER		TP 08	
FOR TOWN PLANNING	SHEET SIZE	A3	Scale 1 : 100

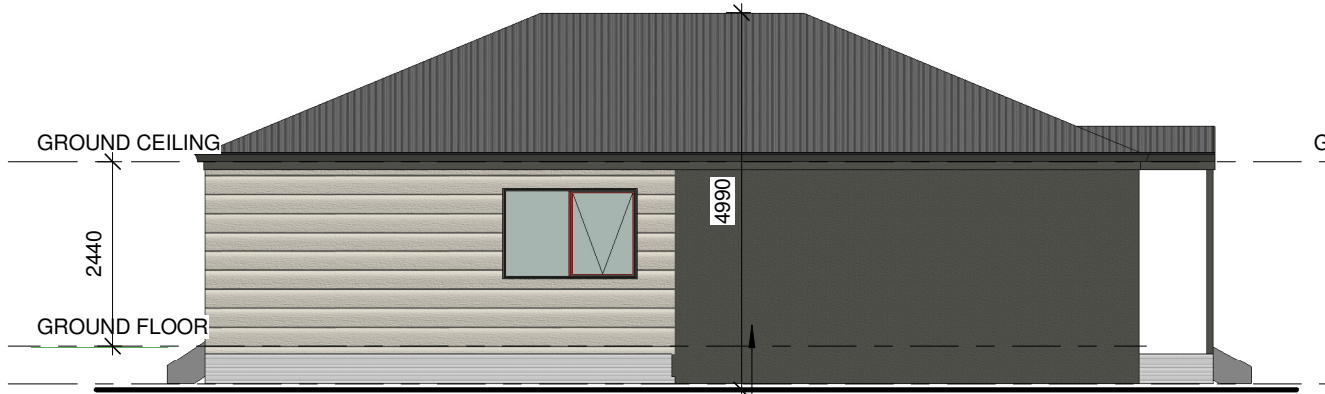
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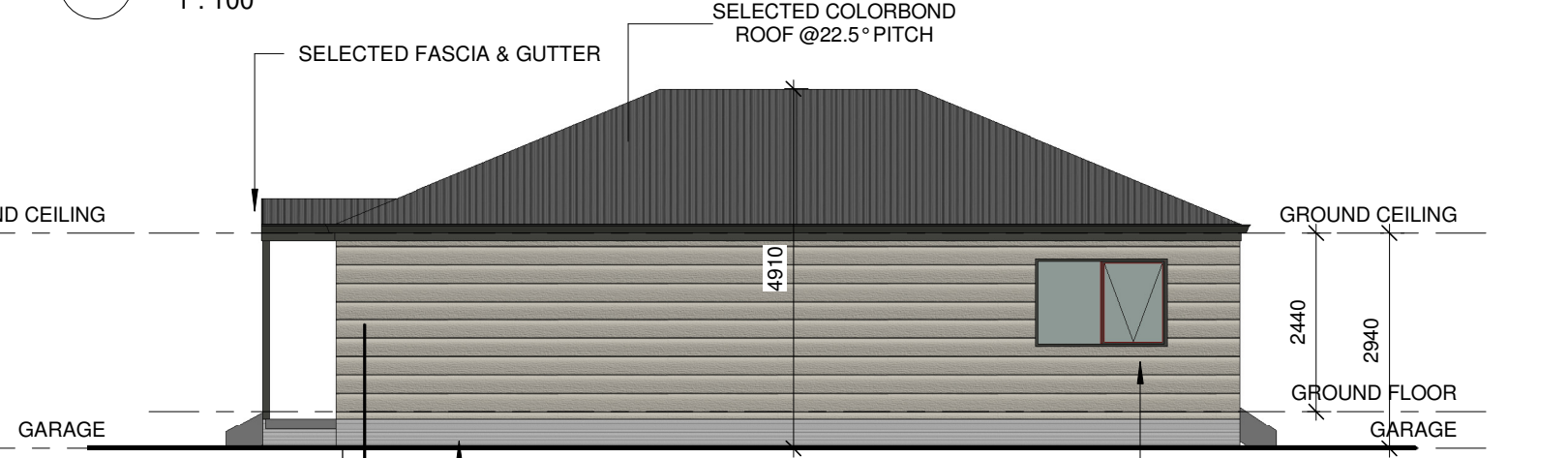
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1 : 100



2 UNIT2 SOUTH  
1 : 100



3 UNIT3 NORTH  
1 : 100



4 UNIT3 SOUTH  
1 : 100

**SELECTED MATERIAL**

SELECTED WEATHERBOARD 1: SURFMIST		SELECTED COLORBOND ROOF: WOODLAND GREY		SELECTED PAINTED ARCHITECTURAL CLADDING 1: WOODLAND GREY	
SELECTED WEATHERBOARD 2: WOODLAND GREY		SELECTED COLORBOND ROOF: SHALE GREY		SELECTED PAINTED ARCHITECTURAL CLADDING 2: DUNE	
SELECTED WEATHERBOARD 3: DUNE		SELECTED GUTTER: WOODLAND GREY			
SELECTED SCREENING: TO MATCH WEATHERBOARD		SELECTED FASCIA: WOODLAND GREY			

DATE	ISSUE	AMENDMENTS
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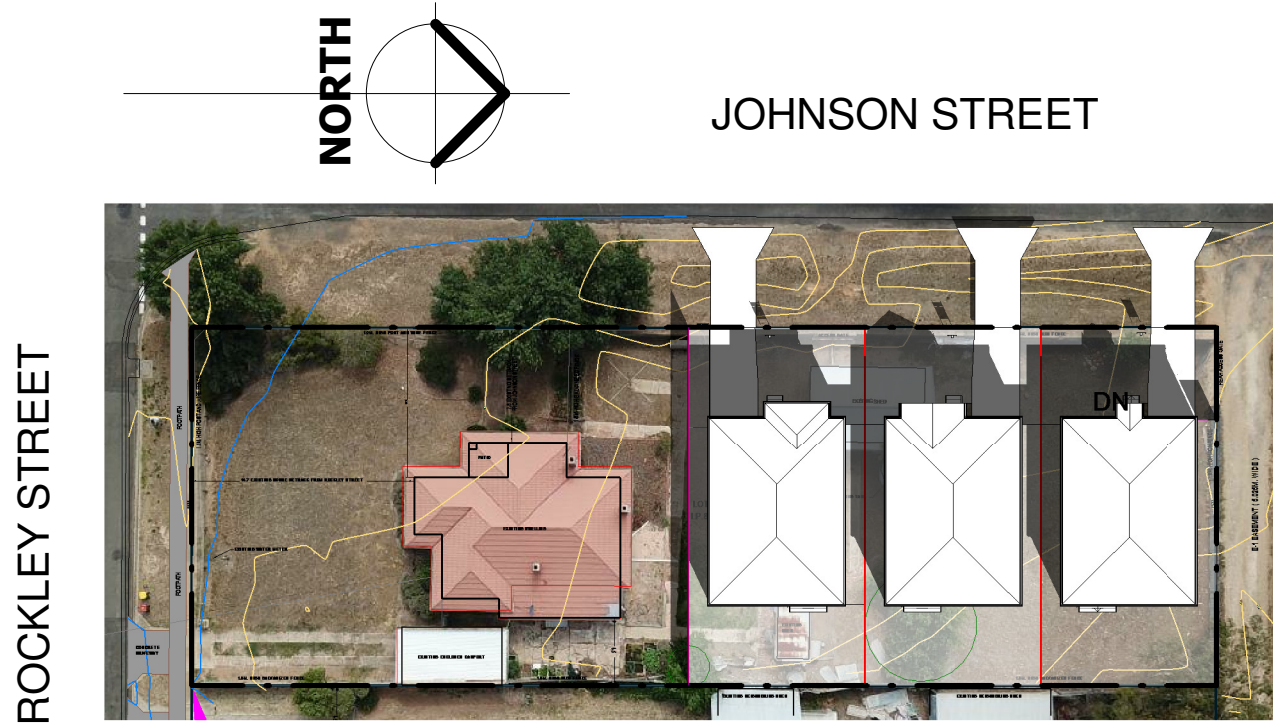


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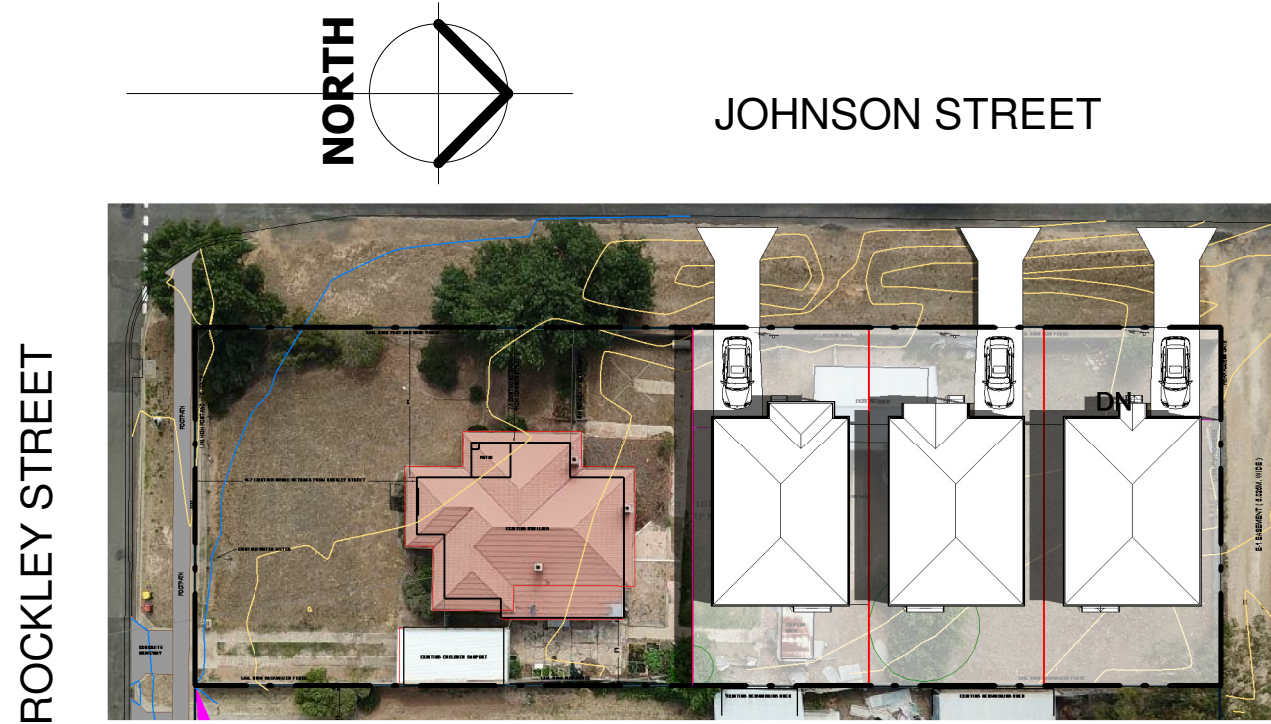
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Date	07/05/21
Drawn by	RT
Checked by	IJA

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SHEET NUMBER		TP 09	
<b>FOR TOWN PLANNING</b>	SHEET SIZE	A3	Scale 1 : 100

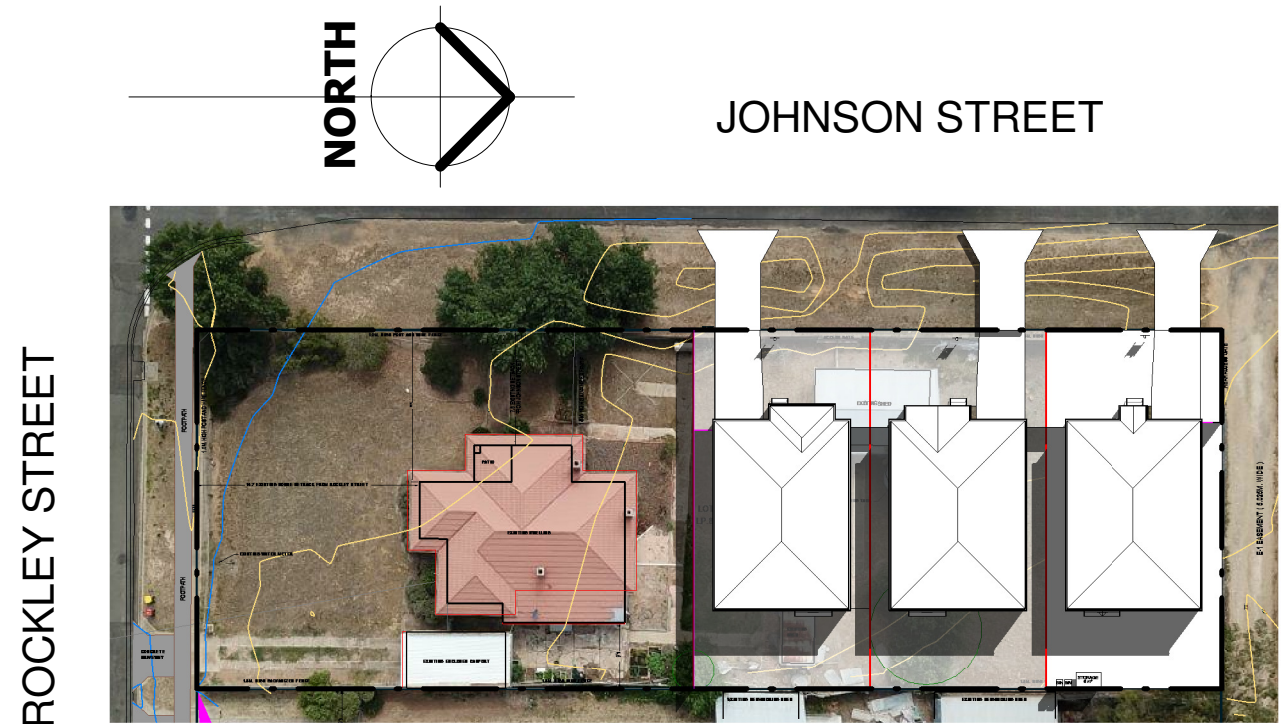
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1 9 AM  
1 : 500



2 12 PM  
1 : 500



3 3 PM  
1 : 500

DATE	ISSUE	AMENDMENTS
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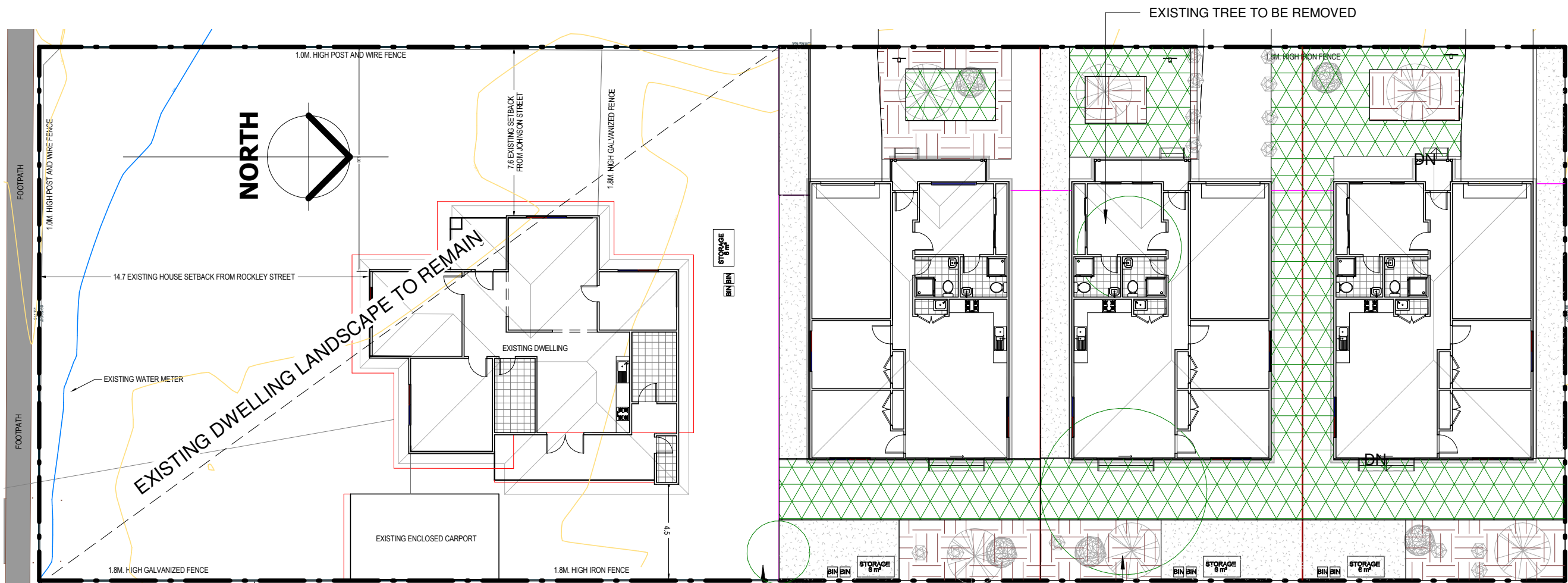
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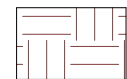


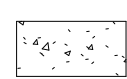
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Project Number	01ROCK
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DRAWING TITLE		SHADOW DIAGRAM	
SHEET NUMBER		TP 10	
<b>FOR TOWN PLANNING</b>	SHEET SIZE	A3	Scale 1 : 500

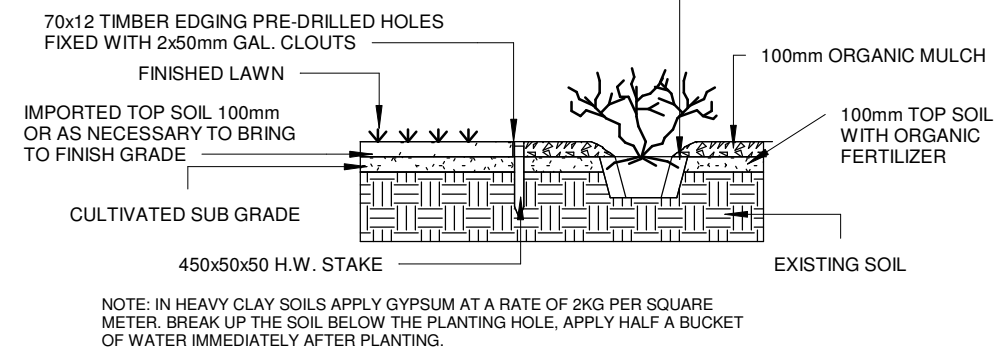


**1 LANDSCAPE PLAN**  
1 : 200

-  MULCH MC
-  LAWN LA
-  LILYDALE TOPPING LT
-  CONCRETE CON.

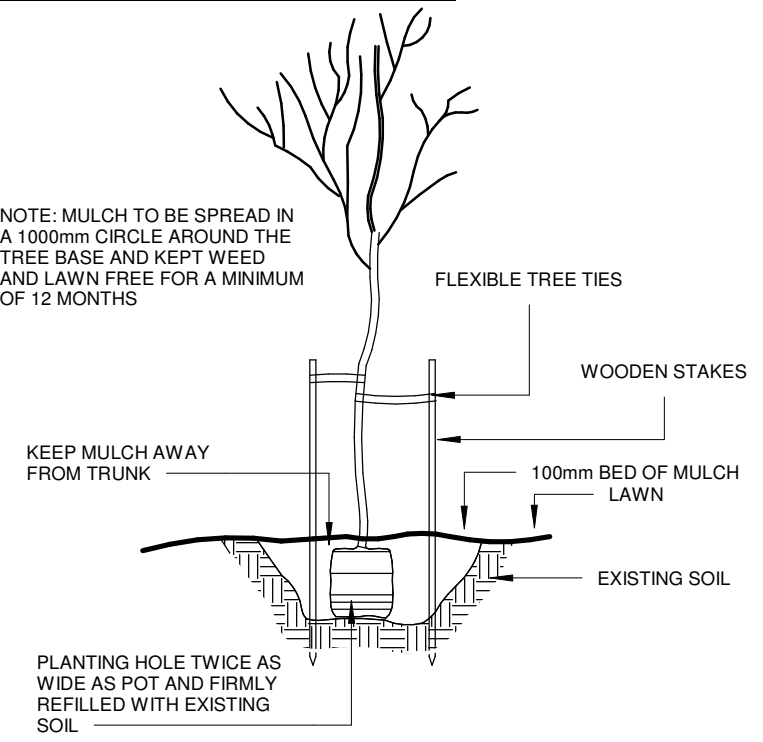
PLANT NAME	COMMON NAME	MATURE HEIGHT	POT SIZE	QUANTITY
 DIANELLA LONGIFOLIA	SMOOTH FLAXLILY	500 mm	150	8
 GOODENIA OVATA	HOP GOODENIA	1000 mm	150	8
 PITTOSPORUM	JAMES STERLING	1600 mm	150	4
 Agonis flexuosa	Willow myrtle	5000 mm	50	1

**PLANTING SPECIFICATION AND EDGE DETAIL FOR GARDEN BEDS**



**TREE PLANTING IN LAWN**

NOTE: MULCH TO BE SPREAD IN A 1000mm CIRCLE AROUND THE TREE BASE AND KEPT WEED AND LAWN FREE FOR A MINIMUM OF 12 MONTHS



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DRAWING TITLE		LANDSCAPE PLAN	
SHEET NUMBER		TP 11	
FOR TOWN PLANNING	SHEET SIZE	A3	Scale
			As indicated

## Attachment 2

### Clause 55 Assessment – 32 Rockley Street, Nhill

#### Neighbourhood Character Clause 55.02

Clause & Objective	Standard Met	Objectives Met
Clause 55.02-1 - Neighbourhood character objectives -Standard B1	Yes – Single storey weatherboard dwellings in keeping with the character of the area.	Yes
Clause 55.02-2 - Residential policy objectives -Standard B2	Yes	Yes
Clause 55.02-3 - Dwelling diversity objective - Standard B3	N/A	N/A
Clause 55.02-4 - Infrastructure objectives - Standard B4	Yes	Yes
Clause 55.02-5 - Integration with the street objective Standard B5	Yes	Yes

#### Site Layout and Building Massing Clause 55.03

Clause & Objective	Standard Met	Objectives Met
Clause 55.03-1 - Street setback objective - Standard B6	Yes – Proposed 6.0m setback of front wall of the three new dwellings and 5.5m setback of the open front porches is acceptable	Yes
Clause 55.03-2 - Building height Objective - Standard B7	Yes	Yes
Clause 55.03-3 - Site coverage objective - Standard B8	Yes	Yes
Clause 55.03-4 - Permeability objectives - Standard B9	Yes	Yes
Clause 55.03-5 - Energy efficiency objectives - Standard B10	Yes	Yes
Clause 55.03-6 - Open space objective - Standard B11	Yes	Yes
Clause 55.03-7 - Safety objective - Standard B12	Yes	Yes
Clause 55.03-8 - Landscaping objectives - Standard B13	Yes – Condition required for the three trees to be removed on the landscape plan to be consistent with the demolition plan	Yes
Clause 55.03-9 - Access objectives - Standard B14	Yes	Yes
Clause 55.03-10 - Parking location objectives - Standard B15	Yes	Yes

#### Amenity Impacts Clause 55.04

Clause & Objective	Standard Met	Objectives Met
Clause 55.04-1 - Side and rear setbacks objective - Standard B17	Yes	Yes
Clause 55.04-2 - Walls on boundaries Objective - Standard B18	Yes	Yes
Clause 55.04-3 - Daylight to existing windows objective - Standard B19	Yes	Yes
Clause 55.04-4 - North facing windows objective - Standard B20	Yes	Yes
Clause 55.04-5 - Overshadowing open space objective - Standard B21	Yes	Yes
Clause 55.04-6 - Overlooking objective - Standard B22	Yes – Limited views into the secluded open space area of the adjoining dwelling to the east due to the location of some existing sheds on the adjoining property. No overlooking concerns.	Yes
Clause 55.04-7 - Internal views objective - Standard B23	Yes	Yes
Clause 55.04-8 - Noise impacts objectives - Standard B24	Yes	Yes

### **On-Site Amenity and Facilities Clause 55.05**

Clause & Objective	Standard Met	Objectives Met
Clause 55.05-1 - Accessibility objective - Standard B25	Yes	Yes
Clause 55.05-2 - Dwelling entry objective - Standard B26	Yes	Yes
Clause 55.05-3 Daylight to new windows objective - Standard B27	Yes	Yes
Clause 55.05-4 - Private open space objective - Standard B28	Yes – Secluded open space is approximately 62.5m <sup>2</sup> for the three new dwellings. The total of private open space area for the four dwellings exceeds the requirements.	Yes
Clause 55.05-5 - Solar access to open space objective – Standard B29	Yes	Yes
Clause 55.05-6 - Storage objective - Standard B30	Yes	Yes

### **Detailed Design Clause 55.06**

Clause & Objective	Standard Met	Objectives Met
Clause 55.06-1 - Design detail objective - Standard B31	Yes	Yes
Clause 55.06-2 - Front fences objective - Standard B32	N/A	N/A
Clause 55.06-3 - Common property objectives - Standard B33	N/A	N/A
Clause 55.06-4 - Site services objectives - Standard B34	Yes – Conditions required for services	Yes



### Attachment 3

#### Clause 56 Assessment – 32 Rockley Street, Nhill

##### Clause 56.02 – Policy Implementation

Clause & objective	Standard Met	Objectives Met
Clause 56.02-1 Strategic implementation objective – Standard C1	N/A	N/A

##### Clause 56.03 – Liveable and Sustainable Communities

Clause & objective	Standard Met	Objectives Met
Clause 56.03-1 Compact and walkable neighbourhoods objectives – Standard C2	N/A	N/A
Clause 56.03-2 – Activity Centre objective – Standard C3	N/A	N/A
Clause 56.03-3 – Planning for community facilities objective – Standard C4	N/A	N/A
Clause 56.03-4 Built Environment Objective – Standard C5	N/A	N/A
Clause 56.03-5 Neighbourhood character objective – Standard C6	Yes	Yes

##### Clause 56.04 Lot Design

Clause & objective	Standard Met	Objectives Met
Clause 56.04-1 Lot diversity and distribution objectives- Standard C7	Yes	Yes
Clause 56.04-2 Lot area and building envelopes objective – Standard C8	Yes	Yes
Clause 56.04-3 Solar orientation of lots objectives – Standard C9	Yes	Yes
Clause 56.04-4 Street orientation objective – Standard C10	Yes	Yes

Clause 56.04-5 Common area objectives – Standard C11	N/A	N/A
--	-----	-----

### Clause 55.05 Urban Landscape

Clause & objective	Standard Met	Objective Met
Clause 56.05-1 Integrated urban landscape objectives – Standard C12	Yes	Yes
Clause 56.05-2 Public open space provision objectives – Standard C13	N/A	N/A

### Clause 56.06 Access and Mobility Management

Clause & objective	Standard Met	Objective Met
Clause 56.06-1 Integrated mobility objectives – Standard C14	N/A	N/A
Clause 56.06-2 Walking and cycling network objectives – Standard C15	Yes	Yes
Clause 56.06-3 Public transport network objectives – Standard C16	N/A	N/A
Clause 56.06-4 Neighbourhood street network objective – Standard C17	Yes	Yes
Clause 56.06-5 Walking and cycling network detail objectives – Standard C18	Yes	Yes
Clause 56.06-6 Public transport network detail objectives – Standard C19	N/A	N/A
Clause 56.06-7 Neighbourhood street network detail objective – Standard C20	Yes	Yes
Clause 56.06-8 Lot access objective – Standard C21	Yes – new crossovers to be constructed to Council standards	Yes

### Clause 56.07 Integrated Water Management

Clause & objective	Standard Met	Objective Met
Clause 56.07-1 Drinking water supply objective – Standard C22	Yes	Yes
Clause 56.07-2 Reused and recycled water objective – Standard C23	Not proposed	Not proposed
Clause 56.07-3 Waste water management objective – Standard C24	Yes	Yes
Clause 56.07-4 Stormwater management objectives - Standard C25	Yes	Yes

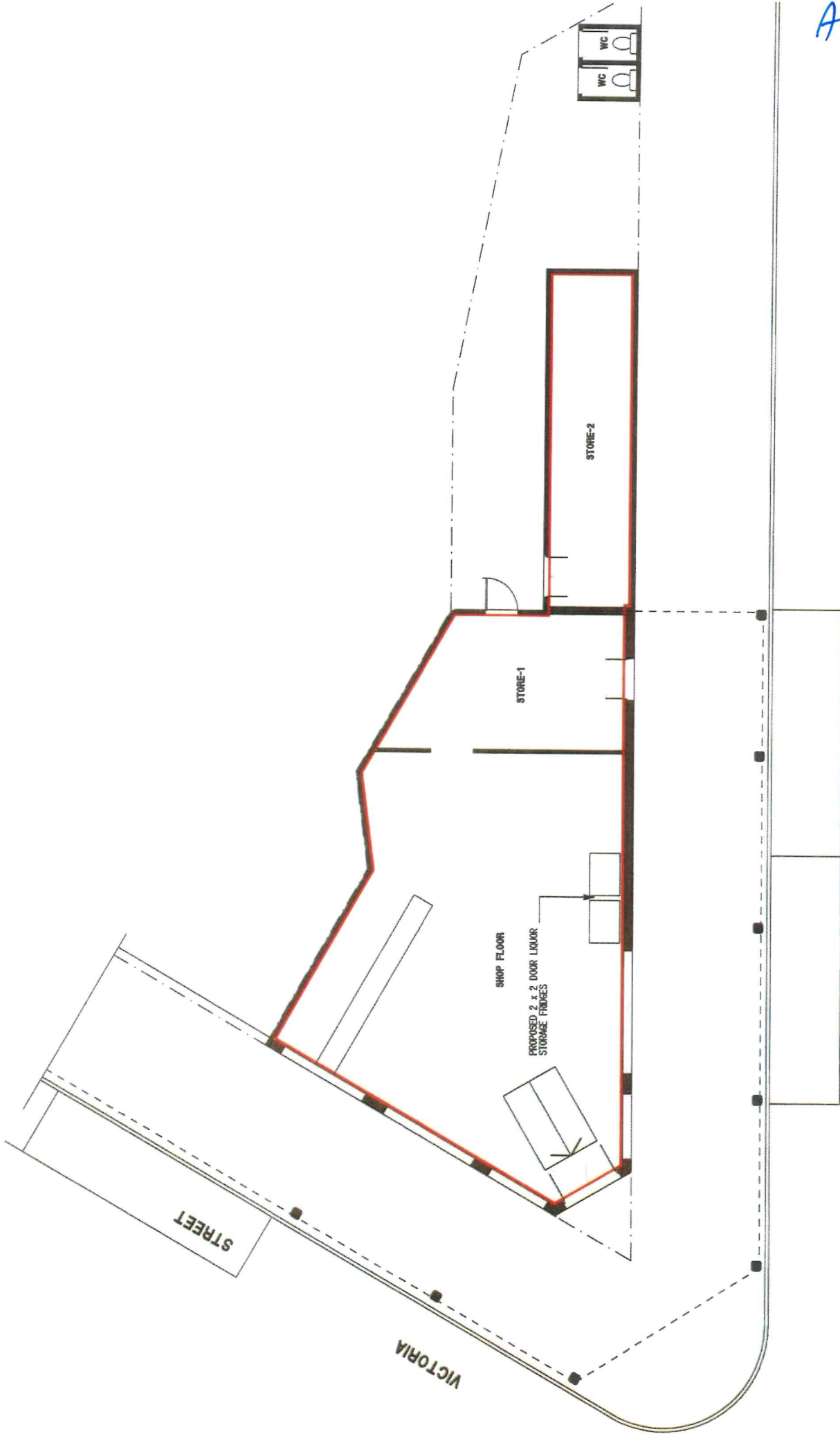
### Clause 56.08 Site Management

Clause & objective	Standard Met	Objective Met
Clause 56.08-1 Site management objectives – Standard C26	Yes	Yes

### Clause 56.09 Utilities

Clause & objective	Standard Met	Objective Met
Clause 56.09-1 Shared trenching objectives – Standard C27	Yes	Yes
Clause 56.09-2 Electricity, telecommunications and gas objectives – Standard C28	Yes	Yes
Clause 56.09-3 Fire Hydrants objective – Standard C29	Yes	Yes
Clause 56.09-4 Public lighting objective – Standard C30	Yes	Yes

Attachment  
1.



MCPHERSON STREET

# PROPOSED LIQUOR LICENCED AREA

SCALE 1:100

PROPOSED EXTENT OF LICENCED AREA





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Attachment 2

**REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958**

Page 1 of 1

VOLUME 11262 FOLIO 556

Security no : 124091068053P  
Produced 09/07/2021 10:23 AM

**LAND DESCRIPTION**

Lot 1 on Plan of Subdivision 015179.  
PARENT TITLES :  
Volume 11259 Folio 993 to Volume 11259 Folio 994  
Created by instrument AH872440W 01/04/2011

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
ZEENATH KOTTAKUTH of 15 BELCHER STREET NHILL VIC 3418  
AU318515X 07/05/2021

**ENCUMBRANCES, CAVEATS AND NOTICES**

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP874059A FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NUMBER		STATUS	DATE
AU317194W (E)	CONV PCT & NOM ECT TO LC	Completed	07/05/2021
AU318515X (E)	TRANSFER	Registered	07/05/2021

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 49 VICTORIA STREET NHILL VIC 3418

DOCUMENT END

TITLE PLAN	EDITION 1	TP 874059A
------------	-----------	------------

**LOCATION OF LAND**

Parish: BALROOTAN  
 Township: NHILL  
 Section: 11  
 Crown Allotment: 3C (PT)  
 Crown Portion: -

Last Plan Reference: LOT 1 ON LP 15179  
 Derived From: VOL. 9761 FOL. 817 VOL. 6706 FOL. 052  
 Depth Limitation: NIL

Notations

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

**Description of Land/Easement Information**

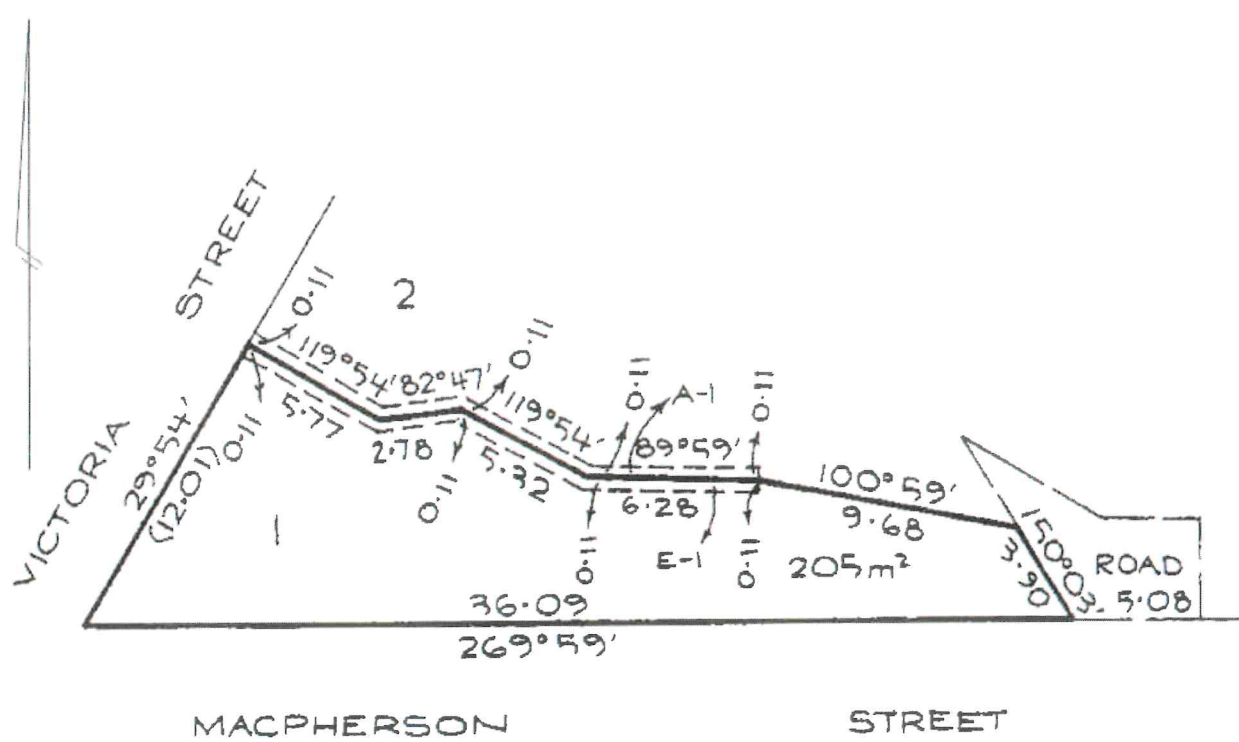
AS TO THE LAND SHOWN MARKED E-1 TOGETHER WITH A RIGHT TO USE THE LAND SHOWN MARKED A-1 FOR PARTY WALL PURPOSES- - - - -

THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES

COMPILED: Date: 25/08/2006  
 VERIFIED: A. DALLAS  
*Assistant Register of Titles*

**ENCUMBRANCES**

AS TO THE LAND SHOWN MARKED E-1  
THE PARTY WALL EASEMENT CREATED BY TRANSFER 1709861



AustLII

Victorian Civil and Administrative Tribunal

Tonlan Pty Ltd v Kingston CC [2015] VCAT 277 (17 March 2015)

Last Updated: 23 March 2015

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

ADMINISTRATIVE DIVISION

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P1657/20  
PERMIT APPLICATION NO. KP-158-20

## CATCHWORDS

Section 77 [Planning and Environment Act 1987](#); Kingston Planning Scheme; Packaged liquor outlet; Neighbourhood shopping centre; cluster of outlets, impacts on amenity.

<b>APPLICANT</b>	Tonlan Pty Ltd
<b>RESPONSIBLE AUTHORITY</b>	Kingston City Council
<b>RESPONDENTS</b>	Ms Sasha Shearn, Chuong Xuan Ngo, Kim Stephens and others
<b>SUBJECT LAND</b>	1/39 Bernard Street, Cheltenham
<b>WHERE HELD</b>	Melbourne
<b>BEFORE</b>	E. Bensch, Member
<b>HEARING TYPE</b>	Hearing
<b>DATE OF HEARING</b>	12 March 2015
<b>DATE OF ORDER</b>	17 March 2015
<b>CITATION</b>	← <a href="#">Tonlan Pty Ltd v Kingston CC</a> → <a href="#">[2015] VCAT 277</a>

## ORDER

1. The decision of the Responsible Authority is set aside.
2. In permit application no. KP-158-2014 a permit is granted and directed to be issued for land at 1/39 Bernard Street, Cheltenham generally in accordance with the endorsed plans and the conditions set out in Appendix A of this decision. The permit allows the use of the land for the sale of packaged liquor.

E Bensch

Member

## APPEARANCES

For Applicant	Mr J F Larkins, Barrister assisted by Mr Alan Kayman
For Responsible Authority	Ms Jaclyn Murdoch
For Respondents	Sasha Shearn, Chuong Xuan Ngo and Kim Stephens in person.

## INFORMATION

Description of Proposal	It is proposed to use part of an existing IGA supermarket within a small strip shopping centre for the purpose of packaged liquor sales. No buildings and works are proposed.
Nature of Application	Application under <a href="#">section 77</a> of the <a href="#">Planning and Environment Act 1987</a> to review the refusal to grant a permit.
Zone and Overlays	Commercial 1 zone
Reason(s) Permit Required	Clause 52.27 Licensed Premises, Clause 11, 17, 21, 22, 52.27 and clause 65
Land description	The subject site is on the north east corner of Bernard Street and Lindon Avenue in Cheltenham and has a site area of 285 square metres and is part of a strip shopping centre on the north side of Bernard Street and is currently occupied by an independent grocers of Australia (IGA Express) store which sells fruit and vegetables, groceries and hire of DVDs. There is 90 degree parking to the front of the strip of shops and there is a sealed car park available to patrons of the shops at the rear of the building. There are 11 single storey premises in this group that used for shops pharmacy restaurants, take away food shops etc. The surrounding residential area is zoned General Residential Zone Schedule 3. There is an existing packaged liquor shop at no.3/3 Bernard Street and 27 Bernard Street is a Thai restaurant that has a BYO liquor license.
Cases referred to	Millwood v Frankston CC ( <a href="#">2012</a> ) <a href="#">VCAT 1716</a> Hunt Club Commercial Pty Ltd v Casey CC ( <a href="#">2013</a> ) <a href="#">VCAT 725</a>

## REASONS

### *What is this proceeding about?*

1. An application was lodged in March 2014 to use part of the existing IGA supermarket for packaged liquor sales. Advertising was undertaken in May and 228 objections (many proforma) were received. The application was also referred internally to council's local laws, its social planning department and externally to Victoria Police. It is noted that officers recommended support for the application however, council resolved to refuse the application on the grounds relating to failure to comply with clause 52.27 of the scheme and adverse impacts on the community. The permit applicant has appealed that decision and a number of residents lodged statement of grounds with three parties attending and presenting at the hearing.
2. Having considered the issues put forward at the hearing I consider the topics that need to be addressed are:
  - . Consideration of clause 52.27 – Licensed Premises.
  - . Cumulative impact of the proposal

### ***Consideration of clause 52.27 – Licensed Premises.***

3. There are a range of clauses within the state planning policy provisions that deal with development at a broad state level and these are found at clause 11 – Settlement where planning is to anticipate and respond to the needs of existing and future communities through provision of zone and service land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. This clause then goes on to talk about the need to contribute health and safety economic viability and preventing environmental problems by siting incompatible land uses close to each other.
4. This proposal which is in an existing small supermarket within a local neighbourhood shopping strip would be consistent with this clause 11 regarding anticipation of need and choice for the community. Clause 11 also seeks to encourage concentration of major retail residential commercial and other cultural needs into activity centres that



provide a variety of land uses and are accessible to the community. The local Bernard Street shopping strip is not specifically listed within council's MSS as far as a listed neighbourhood activity centre but there is a catchall phrase that seeks to ensure that the smaller non-listed neighbourhood centres retain their viability and continue to be a focus for business shopping and other community activities. So at the highest policy level I am satisfied that there is no reason not to give consideration to the sale of packaged liquor as part of the land uses within this centre.

5. Furthermore clause 17.01-1 relating to business seeks to encourage development that meet community needs for retail entertainment and other services and provide net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities. This again reinforces that adding an additional type of product within the supermarket within the existing neighbourhood centre is consistent with this requirement of concentrating commercial uses in designated areas.

6. In the local planning policy clause 21.06 retail and commercial land uses as discussed above sets out a hierarchy of activity centres within the municipality and including at the highest level Southland Shopping Centre and then working down to neighbourhood centres. And specifically the clause seeks

- . diversifying the role of Kingston activity centres in responding to the impacts of structural change in the retail industry (i.e. changes in retail offer, changes in employment patterns, consumer behaviour, extended trading hours) and

- . Ensuring the consolidation of retail activity within existing commercial centres.

7. This shows to me that council is concerned about the viability of existing smaller shopping centres and it would appear from the photos that were tendered at the hearing that the shopping strip is well patronised during the day and into the early evening judging by the number of cars parked in front of the premises and in the car park to the rear. So, in those terms packaged liquor sales would be an extension of the existing offer in the area and may lead to a small increase in patronage of the supermarket.

### Particular provisions

8. Clause 52.27 – Licensed Premises sets out requirements to be considered before deciding on an application and the Responsible Authority must consider:

- . The state planning policy framework and the local planning policy framework, including the Municipal Strategic Statement and local planning policies.

- . The impact of the sale or consumption of liquor permitted by the liquor license on the amenity of the surrounding area.

- . The impact of the hours of operation on the amenity of the surrounding area.

- . The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of their surrounding area.

9. A permit is required to use land to sell or consume liquor if any of the following apply:

- . A license is required under the [Liquor Control Reform Act 1998](#) (relevant requirement in this application).

Licenses are also required to vary a category of license, change trading hours, change the number of patrons allowed under a license or change the area that liquor is allowed to be consumed or supplied under a license to be increased.

10. The [Liquor Control Reform Act 1998](#), [Section 7](#) states 'a packaged liquor license is identified as a category of license that may be issued under the Act' and [section 11](#) which deals specifically with such licenses states that any such license is subject to the condition set out in [section 16](#) of the Act which requires compliance with the provisions of the local planning scheme that applies to the land and does not contravene the planning scheme.

11. Council put to me that the introduction of a permit trigger under the changes brought in by Amendment VC79 was an acknowledgement of the potential negative impacts that can arise as a result of an approval and the amendment went on to state that there will be a requirement for responsible authorities to assess the social and economic benefits created by the sale of packaged liquor, against the costs of alcohol related harm to the community, amenity impacts and cumulative impacts from licensed premises.

### Hours of operation

12. In general terms the Victorian Commission for Gambling and the Regulation discourages 24 hour operation of packaged liquor outlets and recommended that hours for such outlets should not exceed past 12 midnight. With the current application the applicant proposes that the licensed premises component of the supermarket will open at 9.00 am or 10.00 am on Sundays 12 noon on ANZAC day and close at 10.00 pm each night of the week with the liquor sold within a designated and sectioned off area of the building (the nominated red line plan area). This area of 60 square metres will be separate from the remainder of the shop and will have its own register for sales.

13. In the council officer's report these hours were considered to be "within ordinary hours of the operation (as per the definition under the [Liquor Control Reform Act 1998](#)) and they considered that it did not extend into the late night trading nor promote the misuse or abuse of alcohol". It is understood that the remainder of the shop will remain open at the same time as the licensed area and that the two will not operate independently. Evidence was provided that the other packaged licensed businesses in this strip and wider and further afield generally close either 9 or 9.30 in the evening but it is not known whether these are specific limitations in the license or are at the decision of the operator.

14. Given the hours of operation of the number of the other shops in the vicinity and particularly the take away food shops and restaurants, I do not consider that closing at 10.00 pm in the evening is unduly problematic and certainly does not exceed the hours set out in the commission's guidelines. To this extent I am in agreement with the officer's assessment of the hours of operation and given that there is no separate access into the licensed premises and one must pass through part of the shop to gain the premises that is often the situation with supermarkets that offer packaged liquor. I am satisfied that there will be not detriment to the area caused by persons entering the supermarket/shop who may well purchase food and alcohol in the same trip.

15. I note the objectors had concerns about the impacts of sales of liquor that could lead to drinking in the vicinity of the shopping centre and surrounding residential streets. However, due to packaged liquor having to be consumed off the licensed premises and there was no evidence tendered of any existing issues regarding consumption within the vicinity of the centre I cannot be satisfied that there will be not any impact on the amenity of the surrounding area. Furthermore, with the referral of the application to the local police, no issues were raised by them regarding this potential behaviour and that the area was generally quiet but there have been some instances of shop lifting at this group of shops. The police had no objection to the application.

### ***Cumulative impact assessment***

16. The Department of Planning and Community Development produced Practice Note 61 in March 2011 entitled "*Licensed Premises; assessing cumulative impact*" with the express purpose to explain the concept of cumulative impact in relation to licensed premises and provide guidelines to assist permit applicants when considering to responding to cumulative impact and support council in assessment of such applications.

At clause 57.27 – Licensed Premises the relevant decision guideline requires council to consider:

The cumulative impact of any existing license premises and the proposed licensed premises on the amenity of the surrounding area.

17. The use of the guidelines is to be undertaken when one of two situations occur and this is whether the licensed premises will be open after 11.00 pm and is there a cluster of licensed premises in the area. The proposed package liquor outlet will not be open after 11.00 pm so one then turns to the question of cluster. The guidelines consider cluster to be three or more licensed premises including the proposed premises within a radius of 100 metres to the subject land; or 15 or more licensed premises including the proposed premises within a radius of 500 metres from the subject land.

18. Both council and the objectors undertook a survey of the licensed premises within the strip shopping centre and in the wider area generally. It is common between all the parties that there are two licensed premises existing in the shopping strip one is the Bernard Bottlemart (bottle shop) which has a packaged liquor license and the other is at no.1/27 Bernard Street – Chok Dee Thai restaurant which has a BYO license. Within the broader 500 metre radius there is one additional licensed premises which is Grey's Auctions at 19 Hewitt Street, Cheltenham that is in an industrial area to the north and this premises has a limited license for functions.

19. In considering what is already within the area I note that the BYO licensed restaurant allows patrons who are attending to consume food and they will normally bring a small amount of liquor with them and would be seated to dine and this use is not considered to be a one that would cause off site impacts. The other premises the bottle shop is for the purchase of liquor that is consumed elsewhere and the license does not allow the sale of liquor to persons under 18 years of age or that are in an inebriated state.

20. I consider that the two existing uses within this strip shopping centre which the police indicate they have no issues with are certainly not in the same league as a vertical drinking bar or tavern and a BYO license is at the lower end of the scale for potential impacts to the surrounding area. Even though technically there will be three liquor licenses within the small distance of the subject site I am satisfied that they are not of a scale that would cause a cluster that would have an amenity impact on the adjoining residences in the area. I take specific note of there being no objection from the police referral and that council's local laws department there has been no history of enforcement proceedings against the two existing premises and furthermore council's social planning department has no objection to the application.

21. I consider the most relevant commentary on these types of applications regarding how planning requirements are to be considered regarding the relevant clause 52.27 is *The Hunt Club Commercial Pty Ltd v City of Casey CC* decision by Deputy President Mark Dwyer of the Tribunal. In part of the decision that is relevant in this application he said:

“as a matter of general principle a broad concern about the social harm cause by alcohol, the accessibility of alcohol in the community generally, or the potential for the abuse or misuse of alcohol, will rarely (if any) be a relevant planning consideration in the exercise of discretion for a particular license premises under clause 52.27.

Town planning is not a panacea for all perceived social ills, nor is planning decision making a forum for addressing all issues of social or community concern. At its heart planning is about the use, development and protection of land. It has a spatial context that is primarily concerned with the fair, orderly, economic and sustainable use and development of land. Town planning does not involve itself in moral judgements nor, subject to this locational or spatial perspective in the operation of a competitive market economy in which certain goods and services are lawfully made, sold or consumed. While town planning seeks to secure a pleasant, efficient and safe working, living and recreational environment it is not the role of town planning to address all issues of public health, nor to regulate the pricing or general availability of a product to manage the health and wellbeing of a society.”

22. I have taken the comments in Deputy President Dwyer's decision on board in making the assessment of this application. I am satisfied that the proposed package liquor outlet is in compliance with the relevant planning policies particularly at the state and local level and I am further satisfied that the factors required for consideration under [section 60\(1\)](#) of the Act have been assessed.

23. The objectors and Council, in its grounds of refusal raised the issue of there being no need or benefit from approval of the package liquor premises in the centre. I cannot find any reference in the Kingston Planning Scheme that requires that a proposal is to result in public benefit, apart from a general reference but not a mandatory reference in Cl 10 that refers to balance “in favour of net community benefit” however the enhanced offer on the supermarket site and the businesses ongoing viability could be put as a net community benefit.

### **Conclusion**

24. I am satisfied that the proposed use is appropriate for the site in that it complies with the provisions of a Commercial 1 zoning. I have not been provided with any evidence that the proposal would have a detrimental amenity impact on surrounding properties and the proposal satisfies the requirement of the Kingston Planning Scheme and its various parts. On this basis it is appropriate to grant a permit subject to appropriate conditions that are set out in Appendix A.

E. Bensch

**Member**

**APPENDIX A**

<b>PERMIT NO.</b>	<b>KP158/2014</b>
<b>VCAT REFERENCE NO.</b>	<b>P1657/2014</b>
<b>APPLICANT</b>	<b>TONLAN PTY LTD</b>
<b>RESPONSIBLE AUTHORITY</b>	<b>KINGSTON CITY COUNCIL</b>
<b>DATE OF HEARING</b>	<b>12-MAR-2015</b>
<b>ADDRESS</b>	<b>1/39 BERNARD STREET CHELTENHAM</b>

**Permit Preamble**

Use the land for the sale of packaged liquor

**Permit Conditions**

1. The use (liquor licence) as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. The serving of liquor is to be restricted to the following times:

Monday to Saturday 9.00am to 10.00pm

Sunday 10.00am and 10.00pm

Anzac Day 12.00 noon to 10.00pm

Or otherwise as approved by the Responsible Authority in writing.

3. The packaged liquor component of the premises may only be open to trade when the supermarket component of the premises is open to trade.

3. During all operating hours of the use hereby authorised, there must be present on the site a person above the age of 18 years, who has been authorised by the occupier of the land and that person will be responsible for the good conduct of patrons arriving, using or leaving the land (for the purposes of this permit, this person is known as "The Manager"), to the satisfaction of the Responsible Authority.

4. All staff on the premises must be appropriately trained in the responsible serving of alcohol, to the satisfaction of the Responsible Authority.

5. The amenity of the area must not be detrimentally affected by the use, including through the:

i) Transport of materials, goods or commodities to or from the land.

ii) Appearance of any building, works or materials.

iii) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

iv) Presence of vermin.

v) Any other way.

6. Once the use (liquor licence) has started, it must be continued to the satisfaction of the Responsible Authority.

7. In accordance with section 68 of the Planning and Environment Act 1987 (Act), this permit will expire if one of the following circumstances applies:

1. The use is not started within two (2) years from the date of permit issue.

2. The use is discontinued for a period of two (2) years.

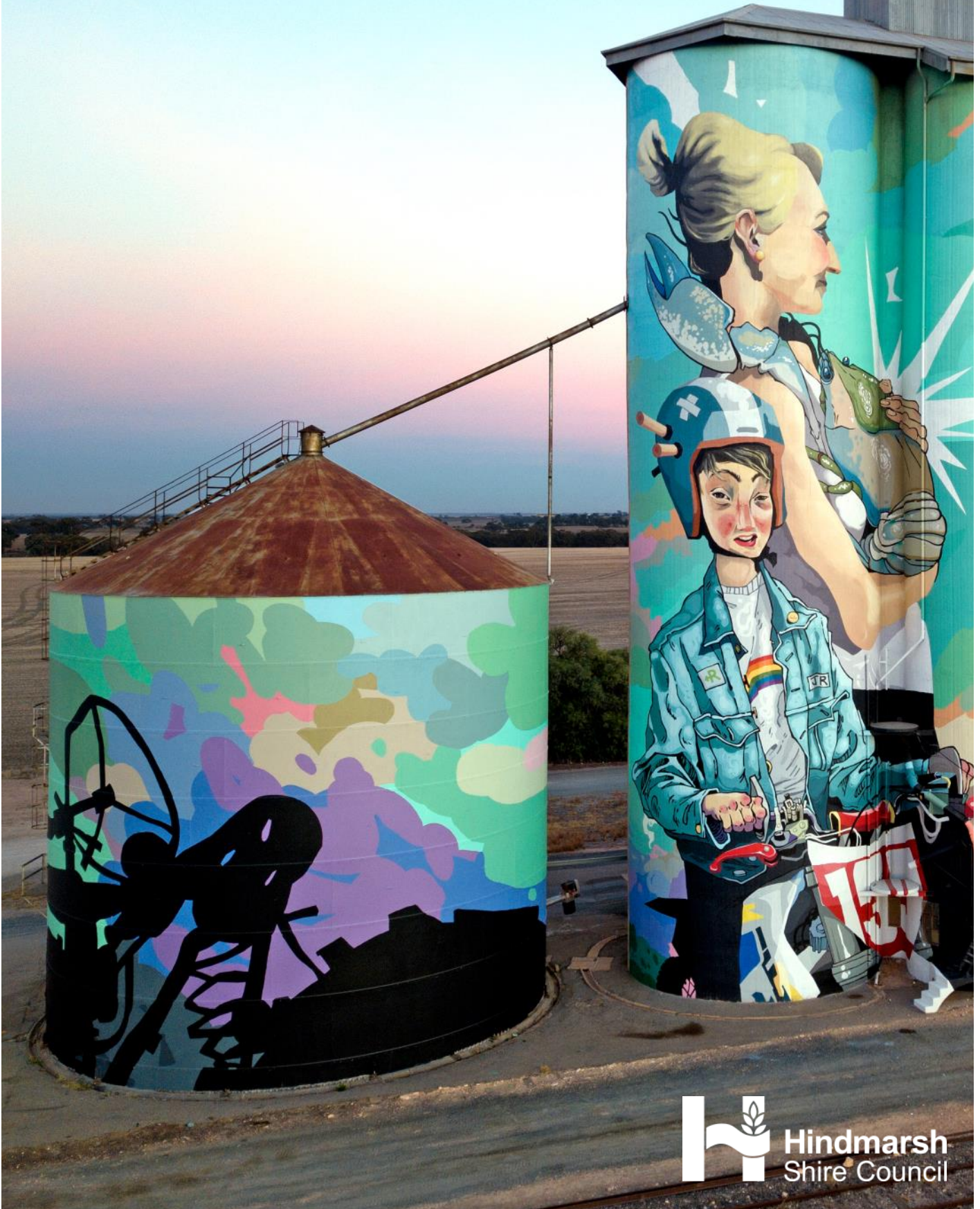
8. In accordance with section 69 of the Act, the responsible authority may extend the periods referred to if a request is made in writing:

. before the permit expires; or

within six (6) months after the permit expiry date, where the use (liquor licence) allowed by the permit has not yet started.

# Hindmarsh Shire Council

Council Plan 2021-2025 and Community Vision 2040



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# Acknowledgement of our Traditional Custodians

We respectfully acknowledge the Indigenous community as the first owners of this country. We recognise the important ongoing role that Indigenous people have in our community.

Hindmarsh Shire Council is committed to Aboriginal reconciliation, and acknowledges the traditional people and the cultural significance and history of the traditional land of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk people.

Hindmarsh Shire aims to collaborate and work in meaningful and respectful ways with the Indigenous community.



# Message from the Mayor

On behalf of Council, I am pleased to present the Hindmarsh Shire Council Community Vision and Council Plan 2021-2025 incorporating the Health and Wellbeing Plan.

The *Local Government Act 2020* requires that Council prepare and adopt a Council Plan and Community Vision. In developing the Vision, Council Plan and Municipal Public Health and Wellbeing Plan Council has taken into account the needs and aspirations identified by our communities. Council engaged with the community by conducting an online survey and holding in person community conversation sessions.

**Our Vision for Hindmarsh is:**

***Working together to be a connected, inclusive and prosperous community.***

We will achieve our vision through our values with transparent and accountable actions and decisions; inclusion and collaboration with residents; showing respect and integrity to all; and, being proactive and responsible by encouraging innovation.

The Community Vision and Council Plan follows four key themes:

- Our Community
- Built & Natural Environment
- Competitive & Innovative Economy
- Governance & Financial Sustainability

The *Public Health and Wellbeing Act 2008* requires Council to develop a Municipal Public Health and Wellbeing Plan. Council supports the Wimmera wide health and wellbeing priorities and has incorporated them into this plan.

The MPHWP will focus on four key areas:

- Healthy Eating
- Active Living
- Social Connectivity
- Improving Mental Health

The Council plan will be a living document that will be reviewed and updated annually. The plan contains annual actions, allowing Council to adapt to our changing environment and inform the budget for each financial year.

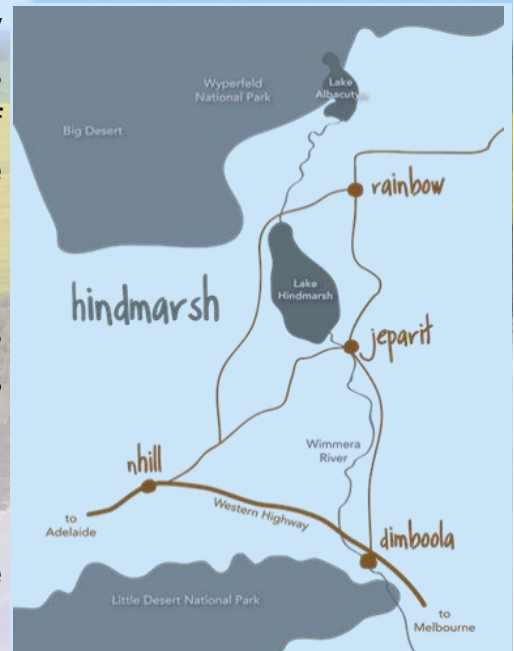
Collaboration is key for ensuring successful implementation of this plan and a connected experience across our community. In delivering this plan we will partner with key stakeholders, state and federal government, regional bodies, as well as our community, business and industry sectors. We value the partnerships we have with the community and acknowledge the hard work of our volunteers throughout the Shire.

Cr Ron Ismay  
**Mayor**

# About Council & what we do

Hindmarsh Shire Council is located halfway between Melbourne and Adelaide, comprises 7,500sq kilometres and has a population of approximately 5,588. The Western Highway, the main thoroughfare between Melbourne and Adelaide, runs through the Shire.

Hindmarsh Shire has four main townships (Dimboola, Jeparit, Nhill and Rainbow) and is largely dependent on agriculture, health services, manufacturing and retail. Our towns have excellent sporting facilities, schools and hospitals, and our natural and heritage attractions draw thousands of visitors each year.



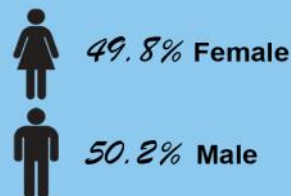
Hindmarsh Shire is responsible for the governance and delivery of services that support the municipal community. This includes waste management, maintenance of roads, footpaths, and drainage, planning and building services, local laws and emergency management and recreation and community services.

Councillors are elected by, and accountable to, the people who live and do business within the municipality.

## Who we are

### Demographic Snapshot

#### Population



#### Average people per household



#### Indigenous population



#### Median Age



#### Households not connected to the internet



#### People 65 years of age and over



Source: ABS Census 2016

# Our Councillors

## Mayor

Cr Ron Ismay

North Ward

Email: [rismay@hindmarsh.vic.gov.au](mailto:rismay@hindmarsh.vic.gov.au)

Mobile: 0429 951 094

## Deputy Mayor

Cr Melanie Albrecht

West Ward

Email: [malbrecht@hindmarsh.vic.gov.au](mailto:malbrecht@hindmarsh.vic.gov.au)

Mobile: 0437 927 785

Cr Brett Ireland

North Ward

Email: [bireland@hindmarsh.vic.gov.au](mailto:bireland@hindmarsh.vic.gov.au)

Mobile: 0431 755 625

Cr Rob Gersch

West Ward

Email: [rgersch@hindmarsh.vic.gov.au](mailto:rgersch@hindmarsh.vic.gov.au)

Mobile: 0427 600 122

Cr Debra Nelson

East Ward

Email: [dnelson@hindmarsh.vic.gov.au](mailto:dnelson@hindmarsh.vic.gov.au)

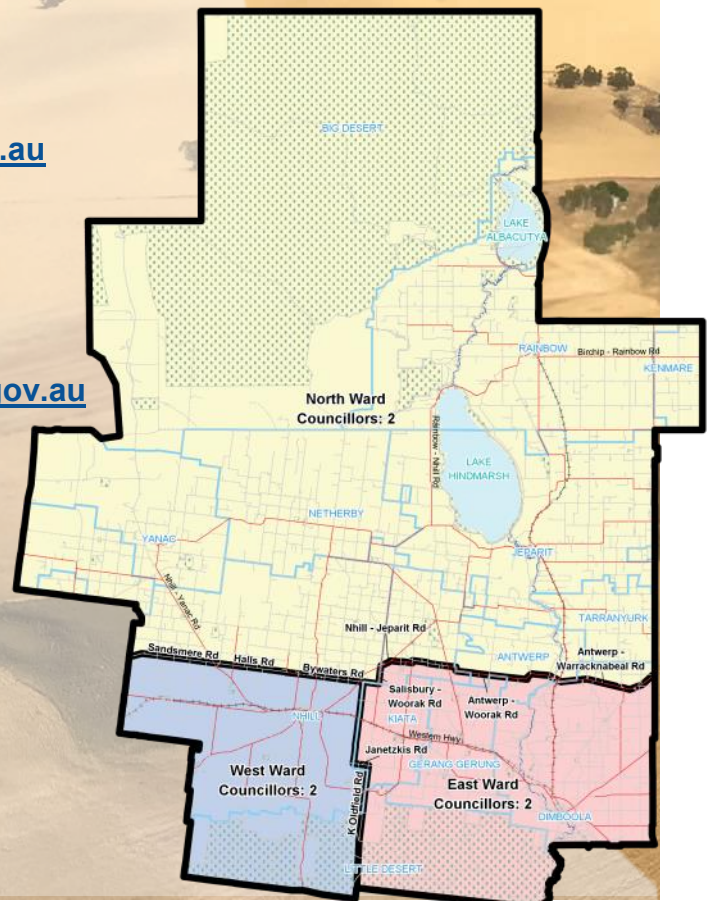
Mobile: 0459 021 802

Cr Wendy Bywaters

East Ward

Email: [wbywaters@hindmarsh.vic.gov.au](mailto:wbywaters@hindmarsh.vic.gov.au)

Mobile: 0437 920 869



# How to read this document



This document contains three main components: Community Vision 2040, four-year Council Plan, and four-year Municipal Health and Wellbeing Plan. This has been presented as a single integrated document due to their link.



# Purpose of the Community Vision and Council Plan and Community Engagement

The *Local Government Act 2020* requires that a Community Vision and Council Plan be prepared and adopted by 31 October in the year following a general election.

The Community Vision must describe the municipal community's aspirations for the future of the municipality for a period of at least the next 10 financial years.

The Council Plan must address the strategic planning principles outlined in the Act in the preparation of its Council Plan and other strategic plans.

The Council Plan reflects the strategic priorities and direction of the elected Council. Included in the Plan is Council's strategic objectives and strategies for achieving the objectives. Each year Council will prepare an annual action plan for the coming year detailing initiatives for achieving the objectives and strategies, and indicators for monitoring success.

The Council Plan expands on the four themes of our community, built & natural environment, competitive and innovative economy, and good governance and financial sustainability.

The Community Vision and Council Plan has been informed by community engagement through an online questionnaire and community conversation sessions including round table discussions.

Through our online questionnaire we asked our community for their top 3 priorities under the four themes, challenges for Hindmarsh, how to address the challenges, what they like most about Hindmarsh, areas to focus on, and advocacy and support required to make Hindmarsh age friendly.

The results then informed our round table discussions with participants asked to consider and discuss the following with Councillors and staff members:

- What communication / conversation methods can Council adapt or add to bridge the perceived communication gap?
- What new services / spaces are needed to facilitate active, engaged and supported youth and elderly?
- In addition to current programs and initiatives, how can Council continue to support our businesses and local tourism groups and organisations to create tourist-friendly towns, to maximise experience and improve the sustainability of local businesses?
- Given the limited resources that Council has to dedicate to repairing and renewing localised infrastructure, what are some examples of tangible infrastructure improvements needed to support our community, and how should Council go about identifying priority areas in the future?
- What actions can Council take to improve / increase Council's and the broader community's environmental awareness and management practices?
- Are there any other suggestions or actions that Council can consider to improve the quality of life, community liveability and sustainability of the townships and residents within the Shire?

# Community Vision

*Hindmarsh: Working together to be a connected, inclusive and prosperous community.*

We will achieve our Community Vision through four key themes:

- Our Community
- Built and Natural Environment
- Competitive and Innovative Economy
- Good Governance and Financial Sustainability

## Our Community

By 2040 we want to:

- be a friendly, welcoming, inclusive and desirable place to live.
- provide arts and cultural activities that strengthen social connection.
- recognise respect and support Traditional owners.
- celebrate the diversity within our Community.
- be safe and accessible communities.
- support healthy living and provide services and activities for people of all ages and abilities.
- promote digital connectivity to support learning and work.

## Built and Natural Environment

By 2040 we want:

- well maintained roads, buildings and other assets that service our community needs.
- spaces and facilities to support our recreation, socialisation and wellbeing.
- sustainable practices that preserve our landscapes and open spaces for our future generations to enjoy.
- quality and affordable housing and rental accommodation suitable for our diverse community.

## Competitive and Innovative Economy

By 2040 we want:

- a strong tourism industry with quality accommodation for visitors.
- a variety of commercial and other employment opportunities for all ages and abilities.
- strong local businesses providing goods and services including retail and hospitality.
- a strong competitive agricultural industry.

## Good Governance and Financial Sustainability

By 2040 we want:

- accountable leadership to achieve a strong and shared future.
- responsible and sustainable financial, asset and risk management.
- continued advocacy on issues that matter to our community.
- consultative and engaging partnerships with the community and interest groups.

# Council Values and Mission

## Council Values

Council addresses key values through:

- Transparent and accountable actions and decisions
- Inclusion and collaboration with residents
- Showing respect and integrity to all
- Being proactive and responsible by encouraging innovation

## Council Mission

Council's mission is to:

- Increase accessible services to enable the community to be healthy, active and engaged.
- Provide infrastructure essential to support the community; and to protect and enhance our natural environment.
- Foster a sustainable and diversified local economy where economic growth is encouraged and supported.
- Promote user friendly services to ensure transparency, good governance and financial sustainability.
- Advance gender equality, equity and inclusion for all.



# Theme One: Our Community

Council's mission is to increase accessible services to enable the community to be healthy, active and engaged.

Objectives	What are we going to do	Council's Role
A community well informed and engaged	Use a broad range of communication and engagement techniques with information accessible in different languages	Deliver
	Redevelopment of Council's website to allow for easier navigation	Deliver
	Continue to engage with the community through Council-Community Conversations to provide an alternative avenue of engagement, consultation and promotion	Deliver
	Support and celebrate our volunteers	Deliver Partner
	Provide opportunities for our LGBTIQ+ community to inform Council on barriers to accessing council services and facilities	Deliver Partner
	Support local community organisations through the Community Action Grants Program	Deliver
Communities that feel safe and are resilient	Work with key stakeholders to develop and implement plans and policies that assist our communities to prepare and recovery from emergencies and natural disasters	Deliver Partner
Provide arts and cultural activities that strengthen social connection	Facilitate and support arts, music, and cultural community events, celebrations and activities to build social connection.	Deliver Partner
	Support significant days and events important to our multicultural community.	Deliver Partner
A range of effective and accessible services to support the health and wellbeing of our community	Further develop and provide library services to facilitate a range of activities for residents	Deliver
	Continue to support and facilitate Hindmarsh Shire Youth Council including the development and implementation of a Youth Strategy	Deliver Partner
	Provide infrastructure and support to early years services within Hindmarsh	Deliver Partner
	Advocate for a range of learning and skill development opportunities for all ages	Advocate
	Advocate and lobby for improved mental health services for all ages in our community	Advocate



# Theme One: Our Community continued

Objectives	What are we going to do	Council's Role
Support healthy living and provide services and activities for people of all ages and	Provide Home and Community Care Services to enable our aged and vulnerable community to retain independence to remain in their homes for longer	Deliver
	Facilitate a range of events and activities to engage and support our elderly community	Deliver Partner
A range of transport options	Advocate for improved public transport services, including the return of passenger rail to the Wimmera	Advocate
	Provide transport options for school holiday activities to ensure no student is disadvantaged	Deliver
Assist our Community to recover from COVID-19	Support a range of events and activities within Hindmarsh to bring communities back together	Deliver Partner
A diverse community	Support and encourage refugee or migrants to relocate and invest in Hindmarsh	Deliver Partner Advocate
	Provide opportunities for our Karen and all other multicultural communities to inform Council on barriers to accessing council services and facilities	Deliver Partner
Recognise respect and support Traditional Owners	Acknowledge and preserve Aboriginal values and culture through partnerships, land management practices and understanding in order to deliver positive outcomes	Deliver Partner
	Consider our Indigenous heritage when planning for new community facilities, projects or spaces	Deliver Partner
Digital connectivity to support learning and work	Promote the strength of digital connectivity in the Shire	Deliver
	Advocate for improved mobile phone coverage, including a telecommunications tower west of Rainbow	Advocate

# Theme Two: Built and Natural Environment

Council's mission is to provide infrastructure essential to support the community; and to protect and enhance our natural environment.

Objectives	What are we going to do	Council's role
Well-maintained physical assets and infrastructure to meet community and organisational needs	Maintain the condition of our existing local road network prioritising capital works investment into renewal on roads and road related infrastructure.	Deliver
	Upgrade parks and open spaces as funding stream are available, including lighting for increased night time use, safety and security.	Deliver
	Completion and installation of the pathways hierarchy and pathways expansion program to provide inclusive footpaths and kerbing.	Deliver
	Regularly review Council's asset management plans, and update the Assets Register	Deliver
	Advocate for the continuation of State and Federal Government funding to support the maintenance and upgrades of Council's extensive road network and infrastructure needs.	Advocate
	Develop master plans for all Recreation Reserves, multi-use facilities and active outdoor open spaces.	Deliver Partner
Environmentally sustainable practices	Develop and implement a strategic roads strategy to support agriculture and communities	Deliver Partner
	Implement a range of environmentally sustainable practices throughout the Shire including solar/wind powered infrastructure and water efficient appliances	Deliver Partner Advocate
	Encourage the community to implement waste minimisation and management strategies through education and promotion	Deliver Partner Advocate
Attractive streetscapes	Continuous improvement of our waste management and transfer stations through upgrades and establishment of rural collection points for increased recycling use and waste services, including transition to a new waste strategy	Deliver Partner Advocate
	Maintain attractive streetscapes, open spaces and public places	Deliver
	Encourage and support residents and ratepayers to maintain the cleanliness and good order of their properties.	Partner Advocate
	Continue to replace and increase green space with regular tree planting in accordance with Council's adopted tree strategy and sustainable watering systems.	Deliver

# Theme Three: Competitive and Innovative Economy

Council's mission is to foster a sustainable and diversified local economy where economic growth is encouraged and supported.

Objectives	What are we going to do	Council's role
Facilitating and supporting economic development	Review and implement Council's Economic Development Strategy	Deliver Partner
	Facilitate business networking sessions and showcasing Hindmarsh businesses	Deliver Partner
	Provide support to Hindmarsh businesses through buy local campaigns, Council purchasing locally and promote business assistance grants	Deliver Partner Advocate
	Advocate for affordable and available rental accommodation through the Wimmera Development Association regional housing taskforce	Partner Advocate
	Actively participate in the Wimmera Development Association and Rural Councils Victoria	Partner
	Review and update Council's town planning scheme to allow for urban and commercial development	Deliver
Develop and promote local tourism opportunities that attract visitation	Promote Hindmarsh Shire as a destination of choice by increasing and improving tourism signage to encourage people to stop, stay and play in Hindmarsh Shire.	Deliver Partner Advocate
	Develop master plans for all Council owned and operated caravan parks and seek funding to support the implementation of actions and upgrades including cabin accommodation	Deliver
	Establish camping facilities along the Wimmera River Discovery Trail phase 1 and advocate for funding for the completion of the whole trail	Deliver Partner Advocate
	Online bookings and payment options available for Hindmarsh Shire managed caravan parks	Deliver
	Support community initiatives such as markets, pop up shops and appropriate events / activities	Deliver Partner Advocate

# Theme Four : Good Governance & Financial Sustainability

Council's mission is to promote user friendly services to ensure transparency, good governance and financial sustainability, and to advance gender equality, equity and inclusion for all.

Objectives	What are we going to do	Council's role
Strong governance practices	Ensure compliance with the <i>Local Government Act 2020</i>	Deliver
	Continue online streaming of Council meetings to uphold the principles of public transparency and accessibility	Deliver
	Provide a range of engagement and communication methods to ensure open, easily available and transparent communication between Council and the community.	Deliver
	Work collaboratively with, and support appropriate community organisations, to plan community initiatives and mitigate community issues.	Deliver Partner
Long-term financial sustainability	Continue to focus on responsible financial management in budgeting and long term financial planning	Deliver
	Enhance our financial management systems through the Rural Council Transformation Project	Deliver Partner
	Continue to advocate State and Federal Governments for sustainable funding models for small rural councils	Advocate
Ensure responsible risk management principles	Further develop and implement Council's Risk Management Framework and ensure all key risks have been measured and adequately controlled.	Deliver
A skilled Council and workforce capable of meeting community needs	Enhance our workforce through the development of a Workforce Plan that supports the needs of the organisation and encourages diversity	Deliver
	Provide for a safe working environment and develop a productive and skilled workforce.	Deliver
	Provide professional development opportunities including diversity and cultural awareness education and training for Councillors and staff	Deliver Partner
	Provide opportunities for culturally diverse and young people through activities such as work experience, cadetships, certificates, apprenticeships and traineeships	Deliver Partner
	Promote benefits of being a Councillor encouraging diversity on Council	Deliver Advocate
Gender Equity respect and leadership	Demonstrate leadership on gender equity and promote respectful relationships through partnerships, programs, activities, spaces and education and Council's implementation of the <i>Gender Equality Act 2020</i>	Deliver Partner Advocate

# 2021/2022 Annual Plan to achieve our objectives

## Theme One – Our Community

Action Item
Monthly and fortnightly e-newsletters distributed through emails and available on Council's website
Redevelopment of Council's website making it easier for our community to navigate
Councillors and Council Officers attend advisory committees including Town Committees, Wimmera Mallee Pioneer Museum and Yurunga Homestead meetings
Partner with Wimmera Pride to ensure LGBTIQ+ barriers and views are considered
Develop the Hindmarsh Shire Youth Strategy
Upgrades to the Nhill Library to encourage use by our multicultural community, children and youth
Continue to support early years services in Hindmarsh Shire
Partner with Nhill Learning Centre to ensure barriers and views of the Karen and other multicultural communities are considered
Ensure the Municipal Emergency Management Committee includes membership from key stakeholders
Support our ageing community through hosting seniors concert, social connection activities including movie matinees and morning teas, and delivery of community care services
Support local community events including the Rainbow Desert Enduro, Great Victorian Bike Ride, Dimboola inaugural Steampunk Festival, Nhill Friday Fiestas in February, Peter Taylor Barefoot Tournament etc.
Celebrate volunteers week
Construction of Rainbow Library
Provide community action grants to support Hindmarsh community groups and organisations
Continue to support the Rural Outreach Program
Provide school holiday activities throughout Hindmarsh
Support and coordinate the volunteer taxi service in Nhill
Establish and maintain relationships with Barengi Gadjin Land Council (BGLC) and local indigenous groups
Provide public computers and free Wi-Fi at Hindmarsh Shire Libraries

# Theme Two – Built & Natural Environment

## Action Item

Review and update Council's asset management plan

Implement recycling bins in Dimboola, Jeparit, Nhill and Rainbow main business districts

Review Council's road management plan

Construction of Albacutya bridge and associated road works

Hold free green waste month in September and encourage residents to tidy their properties prior to the fire season

Consider for adoption of Nhill streetscape plan

Installation of solar heating on Rainbow swimming pool

Advocate for improved water quality in the regional lakes and rivers

Construction of new clubrooms at Nhill Tennis Club

Review and update waste management strategy

Installation of pedestrian safety fencing at Nhill Early Years Centre

Installation of seating and electric barbeques at Rainbow lake

Consider opportunities and seek funding for lighting in public areas

Ensure Council representation on Western Highway Action Committee, Wimmera Regional Transport Group and Grampians Central West Waste, Resource Recovery Group and Hindmarsh Landcare Network

Continue to advocate for funding for Davis Park improvements

# Theme Three – Competitive and Innovative Economy

## Action Item

Upgrades to ensuites at Dimboola Caravan Park

Provide the business assistance grants program

Promote Hindmarsh as a tourism destination to stop, stay and play

Host business networking session to encourage Hindmarsh businesses to come together and network

Construction of a camp kitchen at Jeparit riverbank precinct

Installation of cabin accommodation (including all abilities) at caravan parks within Hindmarsh Shire (subject to funding)

Commence review on Council's economic development strategy

Participate in Wimmera Development Association housing strategy meetings

Enhance Council's Procurement Policy to support Council purchasing locally

Commence Silo Art at Llew Schilling Silo in Rainbow and Arkona Silo

Provide a calendar of events to assist community groups and event organisers to promote their events

Provide business concierge services to assist business understand COVID-19 restrictions

# Theme Four – Good Governance & Financial Sustainability

Action Item
Develop a workforce plan
Online streaming of Council meetings through Council's Facebook page
Consideration for employing a trainee, or apprentice when vacancies arise throughout the year
Community conversation sessions held annually in our four main towns
Drop in sessions held allowing for community input to Council on key documents or projects
Develop a ten (10) year long term financial plan
Quarterly finance reporting to Council
Review Council's complaints policy
Ensure Council representation on Wimmera Development Association, Rural Council's Victoria, and Municipal Association of Victoria
Quarterly Council plan reporting to Council
Develop a gender equality action plan
Collaborate with Horsham Rural City Council, West Wimmera Shire Council and Loddon Shire Council to implement the Rural Council Transformation Project
Audit & Risk Committee meetings review and consider Council risks at each meeting



# Reporting on Council Plan

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Council is committed to regularly monitoring and reporting on progress on the Council Plan 2021-2025 in the interests of transparency and accountability.

Each quarter across the financial year, a progress report will be presented to an open Council Meeting. The report will provide a detailed update on the annual action plan items under each theme of the Council Plan.

The Council Plan 2021-2025 will be reviewed annually to address and identify the changing circumstances and to continue to reflect the priorities of the community and work towards the Hindmarsh Shire Community Vision 2040.



# Health and Wellbeing

The *Public Health and Wellbeing Act 2008* recognises the significant role of Councils in improving the health and wellbeing of people who live, work, study and play in their municipality. The Act requires Hindmarsh Shire Council to develop a Municipal Public Health and Wellbeing Plan every 4 years within 12 months of each general election.

## **Integrating Public Health and Wellbeing Plan into Council Plan.**

In our Council Plan 2021-2025, we have chosen to include initiatives supporting the health and wellbeing of our communities. While such initiatives are often documented in a separate Municipal Public Health and Wellbeing Plan, we believe their inclusion in this Council Plan will help facilitate one of the key objectives of any local government: to improve the quality of life of the people in our community.

Hindmarsh Shire works in partnership with a number of stakeholders in the health, wellbeing and the social service sector including West Wimmera Health Services, Wimmera Primary Care Partnership, and Wimmera Health Care Group.

Council will focus on four key areas:

- Healthy Eating
- Active Living
- Social Connectivity
- Improving Mental Health

## Healthy Eating

With ease of access, affordability and the marketing of unhealthy food and drink choices or diet and food environment is continually changing. Only 37% of our community eat the recommended daily serves of fruit and vegetables, with 17% consuming take away food at least one day per week.

Poor diet contributes to obesity along with other illnesses including type 2 diabetes, dental disease, and cardiovascular disease.

Our aim is to provide opportunities to build a healthier food culture.

We will achieve this by:	Council's Role
Reviewing "Heathy Food Choices Policy" every 12 months	Deliver
Building a healthier food culture by sharing healthy food recipes	Deliver Partner
Promoting and participating in national Nutrition Week	Deliver Partner
Providing healthy eating messages available in common areas, intranet, education messages, posters in our parks and across organisation	Deliver Partner
Including information on our healthy food choices policy in employee induction	Deliver
Discussing healthy food with parents in supported playgroup environment and provide information on the 'traffic light system'	Deliver
Families who feel they require more information or support with healthy eating, the supported playgroup facilitator can assist with a referral to a dietician	Deliver Partner

# Active Living

Leading an active life improves our health and wellbeing. Regular physical exercise can help to prevent chronic diseases like cardiovascular, musculoskeletal, obesity and many more.

47% of Hindmarsh community members partake in insufficient exercise.

Our aim is to provide opportunities for active living through supporting our community to engage in physical activities.

We will achieve this by:	Council's role
Actively promoting and participating in community initiatives that encourage physical activity including Active April and Walk to School	Deliver Partner
Maintaining and promoting walking and cycling tracks the across the Shire	Deliver Partner
Providing maximum shade across the Shire (by planting more trees) in different areas: walking tracks, cycling tracks and outdoor sitting areas	Deliver
Maintaining and promoting local parks, bike paths, recreation facilities and community activities to encourage physical activity	Deliver Partner
Utilising Hindmarsh Shire Libraries for different physical activity sessions like yoga classes, pilates, allied health professionals and many more.	Deliver Partner
Encouraging outdoor play and provide opportunities for this during playgroup and supported playgroup sessions	Deliver Partner
Providing parents with tip sheets during playgroup on keeping active and encourage this as a form of self-care	Deliver Partner

# Social Connectivity

Social connections comprise the people we know, the friends we confide in, the family we belong to and the community we live in. Each contributes to our physical and mental health in a variety of ways.

In Hindmarsh, only 17% people make time to keep in touch with friends-regularly/all the time and 51% help out a local group as a volunteer.

Our aim is to improve the social connectivity.

We will achieve this by:	Council's role
Encouraging community to use Hindmarsh Shire Libraries and neighbourhood houses	Deliver Partner
Increasing awareness and celebration of diversity of people in community	Deliver Partner
Increasing the range of community activities that support social connections	Deliver Partner
Encouraging and maintaining the use of the natural environment for different meet and greet activities	Deliver
Increasing the opportunity to meet new and diverse people	Deliver Partner
Encouraging families to meet up outside of playgroup and early years services to strengthen relationships	Deliver
Referring identified support needs of families to appropriate services to ensure these needs are being met.	Deliver

## Mental Health

Mental health is an essential ingredient of individual and community wellbeing and significantly contributed to the social, cultural and economic life of Victoria. Mental health conditions overlap considerably with chronic diseases such as diabetes, cardiovascular disease and cancers, alcohol and substance misuse, and problem gambling.

High rates of hospitalisation for intentional self-harm and suicide has been reported Hindmarsh area.

Our aim is to promote awareness regarding mental health.

<b>We will achieve this by:</b>	<b>Council's role</b>
Encouraging participation in library based program	Deliver Partner
Promoting awareness of support available and raise awareness of the signs of poor mental health through social media	Deliver Partner
Advocating for the continuation of the Rural Outreach Program	Partner Advocate
Improving residents' access to the natural environment through appropriate planning, provision and maintenance of open spaces for residents to use and enjoy	Deliver
Participating in programs that support Mental Health including Mental Health First Aid Training	Deliver Partner



# Contact Council



Hindmarsh Shire Council operates four Customer Service Centres across the Shire to meet the needs of each community.

Council also operates library services across the Shire with three combined customer service centres and libraries; and one stand-alone library.

## **Nhill Customer Service Centre**

92 Nelson Street, NHILL

**Ph: 03 5391 4444**

## **Dimboola Customer Service Centre & Library**

101 Lloyd Street, DIMBOOLA

**Ph: 03 5391 4452**

## **Jeparit Customer Service Centre & Library**

10 Roy Street, JEPARIT

**Ph: 03 5391 4450**

## **Rainbow Customer Service Centre & Library**

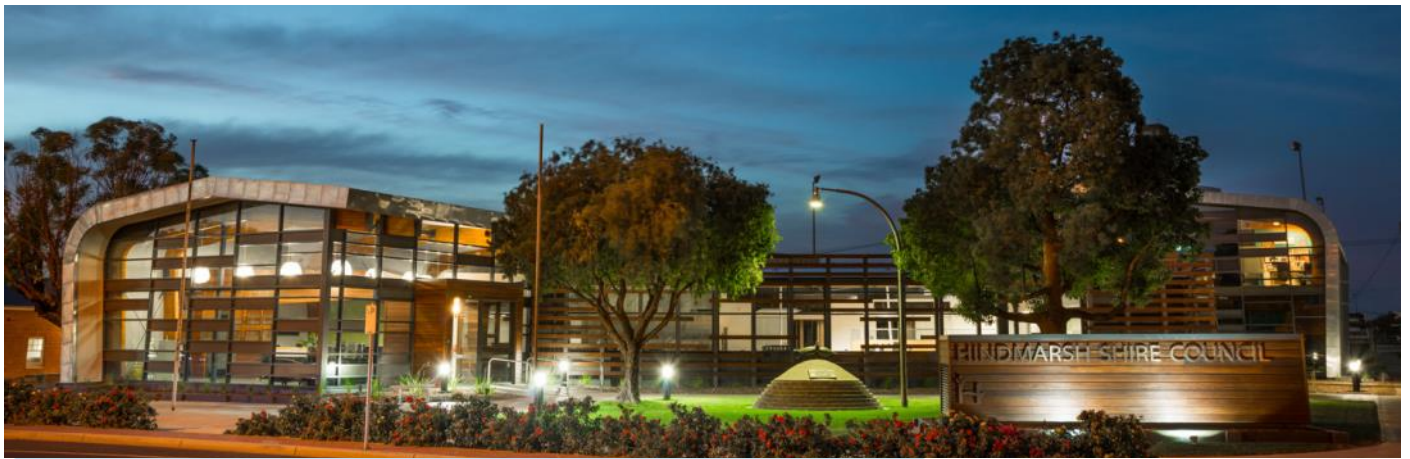
Federal Street, RAINBOW

**Ph: 03 5391 4451**

## **Nhill Library**

5 Clarence Street, NHILL

**Ph: 03 5391 4449**



**Further information can be found on our Website:**

[www.hindmarsh.vic.gov.au](http://www.hindmarsh.vic.gov.au)

**You can email us at:**

[info@hindmarsh.vic.gov.au](mailto:info@hindmarsh.vic.gov.au)

**Or write to us at:**

PO Box 250, NHILL VIC 3418

**If you are online, follow us on Facebook to keep up to date:**

[www.facebook.com/hindmarshshirecouncil](http://www.facebook.com/hindmarshshirecouncil)

[www.facebook.com/hindmarshshireyouthcouncil](http://www.facebook.com/hindmarshshireyouthcouncil)

[www.facebook.com/hindmarshshirelibraries](http://www.facebook.com/hindmarshshirelibraries)

**Please subscribe to our fortnightly e-newsletter:**

[www.hindmarsh.vic.gov.au/enews](http://www.hindmarsh.vic.gov.au/enews)







# Hindmarsh Shire Council

## Domestic Animal Management Plan

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*2021 – 2025*

## 1 INTRODUCTION

### 1.1 Purpose of Domestic Animal Management Plan

The Domestic Animals Act 1994 (the Act) requires council to prepare a Domestic Animal Management Plan (**plan**) every four years.

The plan must set out a method for evaluating whether the animal management services provided by council are adequate to give effect to requirements of the Act and the Domestic Animal Regulations 2015.

The plan must also outline programs for the training of authorised officers along with programs, services and strategies to:

- ensure that people comply with the Act, the regulations and any related legislation; and
- minimise the risk of attacks by dogs on people and animals; and
- address any over-population and high euthanasia rates for dogs and cats; and
- encourage the registration and identification of dogs and cats; and
- minimise the potential for dogs and cats to create a nuisance; and
- effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations; and
- provide for the review of existing orders made under this Act and local laws that relate to the Council's municipal district with a view to determining whether further orders or local laws dealing with the management of dogs and cats in the municipal district are desirable; and
- provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and
- provide for the periodic evaluation of any program, service, strategy or review outlined under the plan.

Council is also required to review and where appropriate amend the plan and publish an evaluation of the implementation of the plan in the Council annual report.

### 1.2 Process applied in developing the plan


This plan has been developed in reference to the relevant legislation and regulations and Council's Domestic Animal Management Plan 2017 – 2021.

Council made the draft plan available to the Hindmarsh community, inviting submissions, from 5 August 2021 until 6 September 2021.

*[insert summary of submissions received from the community]*

### 1.3 Overarching objectives

The overarching objectives of this plan are to:

- 
- 1. Promote and encourage responsible pet ownership in the Hindmarsh Shire Community**
  - 2. Contribute to the health and wellbeing of pets and people in the Hindmarsh Shire Community**
  - 3. Reduce domestic animal nuisance issues and dog attacks**

The Plan is based on the follow strategic directions for the delivery of Council's animal management services:

- Training of authorised officers
- Promoting and educating people about responsible pet ownership
- Addressing over population
- Registration and identification
- Nuisance
- Dog attacks
- Dangerous, menacing and restricted dogs
- Domestic animal businesses

### 1.4 Demographic and profile of Shire

The Shire of Hindmarsh is located in the Wimmera Region halfway between Melbourne and Adelaide and comprises 7,500 square kilometers and a population of 5,700. Our four main towns (Dimboola, Jeparit, Nhill and Rainbow) are attractive and have a rich history dating back to the 19th century. The shire shares its boundaries with West Wimmera Shire Council, Yarriambiack Shire Council, Horsham Rural City Council and Mildura Rural City Council.

Recent years have seen an increase in residents from a culturally and linguistically diverse background, particularly in Nhill. Approximately 180 Karen have made their home in Nhill since Luv-a-duck initiated employment of five migrants in 2010.

On census night 2016, there were 2,848 males and 2,872 females in the Shire. There were 82 people of indigenous origin. The median age in Hindmarsh is 50 years compared with Australia's median of 38 years.

83.5% stated that they were Australian-born, compared to 8.2% born elsewhere. English was the only language spoken in 88.0% of homes, compared to 5.4% other languages of which

the most common were Karen (2.4% or 140 people), Malayalam (0.5%), Filipino, Dutch and German (all 0.2%).

### 1.5 Context and current situation

Description of current animal management and responsible pet ownership programs and services.

Programs / service	Service level
<i>Identification and registration</i>	Approximately 1,500 dogs and cats registered each year
<i>Identification and registration – door knock campaigns</i>	Hindmarsh Shire Council conducts a doorknocking campaign to identify animals that have not been registered.
<i>Domestic animal complaints</i>	A response will be provided within 2 days
<i>Dangerous dog complaints</i>	Same day response
<i>Routine street patrols</i>	Council routinely patrols the streets in Nhill, Jeparit, Rainbow and Dimboola
<i>Pound</i>	Council has a domestic animal pound
<i>After hours emergency service</i>	Council provides after hours emergency service 24/7.

### 1.6 Domestic animal statistics

	2017/2018	2018/2019	2019/2020
<i>Dogs registered</i>	1189	1187	1012
<i>Cats registered</i>	420	402	366
<i>Dogs impounded</i>	35	17	21
<i>Dogs euthanised</i>	2%	0%	9%
<i>Cats impounded</i>	98	152	67
<i>Cats euthanised</i>	86%	85%	37%
<i>Number of declared dogs</i>	1 menacing	1 menacing	1 menacing
<i>Number of animals seized / surrendered</i>	133	152	88
<i>Number of prosecutions</i>	0	0	0
<i>Number of complaints relating to dogs and cats</i>	297	351	397

## 2 TRAINING OF AUTHORISED OFFICERS

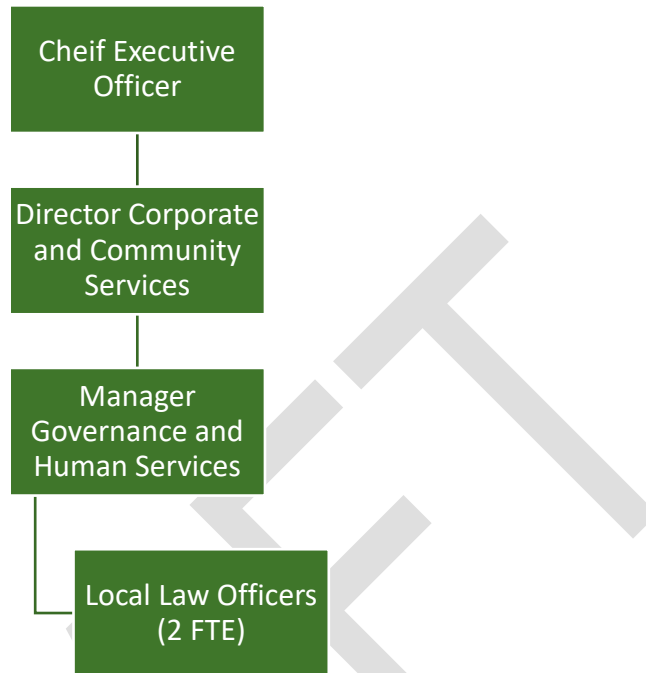
Local Laws Officers undertake training to ensure they comply with all requirements as per their position description. This section of the plan outlines the programs for the training of local law officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district.

### 2.1 Context and current situation

All Animal Management Officers receive ongoing on the job training and are encouraged to have or attain the Certificate IV in Animal Control and Regulation. Council's annual performance reviews include a review of the staff members' skills and training undertaken in the last year.

Council currently has **two full time local laws officers** whose responsibilities include enforcing a wide range of legislation. Domestic animal management services form only a part of each role.

### 2.1.1 Organisational structure



### 2.2 Our plans

<b>Objective 1: develop a training plan that clearly identifies minimum training requirements and any additional training opportunities that should be undertaken by animal management officers.</b>			
<b>ACTION</b>	<b>EVALUATION</b>	<b>WHO</b>	<b>WHEN</b>
Identify minimum training requirements for Council's Animal Management staff	Training Plan for Council's Animal Management staff finalised and approved	HR	2021/2022
Review staff qualifications	Staff have the relevant training	HR	Annual
Identify additional training opportunities by consulting with relevant staff and management	Annual performance reviews include review of skills	Management HR	Annual
<b>Objective 2: Council will encourage officers to undergo further study to obtain higher animal management, welfare qualifications and, where practical, to attend relevant conferences and seminars.</b>			
<b>ACTION</b>	<b>EVALUATION</b>	<b>WHO</b>	<b>WHEN</b>
Identify additional training opportunities eg, prosecutions training, conflict management, communication / education technique, networking opportunities and conferences	Annually review what training officers undertook that was in addition to their minimum requirements. Meet the objective of providing at least 2 additional training opportunities annually.	Management HR	Annual

### 3 PROGRAMS TO PROMOTE AND ENCOURAGE RESPONSIBLE PET OWNERSHIP AND COMPLIANCE WITH LEGISLATION

Council plays an important leadership role in supporting and promoting responsible pet ownership. This section outlines how Council promotes and encourages responsible pet ownership and compliance with legislation.

#### 3.1 Context and current situation

Council provides information to pet owners within the Shire to encourage responsible pet ownership. Council also makes use of social media and newsletters to promote and encourage responsible pet ownership and compliance with legislation. Council provides information packs to all educational facilities and community groups to encourage the education of Responsible Pet Ownership for Children, which will focus on the following priorities:

- Registration and microchipping of dogs and cats;
- Desexing of dogs and cats; and
- Confinement of dogs and cats. Council will annually undertake regular doorknocks to identify unregistered dogs and cats.

#### 3.2 Our Orders, Local Laws, Council Policies and Procedures

Council's Municipal Local Law provides that a person must obtain a permit if they wish to keep more than:

- Two (2) dogs over three (3) months of age; or
- Two (2) cats over three (3) months of age; or
- Two (2) dogs over three (3) months of age and two (2) cats over three (3) months of age.

Council's Municipal Local Law also provides that it is an offence for a dog or cat to roam at large between dusk and dawn in a residential area.

Both provisions are in place to encourage responsible pet ownership.

Council has an Enforcement Policy in place which guides Council's approach in enforcement action.

#### 3.3 Our plan

**Objective 1: Reduce the number of pecuniary compliance actions by educating the community about their legislative obligations.**

ACTION	EVALUATION	WHO	WHEN
Develop engaging fact sheets and web content regarding legislative obligations.	Reduce infringements issued	Management	March 2022

**Objective 2: promote 'Safe Cat, Safe Wildlife' messaging among residents.**

ACTION	EVALUATION	WHO	WHEN
Circulate safe Cat, Safe Wildlife education material throughout municipality (Find out more: <a href="http://www.safecat.org.au">www.safecat.org.au</a> )	Less reports of wandering/nuisance cats per annum	Local Law Officers	Annually in March

## 4 PROGRAMS TO ADDRESS OVER POPULATION RATES AND ANY HIGH EUTHANASIA RATES

This section outlines how Council addresses over population and high euthanasia rates in dogs and cats.

### 4.1 Context and current situation

Council's pound and euthanasia policies are guided by the *Domestic Animal Act 1994*. Council operates under its own pound and policies and procedures in accordance with the *Domestic Animals Act 1994* and code of practice for shelters and pounds.

Council's Municipal Local Law provides that a person must obtain a permit if they wish to keep more than:

- Two (2) dogs over three (3) months of age; or
- Two (2) cats over three (3) months of age; or
- Two (2) dogs over three (3) months of age and two (2) cats over three (3) months of age.

Council has cat cages which can be hired out to community members to assist with trapping nuisance cats.

Council currently undertakes the following compliance activities in support of increasing registration and reducing euthanasia rates:

- Renewal follow-ups for registration and identification for domestic dogs and cats;
- Vehicle patrols;
- Nuisance complaint response;
- Compulsory registration of animal released from the pound;
- Enforcement where required.

<i>Euthanasia Rates</i>			
	2017/2018	2018/2019	2019/2020
<i>Dogs euthanised</i>	1	0	2
<i>Cats euthanised</i>	85	129	25



## 4.2 Our Plan

<b>Objective 1: To provide readily accessible information to the public in relation to overpopulation and high euthanasia rates</b>			
<b>ACTION</b>	<b>EVALUATION</b>	<b>WHO</b>	<b>WHEN</b>
Promote confinement of animals to owner's premises to prevent stray cats and dogs and possible euthanasia if the animal is not microchipped and registered.	Promote compliance and the importance of registration	Local Law Officers	Ongoing
Circulate safe Cat, Safe Wildlife education material throughout municipality (Find out more: <a href="http://www.safecat.org.au">www.safecat.org.au</a> )	Less reports of wandering/nuisance cats per annum	Local Law Officers	Annually in March
<b>Objective 2: Reduce the number of cats and dogs euthanised</b>			
<b>ACTION</b>	<b>EVALUATION</b>	<b>WHO</b>	<b>WHEN</b>
Investigation of the suitability of entering into section 84Y agreements with animal welfare, re-housing and adoption groups. A section 84Y agreement can allow for a person or body to seize, retain or dispose of cats or dogs.	This can be evaluated against figures for euthanasia after the program is up and running.	Manager	March 2022
<b>Objective 3: Apply for government grant funding to support delivery of a low cost (or free) cat desexing program.</b>			
<b>ACTION</b>	<b>EVALUATION</b>	<b>WHO</b>	<b>WHEN</b>
Complete and lodge a grant application to run a low-cost desexing program to support disadvantaged Victorian families within our municipality.	XX cats desexed by the end of the desexing program.	Manager	March 2022

## 5 REGISTRATION AND IDENTIFICATION

Registration and identification of domestic animals is considered to be a core task for animal management. It is the basis for distinguishing between owned and unowned animals, returning lost pets to their owners, identifying offending animals etcetera. This section of the plan outlines the programs services and strategies to encourage the registration and identification of dogs and cats.

All newly registered dogs and cats now need to be microchipped before they can be registered. Council recognises that this is difficult in isolated areas with few veterinarians.

### 5.1 Context and current situation

Hindmarsh Shire Council's current identification and registration activities include:

- Publishing regular articles in Council's community newsletter and social media promoting the need for residents to register their pets and to keep their pets contained to their property.
- Increased application of Infringement Notices to owners of unregistered animals.
- Providing a 'free ride home' for registered dogs found wandering at large and not causing a nuisance provided it is not a repeat offence or an ongoing concern.
- Conducting door knocking campaigns to identify unregistered pets.

	2017/2018	2018/2019	2019/2020
<i>Dogs registered</i>	1189	1187	1012
<i>Cats registered</i>	420	402	366

### 5.2 Our Orders, Local Laws and Policies

Council has no Orders or Local Laws relevant to the registration of cats and dogs, however, Council's Municipal Local Law does require a person to have an excess animal permit if they have more than two dogs or two cats (or a combination of both). Council's main controls relating to registration of animals come from the *Domestic Animal Act 1994*. Council currently provides:

- Registration and identification for dogs and cats, including renewal and follow-ups and doorknocks;
- Registration and identification of dangerous, menacing and restricted breed dogs;
- Regular animal registration updates via our website and social media.

Council's current compliance activities are:

- Issuing registration notices annually;
- Following up non-renewals with phone calls and door knocks;
- Conducting random door knocking each year to check for unregistered cats and dogs
- Requiring that all seized and impounded animals are registered and microchipped prior to their release;
- Patrolling public places, such as streets, reserves and parks to check that dogs are registered;
- Issuing notices to comply, infringements where required and prosecution of owners with unregistered dogs and cats.

### 5.3 Our plan

<b>Objective 1: Increase the number of dog and cat registrations by conducting door knocks and educating residents in relation to their legislative obligations</b>			
<b>ACTION</b>	<b>EVALUATION</b>	<b>WHO</b>	<b>WHEN</b>
Increase registration by conducting annual door knocks throughout the municipality to ensure dogs and cats are registered	Demonstrate increase in numbers of pets registered with Council following annual door knocks	Local Law Officers	Annually
Advertise pet registration renewals – webpage, entry points of Council and social media posts	Increase in numbers of pets registered with Council	Local Law Officers	Annually

## 6 NUISANCE

Nuisance complaints received by Council are generally related to barking dogs, dogs at large, dog attacks and feral cats. This section outlines the programs and services in place to minimise the potential for dogs and cats to create a nuisance.

### 6.1 Context and current situation

Council's response to barking complaints is to encourage the complainant to discuss the problem with their neighbour. If this course of action fails, Council will inform the dog owner of the problem and provide them an opportunity to rectify it. Council employs investigation, negotiation, communication and education strategies to resolve most nuisance issues. If legal action is identified as being required, it is necessary for the complainant to become involved and provide much of the evidence.

Council provides a dog seizure and impoundment service to help prevent dogs found at large from being harmed or becoming a nuisance. Registered dogs found at large are returned to their owners who are informed of their obligation to keep their dog contained. Unregistered dogs at large are delivered to the pound and penalties applied.

Council has for many years made up to ten cat traps available for hire by residents. These traps are continually out for hire with on-going demand reflected in a waiting list of residents seeking to access the cat trapping program in order to alleviate their cat related problem.

### 6.2 Our orders, local laws, Council policies and procedures

Council's Municipal Local Law contains provisions to mitigate domestic animals causing a nuisance including:

- A person must obtain a permit if they wish to keep more than:
  - Two (2) dogs over three (3) months of age; or
  - Two (2) cats over three (3) months of age; or
  - Two (2) dogs over three (3) months of age and two (2) cats over three (3) months of age.

- A person must not allow any dog or cat to be in or on any road, public place or Council land unless the dog or cat is under effective control.
- A person must not, in a residential area, release a dog or cat so as to enable that dog or cat to attack or endanger any person or animal.
- A person in charge of a dog that defecates in a public place must immediately remove the faeces.

Council responds effectively to nuisance complaints relating domestic animals.

### 6.3 Our plan

<b>Objective 1: Reduce cat nuisance complaints</b>				
<b>ACTION</b>	<b>EVALUATION</b>	<b>WHO</b>	<b>WHEN</b>	
Provide education material about cat enclosures	Increased use of cat enclosures	Local Law Officers	March 2022	
Circulate safe Cat, Safe Wildlife education material throughout municipality (Find out more: <a href="http://www.safecat.org.au">www.safecat.org.au</a> )	Less reports of wandering/nuisance cats per annum.	Local Law Officers	Annually in March	

## 7 DOG ATTACKS

Whilst the number of dog attacks is not high in the Hindmarsh Shire, managing them is a critical animal management role. This section outlines the programs, services and strategies Council has in place to minimise the risk of attacks by dogs on people and animals.

### 7.1 Context and current situation

All dogs are required to be confined to their property. This is a requirement under the Act and Council will continue to place importance on the need for dogs to be confined. Council will also continue to place importance on the need for cats to be confined. Council will encourage people to have their dogs and cats de-sexed. This can help to reduce aggressive tendencies.

Council believes the State Government's state-wide schools visitation program is an excellent means for educating children in how to behave around dogs.

Council currently investigates reported dog attacks and where a serious attack has been substantiated, endeavours to have the dog(s) responsibly euthanized. If an owner refuses to surrender a dog for euthanization, Council will investigate the matter with intention of prosecuting, provided there is adequate evidence to support a successful prosecution.

Infringements are issued for minor attacks and articles are routinely published in local media alerting residents to the potential consequences of allowing their dog to wander at large.

	<b>2017/2018</b>	<b>2018/2019</b>	<b>2019/2020</b>
<i>Number of declared dogs</i>	1 menacing	1 menacing	1 menacing
<i>Number of prosecutions</i>	0	0	0

## 7.2 Our orders, local laws, Council policies and procedures

Council follows the requirements set out in the *Domestic Animal Act* 1994. Council's Municipal Local Law additionally provides that a person must not, in a residential area, release a dog or cat so as to enable that dog or cat to attack or endanger any person or animal.

Council has a Dog Attack Procedure which outlines the process that should be undertaken in the event of a Dog Attack.

## 7.3 Our plan

<b>Objective 1: increase reporting of dog attacks in the community</b>			
<b>ACTION</b>	<b>EVALUATION</b>	<b>WHO</b>	<b>WHEN</b>
Improve public awareness of what a dog attack is and how to report it	Evaluate this activity (and overall objective) by comparing number of dog attacks reported to council pre and post campaign. Meet objective of increasing reports by (number) % Could also consider doing a community survey to measure awareness of dog attacks and how to report them, before and after the campaign.	Local Law Officers	Ongoing
Review Council's dog attack procedure	Improve investigation process	Management	October 2021
Develop information pack for owner of attacking dog and owners of attacked animal	Ensure dog attacks are being reported	Local Law Officers	July 2022

## 8 DANGEROUS, MENACING AND RESTRICTED BREED DOGS

This section outlines how Council effectively identifies all dangerous dogs, menacing dogs and restricted breed dogs in the Shire and ensures those dogs are kept in a way which complies with the *Domestic Animal Act* 1994 and the regulations.

### 8.1 Context and current situation

Very few dogs are declared in Hindmarsh Shire Council as owners of dogs that are involved in serious attacks are encouraged to surrender their dog to council to be euthanised if the attack is proven.

Council's approach will continue to involve removing dangerous or restricted breed dogs with consent of owners from within the community. In any situation where an owner refuses to surrender their dog, Council will investigate the matter with a view to prosecute. Council will continue to respond to reports of Restricted Breed Dogs as per requirements of the Act.

### 8.2 Our policies and procedures

Dangerous, menacing and restricted breed dogs are controlled by the *Domestic Animal Act* 1994.

Council provides the community with information regarding declared dogs. Council treats all dangerous, menacing and restricted breed dogs very seriously and undertakes the following compliance activities:

- Declaration of dogs in appropriate situations;
- Registration and identification of dangerous, menacing and restricted breed dogs; and
- Updating the declared dog database.

**Objective 1: Developing a policy to assist in deciding whether or not to declare a dog dangerous, menacing or restricted breed dog provides assurance to local residents the decision making is fair and nonbiased.**

ACTION	EVALUATION	WHO	WHEN
Develop a policy to assist decision making regarding the declaration process	Policy implemented	Management	October 2022

**Objective 2: Ensure declared dogs are compliant to relevant legislation and regulations**

ACTION	EVALUATION	WHO	WHEN
Conduct random property inspections of declared dogs to ensure compliance	Compliance with declared dog requirements	Local Law Officers	Ad hoc

## 9 DOMESTIC ANIMAL BUSINESSES

This section outlines programs, services and strategies Council has in place or plans to have in place to ensure that people comply with the Act, regulations and relevant legislation regarding domestic animal businesses.

### 9.1 Context and current situation

Hindmarsh Shire Council does not have many domestic animal businesses. However, Council does provides information and guidance to people who want to start a domestic animal business. There are approved Codes of Practice for the operation of breeding and rearing establishments, boarding establishments and shelters and pounds. Council ensures that relevant organisations are aware of and comply with the relevant code of practice.

### 9.2 Current policies and procedures

Domestic animal business registration is controlled by the *Domestic Animal Act 1994*.

### 9.3 Our plan

**Objective: identify and register all Domestic Animal Businesses in the municipality**

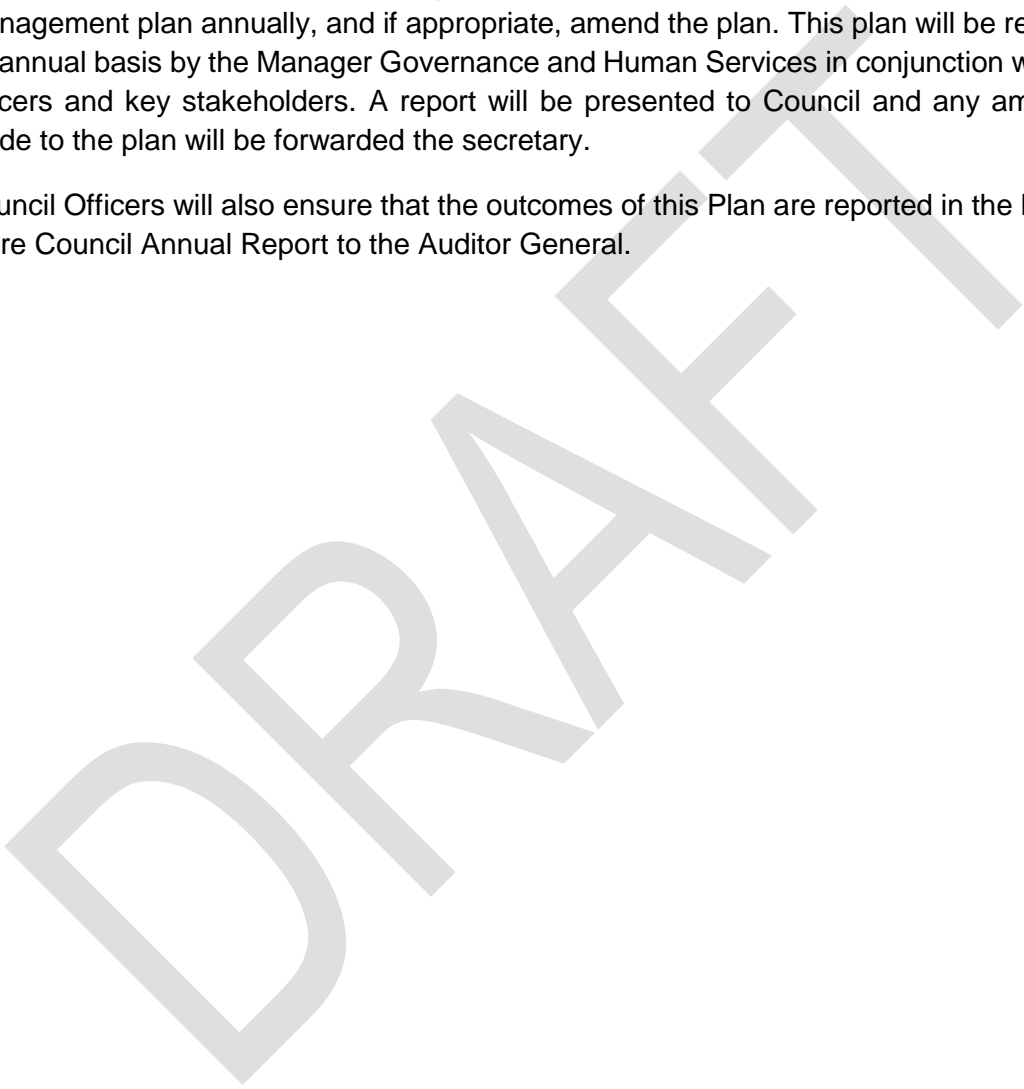
ACTION	EVALUATION	WHO	WHEN
Identify all businesses that should be registered DABs in the municipality, including businesses selling pets / pet products / services in the municipality. Follow up to determine whether they	Compare number of registered DABs before and after activity.	Local Law Officers	Annually

are and should be registered with council.			
Inspect properties with excess animal permits to ensure they are not a breeding business	Identify domestic animal businesses	Local Law Officers	Annually

**10 ANNUAL REVIEW OF PLAN AND ANNUAL REPORTING**

The *Domestic Animal Act* 1994 requires that a Council must review its domestic animal management plan annually, and if appropriate, amend the plan. This plan will be reviewed on an annual basis by the Manager Governance and Human Services in conjunction with council officers and key stakeholders. A report will be presented to Council and any amendments made to the plan will be forwarded the secretary.

Council Officers will also ensure that the outcomes of this Plan are reported in the Hindmarsh Shire Council Annual Report to the Auditor General.





# Hindmarsh Shire Council

## Procurement Policy

Adopted XX August 2021



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# 1 Principles

## 1.1 Background

Hindmarsh Shire Council recognises that:

- Developing a procurement strategy and adopting appropriate best practice contracting and procurement principles, policies, processes and procedures for all goods, services and works by Council, will enhance achievement of Council objectives such as sustainable and social Procurement; bottom-line cost savings, supporting local economies; achieving innovation; and better services for communities.
- The elements of best practice applicable to local government procurement incorporate:
  - broad principles covering ethics, value for money, responsibilities and accountabilities, probity and transparency;
  - guidelines giving effect to those principles;
  - a system of delegations (i.e. the authorisation of officers to approve and undertake a range of functions in the procurement process); and
  - procurement processes, with appropriate procedures covering minor, simple procurement to high value, more complex procurement.

Council's contracting, purchasing and contract management activities endeavour to:

- support Council's corporate strategies, aims and objectives including, but not limited to those related to sustainability, protection of the environment, and corporate social responsibility;
- take a long term strategic view of its procurement needs while continually assessing, reviewing and auditing its procedures, strategy and objectives;
- provide a robust and transparent audit trail which ensures that procurement projects are delivered on time, within cost constraints and that the needs of end users are fully met;
- are conducted, and are seen to be conducted, in an impartial, fair and ethical manner;
- achieve value for money and quality in the acquisition of goods, services and works by Council;
- ensure that risks are identified, assessed and managed at all stages of the procurement process;
- use strategic procurement practices and innovative procurement solutions to promote sustainability and value for money, in particular making use of collaboration and partnership opportunities;
- use social procurement to enhance sustainable and strategic procurement to effectively contribute towards building stronger communities and meeting the wider social objectives of Council;

- comply with legislation, corporate policies or other requirements, ensuring that all staff responsible for procurement and contract management are aware of and adhere to the legislative requirements, Council standards and best practice.

### **1.2 Scope**

This Procurement Policy is made under Section 108 of the *Local Government Act 2020*. *The Act* is the key legislative framework that regulates the process of all local government procurement in Victoria. Section 108 of *the Act* 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 Council.

This 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 Act*, Council's Procurement Policy and Council's Contract Management Manual are the primary reference points for how all procurement are to be performed.

### **1.3 Purpose**

The purpose of this Policy is to:

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

### **1.4 Treatment of GST**

All monetary values stated in this policy excludes GST except, where specifically stated otherwise.

## 2 Effective Legislative and Policy Compliance and Control

### 2.1 Ethics and Probity

#### 2.1.1 Requirement

This Policy represents the principles, processes and procedures that will be applied to the purchase of all goods, services and works by Council. The scope of this Policy commences from when Council has identified a need for procurement requirements through to the delivery of goods or completion of works or services.

This Policy will apply to Councillors, Council staff and all persons undertaking procurement on Council's behalf and they are accountable for complying with all relevant procurement legislative and Policy requirements.

#### 2.1.2 Conduct of Councillors and Council Staff

Councillors and Council staff (and all persons engaged in procurement on Council's behalf) must at all times conduct themselves in ways that are, and are seen to be, ethical and of the highest integrity and *will*:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of Commercial in Confidence information such as contract prices and other sensitive information;
- present the highest standards of professionalism and probity;
- comply with the respective codes of conduct;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- provide all suppliers and tenderers with the same information and equal opportunity; and
- be able to account for all decisions and provide feedback on them.

#### 2.1.3 Tender Processes

All tender processes shall be conducted in accordance with the requirements of this policy and any associated guidelines and procedures, relevant legislation, relevant Australian Standards and *The Act*.

#### 2.1.4 Conflict of Interest

Councillors and Council staff must avoid situations in which private interest's conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties.

Councillors and Council staff involved in the procurement process, in particular preparing tender documentation, including writing tender specifications, tender opening, and tender evaluation panels, must:

- **Avoid** conflicts, whether actual, potential or perceived, arising between their official duties and their private interests. Private interests include the financial and other interests of Councillors and Council staff, plus their relatives and close associates.
- **Declare** that there is no conflict of interest. Where future conflicts or relevant private interests arise, Council Staff must make their manager or the chairperson of the relevant tender assessment panel or board aware and allow them to decide whether the officer should continue to be involved in the specific Procurement exercise.
- **Observe** prevailing Council and Victorian Local Government guidelines on how to prevent or deal with conflict of interest situations; and not take advantage of any tender related information whether or not for personal gain.

### 2.1.5 Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote.

Impartiality must be maintained throughout the procurement process so it can withstand public scrutiny.

The commercial interests of existing and potential suppliers must be protected.

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing and product information.

### 2.1.6 Gifts, Benefits and Hospitality

No Councillor or member of Council staff shall, either directly or indirectly solicit or accept gifts or presents from any member of the public involved with any matter that is connected with the duties of the officer, or in which Council is interested.

Councillors and Council staff must not accept gifts, benefits or hospitality from contractors or their representatives, or from organisations, firms or individuals with whom they have official dealings. Councillors and Council staff must also avoid the ambiguous situation created by visiting the premises of a contractor, organisation, firm or individual uninvited and/or not on official business.

Offers of bribes, commissions or other irregular approaches from organisations or individuals (no matter how flimsy the evidence available), must be promptly brought to the attention of the CEO.

### 2.1.7 Disclosure of Information

Commercial in-confidence information received by the Council must not be disclosed and is to be stored in a secure location.

Councillors and Council staff are to protect, by refusing to release or discuss the following:

- allocated Council budgets for proposed tenderers, unless included in tender documents;
- information disclosed by organisations in tenders, quotation or during tender negotiations;
- all information that is Commercial in Confidence information; and
- pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations.

Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier. Such discussions must only occur with the Contract Manager.

## 2.2 Governance

### 2.2.1 Structure

Council shall:

- establish a procurement management responsibility structure and delegations ensuring accountability, traceability and auditability of all procurement decisions made over the lifecycle of all goods, services and works purchased by Council;
- ensure that Council's procurement structure:
  - is flexible enough to purchase in a timely manner the diverse range of material, goods, works and services required by Council;
  - provides prospective contractors and suppliers an equal opportunity to tender/quote;
  - encourages competition.

### 2.2.2 Standards

Council's procurement activities shall be carried out to the professional standards required by best practice and in compliance with:

- *The Act*,
- Council policies procedures and guidelines,
- Council's Codes of Conduct,
- Local Government Best Practice Procurement Guidelines
- Other relevant legislative requirements such as but not limited to the *Goods Act (1958)*, the relevant provisions of the *Competition and Consumer Act 2010* and the *Environmental Protection Act 2018*. Procurement operations are consistent with prescribed rights and responsibilities and they respect the 20 fundamental rights within the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

### 2.2.3 Methods

Council's standard methods for purchasing goods, services and works shall be by some or all of the following methods:

- purchasing card;
- purchase order following a quotation process from suppliers for goods or services that represent best value for money under directed quotation thresholds;
- under contract following a tender process;
- using collaborative or aggregated purchasing arrangements with other councils, MAV Procurement, Victorian Government, or other bodies;
- contracts entered into under an arrangement approved by the Minister for LG;
- other arrangements authorised by Council or the CEO on a needs basis as required by abnormal circumstances such as emergencies

Council may, at the CEO's discretion and based on the complexity and cost of the project, conduct one stage or multi-stage tenders.

Council may also choose to seek Requests for Information or Requests for Proposals as a precursor to the tender process.

### 2.2.4 Responsible Financial Management

The principle of responsible financial management shall be applied to all procurement activities.

Accordingly, to give effect to this principle, the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any procurement action for the supply of goods, services or works.

Council staff must not authorise the expenditure of funds in excess of their financial delegations.

Council staff must not disclose allocated tender budgets to suppliers.

Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

## 2.3 Procurement Processes and Thresholds

### 2.3.1 Process

Council procurement processes are based on a number of principles:

- **Value for Money**

The benefits of the purchase are weighted against the costs necessary for the optimum result for Council and the local community. Council is not required to accept the lowest tender. Instead, Council is required to take into account issues



of quality, cost, the accessibility of the service and other factors relevant to the overall objectives of the *Local Government Act 2020*.

Value for Money is often mistaken for meaning the lowest price, however, in terms of the procurement process, Value for Money requires us to balance quality and price with as much transparency as is reasonably achievable. In this context price should take into account the whole-of-life cost of the provision.

Achieving Value for Money also requires *challenging* the need for the procurement and the way in which the service may be reconfigured to achieve improvements in service delivery, *comparing* service provision options against all those available, *consulting* with key stakeholders and ensuring *competition* in the open market.

Achieving value for money must be the basis of all procurement decisions within the Council.

- **Open and Fair Competition**

All suppliers are treated fairly in an open and transparent manner and have access to the same information. During a public tender process, all prospective providers must be afforded an opportunity to tender.

The commercial interests of suppliers and potential suppliers must be protected.

Late tenders will not be accepted under any circumstances.

- **Accountability**

Council maintains consistency in the approach to procurement across the whole organisation through coherent frameworks, policies and procedures. Accountability in procurement means being able to explain and provide evidence on the process followed. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

Therefore the processes by which all procurement activities are conducted will be in accordance with Council's procurement policies and procedures as set out in this policy and related, relevant Council policies and procedures.

Additionally:

- all Council staff must be able to account for all procurement decisions made over the lifecycle of all goods, services and works purchased by Council and provide feedback on them; and
- all procurement activities are to provide for an audit trail for monitoring and reporting purposes.

- **Risk Management**

Council will manage all aspects of its procurement processes in accordance with its adopted risk management policy and in such a way that all risks, including occupational health and safety are identified, analysed, evaluated, managed, monitored and communicated.

- **Probity and Transparency**

Councillors and members of staff (and all persons engaged in procurement on Council's behalf) must exercise the highest standards of integrity in a manner able to withstand the closest possible scrutiny. All members of staff have an overriding responsibility to act impartially and with integrity, avoiding conflicts of interest.

- **Expression of Interest**

An Expression of Interest (EOI) is an invitation process involving the marketplace, to provide information to Council, where Council wishes to consider ahead of formal tender processes such issues as whether:

1. Those suppliers likely to tender possess the necessary technical, managerial and financial resources to successfully complete the project; the requirement is complex, difficult to define, unknown or unclear.
2. The requirement is capable of several technical solutions;
3. Tendering costs are likely to be high and Council seeks to ensure that companies incapable of supplying the requirement don't incur unnecessary expense;
4. It is necessary to pre-qualify suppliers and goods to meet defined standards; or
5. The requirement is generally known but there is still considerable analyses, evaluation and clarification required (both of the objective and solution).

This process may in turn lead to a request for tender or request for quotation process, or directly to a negotiation with one or several preferred suppliers.

The actual EOI is submitted from the marketplace to Council in response to the EOI invitation.

The key document involved in an EOI process is the scoping document. This scoping document outlines the type of information Council is seeking and must be:

1. In writing
2. Clear and unambiguous
3. Prepared by persons (staff or third party) with sufficient expertise to prepare the scoping specifications, and
4. Address evaluation criteria that may be used should a formal request for quotation or request for tender follow the initial EOI.

### **2.3.2 Minimum Spend Competition Thresholds**

Any Council procurement under the thresholds must comply with Council's own policy, guidelines and procedures.

Council will from time to time decide and publish in this policy clear guidelines for minimum spend competition thresholds. These will be decided by Council by analysing the historical size and complexity of the procurement activity and of proposed procurement activities.

### 2.3.2.1 Tenders

Purchase of all goods, services, building and construction works for which the estimated expenditure exceeds \$200,000 (exclusive of GST) must be undertaken by public tender, except that these limits shall not apply for the supply of fuel for plant and vehicles provided that:

- Arrangements entered into must satisfy an approved Ministerial arrangement under s108(3)(d) of the *Local Government Act 2020* which provides for exemption from other provisions of s108 of *the Act* requirements for public tendering by a Council, and
- The Chief Executive Officer must consider price and any detrimental effect on local businesses of any contract entered into, before entering into such a contract.

However, should the CEO consider that the nature of the requirement and the characteristics of the market are such that the public tender process would lead to a better result for Council, public tenders may be called for purchase of goods, services and works for which the estimated expenditure is below these thresholds.

### 2.3.2.2 Quotations

Purchase of goods, services and construction works having a total valuation of \$200,000 (exclusive of GST) or less may be undertaken using the procurement by quotation method as described below:

- **Items with a value up to \$1,000 – does not require a written quotation.**  
A minimum of one verbal quotation must be obtained. For purchases less than \$100, no purchase order is required however an itemised tax invoice must be obtained.
- **Items with a value up to \$10,000 – Request for Quotation.**  
A minimum of one written (including email/fax) quotation must be obtained or a preferred supplier used. The details must be recorded before placing an order (similar details must be recorded where more than one supplier has quoted) and documented in Council's records system.
- **Items with a value \$10,001 to \$30,000 – Request for Quotation.**  
Council will request a minimum of two written (including email/fax) quotations.  
The quotation offering the best value for money must be confirmed by the supplier on company letterhead and the order placed with that firm.  
Details of the suppliers contacted and their quotations must be recorded on at least a simple spreadsheet or similar document in Council's records system.
- **Items with a value \$30,001 to \$125,000 – Request for Quotation.**  
Council will receive a minimum of three written quotations by issuing a written Request for Quotation.  
Public advertising is not required.

Quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best outcome.

The original suppliers' quotations must be maintained in Council's records system.

- **Items with a value \$125,001 to \$200,000 – Public Advertising.**

Purchases of \$125,001 and over must be publicly advertised unless prior approval from the Chief Executive Officer is sought to receive a minimum of three written quotations by issuing a written Request for Quotation instead.

Quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best outcome.

The original suppliers' quotations must be maintained in Council's records system.

- **Public Advertising.**

Quotations may be advertised at the Chief Executive Officer's discretion in addition to the methods above. This may occur when a field of potential tenderers has not been established, or an innovative approach is required, or the project has broad appeal that may attract keen prices, etc.

Table Summary;

Procurement Value (excluding GST)	Minimum Market Engagement	Payment Method	Record Keeping
\$0 to \$1,000	1 Verbal Quotation	Petty Cash (\$100 limit) Purchase Order \$100 and above	No purchase order required for amounts under \$100 however tax invoice essential
\$1,000 to \$10,000	1 Written Quotation	Purchase Order	Written Quote/s must be saved in Council's records system for Audit purposes
\$10,001 to \$30,000	2 Written Quotations		
\$30,001 to \$125,000	3 Written Quotations		
\$125,001 to \$200,000	Public Advertising unless approval from CEO for 3 Written Quotations		
\$200,001 and over	Public Advertising and Tenders		In accordance with Council's Procurement Procedure

### 2.3.3 Exceptions to obtaining quotations

The required number of quotations must be obtained in all circumstances except for:

- Emergency response, relief or recovery including urgent medical attention.
- Plant and equipment servicing and spare parts and similar under warranty.
- Legal services.
- Specialist knowledge and skill or sole supplier of intellectual property.
- Conferences, Training Courses, Seminars, Information Forums.
- Sole supplier services such as library, water and fire.
- At Council or the Chief Executive Officers discretion in accordance with section 2.3.4.

### **2.3.4 Chief Executive Officers Discretion**

In the event of:

- An unforeseen urgency; or
- a strong preference for continuity of supply; or
- goods, services or works being of such a specialised nature that there are insufficient known suppliers from which to seek the required number of quotations; or
- other exceptional circumstances, then

The Chief Executive Officer may, upon receiving a written explanation, give approval to not advertise or to seek less than the number of quotations required by section 2.3.2.2.

### **2.3.5 Shared Services**

Where Council has entered into Shared Services with one or more Councils, individual Councils will not be required to obtain tender/quotations. Tenders/quotations will be sought by the lead Council and approved according to the individual Council's procurement policy.

### **2.3.6 Statutory Payments**

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

### **2.3.7 Local Price Preference and Local Supply/Local Jobs First**

Council wishes to maintain and encourage the development of local industry and commerce including local employment. Council's preference is to source goods locally from suppliers and contractors within the Prescribed Local Area and Prescribed Regional Area and will provide a price weighting preference for Local Supply/Local Jobs First.

A price preference will apply to quotations and tenders invited by the Hindmarsh Shire Council, for the supply of goods, services and works, unless Council Officers resolve that this does not apply to a particular quotation or tender.

For Prescribed Local Contractors/Suppliers located in a **Prescribed Local Area**, a 2.5% price preference reduction will be weighted. For Prescribed Regional Contractors/Suppliers located in a **Prescribed Regional Area**, a 2.5% price preference reduction will be weighted.

Where a Prescribed Contractor/Supplier falls under both **Prescribed Local Area** and **Prescribed Regional Area**, they will receive a combined 5% weighting for price preference.

A summary of weighting Council will use during the tender process;

Criteria	Description	Weighting
Local Supply / Local Jobs First	Percentage of Goods, Services or Works sourced from within the Prescribed Area*	2.5%
	Permanent staff based within the Prescribed Local Area	1.5%
	Employment of trainees and apprentices from within the Prescribed Local Area	1.0%
Prescribed Contractor/Supplier	Principal Place of Business (permanent office in the <b>Prescribed Local Area</b> for a period of at least 6 months)	2.5%
	Principal Place of Business (permanent office in the <b>Prescribed Regional Area</b> for a period of at least 6 months)	2.5%

\*Majority of goods, materials and services sourced from Prescribed Areas. Goods, materials and services may only be sourced from outside the Prescribed Area where Local Supply isn't available. Where Local Supply is sourced from outside the Prescribed Area, Australian made and manufactured products and services will be favoured over imported.

If in the opinion of Hindmarsh Shire Council a Contractor/Supplier has deliberately provided false or misleading information so as to benefit from this preference, their quotation/tender may be considered non-conforming and as such may be excluded from the evaluation process.

Please see Appendix A for further details on Prescribed Local Area, Prescribed Regional Area, Prescribed Local Contractor/Supplier, Prescribed Regional Contractor/Supplier and Prescribed Area.

### **2.3.8 Total Cumulative Spend**

Care should be taken when reviewing the limits at 2.3.2.1 and 2.3.2.2 (above). In order to comply with the requirements of the Act where significant sums are spent in aggregate with one supplier or on one service, it is necessary to structure procurement proposals (as requests for tenders, quotations or prices), in order to achieve greatest value and supplier performance by leveraging this cumulative spend, rather than treating each discrete arrangement as a separate procurement exercise. Council has determined that the cumulative expenditure to a supplier or for a specific product/service for a rolling period of three (3) years is to be taken into account unless the exemption is approved by the Chief Executive Officer.

Should the Chief Executive Officer consider that the nature of the requirement and the characteristics of the market are such that the public tender process would lead to a better result for the Council, public tenders may be called for purchase of goods, services and works for which the estimated expenditure is below the thresholds set under this Policy.

## **2.4 Delegation of Authority**

### **2.4.1 Requirement**

Delegations define the limitations within which Council staff are permitted to work. Delegation of procurement authority allows specified Council staff to approve certain purchases, quotation, tender and contractual processes without prior referral to the Council. This enables Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

### **2.4.2 Delegations**

Council shall maintain a documented scheme of procurement delegations to the CEO to make procurement commitments in respect of goods, services and works on behalf of the Council. The CEO may sub-delegate these functions to Council staff in an instrument of delegated staff purchase authorities.

## **2.5 Internal Controls**

Council will install and maintain a framework of internal controls over procurement processes that will ensure:

- more than one person is involved in and responsible for a transaction end to end;
- transparency in the procurement process;
- a clearly documented audit trail exists for procurement activities;
- appropriate authorisations are obtained and documented; and
- systems are in place for appropriate monitoring and performance measurement.
- Maintain all records relevant to administering this Policy in accordance with the *Public Records Act 1973 (Vic)*.

Council will develop and maintain a Contract Management Manual to provide guidance to staff on all operational aspects of procurement. The manual will include all checklists and forms required in Council's procurement process.

## **2.6 Risk Management**

### **2.6.1 General**

Risk Management is to be appropriately applied at all stages of procurement activities which will be properly planned and carried out in a manner that will protect and enhance Council's capability to prevent, withstand and recover from interruption to the supply of goods, services and works.

### **2.6.2 Supply by Contract**

The provision of goods, services and works by contract potentially exposes Council to risk. Council will minimise its risk exposure by measures such as:

- standardising contracts to include current, relevant clauses;
- requiring security deposits where appropriate;
- referring specifications to relevant experts;
- implementing a robust, systematic and unbiased tender evaluation and due diligence process;
- requiring contractual agreement before allowing the commencement of work;
- use of or reference to relevant Australian Standards (or equivalent); and
- effectively managing the contract including monitoring and enforcing performance.

## **2.7 Contract Terms**

All contractual relationships must be documented in writing based on standard terms and conditions. Where this is not possible, approval must be obtained from the appropriate member of Council staff listed in the Council Delegations.

To protect Council's best interests, terms and conditions must be settled in advance of any commitment being made with a supplier. Any exceptions to doing this expose Council to risk and thus must be authorised by the appropriate member of Council staff listed in the Council Delegations.

## **2.8 Dispute Resolution**

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the chance of disputes getting out of hand and leading to legal action.



## **2.9 Contract Management**

The purpose of contract management is to ensure that Council, and where applicable its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the contract by:

- establishing system monitoring and meeting the responsibilities and obligations of both parties under the contract; and
- providing a means for the early recognition of issues and performance problems and the identification of solutions.
- adhering to Council's Risk Management Framework and adhering to relevant Occupational Health and Safety Contractor Compliance Procedures.

All Council contracts are to include contract management requirements. Furthermore, contracts are to be proactively managed by the member of Council staff responsible for the delivery of the contracted goods, services or works to ensure Council receives value for money.

## **2.10 e-Procurement**

e-Procurement is integral to the overall development of procurement processes and involves the use of an electronic system/s to acquire and pay for supplies, services` and works. Council may use e-procurement to:

- reduce transaction costs;
- achieve greater leverage;
- improve audit trail for internal control, compliance and accountability;
- make processes more efficient;
- improve management information and visibility of spend;
- increasing control and consistency of processes, and
- improve spend compliance.

# **3 Demonstrate Sustained Value**

## **3.1 Integration with Council Strategy**

The Council procurement policy shall support its corporate strategy, aims and objectives, including but not limited to those related to sustainability, protection of the environment, corporate social responsibility and meeting the needs of the local community such as:

- feeling safe,
- living in a clean and pleasant environment, and
- receiving good quality and well managed Council services that are value for money

## **3.2 Achieving Value for Money**

### **3.2.1 Requirement**

Council's procurement activities will be carried out on the basis of obtaining value for money. This means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability and delivery considerations.

Lowest price is not the sole determinant of value for money and it is a balanced judgement of financial and non-financial factors relevant to the procurement. Value for money must be taken into account for all procurement activities Council engages.

### **3.2.2 Approach**

This will be facilitated by:

- developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout the lifecycle;
- effective use of competition;
- using aggregated contracts where appropriate;
- identifying and rectifying inefficiencies in procurement processes;
- developing cost efficient tender processes including appropriate use of e-solutions (e.g. e-Procure);
- Council staff responsible for providing procurement services or assistance within the Council providing competent advice in terms of available products and agreements;
- working with suppliers to create relationships that are professional and productive, and are appropriate to the value and importance of the goods, services and works being acquired.

### **3.2.3 Role of Specifications**

Specifications used in quotations, tenders and contracts are to support and contribute to Council's value for money objectives through being written in a manner that:

- ensures impartiality and objectivity;
- clearly defines Council's requirements;
- encourages the use of standard products;
- encourages sustainability;
- eliminates unnecessarily stringent requirements.

### **3.2.4 Applying and measuring value for money**

Value for money takes into account a wide range of factors such as quality, costs and resources, fitness of purpose, timelines and risk. Financial and non-financial factors are

both critical elements for measuring value for money. The key elements of the value for money procurements process is;

- analysis
- stakeholders
- market engagement
- innovation
- delivery
- reporting

### **3.2.5 Total cost of ownership**

Calculating the total cost of ownership includes a 'whole of lifecycle' analysis taking into account the costs of acquiring, operating, maintaining and disposing. Total cost of ownership involves all costs associated with ownership (calculated over whole of life of procurement and contract cycle) including residual / salvage values.

For high risk and high value projects spanning over a number of years, it may be necessary to analyse cash flow taking into account net present value, return on investments and internal rate of return into the total cost of ownership calculation as well as other financial indicators.

### **3.3 Performance Measures and Continuous Improvement**

Appropriate performance measures are to be established and reporting systems will be used to monitor performance and compliance with procurement policies, procedures and controls.

Procurement procedures, practices and costs will be benchmarked externally. Internal service standards will be agreed within Council and performance against these targets will be measured and reviewed regularly to support continuous improvement.

The performance measurements developed will be used to:

- highlight trend and exceptions where necessary to enhance performance;
- improve the internal efficiency of the procurement process and where relevant the performance of suppliers;
- facilitate programs to drive improvement in procurement to eliminate waste and inefficiencies across key spend categories.

### **3.4 Corporate Social Responsibility**

Corporate Social Responsibility (CSR) is about taking positive action to demonstrate Council's commitment to the local community and environment on which it impacts. This means Council maximising the benefits of the services it provides across the community and minimising the negative aspects of its activities.

Council integrates CSR into its organisational policies and practices through social procurement, sustainability and diversity.

**3.4.1 Social Procurement**

Social Procurement generates positive outcomes by building on initiatives already undertaken by the Council in enhancing sustainable and strategic procurement practice, further enabling procurement to effectively contribute towards building stronger communities and meeting the social objectives of the Council.

Council is committed to Social Procurement by:

- ensuring all procurement practices are sustainable and strategically aligned with the wider Council objectives;
- achieving greater value for money across the community through the use of effective procurement;
- ensuring all businesses have the same opportunity to tender for Council contracts;
- enhancing partnerships with other Councils, suppliers and community stakeholders;
- building and maintaining a strong community by exploring ways to generate local employment (particularly among disadvantaged residents) and further strengthening the local economy;
- purchasing ethical and fair trade goods to support equitable, local, national and international trade;
- supporting procurement from local businesses (please see 2.3.7 local and regional preference for further information).

Council will include in its tender process, where applicable, a weighting of two and a half percent (2.5%) for social procurement practices when engaging Contractors/Suppliers.

Criteria	Description	Weighting
Social Procurement	Employment of Aboriginal people and purchasing goods, services and works from Aboriginal Businesses*.	1.0%
	Contractors/Suppliers employing people with a disability or disadvantaged people such as long term unemployed, single parents, migrants and refugees etc.	0.5%

	Engaging Contractors/Suppliers that promote gender equality, provide training and services in relation to family violence, mental health etc.	1.0%
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\*Please see Appendix A for further details.

### 3.5 Sustainability

#### 3.5.1 General

Council is committed to achieving sustainability and ensuring it monitors and reports on Council activities and programs that have an impact on or contribute to the environment, including but not limited to the following:

- waste management;
- recycling;
- energy management;
- emission management;
- water conservation;
- green building design; and
- environmentally sustainable procurement.

#### 3.5.2 Sustainable Procurement

Council recognises it has an implicit role in furthering sustainable development, through its procurement of goods, and services and works.

In addition, Council recognises the potential impact this spend has on the environment and where applicable will integrate sustainability, environmental and social issues into the procurement process. Council aims to achieve this by:

- taking into account the need to minimise emissions and reducing the negative impacts of transportation when purchasing goods and services;
- taking steps to minimise carbon dioxide and other greenhouse gas emissions through the detailed consideration of products and services procured;
- considering the environmental performance of all suppliers and contractors, and encouraging them to conduct their operations in an environmentally sensitive manner;
- considering the basic life cycle analysis of products to minimise the adverse effects on the environment resulting directly or indirectly from products;
- selecting products / services that have minimal effect on the depletion of natural resources and biodiversity;

- giving a preference to Fairtrade, or equivalent, and ethically sourced and produced goods and services;
- working with local suppliers to ensure they are encouraged to bid for Council's business in line with the Procurement Policy and Regional Price and Local Supply (please see 2.3.7 for further details);
- ensuring all relevant procurement contracts and tenders contain sustainability specifications as appropriate to the product or service being procured;
- complying with all Australian regulations and legislation and ensuring our suppliers do the same;
- training all Council staff on sustainability considerations within the procurement process.

Council will include in its tender process, where applicable, a weighting of two and a half percent (2.5%) for environmentally sustainable practices and content when engaging Contractors/Suppliers.

Criteria	Description	Weighting
Sustainable Procurement	Percentage of sustainable content in the delivery of the Goods, Services or Works.	1.5%
	Documented evidence of the organisation's commitment to its own environmental performance. This may include policies, initiatives and environmental management systems.	1.0%

### 3.6 Diversity

Promoting equality through procurement can improve competition, value for money, the quality of public services, satisfaction among users, and community relations. It should be a consideration in every procurement project and reflect corporate commitment to diversity and equal opportunities wherever possible.

## 4 Apply a Consistent and Standard Approach

Council will provide effective and efficient commercial arrangements for the acquisition of goods, services, building and construction works.

### 4.1 Standard Processes

Council will provide effective commercial arrangements covering standard products and provision of standard services across the Council to enable employees to source requirements in an efficient manner.

This will be achieved via establishing the following:

- pricing where relevant;
- processes, procedures and techniques;
- tools and business systems (e.g. implementing appropriate e-tendering, e-evaluation; e-catalogue or e-sourcing arrangements);
- reporting requirements;
- application of standard contract terms and conditions.

### **4.2 Performance Indicators**

A list of performance indicators will be developed to measure procurement performance. They will include criteria such as:

- the proportion of spend against corporate contracts;
- user and supplier satisfaction levels;
- knowledge and skill of Council employees in procurement process;
- level of compliance and understanding of Council procurement policies;
- measuring the success of procurement initiatives e.g. procurement cards.

### **4.3 Management Information**

Council seeks to improve its' performance by capturing and analysing procurement management information in a variety of areas, including:

- Volume of spend
- Number of transactions per supplier
- Compliance
- Supplier performance
- User satisfaction

Council will also use external sources of management information to assist with the procurement decision making process including:

- Benchmarking data
- Information from professional bodies such as the Chartered Institute of Purchasing and Supply Australia
- Supplier reports

## **5 Build and Maintain Supply Relationships**

Council recognises that in order to achieve sustainable value, a strategic assessment of the appropriate 'channel to market' should be undertaken – whether to go to market on its own, participate in regional or sector aggregated projects or panels, access State Government panel agreements or other means. Council will consider supply arrangements that deliver the value for money in terms of time, expertise, cost, value and outcome.

### **5.1 *Developing and Managing Suppliers***

Developing and managing suppliers is essential to achieving a competitive market capable of delivering Council's services and works requirements.

Council needs to interact with the market and our suppliers in particular to understand their views and what enables and encourages diverse parts of the market to bid for work with Council. At the same time Council will ensure that our relationship with strategic suppliers is mutually productive and that goals are shared. Council aims to develop a relationship with suppliers that creates mutually advantageous, flexible and long term relations based on the quality of performance and value for money.

### **5.2 *Supply Market Development***

A wide range of suppliers should be encouraged to compete for Council work. The focus for new work need not always be with the larger, more familiar businesses. Other types of organisations offering business diversity include:

- Local businesses
- Green suppliers
- Small to medium sized enterprises (SMEs)
- Social enterprises
- Ethnic and minority business
- Voluntary and community organisations

### **5.3 *Relationship Management***

Council is committed to developing constructive long-term relationships with suppliers. It is important that Council identifies its key suppliers so that its efforts are focused to best effect. Such areas may include:

- Size of spend across Council
- Criticality of goods / services to the delivery of Council's services
- Availability of substitutes



## 5.4 Communication

External communication is very important in ensuring a healthy interest from potential suppliers and partners. Council will use its website and local media to promote forthcoming contract opportunities.

## 6 Review Process

Council endeavours to continually improve its procurement performance such that all relevant policies, guidance and training are continually reviewed and updated.

## 7 Policy Owner and Contact Details

**Responsible Officer:** Director Corporate & Community Services  
**Adopted by Council:** XX August 2021  
**Review Date:** XX August 2025

For further information on this policy, please contact via email: [info@hindmarsh.vic.gov.au](mailto:info@hindmarsh.vic.gov.au) or phone **03 5391 4444**.

## 8 Document Control

Procurement Policy		<b>Policy Category</b>	Council
<b>Version Number</b>	3.0	<b>Policy Status</b>	DRAFT
<b>Approved/Adopted By</b>	Council	<b>Approved/Adopted on:</b>	XX
<b>Prepared By</b>	CEO		
<b>Version History</b>	<b>Date</b>	<b>Version</b>	<b>Descriptions</b>
	7 February 2018	1.0	Creation of Policy
	16 December 2020	2.0	Update of Policy
	4 August 2021	3.0	Review of Policy to comply with new LGA 2020

## Appendix A Definitions and Abbreviations

Term	Definition
Aboriginal Business	An entity where an Aboriginal person has direct control and management of at least 50% of the business. E.g. a Director in a Company, Partner in a Partnership etc.
Act / The Act	<i>Local Government Act 2020.</i>
Commercial in Confidence	Information that, if released, may prejudice the business dealings of a party e.g. prices, discounts, rebates, profits, methodologies and process information.
Contract Management	The process that ensures both parties to a contract that fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.
Council Staff	Includes full-time and part-time Council staff, and temporary employees, contractors and consultants while engaged by Council.
Probity	Within Local Government, the word "probity" is often used in a general sense to mean "good process." A Procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with Council's policies and legislation are established, understood and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Procurement	Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.
e-Procurement	e-Procurement is integral to the overall development of procurement processes and involves the use of an electronic system/s to acquire and pay for supplies, services and works.
Prescribed Local Area	Municipal areas of Hindmarsh Shire Council
Prescribed Regional Area	Municipal areas of Hindmarsh Shire Council, Yarriambiack Shire Council, Horsham Rural City Council, Northern Grampians Shire, West Wimmera Shire Council and Buloke Shire Council.
Prescribed Local Contractor/Supplier	Contractor or supplier located within the municipal areas of Hindmarsh Shire Council.
Prescribed Regional Contractor/Supplier	Contractor or supplier located within the municipal areas of Hindmarsh Shire Council, Yarriambiack Shire Council, Horsham Rural City Council, Northern Grampians Shire, West Wimmera Shire Council and Buloke Shire Council.

Prescribed Area	means either the Prescribed Local Area or the Prescribed Regional Area.
Corporate Social Responsibility (CSR)	Corporate Social Responsibility (CSR) is about taking positive action to demonstrate the Council's commitment to the local community and environment on which it impacts.
Sustainability	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.
Social Procurement	Social Procurement uses Procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works.
Tender Process	The process of inviting parties to submit a quotation by tender using public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.
Thresholds	The value above which a procurement, unless exempt, is subject to the mandatory procurement procedures prescribed under this policy as outlined by Section 108 of <i>the Act</i> .
Expression of Interest (EOI)	An invitation for persons to submit an EOI for the provision of the Goods and/or Services generally set out in the overview of requirements contained in the document. This Invitation is not an offer or a contract
Request for Proposal (RFP)	A request for proposal is generally sent to the supplier market, designed to capture commercial information and pricing. Allows Council to assess suitability and evaluate responses against a set of pre-defined requirements
Value for money	Value for money in Procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including: <ul style="list-style-type: none"> <li>• contribution to the advancement of Council's priorities;</li> <li>• non-cost factors such as fitness for purpose, quality, service and support; and</li> <li>• cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.</li> </ul>



**HINDMARSH SHIRE COUNCIL**

**INSTRUMENT OF DELEGATION**

**to**

**CHIEF EXECUTIVE OFFICER**

**Approved 04 August 2021**

## Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020 (the Act)* and all other powers enabling it, the Hindmarsh Shire Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 4 August 2021;
2. the delegation
  - 2.1 comes into force immediately as the Resolution of Council is passed;
  - 2.2 is subject to any conditions and limitations set out in the Schedule;
  - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.4 remains in force until Council resolves to vary or revoke it.

**SIGNED** by **GREG WOOD**, Chief Executive )  
Officer pursuant to Council resolution dated )  
4 August 2021 in the presence of: )

\_\_\_\_\_  
Signature of Greg Wood

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name

## SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

### Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

1. if the issue, action, act or thing is an issue, action, act or thing which involves
  - 1.1 entering into a contract or make any expenditure exceeding the value of \$200,000 (excluding GST);
  - 1.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
  - 1.3 electing a Mayor or Deputy Mayor;
  - 1.4 granting a reasonable request for leave under s 35 of the Act;
  - 1.5 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
  - 1.6 approving or amending the Council Plan;
  - 1.7 adopting or amending any policy that Council is required to adopt under the Act;
  - 1.8 adopting or amending the Governance Rules;
  - 1.9 appointing the chair or the members to a delegated committee;
  - 1.10 making, amending or revoking a local law;
  - 1.11 approving the Budget or Revised Budget;
  - 1.12 approving the borrowing of money; or
  - 1.13 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

- 4.1 policy; or
- 4.2 strategy adopted by Council;
- 5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
- 6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

***S6 Instrument of Delegation – Members of Staff***

**Hindmarsh Shire Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**



## Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

**DCCS means Director Corporate and Community Services**

**DIS means Director Infrastructure Services**

**MGHS Manager Governance and Human Services**

**CEO means Chief Executive Officer**

**CSC Customer Service Coordinator**

**RO means Revenue Officer**

**MFCS Manager Finance and Customer Service**

**EHO means Environmental Health Officer**

**MD means Manager Development**

**MO means Manager Operations**

**AE means Assets Engineer**

**MCW means Manager Capital Works**

3. declares that:
  - 3.1 this Instrument of Delegation is authorised by **a resolution** of Council passed on 04 August 2021, and
  - 3.2 the delegation:
    - 3.2.1 comes into force immediately when the Resolution is passed;
    - 3.2.2 remains in force until varied or revoked;
    - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
    - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 3.3 the delegate must not determine the issue, take the action or do the act or thing:

- 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
- 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
  - (a) policy; or
  - (b) strategy adopted by Council;
- 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
- 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

**SIGNED** by **GREG WOOD**, Chief Executive )  
 Officer pursuant to Council resolution dated )  
 4 August 2021 in the presence of: )

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Signature of Greg Wood

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Witness Signature

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Witness Name

# SCHEDULE

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<b>CEMETERIES AND CREMATORIA ACT 2003</b>			
##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	DCCS; MFCS; RO; CSC	
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	DCCS; MFCS; RO; CSC	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) – (c) in exercising its functions	DCCS; MFCS; RO; CSC	Where Council is a Class B cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 14	Power to manage multiple public cemeteries as if they are one cemetery	DCCS; MFCS; RO; CSC	
s 15(4)	Duty to keep records of delegations	DCCS; MFCS; RO; CSC	
s 17(1)	Power to employ any persons necessary	CEO	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	DCCS; MFCS; RO; CSC	
s 17(3)	Power to determine the terms and conditions of employment or engagement	DCCS; MFCS; RO; CSC	Subject to any guidelines or directions of the Secretary

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 18(3)	Duty to comply with a direction from the Secretary	DCCS; MFCS; RO; CSC	
s 19	Power to carry out or permit the carrying out of works	DCCS; MFCS; RO; CSC	
s 20(1)	Duty to set aside areas for the interment of human remains	DCCS; MFCS; RO; CSC	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)	DCCS; MFCS; RO; CSC	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	DCCS; MFCS; RO; CSC	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	DCCS; MFCS; RO; CSC	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	DCCS; MFCS; RO; CSC	Subject to the Minister approving the purpose



**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40	Duty to notify Secretary of fees and charges fixed under s 39	DCCS; MFCS; RO; CSC	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	DCCS; MFCS; RO; CSC	Provided the street was constructed pursuant to the <i>Local Government Act 2020</i>
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	DCCS; MFCS; RO; CSC	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 60(1)	Duty to make information in records available to the public for historical or research purposes	DCCS; MFCS; RO; CSC	
s 60(2)	Power to charge fees for providing information	DCCS	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	DCCS; MFCS; RO; CSC	
s 64B(d)	Power to permit interments at a reopened cemetery	DCCS; MFCS; RO; CSC	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	DCCS; MFCS; RO; CSC	The application must include the requirements listed in s 66(2)(a)–(d)

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	DCCS; MFCS; RO; CSC	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	DCCS; MFCS; RO; CSC	
s 70(2)	Duty to make plans of existing place of interment available to the public	DCCS; MFCS; RO; CSC	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 71(2)	Power to dispose of any memorial or other structure removed	DCCS; MFCS; RO; CSC	
s 72(2)	Duty to comply with request received under s 72	DCCS; MFCS; RO; CSC	
s 73(1)	Power to grant a right of interment	DCCS; MFCS; RO; CSC	
s 73(2)	Power to impose conditions on the right of interment	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	DCCS; MFCS; RO; CSC	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	DCCS; MFCS; RO; CSC	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	DCCS; MFCS; RO; CSC	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 80(2)	Function of recording transfer of right of interment	DCCS; MFCS; RO; CSC	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	DCCS; MFCS; RO; CSC	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	DCCS; MFCS; RO; CSC	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	DCCS; MFCS; RO; CSC	
s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	DCCS; MFCS; RO; CSC	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	DCCS; MFCS; RO; CSC	Does not apply where right of internment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of internment or;  Remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location	DCCS; MFCS; RO; CSC	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of internment is not extended or converted to a perpetual right of interment

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	DCCS; MFCS; RO; CSC	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	DCCS; MFCS; RO; CSC	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	DCCS; MFCS; RO; CSC	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	DCCS; MFCS; RO; CSC	



**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 86(4)	Power to take action under s 86(4) relating to removing and re-interring cremated human remains	DCCS; MFCS; RO; CSC	
s 86(5)	Duty to provide notification before taking action under s 86(4)	DCCS; MFCS; RO; CSC	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	DCCS; MFCS; RO; CSC	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	DCCS; MFCS; RO; CSC	
s 91(1)	Power to cancel a right of interment in accordance with s 91	DCCS; MFCS; RO; CSC	
s 91(3)	Duty to publish notice of intention to cancel right of interment	DCCS; MFCS; RO; CSC	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	DCCS; MFCS; RO; CSC	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	DCCS; MFCS; RO; CSC	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	DCCS; MFCS; RO; CSC	
s 100(1)	Power to require a person to remove memorials or places of interment	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	DCCS; MFCS; RO; CSC	
s 100(3)	Power to recover costs of taking action under s 100(2)	DCCS; MFCS; RO; CSC	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	DCCS; MFCS; RO; CSC	
s 102(1)	Power to approve or refuse an application under s 101, if satisfied of the matters in (b) and (c)	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	DCCS; MFCS; RO; CSC	
s 103(1)	Power to require a person to remove a building for ceremonies	DCCS; MFCS; RO; CSC	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	DCCS; MFCS; RO; CSC	
s 103(3)	Power to recover costs of taking action under s 103(2)	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	DCCS; MFCS; RO; CSC	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	DCCS; MFCS; RO; CSC	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	DCCS; MFCS; RO; CSC	
s 106(4)	Power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DCCS; MFCS; RO; CSC	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	DCCS; MFCS; RO; CSC	
s 108	Power to recover costs and expenses	DCCS; MFCS; RO; CSC	
s 109(1)(a)	Power to open, examine and repair a place of interment	DCCS; MFCS; RO; CSC	Where the holder of right of interment or responsible person cannot be found

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DCCS; MFCS; RO; CSC	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	DCCS; MFCS; RO; CSC	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder with consent of the Secretary	DCCS; MFCS; RO; CSC	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	DCCS; MFCS; RO; CSC	



**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	DCCS; MFCS; RO; CSC	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	DCCS; MFCS; RO; CSC	
s 112	Power to sell and supply memorials	DCCS; MFCS; RO; CSC	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	DCCS; MFCS; RO; CSC	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	DCCS; MFCS; RO; CSC	
s 119	Power to set terms and conditions for interment authorisations	DCCS; MFCS; RO; CSC	
s 131	Function of receiving an application for cremation authorisation	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	DCCS; MFCS; RO; CSC	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	DCCS; MFCS; RO; CSC	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	DCCS; MFCS; RO; CSC	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	DCCS; MFCS; RO; CSC	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	DCCS; MFCS; RO; CSC	
s 151	Function of receiving applications to inter or cremate body parts	DCCS; MFCS; RO; CSC	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA ACT 2003**

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	DCCS; MFCS; RO; CSC	
sch 1 cl 8(8)	Power to regulate own proceedings	DCCS; MFCS; RO; CSC	Subject to cl 8

**DOMESTIC ANIMALS ACT 1994**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s 41A(1)	Power to declare a dog to be a menacing dog	CEO; DCCS	Council may delegate this power to a Council authorised officer



**FOOD ACT 1984**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CEO; DCCS; MGHS; EHO	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CEO; DCCS; MGHS; EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEO; DCCS; MGHS; EHO	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	CEO; DCCS; MGHS; EHO	If s 19(1) applies



<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	CEO; DCCS; MGHS; EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	CEO; DCCS; MGHS; EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEO; DCCS; MGHS; EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution

**FOOD ACT 1984**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CEO; DCCS; MGHS; EHO	Where Council is the registration authority

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	CEO; DCCS	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEO; DCCS; MGHS; EHO	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEO; DCCS; MGHS; EHO	Where Council is the registration authority

**FOOD ACT 1984**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
---	Power to register, renew or transfer registration	CEO; DCCS; MGHS; EHO	Where Council is the registration authority Refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	CEO; DCCS; MGHS; EHO	Where Council is the registration authority

**FOOD ACT 1984**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 36B	Duty to pay the charge for use of online portal	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CEO; DCCS; MGHS; EHO	Where Council is the registration authority

**FOOD ACT 1984**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	CEO; DCCS; MGHS; EHO	Where Council is the registration authority

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEO; DCCS; MGHS; EHO	Where Council is the registration authority; not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	CEO; DCCS; MGHS; EHO	Where Council is the registration authority

**FOOD ACT 1984**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 38G(2)	Power to require the proprietor of the food premises to comply with any requirement of the Act	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	CEO; DCCS; MGHS; EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)



<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	CEO; DCCS; MGHS; EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEO; DCCS	Where Council is the registration authority
s 40F	Power to cancel registration of food premises	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CEO; DCCS; MGHS; EHO	Where Council is the registration authority

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CEO; DCCS; MGHS; EHO	Where Council is the registration authority
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEO; DCCS; MGHS; EHO	Where Council is the registration authority

**HERITAGE ACT 2017**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

**LOCAL GOVERNMENT ACT 1989**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 185L(4)	Power to declare and levy a cladding rectification charge	<b>CEO<sup>1</sup></b>	

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<sup>1</sup> The only member of staff who can be a delegate in Column 3 is the CEO.

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DIS; MD	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DIS; MD	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements	DIS; MD	
s 4I	Duty to keep Victorian Planning Provisions and other documents available in accordance with public availability requirements	DIS; MD	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	DIS; MD	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CEO	
s 8A(5)	Function of receiving notice of the Minister's decision	DIS; MD	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	DIS; MD	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CEO	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	DIS; MD	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	DIS; MD	
s 12B(1)	Duty to review planning scheme	DIS; MD	
s 12B(2)	Duty to review planning scheme at direction of Minister	DIS; MD	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	DIS; MD	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	DIS; MD	
s 17(1)	Duty of giving copy amendment to the planning scheme	DIS; MD	

**PLANNING AND ENVIRONMENT ACT 1987**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 17(2)	Duty of giving copy s 173 agreement	DIS; MD	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DIS; MD	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	DIS; MD	
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	DIS; MD	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	DIS; MD	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	DIS; MD	
s 21(2)	Duty to make submissions available in accordance with public availability requirements	DIS; MD	
s 21A(4)	Duty to publish notice	DIS; MD	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 22	Duty to consider all submissions	DIS; MD	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	DIS; MD	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DIS; MD	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DIS; MD	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s197B of the Act	DIS; MD	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	DIS; MD	
s 27(2)	Power to apply for exemption if panel's report not received	DIS; MD	
s 28	Duty to notify the Minister if abandoning an amendment	DIS; MD	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	DIS; MD	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	DIS; MD	
s 30(4)(a)	Duty to say if amendment has lapsed	DIS; MD	
s 30(4)(b)	Duty to provide information in writing upon request	DIS; MD	
s 32(2)	Duty to give more notice if required	DIS; MD	
s 33(1)	Duty to give more notice of changes to an amendment	DIS; MD	
s 36(2)	Duty to give notice of approval of amendment	DIS; MD	
s 38(5)	Duty to give notice of revocation of an amendment	DIS; MD	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	DIS; MD	
s 40(1)	Function of lodging copy of approved amendment	DIS; MD	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	DIS; MD	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	DIS; MD	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	DIS; MD	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	No Delegation	Where Council is a responsible public entity and is a planning authority  Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	DIS; MD	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy  Power to endorse the draft Statement of Planning Policy	DIS; MD	Where Council is a responsible public entity

**PLANNING AND ENVIRONMENT ACT 1987**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DIS; MD	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	DIS; MD	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	DIS; MD	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DIS; MD	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	DIS; MD	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	DIS; MD	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	DIS; MD	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GP	Function of receiving a notice under s 46GO	DIS; MD	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	DIS; MD	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	DIS; MD	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	DIS; MD	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	DIS; MD	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	DIS; MD	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DIS; MD	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	DIS; MD	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	DIS; MD	
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	DIS; MD	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution  Power to specify the manner in which the payment is to be made	DIS; MD	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	DIS; MD	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DIS; MD	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DIS; MD	Where Council is the collecting agency

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	DIS; MD	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	DIS; MD	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	DIS; MD	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	DIS; MD	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	DIS; MD	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DCCS; MFCS	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	DIS; MD	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is that planning authority

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GZ(2)(a)	Function of receiving the monetary component	DIS; MD	Where the Council is the planning authority  This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	DIS; MD	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	DIS; MD	Where Council is the development agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	DIS; MD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	DIS; MD	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	DIS; MD	Where Council is the development agency specified in the approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	DIS; MD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	DIS; MD	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4)  Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	DIS; MD	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GZA(1)	Duty to keep proper and separate accounts and records	DIS; MD	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DIS; MD	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	DIS; MD	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	DIS; MD	If the VPA is the collecting agency under an approved infrastructure contributions plan  Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	DIS; MD	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	DIS; MD	Where Council is the collecting agency under an approved infrastructure contributions plan

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	DIS; MD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	DIS; MD	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	DIS; MD	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	DIS; MD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	DIS; MD	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	DIS; MD	Where Council is the development agency under an approved infrastructure contributions plan

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	DIS; MD	Where Council is the collection agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	DIS; MD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	DIS; MD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	DIS; MD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	DIS; MD	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DIS; MD	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	DIS; MD	

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	DIS; MD	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	DIS; MD	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DIS; MD	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	DIS; MD	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DIS; MD	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	DIS; MD	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	DIS; MD	
s 46Q(1)	Duty to keep proper accounts of levies paid	DIS; MD	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	DIS; MD	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	DIS; MD	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DIS; MD	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	DIS; MD	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	DIS; MD	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	DIS; MD	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	DIS; MD	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46QD	Duty to prepare report and give a report to the Minister	DIS; MD	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	DIS; MD	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	DIS; MD	
s 47	Power to decide that an application for a planning permit does not comply with that Act	DIS; MD	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	DIS; MD	
s 49(2)	Duty to make register available for inspection in accordance with public availability requirements	DIS; MD	
s 50(4)	Duty to amend application	DIS; MD	
s 50(5)	Power to refuse to amend application	DIS; MD	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 50(6)	Duty to make note of amendment to application in register	DIS; MD	
s 50A(1)	Power to make amendment to application	DIS; MD	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	DIS; MD	
s 50A(4)	Duty to note amendment to application in register	DIS; MD	
s 51	Duty to make copy of application available for inspection in accordance with public availability requirements	DIS; MD	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	DIS; MD	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	DIS; MD	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	DIS; MD	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	DIS; MD	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	DIS; MD	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	DIS; MD	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	DIS; MD	
s 52(3)	Power to give any further notice of an application where appropriate	DIS; MD	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	DIS; MD	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	DIS; MD	
s 54(1)	Power to require the applicant to provide more information	DIS; MD	



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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	DIS; MD	
s 54(1B)	Duty to specify the lapse date for an application	DIS; MD	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	DIS; MD	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	DIS; MD	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DIS; MD	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DIS; MD	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	DIS; MD	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	DIS; MD	

**PLANNING AND ENVIRONMENT ACT 1987**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	DIS; MD	
s 57A(5)	Power to refuse to amend application	DIS; MD	
s 57A(6)	Duty to note amendments to application in register	DIS; MD	
s 57B(1)	Duty to determine whether and to whom notice should be given	DIS; MD	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	DIS; MD	
s 57C(1)	Duty to give copy of amended application to referral authority	DIS; MD	
s 58	Duty to consider every application for a permit	DIS; MD	
s 58A	Power to request advice from the Planning Application Committee	DIS; MD	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 60	Duty to consider certain matters	CEO	
s 60(1A)	Duty to consider certain matters	CEO	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CEO	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CEO	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CEO	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CEO	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	CEO	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CEO	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CEO	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CEO	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 62(2)	Power to include other conditions	CEO	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CEO	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CEO	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	CEO	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CEO	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	CEO	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	CEO	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CEO	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	DIS; MD	This provision applies also to a decision to grant an amendment to a permit – see s 75

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 64(3)	Duty not to issue a permit until after the specified period	DIS; MD	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	DIS; MD	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DIS; MD	This provision applies also to a decision to grant an amendment to a permit – see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	DIS; MD	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DIS; MD	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DIS; MD	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DIS; MD	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	DIS; MD	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	DIS; MD	
s 69(1A)	Function of receiving application for extension of time to complete development	DIS; MD	
s 69(2)	Power to extend time	DIS; MD	
s 70	Duty to make copy permit available in accordance with public availability requirements	DIS; MD	
s 71(1)	Power to correct certain mistakes	DIS; MD	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 71(2)	Duty to note corrections in register	DIS; MD	
s 73	Power to decide to grant amendment subject to conditions	DIS; MD	
s 74	Duty to issue amended permit to applicant if no objectors	DIS; MD	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DIS; MD	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DIS; MD	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DIS; MD	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DIS; MD	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit

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s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	DIS; MD	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	DIS; MD	
s 83	Function of being respondent to an appeal	DIS; MD	
s 83B	Duty to give or publish notice of application for review	DIS; MD	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DIS; MD	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	DIS; MD	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	DIS; MD	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	DIS; MD	



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s 84AB	Power to agree to confining a review by the Tribunal	DIS; MD	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	DIS; MD	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DIS; MD	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DIS; MD	
s 91(2)	Duty to comply with the directions of VCAT	DIS; MD	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	DIS; MD	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	DIS; MD	
s 93(2)	Duty to give notice of VCAT order to stop development	DIS; MD	
s 95(3)	Function of referring certain applications to the Minister	DIS; MD	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 95(4)	Duty to comply with an order or direction	DIS; MD	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DIS; MD	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	DIS; MD	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	DIS; MD	
s 96F	Duty to consider the panel's report under s 96E	DIS; MD	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	DIS; MD	
s 96H(3)	Power to give notice in compliance with Minister's direction	DIS; MD	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 96J	Power to issue permit as directed by the Minister	DIS; MD	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	DIS; MD	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	DIS; MD	
s 97C	Power to request Minister to decide the application	DIS; MD	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	DIS; MD	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	DIS; MD	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	DIS; MD	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	DIS; MD	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	DIS; MD	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DIS; MD	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	DIS; MD	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DIS; MD	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DIS; MD	
s 97Q(4)	Duty to comply with directions of VCAT	DIS; MD	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	DIS; MD	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DIS; MD	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DIS; MD	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 101	Function of receiving claim for expenses in conjunction with claim	DIS; MD	
s 103	Power to reject a claim for compensation in certain circumstances	DIS; MD	
s 107(1)	Function of receiving claim for compensation	DIS; MD	
s 107(3)	Power to agree to extend time for making claim	DIS; MD	
s 114(1)	Power to apply to the VCAT for an enforcement order	DIS; MD	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	DIS; MD	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	DIS; MD	
s 123(1)	Power to carry out work required by enforcement order and recover costs	DIS; MD	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DIS; MD	Except Crown Land

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 129	Function of recovering penalties	DIS; MD	
s 130(5)	Power to allow person served with an infringement notice further time	DIS; MD	
s 149A(1)	Power to refer a matter to the VCAT for determination	DIS; MD	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	DIS; MD	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	DIS; MD	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	DIS; MD	
s 171(2)(g)	Power to grant and reserve easements	DIS; MD	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	CEO	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	CEO	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	CEO	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	DIS; MD	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	DIS; MD	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	DIS; MD	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	DIS; MD	

**PLANNING AND ENVIRONMENT ACT 1987**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DIS; MD	
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DIS; MD	
s 178A(1)	Function of receiving application to amend or end an agreement	DIS; MD	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DIS; MD	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DIS; MD	
s 178A(5)	Power to propose to amend or end an agreement	DIS; MD	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DIS; MD	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DIS; MD	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	DIS; MD	
s 178C(4)	Function of determining how to give notice under s 178C(2)	DIS; MD	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DIS; MD	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DIS; MD	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DIS; MD	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	DIS; MD	If no objections are made under s 178D Must consider matters in s 178B

**PLANNING AND ENVIRONMENT ACT 1987**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DIS; MD	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DIS; MD	After considering objections, submissions and matters in s 178B
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	DIS; MD	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	DIS; MD	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	DIS; MD	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DIS; MD	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DIS; MD	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DIS; MD	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	DIS; MD	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DIS; MD	
s 179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	DIS; MD	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DIS; MD	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DIS; MD	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DIS; MD	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 182	Power to enforce an agreement	DIS; MD	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DIS; MD	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	DIS; MD	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	DIS; MD	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DIS; MD	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DIS; MD	
s 184G(2)	Duty to comply with a direction of the Tribunal	DIS; MD	
s 184G(3)	Duty to give notice as directed by the Tribunal	DIS; MD	

**PLANNING AND ENVIRONMENT ACT 1987**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 198(1)	Function to receive application for planning certificate	DIS; MD	
s 199(1)	Duty to give planning certificate to applicant	DIS; MD	
s 201(1)	Function of receiving application for declaration of underlying zoning	DIS; MD	
s 201(3)	Duty to make declaration	DIS; MD	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	DIS; MD	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	DIS; MD	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	DIS; MD	
-	Power to give written authorisation in accordance with a provision of a planning scheme	DIS; MD	

**PLANNING AND ENVIRONMENT ACT 1987**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DIS; MD	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DIS; MD	

**RESIDENTIAL TENANCIES ACT 1997**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	No Delegate	Where Council is a public statutory authority engaged in the provision of housing
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	No Delegate	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	No Delegate	Where Council is a public statutory authority engaged in the provision of housing
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	No Delegate	Where Council is a public statutory authority engaged in the provision of housing
s 142D	Function of receiving notice regarding an unregistered rooming house	DCCS; MGHS; EHO	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	DCCS; MGHS; EHO	

**RESIDENTIAL TENANCIES ACT 1997**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 142G(2)	Power to enter certain information in the Rooming House Register	DCCS; MGHS; EHO	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	DCCS; MGHS; EHO	
s 206AZA(2)	Function of receiving written notification	DCCS; MGHS; EHO	
s 207ZE(2)	Function of receiving written notification	DCCS; MGHS; EHO	
s 311A(2)	Function of receiving written notification	DCCS; MGHS; EHO	
s 317ZDA(2)	Function of receiving written notification	DCCS; MGHS; EHO	



**RESIDENTIAL TENANCIES ACT 1997**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	DCCS; DIS; MO	
s 522(1)	Power to give a compliance notice to a person	DCCS; DIS; MO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	DCCS; DIS; MO	
s 525(4)	Duty to issue identity card to authorised officers	DCCS; DIS; MO	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	DCCS; DIS; MO	
s 526A(3)	Function of receiving report of inspection	DCCS; DIS; MO	

**RESIDENTIAL TENANCIES ACT 1997**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	DCCS; DIS; MO	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	DIS	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	DIS	
s 11(9)(b)	Duty to advise Registrar	DIS	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DIS	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DIS	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	DIS	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	DIS	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	DIS	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	DIS	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	DIS	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	DIS	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	DIS	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	DIS	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CEO	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	DIS	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DIS	
s 15(2)	Duty to include details of arrangement in public roads register	DIS	
s 16(7)	Power to enter into an arrangement under s 15	DIS	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 16(8)	Duty to enter details of determination in public roads register	DIS	
s 17(2)	Duty to register public road in public roads register	DIS	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	DIS	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	DIS	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	DIS	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	DIS	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	DIS	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	DIS	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	DIS	
s 19(4)	Duty to specify details of discontinuance in public roads register	DIS	
s 19(5)	Duty to ensure public roads register is available for public inspection	DIS	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 21	Function of replying to request for information or advice	DIS	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	DIS	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report	DIS	
s 22(5)	Duty to give effect to a direction under s 22	DIS	
s 40(1)	Duty to inspect, maintain and repair a public road	DIS	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	DIS	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DIS MO	
s 42(1)	Power to declare a public road as a controlled access road	DIS	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	DIS	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	DIS	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	DIS	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DIS	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DIS	
s 49	Power to develop and publish a road management plan	DIS; AE	
s 51	Power to determine standards by incorporating the standards in a road management plan	DIS; AE	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DIS	
s 54(2)	Duty to give notice of proposal to make a road management plan	DIS; AE	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	DIS; AE	
s 54(6)	Power to amend road management plan	DIS; AE	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 54(7)	Duty to incorporate the amendments into the road management plan	DIS; AE	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	DIS; AE	
s 63(1)	Power to consent to conduct of works on road	DIS; MO; MCW	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	DIS; MO; MCW	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	DIS; MO; MCW	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DIS	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	DIS	Where Council is the coordinating road authority
s 67(3)	Power to request information	DIS	Where Council is the coordinating road authority
s 68(2)	Power to request information	DIS	Where Council is the coordinating road authority



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 71(3)	Power to appoint an authorised officer	CEO	
s 72	Duty to issue an identity card to each authorised officer	MGHS	
s 85	Function of receiving report from authorised officer	CEO DCCS; DIS	
s 86	Duty to keep register re s 85 matters	DCCS; DIS	
s 87(1)	Function of receiving complaints	DCCS; DIS; MGHS	
s 87(2)	Duty to investigate complaint and provide report	DCCS; DIS; MGHS	
s 112(2)	Power to recover damages in court	CEO	
s 116	Power to cause or carry out inspection	DIS	
s 119(2)	Function of consulting with the Head, Transport for Victoria	DIS	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DIS	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	DIS	
s 121(1)	Power to enter into an agreement in respect of works	DIS	
s 122(1)	Power to charge and recover fees	DIS	
s 123(1)	Power to charge for any service	DIS	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DIS	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	DIS	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	DIS	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	DIS	
sch 2 cl 5	Duty to publish notice of declaration	DIS	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DIS; MO; MCW	Where Council is the infrastructure manager or works manager

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DIS; MO; MCW	Where Council is the infrastructure manager or works manager
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DIS; MO; MCW	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DIS; MO; MCW	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DIS; MO; MCW	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	DIS; MO; MCW	Where Council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DIS; MO; MCW	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DIS; MO; MCW	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DIS	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	DIS	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	DIS	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DIS	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DIS	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	DIS	Where Council is the coordinating road authority, responsible authority or infrastructure manager

**ROAD MANAGEMENT ACT 2004**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 16(5)	Power to consent to proposed works	DIS	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DIS	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	DIS	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DIS	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	DIS	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	DIS	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DIS	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DIS	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	DIS	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road

**ROAD MANAGEMENT ACT 2004**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DIS; MO; MCW	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	DIS; MO; MCW	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with cls 3(2) and 4	DIS; MO; MCW	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

##These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 24	Duty to ensure that cemetery complies with depth of burial requirements	DCCS; MFCS; RO; CSC	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DCCS; MFCS; RO; CSC	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	DCCS; MFCS; RO; CSC	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

##These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	DCCS; MFCS; RO; CSC	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	DCCS; MFCS; RO; CSC	
r 30(2)	Power to release cremated human remains to certain persons	DCCS; MFCS; RO; CSC	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	DCCS; MFCS; RO; CSC	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	DCCS; MFCS;	



**CEMETERIES AND CREMATORIA REGULATIONS 2015**

##These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	DCCS; MFCS; RO; CSC	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	DCCS; MFCS; RO; CSC	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	DCCS; MFCS; RO; CSC	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	DCCS; MFCS; RO; CSC	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	DCCS; MFCS;	

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

##These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	DCCS; MFCS; RO; CSC	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	DCCS; MFCS; RO; CSC	
r 40	Power to approve a person to play sport within a public cemetery	DCCS; MFCS; RO; CSC	
r 41(1)	Power to approve fishing and bathing within a public cemetery	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

##These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 42(1)	Power to approve hunting within a public cemetery	DCCS; MFCS; RO; CSC	
r 43	Power to approve camping within a public cemetery	DCCS; MFCS; RO; CSC	
r 45(1)	Power to approve the removal of plants within a public cemetery	DCCS; MFCS; RO; CSC	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DCCS; MFCS; RO; CSC	

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

##These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 47(3)	Power to approve the use of fire in a public cemetery	DCCS; MFCS; RO; CSC	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	DCCS; MFCS; RO; CSC	
Note: sch 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	DCCS; MFCS; RO; CSC	See note above regarding model rules

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

##These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	DCCS; MFCS; RO; CSC	See note above regarding model rules

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

##These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	DCCS; MFCS; RO; CSC	See note above regarding model rules

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

##These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	DCCS; MFCS; RO; CSC	See note above regarding model rules

**PLANNING AND ENVIRONMENT REGULATIONS 2015**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DIS; MD	Where Council is not the planning authority and the amendment affects land within its municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	DIS; MD	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) available for inspection free of charge	DIS; MD	Where Council is the responsible authority
r 25(b))	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	DIS; MD	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	DIS; MD	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.



**PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DIS; MD	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DIS; MD	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	DIS; MD	

**RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 7	Power to enter into a written agreement with a caravan park owner	DIS	
r 10	Function of receiving application for registration	DCCS; DIS; EHO	
r 11	Function of receiving application for renewal of registration	DCCS; DIS; EHO	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	DCCS; DIS; EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DCCS; DIS; EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	DCCS; DIS; EHO	

**RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DCCS; DIS; EHO	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	DCCS; DIS; EHO	
r 12(4) & (5)	Duty to issue certificate of registration	DCCS; DIS; EHO	
r 14(1)	Function of receiving notice of transfer of ownership	DCCS; DIS; EHO	
r 14(3)	Power to determine where notice of transfer is displayed	DCCS; DIS; EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	DCCS; DIS; EHO	

**RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 15(2)	Duty to issue a certificate of transfer of registration	DCCS; DIS; EHO	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	DCCS; DIS; EHO	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	DCCS; DIS; EHO	
r 17	Duty to keep register of caravan parks	DCCS; DIS; EHO	
r 18(4)	Power to determine where the emergency contact person's details are displayed	DCCS; DIS; EHO	
r 18(6)	Power to determine where certain information is displayed	DCCS; DIS; EHO	

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	DCCS; DIS; EHO	
r 22(2)	Duty to consult with relevant emergency services agencies	DCCS; DIS	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	DCCS; DIS; EHO	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	DCCS; DIS; EHO	
r 25(3)	Duty to consult with relevant floodplain management authority	DIS	
r 26	Duty to have regard to any report of the relevant fire authority	DIS	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	DIS; EHO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	DIS	
r 40(b)	Power to require notice of proposal to install unregistrable	DIS	

**RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
	movable dwelling or rigid annexe		
r 41(4)	Function of receiving installation certificate	DIS	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	DIS	
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	DIS	

**RESIDENTIAL TENANCIES REGULATIONS 2021**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
sch 4 cl 3(a)(iii)	Power to approve any other toilet system	EHO	

<b>ROAD MANAGEMENT (GENERAL) REGULATIONS 2016</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 8(1)	Duty to conduct reviews of road management plan	DIS; AE	
r 9(2)	Duty to produce written report of review of road management plan and make report available	DIS; AE	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	DIS; AE	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	DIS; AE	
r 13(1)	Duty to publish notice of amendments to road management plan	DIS; AE	Where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	DIS; AE	
r 16(3)	Power to issue permit	DIS	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	DIS	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	DIS	Where Council is the coordinating road authority



**ROAD MANAGEMENT (GENERAL) REGULATIONS 2016**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	DIS	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	DIS; MO	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	DIS; MO	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DIS	

**ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DIS	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	DIS	Where Council is the coordinating road authority

***S18 Instrument of Sub-Delegation  
under the Environment Protection Act 2017***

**Hindmarsh Shire Council**

**Instrument of Sub-Delegation**

**to**

**Members of Council staff**

**Instrument of Sub-Delegation**

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described in column 3 of the Schedule;
2. record that references in the Schedule are as follows

**EHO means Environmental Health Officer;**  
**LLO means Local Law Officer;**  
**MGHS means Manager Governance and Human Services**

3. this Instrument of Sub-Delegation is authorised by a resolution of Council passed on 4 August 2021 pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
4. the delegation:
  - 4.1 comes into force immediately when the Resolution is passed;
  - 4.2 remains in force until varied or revoked;
  - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
  - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
5. this Instrument of Sub-Delegation is subject to the following limitations:
  - 5.1 the powers, duties and functions described in column and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:
    - 5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
    - 5.1.2 noise from the construction, demolition or removal of residential premises;
6. the delegate must not determine the issue, take the action or do the act or thing:
  - 6.1.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
  - 6.1.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategyadopted by Council;
  - 6.1.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

6.1.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

**SIGNED** by **GREG WOOD**, Chief Executive )  
Officer pursuant to Council resolution dated )  
4 August 2021 in the presence of: )

\_\_\_\_\_  
Signature of Greg Wood

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name

# SCHEDULE



<b>ENVIRONMENT PROTECTION ACT 2017</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 271	Power to issue improvement notice	EHO	
s 272	Power to issue prohibition notice	EHO	
s 279	Power to amend a notice	EHO	
s 358	Functions of the Environment Protection Authority	EHO	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	EHO	
s 359(2)	Power to give advice to persons with duties or obligations	EHO	





**HINDMARSH SHIRE COUNCIL  
INTERIM FINANCIAL REPORT  
FOR THE PERIOD ENDING  
30 JUNE 2021**

**Hindmarsh Shire Council  
Management Financial Report  
For the period ending 30 June 2021**

**COMMENTARY**

**General**

The Financial report provides financial reporting and variances against budget as at 30 June 2021. This report is an interim report for the period ending 30 June 2021. This information is subject to end of year adjustments and audit by Councils' external auditors.

**Dashboard**

The Dashboard provides Council with a set of graphs detailing of both financial and non-financial items. This will be available for distribution at the Council meeting.

**Executive Summary & Ratios**

The Executive Summary and ratios provides Council with a summary of financial items comparing year to date actuals against year to date budget.

**Financials**

Attached to this report are a set of financial statements consisting of an Income Statement, Balance Sheet, Cash Flow Statement, Capital Works Schedule and Detailed Program Expenditure. These statements are prepared in line with Australian Accounting Standards and the relevant regulations under the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2014*. The statements provide YTD Actual data with a comparison against YTD Budget figures.

A brief summary of the major budget variances is outlined on the following pages.

**Comprehensive Income Statement**

The Comprehensive Income Statement shows an operating surplus for the period 1 July 2020 to 30 June 2021 of \$7,664,728 compared to a budgeted deficit of \$650,095.

There are a number of items that make up the overall variances between actual and budget. Explanation of material variances have been detailed against the Comprehensive Income Statement report.

**Balance Sheet and Cash Flow**

Cash and cash equivalents at 30 June 2021 shows a balance of \$17,319,239.

**Capital Expenditure**

This report shows Capital works expenditure of \$6,484,932 for the period 1 July 2020 to 30 June 2021.

"The Chief Executive Officer, as required under Section 97(3) of the *Local Government Act 2020* is of the opinion a revised budget is not required"

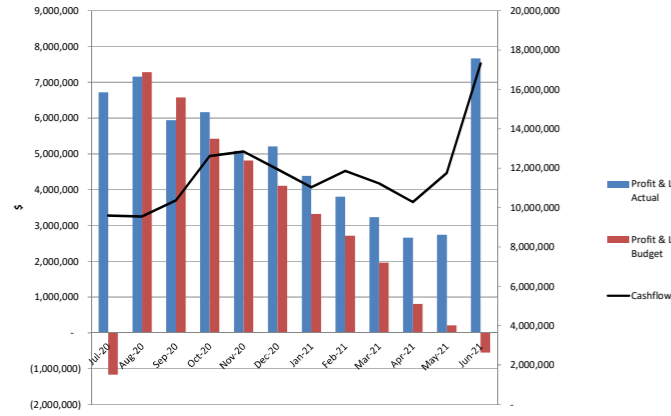


### Hindmarsh Shire Council Performance Dashboard For the period ending 30 June 2021

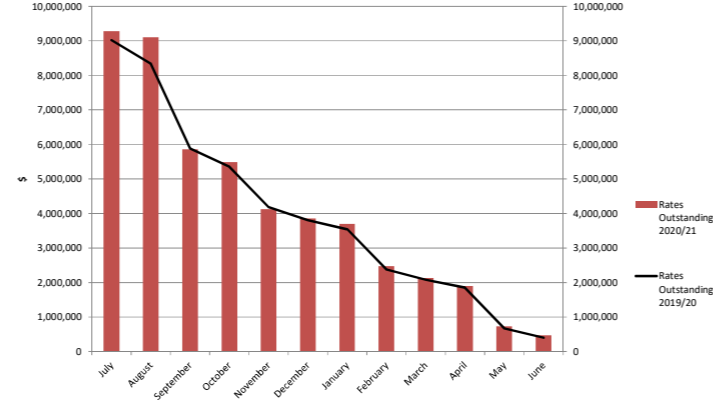
#### Profit & Loss

#### Outstanding Debtors, Rates & Infringements

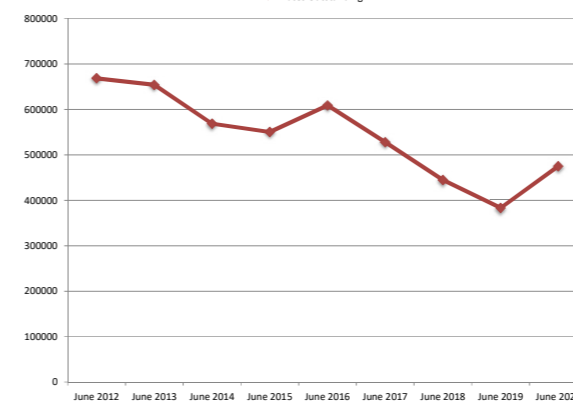
##### Profit and Loss



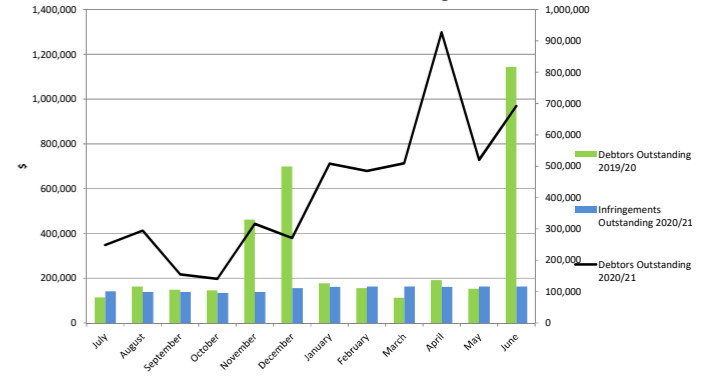
##### Rates Outstanding



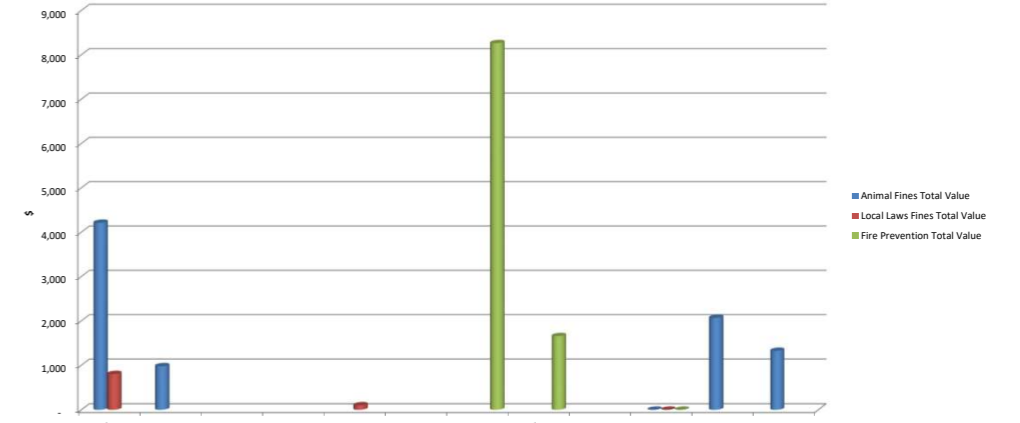
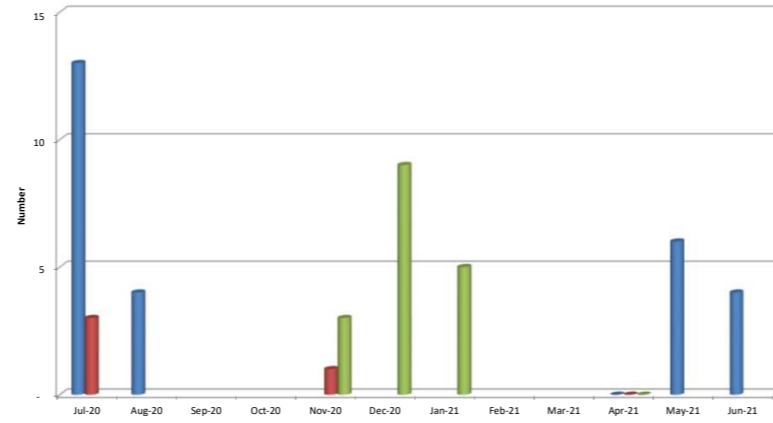
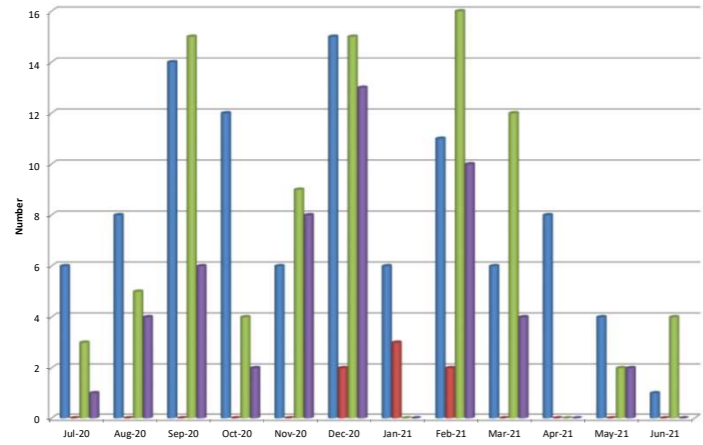
##### Rates Arrears



##### Debtors & Infringements



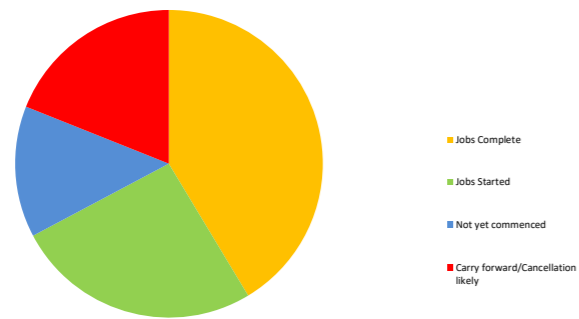
#### Local Laws



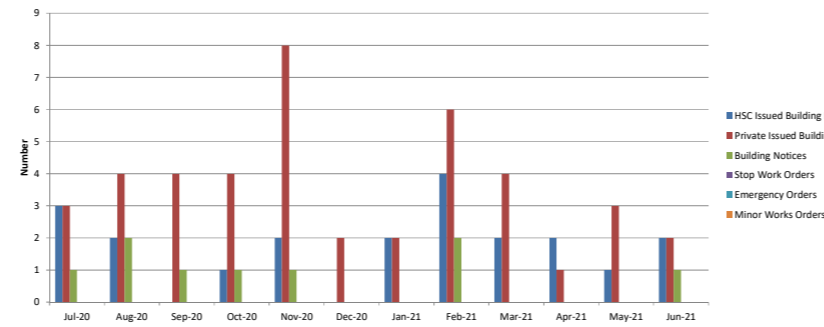
#### Capital Works

#### Building & Planning

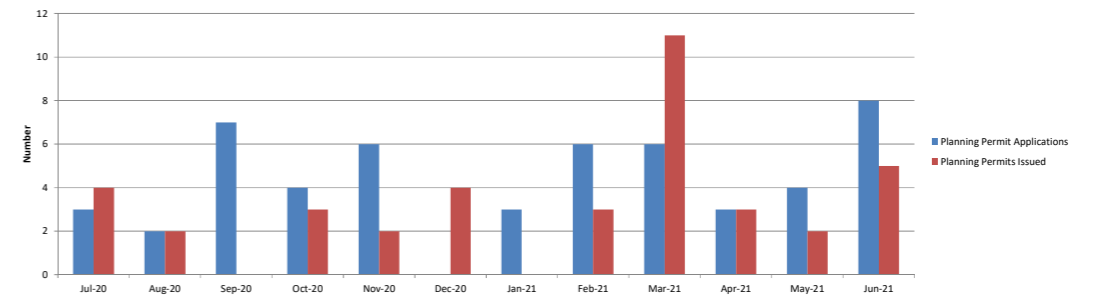
##### Capital Works



##### Building



##### Planning

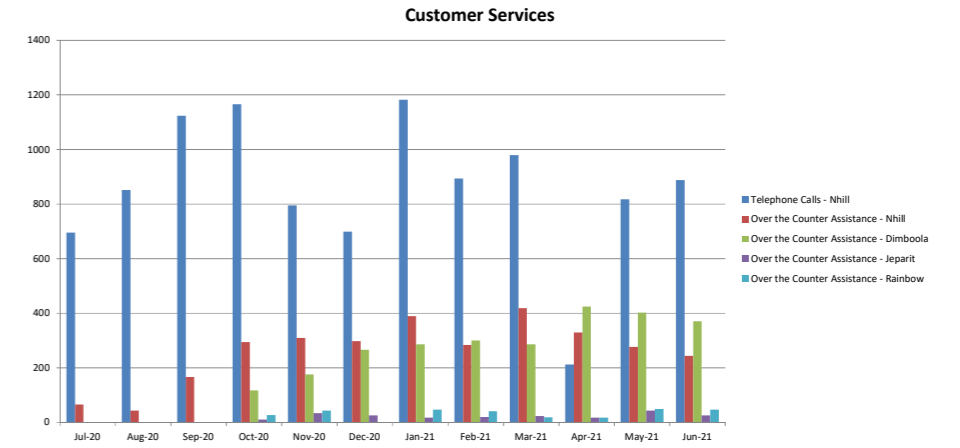
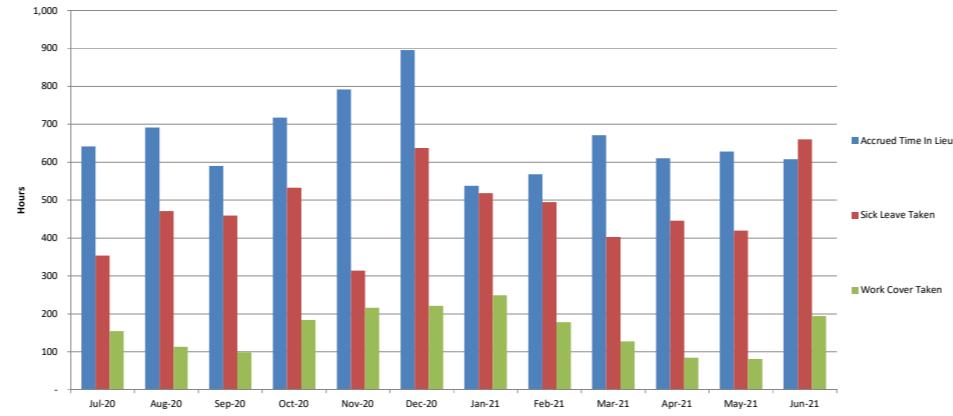
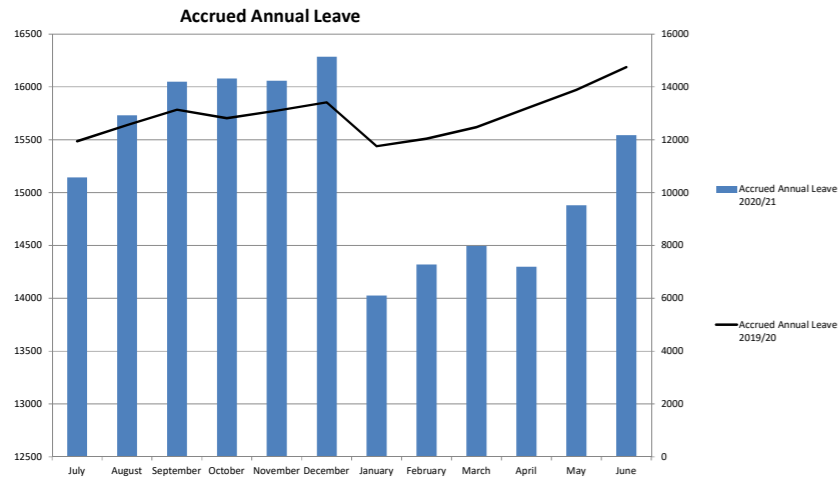




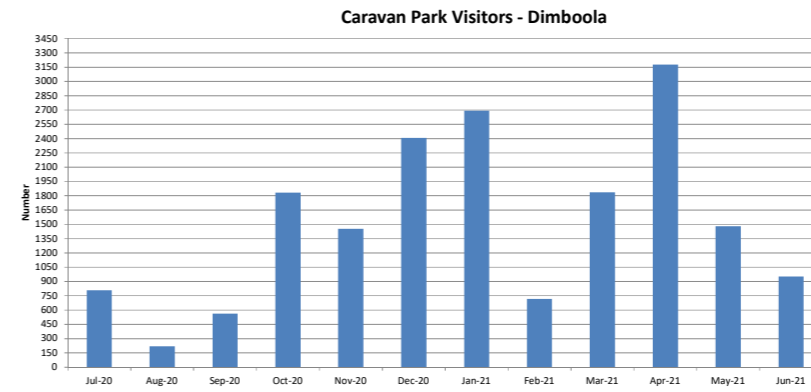
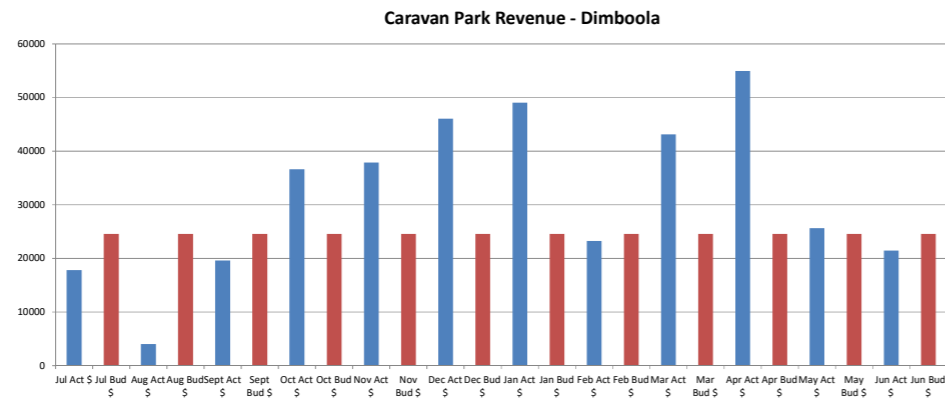
Hindmarsh Shire Council Performance Dashboard Cont'd  
For the period ending 30 June 2021

Human Resources

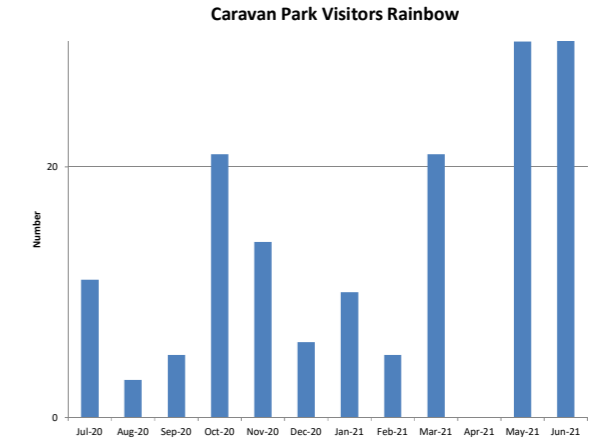
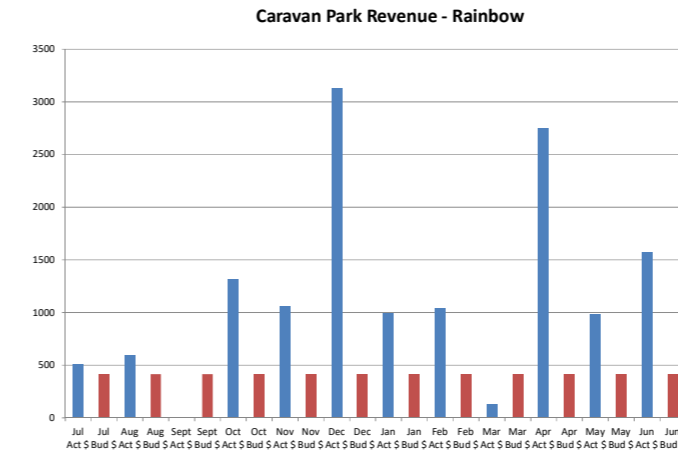
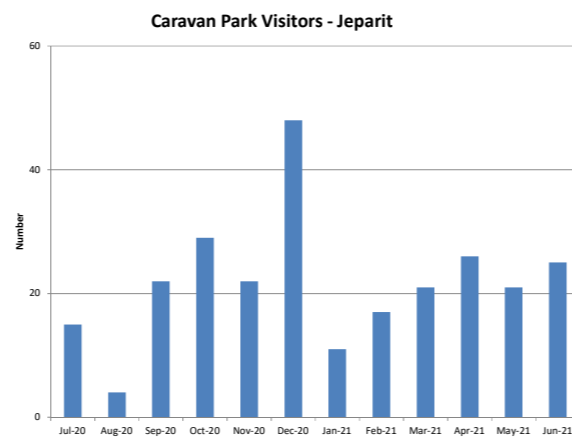
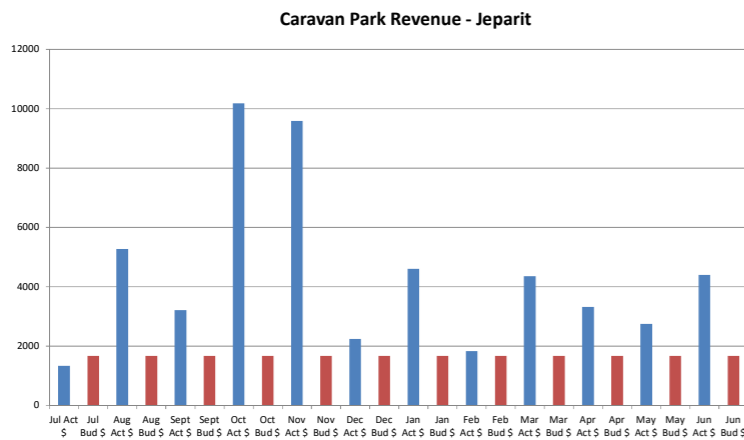
Customer Services



Caravan Park



Caravan Park



**Hindmarsh Shire Council  
Executive Summary  
As at 30 June 2021**

	<b>Actual YTD June 2021</b>	<b>Budget YTD June 2021</b>	<b>Indicator</b>
Rates & Charges Collected	9,001,170	9,086,183	
Income Statement Operating Surplus/(Deficit)	7,664,728	(650,095)	
Adjusted Underlying Surplus/(Deficit)	140,188	(3,622,672)	
Cash & Investments	17,319,239		
Rates Debtors	457,038		
Sundry Debtors	691,405		
Infringement Debtors	163,111		
Balance Sheet Working Capital	16,392,989		
Total Operating Revenue	27,947,264	19,308,142	
Total Operating Expenditure	20,282,536	19,908,237	
Capital Works Expenditure	6,484,932	7,210,511	

**Indicator Legend**

	No action required
	Requires active monitoring
	Immediate action required

**Hindmarsh Shire Council  
Ratio Summary  
As at 30 June 2021**

	Actual YTD	Budget	Indicator
<b>Working Capital</b> (This ratio identifies if the Council has sufficient Current Assets to meet its due debts with a safety margin. A generally acceptable current ratio is 2 to 1.)	723%	106%	
<b>Asset Renewal</b> (This ratio identifies councils expenditure renewing assets compared to the depreciation of the asset)	106%	131%	
<b>Own Source Revenue Coverage Ratio</b> (This ratio is the measurement of a Council's ability to cover its costs through its own revenue efforts.)	63%	59%	
<b>Operating Surplus Ratio</b> (This ratio is a measure of a Council's ability to cover its operational costs and have revenues available for capital funding or other purposes.)	60%	-5%	
<b>Liquidity</b> (This ratio is the measurement of a Council's current assets compared to current liabilities.)	658%	414%	
<b>Unrestricted Cash</b> (This ratio is the measurement of a Council's cash compared to current liabilities.)	662%	371%	
<b>Indebtedness</b> (This ratio is the measurement of a Council's non-current liabilities compared to own source revenue.)	2%	2%	
<b>Rates Concentration</b> (This ratio is the measurement of a Council's rate revenue compared to total revenue.)	32%	64%	
<b>Cash Expense Ratio (months)</b> (This ratio indicates (in months) how long Council can continue to undertake operations without any revenue being received.)	11.00		

**Indicator Legend**

	No action required
	Requires active monitoring
	Immediate action required

**Hindmarsh Shire Council**  
**Interim Comprehensive Income Statement**  
**For The Period Ended 30 June 2021**

	YTD Actual \$	YTD Budget \$	YTD Variance \$	Ref
<b>Income</b>				
Rates and charges	9,076,307	9,086,183	(9,876)	
Statutory fees and fines	48,501	21,000	27,501	1
User fees & Reimbursements	1,700,361	1,361,770	338,591	2
Contributions - cash	347,933	52,587	295,346	3
Grants - operating (recurrent)	5,709,843	3,059,963	2,649,880	4
Grants - operating (non-recurrent)	900,306	516,490	383,816	5
Grants - capital (recurrent)	1,113,934	1,080,793	33,141	6
Grants - capital (non-recurrent)	7,161,557	2,427,577	4,733,980	7
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	362,983	545,000	(182,017)	8
Interest	82,713	80,000	2,713	
Other income	1,442,826	1,076,779	366,047	9
<b>Total Income</b>	<b>27,947,264</b>	<b>19,308,142</b>	<b>8,639,122</b>	
<b>Expenses</b>				
Employee costs	7,671,176	7,965,136	(293,960)	10
Materials and services	5,090,756	4,861,319	229,437	11
Depreciation	6,108,093	5,498,953	609,140	12
Other expenses	1,412,510	1,582,829	(170,319)	13
<b>Total expenses</b>	<b>20,282,536</b>	<b>19,908,237</b>	<b>374,299</b>	
Share of net profits/(losses) of associates and joint ventures accounted for by the equity method	-	(50,000)	50,000	
<b>Surplus (deficit) for the year to date</b>	<b>7,664,728</b>	<b>(650,095)</b>	<b>8,314,823</b>	
Net asset Revaluation increment / (decrement)	-	-	-	
<b>Comprehensive result</b>	<b>7,664,728</b>	<b>(650,095)</b>	<b>8,314,823</b>	

**Comprehensive Income Statement**  
**Explanation of material variations**  
**For The Period Ended 30 June 2021**

Variance		
Ref	Item	Explanation
1	Statutory fees & fines	Statutory fees and fines are higher than budgeted largely due to a number of fire prevention fines being issued.
2	User fees & Reimbursements	User fees & Reimbursements are higher than budgeted due to Income received from Private works (including the regional Roads Victoria contract) and aged care services. Caravan Park Fees are significantly higher than budgeted. Land use planning fees are also higher than budgeted.
3	Contributions - cash	Contributions are higher than budgeted due to receipt of final payment from the Dimboola & District Sporting Club toward the female change rooms facility, monies from the Dimboola rowing club for the pontoon, and Rainbow MECCA lighting contribution.
4	Grants - operating (recurrent)	Recurrent operating grants are higher than budgeted due to the receipt of half of the 2021/2022 Grants Commission funding. Council has received additional funding for aged care services.
5	Grants - Operating (non-recurrent)	Non-recurrent operating grants are higher than budget due to Council receiving unbudgeted grant funds for Community Activation & Social Isolation, Outdoor Dining, Pride Workshops, 16 Days of Activism and LG Business Concierge & Hospitality.
6	Grants - capital (recurrent)	Grants - capital (recurrent) is higher than budgeted due to the receipt of a CFA Fire Access Road Subsidy.
7	Grants - Capital (non-recurrent)	Non-recurrent capital grants is higher than budgeted, Council has received unbudgeted grants for Public Safety Infrastructure and ICT Infrastructure. Grants have also been received for Rainbow Recreation Reserve Female Changerooms, Dimboola Bowling Club Facilities, Living Libraries, Local Roads to Market and Yurunga Homestead Veranda Restoration. Council has also received funding relating to the 2021/2022 capital works program including the Silo Art project, and Albacutya Bridge project.



**Comprehensive Income Statement  
Explanation of material variations  
For The Period Ended 30 June 2021**

8	Net gain/(loss) on disposal of property, infrastructure, plant and equipment	The net gain/(loss) on disposal of property will be reconciled as part of the end of financial year process.
9	Other income	Additional income has been received through internal recovery in the operation of the quarry and plant.
10	Employee Costs	Employee costs are currently under budget due to staff vacancies as well as the restrictions on staff travelling for meetings and training due to Covid-19.
11	Materials and Services	Is higher than budgeted due to additional costs for aged care services, including meals on wheels which are offset by additional income.
12	Depreciation	A full reconciliation for Depreciation will occur with End of Year processes.
13	Other Expenses	Other expenses is lower than anticipated due to the timing of the budget in relation to periodic payments such as utilities and insurance.

**Hindmarsh Shire Council  
Interim Balance Sheet  
As at 30 June 2021**

	YTD Actual 2020/21 \$	Actual 2019/20 \$	Ref
<b>Current assets</b>			
Cash and cash equivalents	17,319,237	11,877,433	
Rates and other receivables	1,148,252	2,085,427	1
Other assets & Inventories	556,149	481,249	
<b>Total current assets</b>	<u>19,023,638</u>	<u>14,444,110</u>	
<b>Non-current assets</b>			
Investments in associates by equity method	101,102	483,848	
Infrastructure, Property and Plant and Equipment	156,730,182	158,061,856	
Capital Expenditure 2020/2021	6,484,932	0	2
Trade and other receivables	2,207	2,207	
<b>Total non-current assets</b>	<u>163,318,423</u>	<u>158,547,911</u>	
<b>Total assets</b>	<u>182,342,061</u>	<u>172,992,020</u>	
<b>Current liabilities</b>			
Trade and other payables	399,322	2,876,959	
Trust Funds and Deposits	101,510	31,936	3
Provisions	2,129,817	1,751,603	
<b>Total current liabilities</b>	<u>2,630,649</u>	<u>4,660,498</u>	
<b>Non current liabilities</b>			
Provisions	258,924	268,351	
<b>Total non-current liabilities</b>	<u>258,924</u>	<u>268,351</u>	
<b>Total liabilities</b>	<u>2,889,573</u>	<u>4,928,849</u>	
<b>Net assets</b>	<u>179,452,488</u>	<u>168,063,171</u>	
<b>Equity</b>			
Accumulated surplus	69,135,437	64,217,574	
Surplus/(Deficit) for period	7,664,728		
Asset revaluation reserve	102,652,323	102,652,323	
<b>Total equity</b>	<u>179,452,488</u>	<u>168,063,171</u>	

**Balance Sheet**  
**Explanation of material variations**  
**As at 30 June 2021**

Variance Ref	Item	Explanation
1	Rates & Other Receivables	Rates and other receivables reflects the total rates outstanding as at 30 June 2021 for the 2020/2021 financial year.
2	Capital Expenditure	Capital Expenditure as at 30 June 2021 was \$6,484,931. Refer to the Capital Works report for further information.
3	Trust Funds and Deposits	As at 30 June 2021 Council holds \$89,194 for the Fire Services Levy which will be remitted during the 2021/2022 financial year and \$12,316 in refundable deposits.

**Hindmarsh Shire Council  
Interim Statement of Cash Flows  
For The Period Ended 30 June 2021**

**Cash Flows from Operating Activities**

	<b>Inflows/ (Outflows)</b>
<b>Receipts</b>	
Rates & Charges	9,001,170
Statutory Fees and Fines	23,289
User Fees	750,305
Interest	82,713
Contributions - Cash	347,933
Grants - Recurrent	6,610,150
Net GST refund/(payment)	390,379
Grants - Non Recurrent	8,275,492
Trust	(910)
Other Revenue	1,442,826
<b>Payments</b>	
Employee Costs	(7,637,976)
Other Expenses	(1,392,358)
Suppliers	(5,484,731)
	<hr/>
<b>Net cash inflow/(outflow) from operating activities</b>	<b>12,408,281</b>

**Cash Flows from Investing Activities**

Payments for Property Plant and Equipment and Infrastructure	(6,484,932)
Proceeds from sale of Property Plant and Equipment	362,983
<b>Net cash inflow (outflow) from investing activities</b>	<hr/> <b>(6,121,949)</b>

**Cash flows from Financing activities**

<b>Net cash inflow (outflow) from financing activities</b>	<hr/> <b>-</b>
--	----------------

<b>Net increase/(decrease) in cash held</b>	<b>6,286,331</b>
Cash at beginning of the period	11,032,908
<b>Cash at end of the period</b>	<hr/> <hr/> <b>17,319,239</b>

**Hindmarsh Shire Council**  
**Capital Works**  
**For The Period Ended 30 June 2021**

	YTD Actual \$	YTD Budget \$	YTD Variance \$	Ref
<b>Property</b>				
Land	-	-	-	
<b>Total Land</b>	-	-	-	
Buildings	1,276,735	527,522	(749,213)	1
<b>Total Buildings</b>	1,276,735	527,522	749,213	
<b>Total Property</b>	1,276,735	527,522	749,213	
<b>Plant and Equipment</b>				
Plant, machinery and equipment	616,772	2,104,500	1,487,728	2
Fixtures, fittings and furniture	163,270	80,000	(83,270)	3
<b>Total Plant and Equipment</b>	780,042	2,184,500	1,404,458	
<b>Infrastructure</b>				
Roads	3,286,737	3,310,940	24,203	4
Bridges	11,839	-	(11,839)	
Footpaths and cycleways	499,822	214,861	(284,961)	5
Drainage	39,854	83,447	43,593	
Other infrastructure	589,903	889,241	299,338	6
<b>Total Infrastructure</b>	4,428,155	4,498,489	(70,334)	
<b>Total Capital Works Expenditure</b>	6,484,932	7,210,511	725,579	
<b>Represented by:</b>				
New asset expenditure	643,365	377,000	(266,365)	
Asset renewal expenditure	3,809,363	5,690,759	1,881,396	
Asset expansion expenditure	-	-	-	
Asset upgrade expenditure	2,032,204	1,142,752	(889,452)	
<b>Total Capital Works Expenditure</b>	6,484,932	7,210,511	725,579	

**Capital Works**  
**Explanation of material variations**  
**For The Period Ended 30 June 2021**

Variance Ref	Item	Explanation
1	Buildings	The variance in actual expenditure to budgeted is due to the timing of the Dimboola library and Civic Hub project and the value of carried forward money for this project not reflected in the current year budget.
2	Plant, machinery and equipment	The purchase of plant and machinery is lower than budgeted as Council has not yet received plant and fleet that have been ordered.
3	Fixtures, fittings and furniture	The increased expenditure is due to the installation of Conferencing and Livestream equipment in the Community Centre (grant funded).
4	Roads	The shortfall in actual expenditure to budgeted is due to the phasing of the budgeted projects.
5	Footpaths and cycleways	This variance is mainly due to the phasing of the Wimmera River Discovery Trail which is a project carried forward from 2019/2020.
6	Other	This variance is mainly due to projects not yet undertaken such as the Davis Park upgrade, signage, as well as the purchase of a contract management system.

**Hindmarsh Shire Council**  
**Key Result Area Summary**  
**For The Period Ended 30 June 2021**

**Strategic Objective 1: Community Liveability**

Service area	Description of services provided	2020/21		
		YTD Actual	Annual Budget	
<b>Community Development</b>	Councils community Development Team works with community groups, organisations and individuals to assist communities reach their aspirations and be healthy, active and engaged.	Operating Expenditure	280,105	177,073
		Operating Revenue	319,682	-
		NET Expenses (Revenue)	(39,577)	177,073
		Capital Expenditure	23,272	-
<b>Maternal and Child Health Centres</b>	Maintain maternal and child health facilities in Dimboola and Nhill. Council provides support to early years' services through the Municipal Early Years Plan. Council does not provide Maternal and Child Health Services. This service is provided by West Wimmera Health Services in Dimboola, Jeparit, Nhill and Rainbow.	Operating Expenditure	39,885	18,443
		Operating Revenue	-	-
		NET Expenses (Revenue)	39,885	18,443
		Capital Expenditure	-	-
<b>Kindergarten Services</b>	Provision of Kindergarten services in Dimboola, Jeparit, Nhill and Rainbow under contract with Horsham District Kindergarten Association. Council does not directly deliver Kindergarten Services.	Operating Expenditure	132,316	205,275
		Operating Revenue	120,171	77,762
		NET Expenses (Revenue)	12,145	127,513
		Capital Expenditure	75,878	32,522
<b>Youth Services</b>	Improve the wellbeing of and opportunities for youth within the Shire.	Operating Expenditure	70,612	140,640
		Operating Revenue	28,318	34,500
		NET Expenses (Revenue)	42,294	106,140
		Capital Expenditure	-	-
<b>Aged &amp; Disability Services</b>	Council's Aged and Disability Services aim to support people in their own homes and communities by providing services that promote and maintain independence. The program assists frail older people, people with a disability and their carers. These services provide basic support and maintenance to people living at home or who are at risk of premature or inappropriate admission to long-term residential care.	Operating Expenditure	987,418	869,150
		Operating Revenue	1,043,615	838,099
		NET Expenses (Revenue)	(56,197)	31,051
		Capital Expenditure	-	-
<b>Health Promotion</b>	To protect and enhance the health of the community.	Operating Expenditure	171,955	116,544
		Operating Revenue	132,198	29,587
		NET Expenses (Revenue)	39,757	86,957
		Capital Expenditure	-	-
<b>Libraries</b>	Provision of permanent library services in Dimboola and Nhill, and improving services to Jeparit and Rainbow.	Operating Expenditure	371,387	296,679
		Operating Revenue	974,606	667,369
		NET Expenses (Revenue)	(603,219)	(370,690)
		Capital Expenditure	1,177,061	225,000
<b>Arts, Culture and Community Events</b>	Promote and support activities relating to arts, culture and community events throughout the Shire.	Operating Expenditure	104,687	93,642
		Operating Revenue	56,543	-
		NET Expenses (Revenue)	48,144	93,642
		Capital Expenditure	-	-
<b>Recreation Programs</b>	Providing a range of recreation programs that encourage an active and healthy life.	Operating Expenditure	13,809	13,909
		Operating Revenue	-	-
		NET Expenses (Revenue)	13,809	13,909
		Capital Expenditure	-	-
<b>Public Order &amp; Safety</b>	Educate the community about public order and safety and enforce Council's compliance with the local laws when required. Operate the school crossing on the Western Highway in Nhill and maintain school crossings throughout the Shire.	Operating Expenditure	282,113	213,517
		Operating Revenue	93,547	86,674
		NET Expenses (Revenue)	188,566	126,843
		Capital Expenditure	-	-
<b>Early Years</b>	Lead a joint effort that will give Hindmarsh children the best start in life, working collaboratively with community and early years providers.	Operating Expenditure	32,202	35,868
		Operating Revenue	-	-
		NET Expenses (Revenue)	32,202	35,868
		Capital Expenditure	-	-

Service area	Description of services provided	2020/21	
		YTD Actual	Annual Budget

## Strategic Objective 2: Built & Natural Environment

<b>Local Roads &amp; Bridges</b>	Provide safe, all weather access to residences and allow for efficient transport of goods to and from the Shire. • The aim of the road network is to provide property access for local traffic. Council endeavours to provide all-weather access to existing residential homes and dry weather access roads to non-residential properties. • Council's road network comprises 573 kilometres of sealed roads, 845 kilometres of gravel roads (all weather) and approximately 1470 kilometres of earth roads (dry weather only, some contain gravel sections, though not maintained to an all-weather standard). The network also comprises six bridges and a significant number of large culverts. • VicRoads is responsible for main roads including highways and marked routes. Similarly, state government agencies are responsible for roads and tracks within declared parks such as the Little Desert, Big Desert and along the Wimmera River.	Operating Expenditure	5,217,061	5,196,370
		Operating Revenue	4,218,259	2,161,591
		NET Expenses (Revenue)	998,802	3,034,779
		Capital Expenditure	3,298,576	3,310,940
<b>Drainage Management</b>	Well maintained, fit for purpose drainage systems within townships.	Operating Expenditure	497,358	577,915
		Operating Revenue	-	-
		NET Expenses (Revenue)	497,358	577,915
		Capital Expenditure	37,935	53,447
<b>Paths &amp; Trails</b>	Well maintained pedestrian access, including disabled access to critical and popular destinations around our townships.	Operating Expenditure	233,622	251,409
		Operating Revenue	40,000	732,500
		NET Expenses (Revenue)	193,622	(481,091)
		Capital Expenditure	495,549	194,861
<b>Tree Management</b>	Conduct maintenance, inspections and replanting works on Council road reserves, parks and gardens, and recreation reserves.	Operating Expenditure	321,902	342,181
		Operating Revenue	-	-
		NET Expenses (Revenue)	321,902	342,181
		Capital Expenditure	-	-
<b>Town Beautification</b>	Maintain and redevelop public open spaces in Dimboola, Jeparit, Nhill and Rainbow.	Operating Expenditure	593,871	721,681
		Operating Revenue	12,000	19,539
		NET Expenses (Revenue)	581,871	702,142
		Capital Expenditure	-	36,002
<b>Community Centres &amp; Public Halls</b>	Maintenance, renewal and upgrade of Council-owned and controlled community centres and halls, and support of communities that undertake these activities on behalf of Council. To protect and enhance the health of the community.	Operating Expenditure	412,905	341,959
		Operating Revenue	7,123	30,000
		NET Expenses (Revenue)	405,782	311,959
		Capital Expenditure	23,952	100,000
<b>Recreation Facilities</b>	Maintenance, renewal and upgrade of Council owned and controlled recreational land, buildings and facilities. Council also supports groups that undertake these activities on behalf of Council.	Operating Expenditure	1,050,602	932,784
		Operating Revenue	438,021	3,001
		NET Expenses (Revenue)	612,581	929,783
		Capital Expenditure	311,151	420,000
<b>Waste Management</b>	Management of Council's transfer stations and collection and disposal of domestic waste and recyclables across the Shire.	Operating Expenditure	1,241,071	1,256,947
		Operating Revenue	1,628,391	1,211,056
		NET Expenses (Revenue)	(387,320)	45,891
		Capital Expenditure	-	-
<b>Quarry Operations</b>	Management of Council-owned and controlled quarries and gravel pits for extraction of gravel for road making.	Operating Expenditure	354,032	393,898
		Operating Revenue	505,408	392,500
		NET Expenses (Revenue)	(151,376)	1,398
		Capital Expenditure	-	-
<b>Waterway Management</b>	Management of Council-controlled waterways including weir pools and lakes.	Operating Expenditure	67,549	78,777
		Operating Revenue	20,390	-
		NET Expenses (Revenue)	47,159	78,777
		Capital Expenditure	-	-
<b>Environmental Management</b>	Manage, protect and enhance Council's natural assets in conjunction with Government departments and environmental groups.	Operating Expenditure	164,355	170,763
		Operating Revenue	75,000	75,000
		NET Expenses (Revenue)	89,355	95,763
		Capital Expenditure	-	-
<b>Fire Prevention</b>	Identification of potential fire hazards and prevention of loss of life and property caused by fire.	Operating Expenditure	106,243	93,460
		Operating Revenue	34,170	15,200
		NET Expenses (Revenue)	72,073	78,260
		Capital Expenditure	-	-



Service area	Description of services provided	2020/21	
		YTD Actual	Annual Budget

### Strategic Objective 3: Competitive and Innovative Economy

<b>Economic Development</b>	Facilitate an environment that is conducive to a sustainable and growing local business sector and provides opportunities for residents to access employment.	Operating Expenditure	361,711	182,035
		Operating Revenue	250,000	5,400
		NET Expenses (Revenue)	111,711	176,635
		Capital Expenditure	10,530	100,000
<b>Tourism</b>	To develop a thriving Wimmera Mallee Tourism industry predominantly based on, but not limited to, the Shire's heritage and environmental assets.	Operating Expenditure	224,265	241,493
		Operating Revenue	1,432,596	-
		NET Expenses (Revenue)	(1,208,331)	241,493
		Capital Expenditure	50,767	43,232
<b>Private Works</b>	Provision of private civil works services. • Provide quotations for private works undertaken by Council's works department to residents, contractors and other authorities. • Potential private works include grading of farm driveways, grading of fence lines, construction of driveway cross-overs, and supply of labour, plant and materials. • Private works also include repair to Council's infrastructure caused by repair work to third	Operating Expenditure	287,548	423,109
		Operating Revenue	463,125	345,562
		NET Expenses (Revenue)	(175,577)	77,547
		Capital Expenditure	-	-
<b>Caravan Parks and Camping Grounds</b>	Maintenance, renewal and upgrade of Council Caravan Parks and Camping Grounds.	Operating Expenditure	482,153	401,555
		Operating Revenue	1,284,573	471,326
		NET Expenses (Revenue)	(802,420)	(69,771)
		Capital Expenditure	186,847	243,007
<b>Land Use Planning</b>	To ensure that any development that occurs in Hindmarsh Shire is carried out in accordance with relevant planning policies, principals and controls.	Operating Expenditure	227,255	229,965
		Operating Revenue	78,257	42,500
		NET Expenses (Revenue)	148,998	187,465
		Capital Expenditure	-	-
<b>Building Control</b>	To provide statutory and private building services to the community	Operating Expenditure	219,012	185,735
		Operating Revenue	61,469	48,000
		NET Expenses (Revenue)	157,543	137,735
		Capital Expenditure	-	-
<b>Aerodrome</b>	Manage and maintain the Nhill Aerodrome	Operating Expenditure	74,570	84,955
		Operating Revenue	10,659	12,005
		NET Expenses (Revenue)	63,911	72,950
		Capital Expenditure	-	-

Service area	Description of services provided	2020/21		
		YTD Actual	Annual Budget	
<b>Strategic Objective 4: Our People, Our Processes</b>				
<b>Civic Governance &amp; Leadership</b>	To ensure that Council provides effective leadership and that its decisions are transparent, inclusive and based on sound recommendations and advice.	Operating Expenditure	875,454	995,084
		Operating Revenue	-	-
		NET Expenses (Revenue)	875,454	995,084
<b>Customer Service Centres</b>	Operation and maintenance of customer service centres to provide facilities from which Council can efficiently deliver services to the community. Provision of information to ratepayers and the general public on a broad range of services provided by Council and other government agencies.	Capital Expenditure	-	-
		Operating Expenditure	514,630	590,194
		Operating Revenue	-	-
<b>Council Elections</b>	Efficient and effective running of Elections by the Victorian Electoral Commission on behalf of Council.	NET Expenses (Revenue)	514,630	590,194
		Capital Expenditure	7,324	7,000
		Operating Expenditure	93,570	106,011
<b>Financial Management</b>	To ensure the efficient and effective allocation of resources through sound financial planning and management that secures the long term financial viability of the municipality.	Operating Revenue	913	-
		NET Expenses (Revenue)	92,657	106,011
		Capital Expenditure	-	-
<b>Rating and Valuations</b>	Management of Council's rating system, including valuation of properties and the levying of rates and charges.	Operating Expenditure	529,966	569,564
		Operating Revenue	5,250,996	3,000,026
		NET Expenses (Revenue)	(4,721,030)	(2,430,462)
<b>Records Management</b>	Effective and efficient recording, storage, retrieval and disposal of records in line with the standards of the Public Records Office of Victoria.	Capital Expenditure	-	-
		Operating Expenditure	187,219	206,553
		Operating Revenue	7,998,843	7,991,396
<b>Information Technology</b>	Using Information Technology as a tool to connect with the community and provide efficient and effective services.	NET Expenses (Revenue)	(7,811,624)	(7,784,843)
		Capital Expenditure	-	-
		Operating Expenditure	59,774	75,861
<b>Risk Management</b>	Monitor and manage Council's risks in relation to operations, employment and infrastructure.	Operating Revenue	30	-
		NET Expenses (Revenue)	59,744	75,861
		Capital Expenditure	-	-
<b>Contract Management</b>	Using Information Technology as a tool to connect with the community and provide efficient and effective services.	Operating Expenditure	244,566	245,404
		Operating Revenue	100,000	-
		NET Expenses (Revenue)	144,566	245,404
<b>Payroll and Human Resources Services</b>	Provision of payroll services to Council employees and the provision of Human Resources services to management.	Capital Expenditure	163,270	80,000
		Operating Expenditure	502,644	556,997
		Operating Revenue	7,979	20,000
<b>Emergency Management</b>	Provide support to the community in the areas of emergency preparedness, emergency response and emergency recovery.	NET Expenses (Revenue)	494,665	536,997
		Capital Expenditure	-	-
		Operating Expenditure	153,382	186,656
<b>Depots &amp; Workshops</b>	Operation of Council's depots and workshops including the provision of heavy plant and equipment.	Operating Revenue	-	-
		NET Expenses (Revenue)	153,382	186,656
		Capital Expenditure	-	60,000
<b>Asset Management</b>	Provision of skills, resources and systems to ensure the most efficient and effective management of Council's assets. • Ensure that Council targets the correct level of asset expenditure to achieve and maintain the desired levels of service into the foreseeable future. • Ensure that Council's asset renewal expenditure targets the most critical assets. • Provide regular condition and defect audits of Council's assets to ensure safety and levels of service are maintained. • Provide Council's asset valuations.	Operating Expenditure	698,849	726,086
		Operating Revenue	378,066	450,000
		NET Expenses (Revenue)	320,783	276,086
<b>Fleet Management</b>	Ensure that Council's vehicle fleet is management, maintained and replaced in the most efficient and efficient way possible.	Capital Expenditure	-	-
		Operating Expenditure	69,233	66,402
		Operating Revenue	-	-
<b>Emergency Management</b>	Provide support to the community in the areas of emergency preparedness, emergency response and emergency recovery.	NET Expenses (Revenue)	69,233	66,402
		Capital Expenditure	-	-
		Operating Expenditure	285,768	245,458
<b>Depots &amp; Workshops</b>	Operation of Council's depots and workshops including the provision of heavy plant and equipment.	Operating Revenue	-	-
		NET Expenses (Revenue)	285,768	245,458
		Capital Expenditure	405,617	1,935,000
<b>Asset Management</b>	Provision of skills, resources and systems to ensure the most efficient and effective management of Council's assets. • Ensure that Council targets the correct level of asset expenditure to achieve and maintain the desired levels of service into the foreseeable future. • Ensure that Council's asset renewal expenditure targets the most critical assets. • Provide regular condition and defect audits of Council's assets to ensure safety and levels of service are maintained. • Provide Council's asset valuations.	Operating Expenditure	173,779	233,113
		Operating Revenue	3,563	2,004
		NET Expenses (Revenue)	170,216	231,109
<b>Fleet Management</b>	Ensure that Council's vehicle fleet is management, maintained and replaced in the most efficient and efficient way possible.	Capital Expenditure	-	-
		Operating Expenditure	227,822	229,988
		Operating Revenue	86,211	102,232
<b>Fleet Management</b>	Ensure that Council's vehicle fleet is management, maintained and replaced in the most efficient and efficient way possible.	NET Expenses (Revenue)	141,611	127,756
		Capital Expenditure	217,202	369,500

Service area	Description of services provided	2020/21		
		YTD Actual	Annual Budget	
<b>Accounts Payable</b>	Payment of invoices in an efficient and timely manner.	Operating Expenditure	34,562	35,153
		Operating Revenue	-	-
		NET Expenses (Revenue)	34,562	35,153
		Capital Expenditure	-	-
<b>Accounts Receivable</b>	Receival of payments from debtors in an efficient and timely manner.	Operating Expenditure	14,763	13,182
		Operating Revenue	-	-
		NET Expenses (Revenue)	14,763	13,182
		Capital Expenditure	-	-





# Hindmarsh Shire Council



## Road Management Plan 2021-2023

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## **Hindmarsh Shire Council**

### **ROAD MANAGEMENT ACT 2004 - REVIEW OF ROAD MANAGEMENT PLAN**

In accordance with Section 54 (5) of the Road Management Act 2004 (Act), Hindmarsh Shire Council gives notice that it is conducting a review of its Road Management Plan (the Plan).

The purpose of the review, consistent with the role, functions and responsibilities of the Council as a road authority under the Act, is to ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads and the classes of road to which the Council's Road Management Plan applies are safe, efficient and appropriate for use by the community served by the Council.

The following 2017 Plan sections have been amended:

- Section 2 - Adoption of this Plan
- Section 3 - Amendment Register
- Section 8 - Standards for Inspections
- Section 9 – Standards for Maintenance & Repair
- Section 10 - Demarcation of Responsibility
- Section 12 – Force Majeure
- Section 15 - Appendices

Notable changes to the Plan include:

- Changes include the addition of Owner Responsibilities in Road Reserve.
- Inspections and Inspection types

A copy of the reviewed Plan may be inspected at, or obtained from the Council's Municipal Offices at 92 Nelson St, Nhill, 3418, or accessed online by viewing the Council's website [www.hindmarsh.vic.gov.au](http://www.hindmarsh.vic.gov.au) and following the links.

Any person who is aggrieved by the proposed amendments may make a submission on the proposed amendments to Council during the public submission period which will be advertised.

Any enquiries about the proposed review can be directed to Joe Scimone, Development Engineer by telephone, (03) 5391 4444, or by email at [jscimone@hindmarsh.vic.gov.au](mailto:jscimone@hindmarsh.vic.gov.au)

Greg Wood  
**Chief Executive Officer**

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# 1 **DEFINITIONS & ACRONYMS**

Unless the context otherwise requires, expressions used in this RMP have the same meaning as in the Road Management Act.

**Arterial road** means a road which is declared to be an arterial road under section 14 of the Road Management Act 2004.

**Bicycle Path** means a particular type of Pathway that is intended specifically for bicycles and where pedestrians are discouraged. Quite often bicycle paths use the left shoulder or parking lane of a roadway. Dedicated off-road bicycle paths are rare - usually off road paths for bicycles are Shared Paths. Bicycle paths are designated by signage and if away from roads usually have a painted centreline.

**Bridge** means all structures, including culverts, on, over or under a road that have a single span or diameter of 1.8 metres or greater, or have a waterway area of 3 m<sup>2</sup> or greater and includes all structural components (eg. abutments, wing walls, approach slabs, retaining walls, traffic safety barriers), and associated pathways, within the limits of the structure, but excludes approach embankments.

Note: Culverts or like structures under a road that have a single span or diameter of less than 1.8 metres or have a waterway area of less than 3 m<sup>2</sup> are road infrastructure for which the relevant responsible road authority for the roadway is responsible with the exception as provided in clause 40(1)(f) and subject to clauses 11(3)(a) and 15 of the Road Management Act.

**Code Red** (and Catastrophic in other Australian states) is the highest level of rating in Victoria and it signifies the worst conditions for grassfires or bushfires.

**Critical Location** means a location where the road alignment and/or pavement width and/or geometry are identified by additional markings or furniture to guide the travelling public (cars, trucks, motorcycles, bicycles, and pedestrians).

**Customer Request System** is the customer request system used by Council.

**Day** means a day on which HSC is open for business, unless stated otherwise. A timeframe stated in Days means the time allocated is the rest of the current day plus the number of business days stated in the timeframe up until the Normal Finishing Time on the last of those business days. A Day includes rostered days off.

**Defect** means a fault in an asset which detracts from the full performance of the asset but has not caused detrimental effects to the extent that it is deemed to be a Hazard.

**Emergency** means the actual or imminent occurrence of an event which in any way endangers or threatens to endanger the safety or health of any person in Hindmarsh Shire or which destroys or damages, or threatens to destroy or damage, any property in Hindmarsh Shire or endangers or threatens to endanger the environment or an element of the environment in Hindmarsh Shire. An Emergency may be responded to by the After Hours Service Officer or may be escalated to the Municipal Emergency Response Officer for a more comprehensive response.

**Extreme** means any fires that start are likely to be so fierce that even a well prepared, well-constructed and actively defended infrastructure may not survive a fire on these days expect extremely hot, dry and windy conditions. If a fire starts and takes hold, it will be uncontrollable, unpredictable and fast moving. Spot fires will start, move quickly and come from many directions.



**Hazard** means a defect that is at or beyond the intervention levels that may lead to an unsafe condition.

**Hour** means one hour regardless of whether it is inside or outside Working Hours.

**Month** means one calendar month.

**Municipal road** means any road which is not a State road, including any road which:

- (a) is a road referred to in section 205 of the Local Government Act 1989; or
- (b) is a road declared by VicRoads to be a municipal road under section 14(1) (b) of the RMA;
- (c) is part of a Crown land reserve under the Crown Land (Reserves) Act 1978 and has the relevant municipal council as the committee of management.

**Public highway** means any area of land that is a highway for the purposes of the common law.

**Public road** means a road opened or dedicated for the free ride of passage of the public on foot, in a vehicle, or otherwise, (together with the right to drive stock or other animals along its length) and declared to be a public road for the purposes.

**MMS** means Maintenance Management System.

**MMS database** is the system that ensures that the hazard and maintenance requests are captured and completed through the MMS of Council.

**Repair** means the taking of any action to remove or reduce a risk arising from a defect in a roadway, pathway or road-related infrastructure, including:

- (a) reinstating a road to its former standard following works to install any infrastructure;
- (b) reinstating a road to its former standard following deterioration or damage;
- (c) providing a warning to road users of a defect in a roadway, pathway or road related infrastructure but does not include the upgrading of a roadway, pathway or road-related infrastructure.

**Road** means any public highway, any ancillary area and any land declared to be, or forming part of a public highway or ancillary area.

**Road infrastructure** means the infrastructure which forms part of a roadway, pathway or shoulder, including;

- (i) structures forming part of the roadway, pathway or shoulder;
- (ii) materials from which a roadway, pathway or shoulder is made;

**Road-related infrastructure** means infrastructure which is installed or constructed by the relevant road authority for road-related purposes to:

- (a) facilitate the operation or use of the roadway or pathway; or
- (b) support or protect the roadway or pathway;

Examples: A traffic control sign, traffic light, street light, road drain or embankment would be road related infrastructure. A noise wall, gate, post or board installed on the road reserve by the relevant road authority for road-related purposes would be road-related infrastructure.

**Road reserve** means all of the area of land that is within the boundaries of a road.

**Shared Path** means a particular type of Pathway that is intended for use by both pedestrian and bicycle traffic. Shared paths are designated by signage and usually have a painted centreline.

**Week** means seven calendar days regardless of weekends or public holidays.

**Year** means one calendar year

## **2 INTRODUCTION**

The Road Management Act 2004 (the Act) was passed by the Parliament of Victoria on 11 May 2004 and became effective on 1 July 2004. The Act was created as a result of the High Court's decision to change the common law governing civil liability by removing Councils' immunity provided by non-feasance (the Highway Rule).

Hindmarsh Shire Council (HSC) is a Road Authority under Section 37 of the Act.

In accordance with Part 4, Division 5 of the Act, and Code of Practice for Road Management Plans (2004) (CoPRMP), Council has developed this Road Management Plan (RMP) having regard to the principal object of road management in line with works and infrastructure management principles:

This plan sets down specific requirements including,

1. Determination of standards for
  - the inspection, maintenance and repair; and
  - the prioritisation of inspection, maintenance and repair
2. Listing of road infrastructure in a road management plan or in an asset register.
3. A management system for inspection, maintenance and repair.

## **3 ADOPTION OF THIS PLAN**

*Hindmarsh Shire Council plans to endorse for public consultation the Draft Road Management Plan 2021-2023 at its 2 June meeting as required by the Road Management Act 2004.*

*Notice of the Draft Road Management Plan will be advertised in the Herald Sun, plus additional notices in the Victorian Government Gazette and local newspapers.*

*If no objections or comments are received the Council will formally adopt the Road Management Plan 2021-2023 at its 23 June 2021 meeting.*

*Notice of adoption of the Road Management Plan will then be formally gazetted in the Victorian Government Gazette and advertised for 28 days in the Wimmera Mail Times.*

## 4 **AMENDMENT REGISTER**

Issue	Date	Details	By
Draft			
No.1	30/3/16	Draft Road Management Plan issued for public comment	AM
No.2	25/01/17	Draft Road Management Plan issued for Council endorsement prior to public consultation	AM
Final	17/05/17	Road Management Plan approved by Council	AM
No.1	02/06/21	Draft Road Management Plan issued for Council endorsement prior to public consultation	AM

## 5 **REVIEW OF THIS PLAN**

In accordance with Part 3 Division 1 Section 8 (1) of the Road Management (General) Regulations 2016, Council must review its RMP on a regular basis.

## 6 **ASSETS REGISTERS**

Council retains registers of roads and road related infrastructure. Registers are resource documents and are available for viewing at the Council Office, Nelson St, Nhill, and at the Council Service Centres in Dimboola, Jeparit and Rainbow.

### 6.2 **Road Register**

The Road Register lists the roads, for which Council is the responsible authority including;

- the name of each public road or, if a road is unnamed, a description which enables the particular road to be easily identified;
- if a road became a public road after 1 July 2004, the date on which the road became a public road;
- if a public road ceases to be a public road, the date on which the road ceased to be a public road;
- the classification of public roads under Council's road hierarchy;
- any ancillary areas such as car parks and scenic rest areas; and
- a reference to any arrangement under which road management functions in respect of any part of a public road or ancillary area is transferred to or from another road authority.

### 6.3 **Footpath Register**

The Footpath Register lists constructed footpaths, for which Council is the responsible authority including;

- The name of the roadway or, if not in a road reserve, a description which enables the location of the footpath to be easily identified;

- the type of construction of the footpath; and
- a reference to any arrangement under which road management functions in respect of any part of a public road or ancillary area is transferred to or from another road authority.

#### **6.4 Bridge Register**

The Bridge Register lists bridges, for which Council is the responsible authority including;

- The name of the road on which the bridge is located; and
- The name of the watercourse, or other feature the bridge spans; and
- The location of the bridge.

## **7 ROADS HIERARCHY**

Council has developed a Roads Hierarchy for its Municipal Roads to establish corporate policies, goals and strategies for improving and maintaining the road network.

The objective of the Roads Hierarchy is to establish:

- The design and construction standards and service levels that Council will endeavour to provide for the various classes of urban and rural roads,
- The conditions under which Council may be prepared to agree to the provision and maintenance of a road to a higher standard than that set out in the hierarchy of roads.

The road network in the municipality consists of the following types of roads:

- Arterial Roads which include national and state highways. The provision and maintenance of the Arterial Road Network is the responsibility of VicRoads,
- Municipal Roads for which Council is the Road Authority.
- Roads on Crown land for which Department of Land, Water and Planning is the Road Authority,
- Forest Roads for which Parks Victoria is the Road Authority, and
- Private Roads for which landowners are responsible

Under the Council's Road Hierarchy, municipal roads are categorised as Rural or Urban Roads.

Both Urban and Rural Roads are comprised of the following classifications –

- 3 – Transport Routes

Roads which usually connect two towns, villages or districts and carry traffic both private and commercial from within and outside the municipality.

- 4 – Collector or Through Roads

Rural roads which provide the major link between a number of residential and property access roads, and Link Roads or the arterial road network.  
Urban roads which provide the major link between a number of primary access roads and the arterial network, or are identified freight routes.

- 5 - Residential (Primary) Access Roads

Rural roads which provide all-weather access to occupied residential property.  
Urban roads which provide access to residential, commercial or industrial properties.

- 6 - Property (Secondary) Access Roads.

Rural roads which provide access to non-residential property. They are not necessarily all-weather roads. Urban roads or laneways which provide secondary access to residential, commercial or industrial property.

- 7 - Secondary Paddock Access Roads

- 8 - Paper Roads

Note: Only roadways that are maintained by Council are included in the road hierarchy.

### **7.1 Bus Routes**

Bus routes are roads that are used by school buses for transportation of students to and from school. Bus routes may change from year to year depending on the residential address of current primary and secondary school students.

The hierarchal classification of a road does not change if the road is designated as a bus route. Inspection levels, however on Class 4R, 5R, 6R, 4U and 5U Bus Routes are higher than those same classifications which are not bus routes.

Council recognises that a higher level of inspection will enable earlier intervention if required.

Bus routes are identified in Council's Bus Route Records.

### **7.2 Tourist Routes**

Tourist routes are roads that are identified by Council as providing access to significant tourist attractions within the Shire. Tourist routes may change from time to time depending on the operation of private tourism operators.

The hierarchal classification of a road does not change if the road is designated as a tourist route. Inspection levels, however on Class 4R, 5R, 6R, 4U and 5U Tourist Routes are higher than those same classifications which are not tourist routes.

Council recognises that a higher level of inspection will enable earlier intervention if required.

Tourist routes are identified in Council’s Tourist Route Records.

## **8 SERVICE STANDARDS**

Service standards for roadways, pathways, road infrastructure and road-related infrastructure are based on engineering standards, community expectation, risk and safety, asset preservation, asset hierarchy, available funding and available resources.

## **9 STANDARDS FOR INSPECTIONS**

### **9.1 Inspections**

#### **9.1.1 General**

The main reasons for the inspection of road assets are:

- To identify defects and act to minimise the risk of injury to the asset users; and
- To identify defects in time and repair to prevent premature failure of assets and minimise the financial impact to the community.

#### **9.1.2 Inspection Types**

<b>Inspection Type</b>	<b>Definition and Purpose</b>
<b>Proactive Inspection</b>	Inspection undertaken in accordance with a programmed inspection schedule These inspections determine if the road asset complies with the levels of service as specified in the Road Service Level Agreement.
<b>Condition Inspection</b>	Inspections undertaken specifically to identify deficiencies in the structural integrity of the various components of the road infrastructure assets which if untreated, are likely to adversely affect network values. The deficiencies may well impact short-term serviceability as well as the ability of the component to continue to perform for the duration of its intended life span.
<b>Reactive</b>	Inspections undertaken in response to notification to

<b>Inspection</b>	council by members of the community. These inspections allow Council to program required works where an intervention action is warranted.
<b>Incident Inspection</b>	Inspection carried out to comply with the requirements of the Road Management Act (Division 5 – Claims Procedure, Clause 116); This inspection enables an incident condition report to be prepared for use in legal proceedings and the gathering of information for the analysis of the causes of accidents and the planning and implementation of road management and safety measures.

### 9.1.3 Inspection Frequency

An inspection regime has been established for all roads and road related infrastructure identified as part of the Road Management Plan. This regime has been established having considered issues outlined in Appendix 1. The schedule set out in Appendix 2 and identifies the frequency that inspections must take place.

The Council and the community collectively identify the defects on roads. Inspections are performed as follows:

**Proactive asset inspections** identify defects that are at or beyond the defect intervention level.

**Condition inspections** determine the integrity of the road pavement and the seal. These are carried out every regularly.

**Level 1 bridge inspections** check for low severity bridge defects such as overhanging vegetation, blocked scuppers and waterway debris.

**Level 2 bridge inspections** check the structural integrity of individual bridge components such as the deck, beams, and piers.

**Day Inspections** check the condition of assets such as pavement, shoulder, signs, guideposts and line marking.

**Night inspections** check the night-time visibility of assets such as signs, guideposts and line marking.

**Reactive asset inspections** are carried out following notification to the Council from any person or organisation of a hazard to identify whether the reported hazard is at or above intervention and schedule maintenance in accordance with the maintenance response timeframes for the applicable hazard.

Asset Inspection Officers are responsible for the above inspections:

Details of inspection are included in Appendix 1.

## **10 STANDARDS FOR MAINTENANCE AND REPAIR**

### **10.1 Intervention Levels and Response Times for Roads**

Standards for maintenance and repair of Council's roads are set out in the following schedules in Appendix 2.

Risk Assessment and Response – Sealed

Risk Assessment and Response – Unsealed

The standards are based on road classification and the condition to be achieved in maintenance and repair of roads.

This includes but is not restricted to:

- The type and nature of defects.
- The time in which such defects should be repaired.

Road infrastructure, other than roadways includes signs, drains and drainage pits, line marking, bus shelters, and kerb and channel. In determining standards for maintenance and repair of road infrastructure, consideration is given to engineering standards, community expectations, relevant risk factors, available resources and potential impacts.

Roads and road infrastructure may be of similar nature having regard to the criteria listed above, however different standards may be adopted in regards to the nature of roads and road infrastructure.

### **10.2 Intervention Levels and Response Times for Footpaths**

Intervention levels and response times for footpaths are set out in the Footpaths and Vegetation Inspections form in Appendix 1.

### **10.3 Intervention Levels and Response Times for Bridges**

Due to the complex nature of bridges, and the type of defects which may occur, intervention levels and response times will be determined on the impact of each defect on safety, life of the asset, and available resources.

### **10.4 Routine Maintenance Service Levels for Roads**

Routine maintenance service levels are set out in the following schedules in Appendix 3.

- Roads Hierarchy – Urban Roads: Routine Maintenance Service Levels and Standards



- Roads Hierarchy – Rural Roads: Routine Maintenance Service Levels and Standards

### **10.5 Emergency Response Time**

For defects which are determined by council to pose a significant risk to the safety of the public and which, for any reason a repair is unable to be undertaken in the response time as per Appendix 2 an appropriate warning of the hazard is to be provided within 4 hours of inspection. Appropriate action to make the area safe must be undertaken within 24 hours of notification.

Appropriate actions could include:

- Provision and erection of warning signs;
- Barricading and fencing of the site;
- Traffic control action;
- Diversion around the site;
- Temporary speed limit signage;
- Lane closures;
- Restrict use (e.g. a load limit); and
- Full closure.
- Temporary Repair.

## **11 MANAGEMENT SYSTEM**

Council's management system for inspection, maintenance and repair of roads and road related infrastructure includes:

- Policies and procedures;
- Monitoring asset condition;
- Establishing priorities and resources;
- Delivering maintenance programs;
- Recording asset performance;
- Responding to incidents.
- Regular inspections of the asset portfolios;
- The setting of intervention levels;
- The type of intervention action; and
- The target time for intervention action.

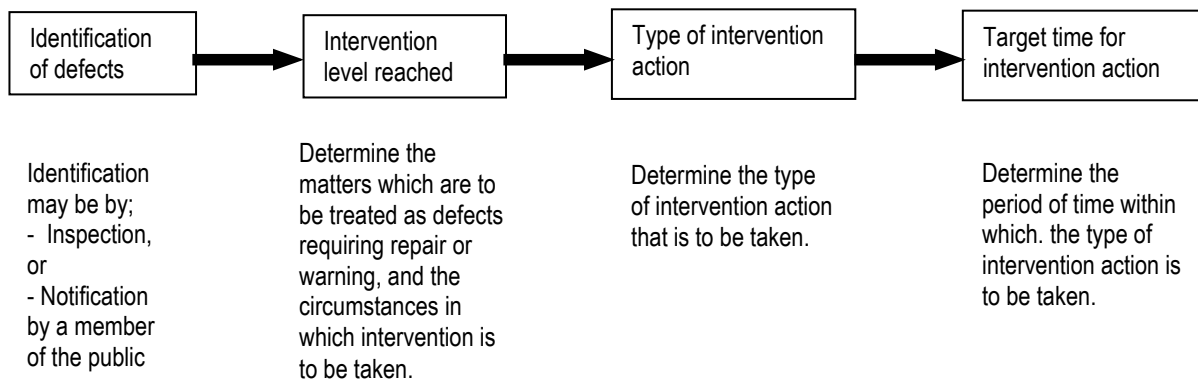
Information on all Council assets is stored in council's record management system ranging from replacement cost to condition and construction material.

The Customer Request System allows staff to log a request, complaint, or enquiry received from a member of the public or other employee, to be forwarded automatically to the responsible Council Officer for action. Timelines for action on

requests are embedded in the system with reminders, escalation, and reporting functions automatically activated.

The maintenance management system (MMS) is a combination of the Customer Request System and Asset management software, and the documented processes involved in conducting the requirements of the Road Management Plan. The below flowchart identifies an overview of the process for entering and completion of works into the MMS.

Diagram illustrating Council's system for inspection, maintenance and repair of road infrastructure.



## **12 DEMARCATIION OF RESPONSIBILITY**

### **12.1 VicRoads**

Responsibilities for road related infrastructure on and around arterial roads is set out in Road Management Act 2004 Code of Practice – Operational Responsibility for Public Roads.

### **12.2 Bordering Municipalities**

Where a public road is a municipal road then Council is the co-ordinating and responsible Road Authority for the operational function. In the instance of boundary roads with other municipalities the responsibility is allocated according to an agreement between the two municipalities. The Hindmarsh Shire Council borders West Wimmera Shire Council, Horsham Rural City Council, Yarriambiack Shire Council and Mildura Rural City Council.

The Boundary road agreement sets the responsibilities as follows:

- Each municipality is responsible for all routine maintenance (grading and rolling), without any cost sharing, on the agreed length of boundary roads, and
- Periodic maintenance, rehabilitation and improvement works (including reseals and gravel re-sheeting) shall be proposed by the municipality responsible for the road, but the cost shall be shared on a 50:50 basis.

The decision to carry out any works requires consent of both municipalities and must be detailed at Budget time.

The boundary road agreements are available for inspection in the Nhill Council Office.

### **12.3 Rail Road Interfaces**

The Rail Safety Act 2006 requires Safety Interface Agreements (SIAs) to be entered into between the co-ordinating road authority and the rail infrastructure manager.

Hindmarsh Shire Council entered into an SIA with VicTrack in 2020. This SIA is available as a referenced document to this plan.

### **12.4 PROPERTY OWNER**

#### **12.4.1 Vehicle Crossovers**

A vehicle crossover (alternatively referred to as a driveway) provides vehicular access to private property from the traffic lane of the public road. A person must not, without a permit, construct, install, remove or alter a vehicle crossover. The Road Management Act 2004 provides that a road authority is not liable for private vehicle crossings (driveways) and pathways on road reserves that provide access to land adjoining a road, this responsibility being with the adjoining landowner and constructed at the landowners expense. Landowners are responsible for ensuring the crossovers are maintained in a safe condition.

The following diagram illustrates the layout of a typical vehicle crossover in urban areas, showing Council's responsibility and that of the property owner.

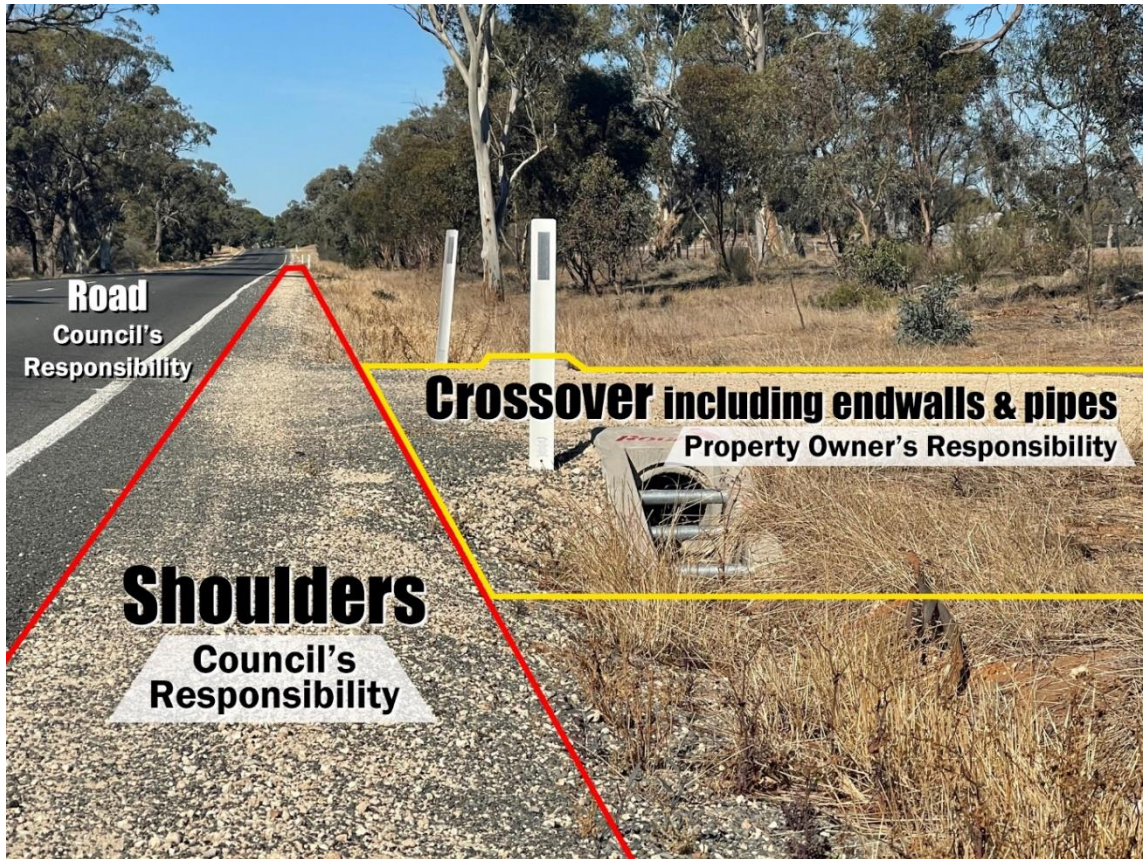
## Typical Urban Crossover



In the rural area, the typical crossover may consist of a crushed rock pavement, or sealed pavement, often including a reinforced concrete pipe or culvert and should include drivable endwalls. All elements are the responsibility of the landowner, including general maintenance and cleaning of the pipe.

Roadside maintenance in rural areas where the speed zone is 100 kilometres per hour is the responsibility of the road authority. If landowners wish to do works in the road reserve, they should contact Council to arrange appropriate approvals.

## Typical Rural Crossover



Section 107 of the Road Management Act 2004 provides that Council is under no statutory duty to inspect, maintain or repair private vehicle crossings (driveways) and pathways on road reserves that provide access to land adjoining a road. This responsibility rests with the adjoining landowner.

Vehicle crossovers on Council roads must comply with Council's specifications and standards. Landowners must obtain a Consent to Works within Road Reserves permit (CWWRR) and comply with permit conditions and Council specifications when constructing vehicle crossovers.

Proposed new or altered cross overs to properties adjoining Arterial Roads (RZ1) require a Planning Permit under the *Planning and Environment Act 1986* before any works can commence.

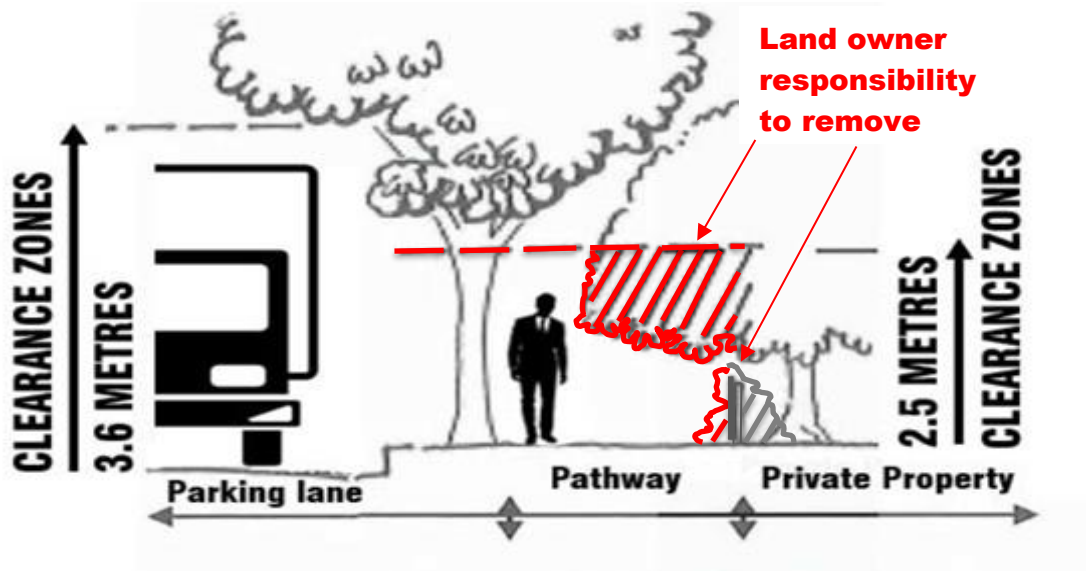
### 12.4.2 Street Lighting

Streetlights in road reserves provide a service to the community and are funded by the Council, but are owned and maintained by the respective network provider. They are therefore not covered by this Road Management Plan. The levels of service relating to these assets are considered through the Asset Management Plan and arrangements made directly with the appropriate utility.

### 12.4.3 Footpaths and Overhanging Vegetation

A landowner has a responsibility to keep a footpath clear of any overhanging branches or vegetation growing from their property. Under the provisions of Council's local laws, Council may direct the landowner to trim the overhanging branches or vegetation as per example below.

**Example of vegetation clearance zones required from private property in urban areas**



**12.4.4 Obstructing Footpaths and Roads**

It is the responsibility of landowners to keep footpaths and roads clear of any obstructions, including circumstances relating to:

- Tables, chairs, shop displays and signs on footpaths in commercial areas.
- Obstructions on nature strips including skip bins and household rubbish.
- Vegetation affecting visibility.
- Vehicles must not park over crossovers, nature strips or footpaths.
- Heavy vehicles/ long vehicles must not park in a residential street for no longer than 1 hour unless permitted to do so by council.

**12.4.5 Nature Strips**

Due to potentially high costs Council does not maintain nature strips to a high standard. Council may only undertake works where some safety or significant amenity issue is present. Historically the landowner has undertaken mowing and upkeep as a part of the presentation of their property.

**12.4.6 Road Opening Permits/Consent to Perform Works in Road Reserve**

In general, any person considering performing works in road reserves must obtain consent from the Coordinating Road Authority unless they are exempted under the Road Management (Works & Infrastructure) Regulations 2005. Advice and application forms based on Councils Local Law are available from the Municipal Offices for work on municipal roads.

#### **12.4.7 Property Stormwater Drains**

Property stormwater drains within the road reserve from the property boundary to a discharge outlet in the kerb or into the drain are there to benefit the property and such are the responsibility of the property owner to maintain. These drains are excluded from the RMP.

#### **12.4.8 Access Control**

Under the provisions of the Act a road authority may make a decision concerning access onto a public road in relation to:

- Location;
- Restrictions of use;
- Conditions; and
- Works.

VicRoads may specify requirements for highways and main roads and Council for local roads. Under the Planning Permit process Council may impose conditions on a permit for the use or development of land in relation to:

- Stock Crossings;
- Vehicle crossings;
- Driveway dimensions;
- Turning lanes; and
- School bus stopping areas.

## **13      “FORCE MAJEURE”**

Hindmarsh Shire Council will make every endeavour to meet all aspects of its Road Management Plan.

In the event of natural disasters and other events including but not limited to, fires, floods, drought, pandemic and the like, together with human factors, such as a lack of staff or suitably qualified contractors, because of Section 83 of the Wrongs Act 1958 as amended, Council reserves the right to suspend its Road Management Plan.

In the event that the CEO of Council, has to, pursuant to Section 83 of the Wrongs Act, consider the limited financial resources of Council and its conflicting priorities, meaning Council's Plan cannot be met, the CEO will inform Council's Officer in Charge of its Road Management Plan in writing that some, or all, of the timeframes and response times are to be suspended.

Once the events beyond the control of Council have abated or partly abated, the CEO shall write to Council's Officer in charge of its Road Management Plan informing which parts of Council's Plan are to be reactivated and timeframes for each part of the plan to be reactivated.

### **13.1      EXTREME OR CODE RED DAYS**

Council's priority on any day declared as a Total Fire Ban or Code Red by the Country Fire Authority is for the safety of its employees, Councillors, contractors and volunteers. On these days, Council's Code Red, Day of Caution and Total Fire Ban Policies will apply and have precedence over any aspect of the Road Management Plan.



## 14 REFERENCED DOCUMENTS

TITLE
Road Management Act 2004
Road Management (General) Regulations 2005
Road Management Act 2004 Codes of Practice Code of Practice for Road Management Plans Code of Practice: Operational Responsibility for Public Roads Code of Practice: Management of Infrastructure in Road Reserves
Council Plan
Road Asset Management Plan
Road Register
Footpath Register
Bridge Register
Bus Route Records
Tourist Route Records
Agreements for responsibility for boundary roads
Safety Interface Agreement for railway crossings
Asset Management Policy

## 15 ASSOCIATED DOCUMENTS

TITLE
Council Plan
Road Asset Management Plan
Road Hierarchy Review
Moloney Asset Management System
Rural and Residential Tree Trimming and Removal Policy
Roadside Management Strategy
Risk Management Standards AS/NZS 4360:1999

## 16 APPENDICES

- APPENDIX 1: Defect Inspection Frequency
- APPENDIX 2: Risk and Assessment Response – Sealed  
Risk and Assessment Response – Unsealed
- APPENDIX 3: Roads Hierarchy – Urban Roads, Routine Maintenance Service Levels and Standards  
Roads Hierarchy – Rural Roads, Routine Maintenance Service Levels and Standards

# APPENDIX 1

## DEFECT INSPECTION FREQUENCY

NATURE OF INSPECTION	INSPECTION FREQUENCY BY ROAD CLASSIFICATION								
	RURAL						URBAN		
PROACTIVE INSPECTIONS DEFECT #	3R (Transport Routes)	Bus Routes / Tourist Routes	4R (Collector or Through)	5R (Resident Primary Access)	6S (Strategic)	6R (Property Secondary Access)	4U (Collector or Through)	5U (Residential Primary Access)	6U (Property Secondary Access)
DAY TIME Level 1 (Pavement / shoulder / road furniture) #	1 time per year		1 time per 2 years	1 time per 2 years	1 time per 2 years	Nil	1 time per year	1 time per 2 years	Nil
DAY TIME Level 2 (Pavement / kerb & channel / shoulder / road furniture / table drains / culverts / vegetation) #	1 time per year	1 time per year	1 time per 2 years	1 time per 2 years	1 time per 2 years	1 time per 3 years	1 time per year	1 time per 2 years	1 time per 2 years
NIGHT TIME Level 1 (Pavement / shoulder / road furniture) #	1 time per year	1 time per year	1 time per 2 years	1 time per 2 years	Nil	Nil	1 time per year	1 time per 2 years	Nil

Note1: Level 1 inspection frequencies have been split into Day and Night as some defects are more readily identified at night.

Note2: Inspections to be scheduled such that each inspection type is carried out at the frequencies shown. Each inspection type is to be carried out independently of other inspections for each road.

**APPENDIX 1 Cont.  
FOOTPATHS AND VEGETATION FREQUENCY**

INSPECTION NAME	DEFECTS RECORDED	PROACTIVE INSPECTIONS – DEFECT				
		COMMERCIAL	RESIDENTIAL	TYPE	HAZARD	USE
<b>Footpaths</b>	All	6mths	12mths	1 Asphalt 2 Gravel 3 Concrete 4 Pavers 5 Other 6 Trees	1. 10-20 mm 3. 20-30mm or Obtruding Foliage + 6. +30 mm or Obtruding Branches	2 LOW 4 MEDUIM = 8 HIGH
<b>Constructed Trails</b>	All	As Necessary	As Necessary			

## APPENDIX 1 Cont.

### BRIDGE INSPECTION FREQUENCY

The following tabulation, in accordance with the VicRoads Bridge Inspections Manual guidelines, indicates the frequency and detail required for the inspections of all bridges within the Shire.

	DESCRIPTION	PROACTIVE INSPECTIONS - DEFECT
LEVEL 1	To check the general serviceability of the structure , particularly for the safety of road users, and identify any emerging problems	Every 6 months
LEVEL 2	To assess and rate the conditions of the structure (as a basis for assessing the effectiveness of past maintenance treatments, identifying current maintenance needs, modeling and forecasting future changes in condition and estimating future budget requirements)	All new structures within 12 months of opening, thereafter on a 5 year cycle.
LEVEL 3	To assess the structural condition and behavior of a structure, to identify and quantify the current and projected deterioration of the structure, and to assess appropriate management options.	Bridges; <ul style="list-style-type: none"><li>• reporting poor condition in the Bridge Inspection System</li><li>• showing evidence of accelerated deterioration</li><li>• for which significant works such as rehab, strengthening or widening is proposed</li></ul>

## APPENDIX 2

### RISK ASSESSMENT AND REMEDIATION – SEALED

NATURE OF INSPECTION	TARGET STANDARD CONDITION	HAZARD INTERVENTION LEVEL	REPAIR TARGET TIME FOR INTERVENTION ACTION			
			3 (Transport Route)	4 (Collector or Through)	5 (Residential Primary Access)	6 (Property Secondary Access)
<b>Pothole Patching</b>	Hole is to be repaired to a smooth surface consistent to line and level of surrounding pavement.	Hole is more than 450mm diameter or more than 75mm deep.	1 week	3 weeks	2 months	6 months
<b>Regulation of Wheel Ruts and Depressions</b>	Return to line, level, and trafficable surface, with no ponding of water evident.	Wheel rut or depression is more than 75mm deep and more than 20m <sup>2</sup> in area.	2 weeks	1 month	3 months	12 months
<b>Edge Repairs</b>	To provide a trafficable lane.	Edge breakaway is more than 125mm over 5m in length.	2 weeks	1 month	3 months	6 months
<b>Pavement Failures</b>	Failure is to be repaired to a smooth pavement surface consistent with line and level of surrounding pavement.	Surface disruption is more than 75mm over area more than 20m <sup>2</sup> .	1 week	3 weeks	2 months	6 months
<b>Kerb and Channel</b>	Minimal ponding	When ponded water extends outside the lip of the channel.	Subject to funding	Subject to funding	Subject to funding	Subject to funding

<b>Table Drains</b>	Minimal ponding	Any obstruction that significantly prevents free flow of water.	6 months	12 months	12 months	In conjunction with works program
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## APPENDIX 2 Cont.

### RISK ASSESSMENT AND REMEDIATION – SEALED (Cont.)

NATURE OF INSPECTION	TARGET STANDARD CONDITION	HAZARD INTERVENTION LEVEL	TARGET TIME FOR INTERVENTION ACTION			
			3 (Transport Route)	4 (Collector or Through)	5 (Residential Primary access)	6 (Property Secondary Access)
<b>Culverts/includes separated Culverts</b>	Water flow is unrestricted	Silting or 50% obstruction of cross section.	3 months	6 months	12 months	2 years
<b>Shoulder Grading</b>	Provision of a trafficable surface which is free draining and which prolongs the pavement life.	Edge Drop off is more than 100mm over more than 50m in length.	3 weeks	6 weeks	3 months	6 months
<b>Roadside Signage/Guide Posts</b>	A fully visual signposted and delineated road network.	Illegible or missing warning signs or missing guide posts at culverts.	2 weeks (see note 3)	1 month (see note 3)	3 months	6 months
<b>Roadside Grass Cutting</b>	To maintain sight distance and reduce fire risk.	Inadequate visibility at intersections or on curves.	1 month	3 months	6 months	12 months

**Note 1: Where the defect warrants emergency action, this is taken within 24 hours of receipt of notification.**

**Note 2: The times shown in the above tabulation are subject to variation in times of extreme weather conditions when extra demands may be placed on Council resources.**

**Note 3: Depends on availability of signs/guideposts.**

**Note 4: Signage/notifications may be used as an intervention.**

## APPENDIX 2 Cont.

### RISK ASSESSMENT AND REMEDIATION – UNSEALED

NATURE OF INSPECTION	TARGET STANDARD CONDITION	HAZARD INTERVENTION LEVEL	TARGET TIME FOR INTERVENTION ACTION				
			3 (Transport Route)	4 (Collector or Through)	5 (Residential Primary access)	6S (Strategic)	6 (Property Secondary Access)
<b>Potholes and Corrugations</b>	Trafficable pavement free of potholes, corrugations and other surface defects.	Potholes and corrugations are more than 600mm diameter and 150mm deep	1 month	2 months	6 months	6 months	12 months
<b>Pavement Failure</b>	Failure is to be repaired to a smooth pavement surface consistent with line and level of surrounding pavement.	Area of failed pavement is more than 20m <sup>2</sup> in area.	1 month	2 months	6 months	6 months	12 months
<b>Roadside Signage/Guide Posts</b>	A fully visual signposted and delineated road network.	Illegible or missing warning signs or missing guide posts at culverts.	1 month (see note 3)	3 months	6 months	12 months	12 months
<b>Roadside Grass Cutting</b>	To maintain sight distance and reduce fire risk.	Inadequate visibility at intersections or on curves.	1 month	3 months	6 months	12 months	12 months
<b>Table Drains</b>	Minimal ponding	Any obstruction that significantly obstructs free flow of water.	6 months	12 months	12 months	12 months	In conjunction with works program
<b>Culverts</b>	Water flow is unrestricted	Silting or 50% obstruction of cross	3 months	6 months	12 months	12 months	2 years



		section					
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**Note 1: Where the defect warrants emergency action, this is taken within 24 hours of receipt of notification.**

**Note 2: The times shown in the above tabulation are subject to variation in times of extreme weather conditions when extra demands may be placed on Council resources.**

**Note 3: Depends on availability of signs/guideposts.**

**APPENDIX 3**  
**ROADS HIERARCHY – URBAN ROADS**  
**ROUTINE MAINTENANCE SERVICE LEVELS & STANDARDS**

CLASSIFICATION	DEFINITION	SEALED ROADS				UNSEALED ROADS	
		PAVEMENT WORKS	EDGE REPAIRS	SHOULDER GRADING & DRAINS	KERBING	GRADING	SHOULDERS & DRAINS
<b>4U COLLECTOR OR THROUGH</b>	<b>Unclassified roads linking parts of the townships or leading to the town centre. Would be sealed or surfaced all weather roads.</b>	Annually or when I.L. exceeded.	Annually or when I.L. exceeded	Annually	When I.L. exceeded	Annually	As necessary
<b>5U RESIDENTIAL PRIMARY ACCESS</b>	<b>Unclassified road providing access to occupied residential, industrial or commercial properties. Would be sealed or surfaced all weather roads.</b>	Annually or when I.L. exceeded.	Annually	As necessary	When I.L. exceeded	As necessary	As necessary
<b>6U PROPERTY SECONDARY ACCESS</b>	<b>Roads or laneways providing alternate access to occupied properties or access to vacant land. Would not necessarily be all weather construction.</b>	Annually	Annually	As necessary	When I.L. exceeded	As necessary	As necessary

I.L. – Intervention level

**APPENDIX 3 Cont.**  
**ROADS HIERARCHY – RURAL ROADS**  
**ROUTINE MAINTENANCE SERVICE LEVELS & STANDARDS**

CLASSIFICATION	DEFINITION	SEALED ROADS			UNSEALED ROADS	
		PAVEMENT WORKS	EDGE REPAIRS	SHOULDER GRADING & DRAINS	GRADING	SHOULDERS & DRAINS
<b>3R LINK</b>	<b>Unclassified roads connecting two towns, villages or districts. May be sealed or formed and surfaced.</b>	Annually or when I.L. exceeded.	2 times per year or when I.L. exceeded	Annually or when I.L. exceeded	2 times per year or when I.L. exceeded	Annually
<b>4R COLLECTOR</b>	<b>Unclassified road linking residence and property access roads into higher class roads. May be sealed or formed and surfaced.</b>	Annually or when I.L. exceeded.	Annually or when I.L. exceeded	Annually	Annually or when I.L. exceeded	Annually
<b>5R RESIDENTIAL ACCESS</b>	<b>Unclassified road providing all weather access to occupied houses in rural or rural residential areas.</b>	Annually	As necessary	As necessary	As necessary	As necessary
<b>6S STRATEGIC</b>	<b>Class 6 road considered strategic and maintained more regularly</b>	N/A	N/A	N/A	Annually or when I.L. exceeded	As necessary
<b>6R PROPERTY ACCESS</b>	<b>Roads providing access to rural properties for farming purposes. Would not necessarily be an all-weather road.</b>	N/A	N/A	N/A	As necessary	As necessary

I.L. – Intervention level


B DOUBLE ROAD USE CHANGES SUBMISSIONS

NO.	DATE	SUBMISSION COMMENTS	DOC ID	REQUIRES RESPONSE
1	20/06/2021	15. Please indicate if you agree or disagree with the recommendations above: Agree 16. Please indicate if you agree or disagree with the recommendations above: Agree 19. Please indicate if you agree or disagree with the recommendations above: Agree 25. Please indicate if you agree or disagree with the recommendations above: Not sure 26. Please indicate if you agree or disagree with the recommendations above: Agree 27. Please indicate if you agree or disagree with the recommendations above: Agree 28. Please indicate if you agree or disagree with the recommendations above: Agree 29. Please indicate if you agree or disagree with the recommendations above: Agree	Doc ID 328215	Yes By Email
2	30/06/2021	1. Please indicate if you agree or disagree with the recommendations above: Agree 2. Please indicate if you agree or disagree with the recommendations above: Agree 3. Please indicate if you agree or disagree with the recommendations above: Agree 4. Please indicate if you agree or disagree with the recommendations above: Agree 5. Please indicate if you agree or disagree with the recommendations above: Agree 6. Please indicate if you agree or disagree with the recommendations above: Agree 7. Please indicate if you agree or disagree with the recommendations above: Agree 8. Please indicate if you agree or disagree with the recommendations above: Agree 9. Please indicate if you agree or disagree with the recommendations above: Agree 10. Please indicate if you agree or disagree with the recommendations above: Agree	Doc ID 329474	Yes By Email

B DOUBLE ROAD USE CHANGES SUBMISSIONS

		<p>11. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>12. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>13. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>14. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>15. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>16. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>17. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>18. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>19. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>20. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>21. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>22. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>23. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>24. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>25. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>26. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>27. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>28. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>29. Please indicate if you agree or disagree with the recommendations above: Agree</p>		
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**B DOUBLE ROAD USE CHANGES SUBMISSIONS**

3	11/07/2021	26. Please indicate if you agree or disagree with the recommendations above: Western Beach Road needs to be mentioned and commented on	Doc ID 330544 and 330543 (changes approval)	Yes By Email								
4	12/07/2021	Letter and attachments, refer to Doc ID 330756 (total 7 pages).	Doc ID 330756	Yes By letter								
	13/07/2021	<p>Letter received:</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <p>11<sup>th</sup> July 2021</p> <p>To Angela Hoy Director Infrastructure Services Hindmarsh Shire Council 92 Nelson Street Nhill 3418</p> <p>Dear Angela,</p> <p>I would like the information in this letter distributed to the Shire Councilors, as unable to make comment in 'Have your say' on the Hindmarsh Shire website re the road management plan.</p> <p>Please have this letter noted as correspondence in and read at the next shire meeting also.</p> <p>I have been onto the website to make a comment on the current road management plan - Western Beach Road is the only road in the 'have your say' - that does not have the ability to do so. Western Beach Road Rainbow is also noted as not being owned by the Shire. If this is so -could you please explain on what grounds the Hindmarsh Shire Council gave Albacutya Gypsum mine the right to use Western Beach Road as a transport route prior to ownership, that now allows hundreds of trucks per day on a single sealed lane road during the gypsum season?</p> <p>There are hundreds of B-doubles that already use Western Beach Road per day during Gypsum season There is no mention of road trains that are using the road. The road management plan grossly underestimates the number of B- double use of the road per week, as there are hundreds per day during the gypsum season! If there is any discrepancy with the road counters relating to truck numbers, I would be happy to provide evidence from private surveillance in future. I ask that B-doubles be excluded from using the single sealed road - Western Beach Road I also ask that road trains be banned from using Western Beach Road. I ask that the Hindmarsh Shire Council address outstanding complaints of dust and noise for my house on Western Beach Road. The dust and noise continues to be a health hazard to the household and the environment.</p> <p>Should you require any further information, please feel free to contact me kind regards,</p>  </div> <div style="width: 45%; border: 1px solid black; padding: 5px;"> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">RECEIVED</p> <p style="text-align: center;">11 JUL 2021</p> <p style="text-align: center; font-weight: bold;">HINDMARSH SHIRE</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="font-size: 0.8em;">ASSESS #</td> <td style="width: 50px;"></td> </tr> <tr> <td style="font-size: 0.8em;">ACTION</td> <td style="text-align: center;">DIS</td> </tr> <tr> <td style="font-size: 0.8em;">INFO</td> <td></td> </tr> <tr> <td style="font-size: 0.8em;">X REF</td> <td style="text-align: center;">330756</td> </tr> </table> <p style="margin-top: 10px; color: red; font-size: 0.9em;">330544 330543</p> </div> </div>	ASSESS #		ACTION	DIS	INFO		X REF	330756	Doc ID 330914	Yes Letter email or as above
ASSESS #												
ACTION	DIS											
INFO												
X REF	330756											
5	16/07/2021	<ol style="list-style-type: none"> <li>1. Please indicate if you agree or disagree with the recommendations above: Agree</li> <li>2. Please indicate if you agree or disagree with the recommendations above: Agree</li> <li>3. Please indicate if you agree or disagree with the recommendations above: Agree</li> <li>4. Please indicate if you agree or disagree with the recommendations above: Agree</li> <li>5. Please indicate if you agree or disagree with the recommendations above: Agree</li> <li>6. Please indicate if you agree or disagree with the recommendations above: Agree</li> </ol>	Doc ID 331174	Yes preferred contact method: Email								

B DOUBLE ROAD USE CHANGES SUBMISSIONS

		<p>7. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>8. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>9. Please indicate if you agree or disagree with the recommendations above: No opinion</p> <p>10. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>11. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>12. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>13. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>14. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>15. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>16. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>17. Please indicate if you agree or disagree with the recommendations above: Disagree</p> <p>18. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>19. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>20. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>21. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>22. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>23. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>24. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>25. Please indicate if you agree or disagree with the recommendations above: Agree</p>		
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B DOUBLE ROAD USE CHANGES SUBMISSIONS

		<p>26. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>27. Please indicate if you agree or disagree with the recommendations above: Needs to be access to gypsum pit for B Doubles ?? Not sure if this affects this rd?</p> <p>28. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>29. Please indicate if you agree or disagree with the recommendations above: Agree</p>		
	16/07/2021	<p>We have submitted our 'have your say' regarding the BDouble changes. However, we note that there is only 5 other truck classes mentioned. We would also like it noted that we need PBS 2B - 30m roadtrain also included. There was nowhere to add further comments so kindly ensure that this comment gets submitted also.</p>	Doc ID 331201	
6	16/07/2021	<p>1. Please indicate if you agree or disagree with the recommendations above: Janetzki Road, should only be open to local B Double access during harvest</p> <p>2. Please indicate if you agree or disagree with the recommendations above: Coker Dam Road, should only be open to local B Double access</p> <p>3. Please indicate if you agree or disagree with the recommendations above: The Winiam East road should only be open to Local B Double access during harvest. The Winiam East Road is unsuitable for opening to all traffic even if upgraded, because it is a busy tourist route. It is also frequently used by bicycle riders, who do the loop (Winiam East Road, Winiam Road, Nhill- Harrow Road, Nhill) or ride out to the campground or picnic ground. Winiam East Road only leads to the ungazetted part of the Kiata South Road, where you find the picnic ground and the campground. Many tourists use this road and often stop on the side of the road when they see something interesting. There have been many near misses on this road, when trucks sneak through there as a short cut to the Nhill Harrow Road. Winiam East Road goes Nhill to Kiata or Nhill to Lochiel, via the ungazetted part of the Kiata South Road. All of these places can be accessed via the Western Highway, so there is no benefit to opening the Winiam East road to all traffic. The ungazetted part of the Kiata South Road (the part south of Coker Dam Road), I believe is unsuitable for open access to all traffic, it is narrow with many curves, blind corners, large machinery used by local farmers, vegetation is very close to the edge of the road. Opening this road will put more pressure on the Mallee Fowl and other native species and detract from visitor enjoyment for our</p>	Doc ID 331220	Yes preferred contact method: Email



B DOUBLE ROAD USE CHANGES SUBMISSIONS

		<p>tourists. I would like to see the gazetted part of Kiata South Road (the part North of Coker Dam Road) changed to local B Double access only.</p> <p>4. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>5. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>6. Please indicate if you agree or disagree with the recommendations above: Winiam Road, should only be open to local B Double access during harvest</p> <p>7. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>8. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>9. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>10. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>11. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>12. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>13. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>14. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>15. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>16. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>17. Please indicate if you agree or disagree with the recommendations above:</p>		
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B DOUBLE ROAD USE CHANGES SUBMISSIONS

		<p>I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>18. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>19. Please indicate if you agree or disagree with the recommendations above: Agree</p> <p>20. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>21. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>22. Please indicate if you agree or disagree with the recommendations above: Kinimakatka Road (North/South), should only be open to Local B Double access during harvest</p> <p>23. Please indicate if you agree or disagree with the recommendations above: Kinimakatka Road (East/West), should only be open to Local B Double access during harvest</p> <p>24. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>25. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>26. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>27. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>28. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p> <p>29. Please indicate if you agree or disagree with the recommendations above: I am not a user of this road therefore I don't feel it is appropriate for me to comment.</p>		
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**NOTATIONS**

THE ROAD TO BE OPENED IS SHOWN HATCHED.  
 AREA: 8477m<sup>2</sup>

THE GOVT. ROAD TO BE CLOSED IS SHOWN CROSS  
 HATCHED  
 AREA: 7963m<sup>2</sup>

**CERTIFICATION BY SURVEYOR**

I, DONALD JAMES PERRY  
 of 62 McLACHLAN STREET, HORSHAM  
 certify that this plan correctly represents the information  
 obtained from the sources indicated on this plan

*Donald James Perry*  
 LICENSED SURVEYOR

Date: 4.03.2019

TITLE REF: Vol. 3087 Fol. 272  
 LAST PLAN REF: TP357302D

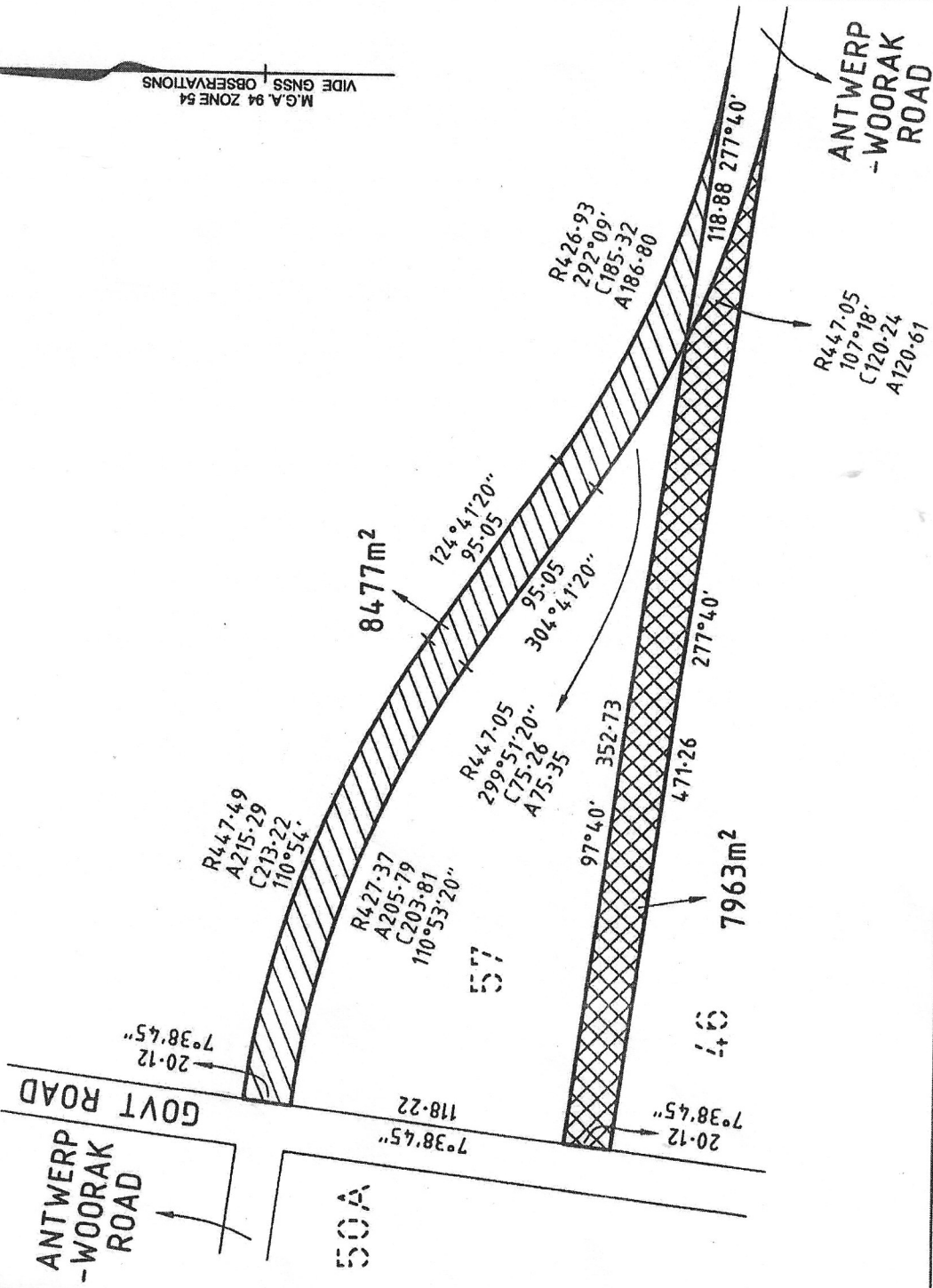
**PLAN FOR ROAD EXCHANGE**

COUNTY LOWAN  
 PARISH NINI  
 CROWN ALLOTMENT 57

NUMBER OF SHEETS IN PLAN : 1  
 NUMBER OF THIS SHEET : 1

SCALE 1:2000  
 ORIGINAL SHEET SIZE A3  
 LENGTHS ARE IN METRES

VERSION:3



M.G.A. 94 ZONE 54  
 WIDE GNSS OBSERVATIONS

**Ferguson Perry**  
 Surveyors

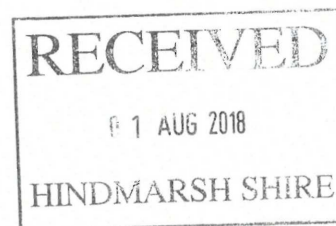
Ferguson Perry Surveying Pty Ltd  
 62 McLachlan Street Horsham,  
 Victoria 3400  
 ABN 76126 194 483

T (03) 5345 2033  
 F (03) 5341 1244  
 E info@fergusperry.com.au

A member of Alexander Symonds Group

- + Property & Land Development +
- + Construction + Mining +
- + Spatial Information Management +

ASSESS #	
ACTION	DIS
INFO	
X REF	



Date: 31-7-2018

Shane Power  
Director Infrastructure Services  
Hindmarsh Shire Council  
92 Nelson Street  
Nhill VIC 3418

Dear Shane

**RE: Antwerp-Woorak Road Upgrade – Proposed Land Swap Agreement**

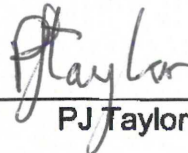
We confirm that we have received your proposal to enter into a land swap agreement between Hindmarsh Shire Council and ourselves in order to realign Antwerp-Woorak Road at the dog-leg corner 2.7km west of the Gerang-Glenlee Road.

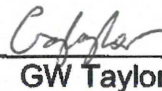
We have viewed the draft map showing the proposed layout of road to be closed and new road reserve to be created and give approval in principle for Council to engage a registered surveyor to undertake the legal process of land transfer.

We understand that all costs associated with this legal process and the subsequent ground works including fencing, removal of closed road pavement and road construction activities on the new alignment will be borne by Hindmarsh Shire Council.

We the undersigned as the owners of property number 75640 on Antwerp-Woorak Road, Glenlee give permission for Hindmarsh Shire Council to proceed with this land swap agreement which will require us to provide physical access to the section of land subject to this agreement when requested.

Signed:

  
\_\_\_\_\_  
PJ Taylor

  
\_\_\_\_\_  
GW Taylor

## LOCAL GOVERNMENT ACT 1989

### DEVIATION OF ROAD PARISH OF NI NI

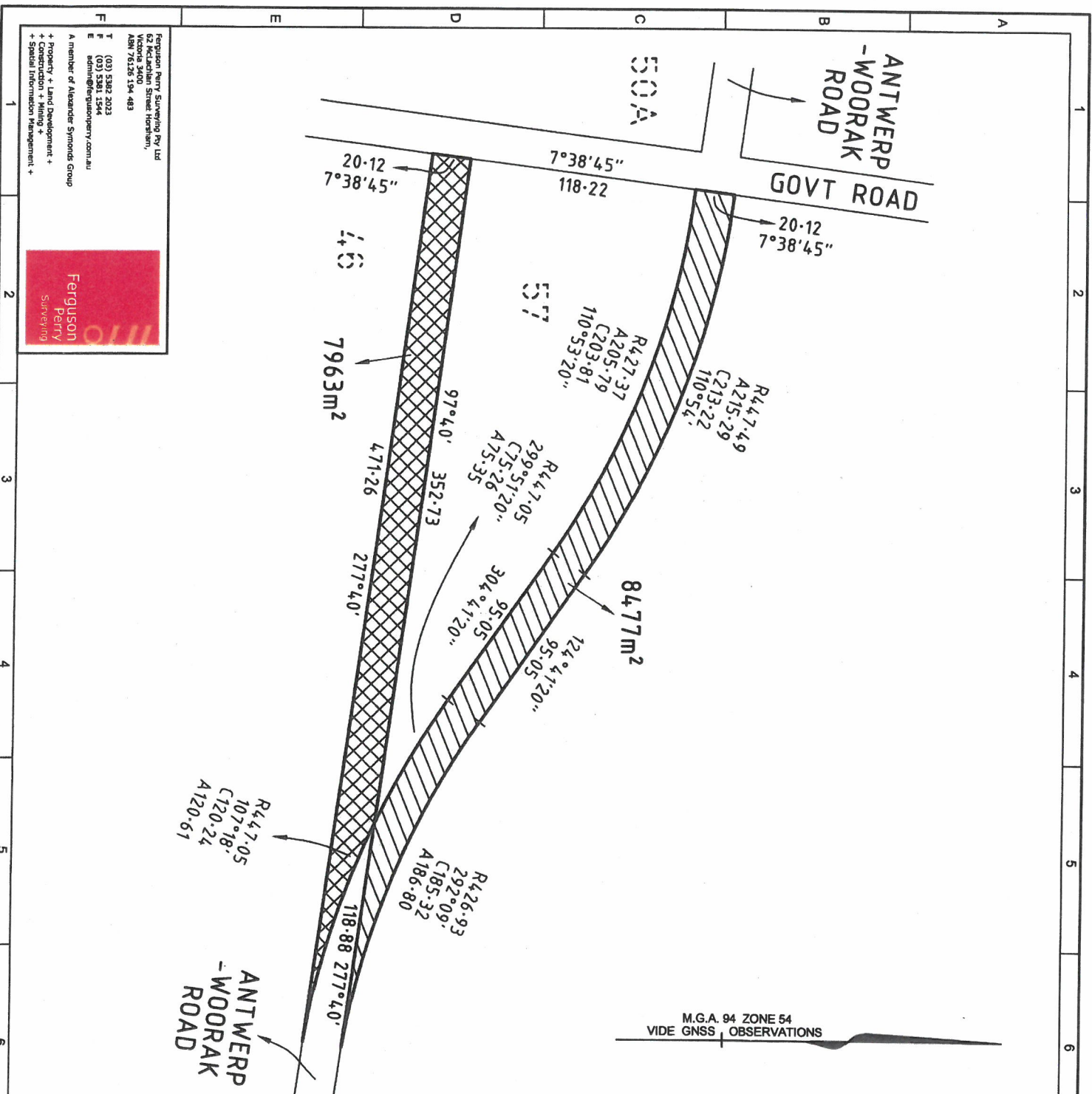
Under Clause 2(2) of Schedule 10 of the Local Government Act 1989, I consent, on behalf of the Minister for Energy, Environment and Climate Change, to exchange of the road in the Parish of Ni Ni shown by hatching on the attached plan on to the land shown by cross-hatching on the plan which is Crown land.

Corr: No: 02L4-6022

Dated: 14.07.2020



Grant Hull  
Regional Manager  
Land and Built Environment Programs  
(As delegate of the Minister for Energy, Environment and Climate change)



M.G.A. 94 ZONE 54  
VIDE GNSS OBSERVATIONS

**NOTATIONS**

THE ROAD TO BE OPENED IS SHOWN HATCHED.  
AREA: 8477m<sup>2</sup>

THE GOVT. ROAD TO BE CLOSED IS SHOWN CROSS HATCHED  
AREA: 7963m<sup>2</sup>

**CERTIFICATION BY SURVEYOR**

I, DONALD JAMES PERRY  
of 62 McLACHLAN STREET, HORSHAM  
certify that this plan correctly represents the information  
obtained from the sources indicated on this plan

Date: 4.02.2014

*[Signature]* LICENSED SURVEYOR

TITLE REF: Vol. 3087 Fol. 272  
LAST PLAN REF: TP357302D

**PLAN FOR ROAD EXCHANGE**

COUNTY LOWAN

PARISH NI NI

CROWN ALLOTMENT 57

NUMBER OF SHEETS IN PLAN : 1  
NUMBER OF THIS SHEET : 1

SCALE 1:2000

ORIGINAL SCALE SHEET SIZE A3

VERSION: 3

Ferguson Perry Surveying Pty Ltd  
62 McLachlan Street Horsham,  
Victoria 3400  
Aust 76238 194 483

T (03) 5382 2023  
F (03) 5381 1544  
E admin@fergusperry.com.au

A member of Alexander Symonds Group  
+ Property + Land Development +  
+ Construction + Mining +  
+ Spatial Information Management +



## **Yurunga Committee of Management**

General Meeting, Thursday, April 22, 2021, Yurunga dining room, 7.30pm

### **Minutes**

Welcome and opening at 7:30 pm

Members present: Jenny Solly (chair), Peter Solly (secretary), Helen Fisher, Lou Ravenhorst, Sam Smith

Visitors: Cr Brett Ireland, Jeff Woodward (Hindmarsh Shire), Col Drendel, Debbie Funcke

Apologies: Helen Heinrich

Moved: Helen Fisher, Sam Smith - That the apology be accepted – c/d

Additional items for General Business (to be accepted at Chairperson's discretion)

- Duty on Mothers' Day, May 9<sup>th</sup>
- Booking Orchard Pruner
- Motion to add Col and Debbie

Declaration by a Councilor, Officer or Committee Member of any direct or indirect interest in any item on the agenda

Nil

Minutes of the previous meeting as circulated

Moved: Lou Ravenhorst, Debbie Funcke - That the minutes of the February 28<sup>th</sup> meeting be confirmed as a true and accurate record c/d

Business Arising:

- Mar 26: Peter rang Garry Salt re an updated toilet sign. Garry will organize a regulation sign for us. Garry will look for a key to the security system
- During an 8 day period in March we had 49 visitors. 27 visitors on Easter Sunday, Peter & Jenny on duty
- Before Easter we found a key for the security system. Peter rang Garry Salt & offered to source a battery.
- April 9: Peter purchased a battery for the security system (\$34.95) & installed it
- April 8&9: Gordon Reynolds, Geelong MG car club rang. He is now organizing their trip as Len Fox has died. The date has been changed to Friday, April 30

- April 8: Tony Balcombe (Trade Travel & Tours, Melbourne) rang to book a tour on Monday, May 17
- Helen Heinrich has purchased the folding table for catering. Thanks Helen
- June 10: Warracknabeal Men's Probus booked a tour & catering on June 10
- April 12: Meeting of our executive & Belinda to discuss starting our mural grant project
- April 13: Jenny picked the apples. A big crop. Apples placed in the craft shop for sale
- April 14: Jenny purchased curtain fabric from Spotlight in Ballarat. Enough for 3 windows (\$228.45)
- April 15: Jeff Woodward will be applying for an extension from Regional Arts Victoria for our mural project
- Catering successful on Monday April 19<sup>th</sup> Thanks Helen H, Sam, Peter and Jenny

#### Correspondence In (Emails)

- Mar 26&30, April 6&7: Brittany Lanyon (Trade Travel) to Peter re tour & catering on April 19
- April 1: Jeff Woodward to Peter re forwards from Regional Arts Victoria about mural grant
- April 9: Gordon Reynolds (Geelong MG club) to Jenny re tour & catering on April 30
- April 12: Helen Thomson (Manager Governance and Human Services, Hindmarsh Shire Council) to Peter re incorporation
- April 12: Gordon Reynolds to Peter & Jenny re visit on April 30
- April 12: Automatic email from Jeff re out of office until April 12
- April 15x2: Jeff to Jenny re mural project timeline & extension

#### Correspondence Out (Emails)

- Mar 30, April 6: Peter to Brittany Lanyon re tour & catering on April 19
- April 11&13: Peter to Gordon Reynolds re tour & catering on April 30
- April 12&15(x3): Jenny to Jeff re timeline & extension for mural project
- April 12: Peter to Helen Thomson re incorporation

#### Late Correspondence Out (Email)

- April 20, Peter to Brittany Lanyon re invoice for tour April 19<sup>th</sup>.

Moved: Sam Smith, Lou Ravenhorst – That the incoming correspondence be received and the outgoing endorsed. c/d

#### Reports

Financial



~ report from last meeting  
Opening balance at Feb 1<sup>st</sup> \$10,869.91  
Income \$0.00  
Expenses Power \$164.33  
Feather flags Reimbursement. \$318.39  
Closing balance at Feb 28<sup>th</sup> \$10,387.19

Moved: Sam Smith, Helen Fisher - That the financial report for February be received as a true and accurate record – c/d

~ this meeting's report  
Opening balance at March 1<sup>st</sup> \$10,387.19  
Income \$391.40  
Expenses \$24.75  
Closing balance at March 31<sup>st</sup> \$10,753.84  
Plus term deposit

Moved: Sam Smith, Helen Fisher - That the financial for report for March be received as a true and accurate record – c/d

Shire reports:

Jeff Woodward:

Ads were on Ch 9 "Visit Hindmarsh" pre Easter, will be rerun pre June School Holidays

Albacutya Silo has art has commenced

Project plans for Lou's and Arkona silos are being developed.

Master plans being developed for Rainbow caravan park, grants are being sought for cabins.

Cr Brett Ireland

Plans for swimming hole in Jeparit are being developed and extensions to caravan park, to be funded by discovery trail.

Jeparit – means home of small birds.

Town committee needs to be involved.

A caravan park caretaker for Rainbow will soon be appointed.

Moved Helen Fisher, Sam Smith - that the shire reports be received. c/d

General Business

- Incorporation? Advice from Helen Thomson (Hindmarsh Shire) suggests that incorporation of this committee is not appropriate.
- Selling orchard produce in other venues – Robyn and Lou have offered at the Motel as well as several other shops Amanda, Martin K, Gallery, etc

Helen Fisher is to distribute produce to outlets with a price list.

- Mural update & finances ~Belinda's quote adjusted – We need a formal updated quote as it is less area than originally quoted. New figure is

\$5500 including GST. Council should be able to cover the \$1000 shortfall from the maintenance budget. An extension in time should happen.

Moved Lou Ravenhorst, Sam Smith - that we fund the metal canvas so that the project can start. c/d

- Helpers for bookings?  
Friday April 30 (catering) MG Car Club 1:30 – 1:45 Sam, Peter, Jenny,  
Monday May 17 (tour only) Tony Balcombe, Jenny, Peter  
Thursday June 10 (catering x2) Warrack Men's Probus Helen, Jenny, Peter
- Duty for Mothers' Day May 9<sup>th</sup> – Sam Smith offered.
- Booking Orchard Pruner – Ask for a quote, book via Alison Ey.
- Motion to add Col and Debbie  
Moved. Lou Ravenhorst, Helen Fisher That we invite Debbie Funcke and Col Drendel to join the Yurunga committee. Peter is to notify the CEO via Shauna Johnson.

#### Bookings

Monday, April 19, 2021, Trade Travel, Studfield Wantirna Probus, 19 ppl & 2 crew for lunch & tour, 12.45pm arrival

Contact: Brittany Lanyon, Qld 1800 034 439c/d

Friday, April 30, 2021, Geelong MG car club, 54 ppl for tour in 3 groups & afternoon tea (sweet food only), 1.30-1.45pm arrival

Contact: Gordon Reynolds 0498 966 792

Monday, May 17, 2021, Trade Travel & Tours (Melbourne), about 20 ppl for tour only, 2pm arrival.

Contact: Tony Balcombe 0413 883 441

Thursday, June 10, 2021, Warracknabeal Men's Probus, 20 ppl for cuppa & bought biscuit at 9.30am, lunch & tour later (details to follow)

Contact: Geoff Lovell

Next Meeting: Thursday, May 27, 2021 at 10 Eddy St, Helen Fisher's residence.

If you have an idea or would like some action taken, please notify the Secretary or Chairperson so that it can go on the agenda for discussion at the meeting. If something comes up after the agenda goes out (usually a week before the meeting), it can be listed in additional items on the night.

Meeting Close. 8:47 pm



**MINUTES OF THE DIMBOOLA TOWN COMMITTEE MEETING HELD MONDAY  
5<sup>TH</sup> JULY 2021, ONLINE, COMMENCING AT 7.07 PM.**

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**AGENDA**

**1. Acknowledgement of the Indigenous Community**

**2. Apologies**

**3. Confirmation of Minutes**

**4. Disclosure by Committee members or Councillors or Council Officers of any interest or conflicts of interest in any item on the agenda**

**5. Finance report**

**6. Decisions to be made**

**7. Correspondence**

**8. General business as notified to the Chair**

**9. Urgent business**

**10. Meeting Closed**

**11. Council Officer Authorisation**

**Present:**

*Kaylene Pietsch (Committee Member), Amanda Ingeme (Committee Member), Jo Donnelly (Committee Member), Chan Ouy (Committee Member), Deb Nelson (Committee Member), Angela Hoy (Council Officer), Lou Catania (Member), David Kennett (Caravan Park)*

**1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER**

Chairperson opened the meeting at 7.07pm by acknowledging the Indigenous Community.

**2. APOLOGIES**

*Phil Colquhoun (Committee Member), Bill Eldridge (Committee Member), Rick Charlesworth (Member), Tony Schnieder (Committee Member), Wendy Bywaters (Councillor in Attendance), Sharyn Cook (Member), Maggie Bridgewater (Member)*

**3. CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

***That the Minutes of the DTC Committee Meeting held on Monday 7<sup>th</sup> June, 2021 Online Meeting as circulated to Councillors be taken as read and confirmed.***

**MOVED COMMITTEE MEMBERS:**

***That the Minutes of the DTC Committee Meeting held on 7<sup>th</sup> June, 2021 at the Dimboola Community Centre as circulated to Committee Members be taken as read and confirmed.***

***\*\* (As there were only 6 members attending the meeting out of 11 members, there was no Chorum) \*\****

*Attachment: 1*

**4. DISCLOSURE BY COMMITTEE MEMBERS OR COUNCILLORS OR COUNCIL OFFICERS OF ANY INTEREST OR CONFLICTS OF INTEREST IN ANY ITEM ON THE AGENDA**

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

**5. FINANCE REPORTS**

Financial Report was supplied by the Shire, but due to various discrepancies that still have not been adjusted, Angela Hoy suggested that the financial report not be accepted at this meeting.

It was noted that the \$7,000 that have been allocated to the Swimming Pool Advisory funds be shown with the Dimboola Town Committee Summary / Financial Report every month, as the Dimboola Town Committee are holding these funds on behalf of the

Dimboola Swimming Pool. KP to discuss the discrepancies etc with Heather from the Finance Department.

Jo Donnelly declared an invoice for \$99 + GST (\$109) from Dimboola Stockfeed be submitted to the Dimboola Town Committee. This was for a large esky on wheels that could be used for the "Welcome New Residents" event that was scheduled in May 2021. The event was then cancelled / postponed due to COVID Restrictions.

Jo Donnelly to submit Authorisation form to the Shire via Angela Hoy, accompanying these DTC Minutes.

## 6. DECISIONS TO BE MADE

The following decisions are recommendation to Council for endorsement:

**6.1 Reschedule of 2021 Welcome New Residents event for Dimboola – New Date to be set – see General Business item 8.6**

**HPV Event Grant – see 8.11 in General Business Minutes.**

## 7. CORRESPONDENCE

### 7.1 GENERAL CORRESPONDENCE

#### Introduction:

The following correspondence is tabled for noting by the Committee,

Inwards:

- Email from Angela Hoy re Shire contribution to the update of the Dimboola Signage coming in to town.
- Kaylene Pietsch received email re Budget Submission

Outwards:

- Letter to the Shire re extra \$'s required for the Dimboola Town Committee event to be held on 4<sup>th</sup> September 2021 to Launch the new book "The Wimmera", & the opening / launch of the new development of the Old Pub site Community space

#### **RECOMMENDATION:**

***That the Committee notes the attached correspondence.***

**MOVED: (No Chorum)**

***That the Committee notes the attached correspondence.***

**(No Chorum)**

## 8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR

### 8.1 Dimboola Sound Shell Update

It was discussed that we put on hold the plans for the Dimboola Town Committee to organize the refurbishment / extension of the Dimboola Sound Shell. It is hoped that there may be a Shire funding opportunity in the near future to replace the Dimboola Sound Shell, along with other dated Sound Shell's within the Shire. It was noted that all present at the meeting thought this is a good idea, rather than go ahead & spend \$'s refurbishing an old building, if there is an option to replace it with an improved practical building that is better suited to the purpose.

Jo Donnelly mentioned that there is some work that needs to be done to fix the

broken ceiling panels that have been kicked in. It was mentioned that this was due to someone hanging from the front metal structure, & swinging in & kicking up at the Ceiling. Apparently to solve this problem from happening again, the front area where they are hanging from could be covered in. Jo Donnelly to submit a work order for the Shire to fix it.

## **8.2 Update on Signage Lou Catania**

A picture of the progress of the entrance sign was emailed to all prior to the DTC meeting. Lou Catania reported that the signs for town are only a week or so away. A few more colours need to be added & an "Anti-Graffiti" paint to be applied as a top coat. The one on Horsham Road will be replaced first.

Chan Ouy noted that he has had feedback from both the public & locals, that we should have some signage up within our town acknowledging Sydney Nolan. It was discussed that maybe this could be included on the bottom section of the entrance sign Lou is working on. Also another thing that could be included could be the reference to the Hindmarsh Tourism website. Lou stated that this part of the sign could be detached & event signage hung in that position at certain times of the year for upcoming event information. Angela mentioned the use of "Sandwich Boards" could be an option for Event signage as well.

## **8.3 \$'s from the Shire to replace plants around town**

KP noted that she had been speaking to various volunteers around town that have been replacing dead plants / trees around town.

Previously, a \$ Value was allocated to DTC from the Hindmarsh Shire, for Jan Ballard to replace any plants around town that had died or disappeared.

The DTC would like to request the Hindmarsh Shire allocate approx \$1,000 to DTC, to cover some of these costs, but also to beautify the section of High Street from the Victoria Street intersection, up to the Round-about.

JD to submit a letter to the Hindmarsh Shire requesting \$1,000 be allocated to the DTC to beautify High Street section up to the Roundabout from Victoria Street.

(It was noted that any plants that the DTC plant, they would be responsible for (Watering / pruning ect)

## **8.4 Update on Storage for DTC**

KP followed up with Graincorp who own the Shed / building near the Powerhouse on the other side of the railway tracks for the DTC to use as their storage facility. KP submitted an Expression of Interest Form to Graincorp Head Office last month, & heard back from them today, saying that we would need to ensure that we have Insurance in place if we were to go ahead. We would then look at signing a lease with them at a minimal charge. Amanda to follow up with Phil Colquhoun re the value of the DTC Assets, so she can start getting insurance quotes.

JD asked the question re the CFA Building – with the CFA development on High Street beginning in the near future & the CFA relocating, would it be a possibility for the DTC to relocate & store our assets ect in the CFA Building. AH mentioned that the CFA own the building, but that it is built on Crown Land. JD to write a letter to CFA & the Shire relating an expression of interest for the DTC to utilize this space in the future, after

the CFA have relocated.

### **8.5 Update on Grainflow BBQ**

Phil Colquhoun has spoken to Ron Ismay about best time to bring the BBQ Trailer up to him to work on – but Ron has stated that he is actually very busy at the moment. It was discussed that we may hold off then until after the September event, as the Caravan Park may require it for the busy period in September for our Town Event

### **8.6 New Date for Welcome New Residents event**

Event that was scheduled for Friday 28<sup>th</sup> May was cancelled due to COVID Restrictions at short notice. It was discussed that Friday 23<sup>rd</sup> July could be a good Date. KP will check with the Dimboola Library staff tomorrow. If this works, JD will amend the flyers & get them out in the public again & send off to the schools ect. JD mentioned that the Welcome Packs are almost completed. KP will look at re-ordering the food & the entertainment.

### **8.7 Working Bee's to be scheduled**

JD spoke to Phil Colquhoun re him considering looking after organizing Working bees ect, along with Bill Eldridge and some of the other men on the DTC. Ladies will still be involved, but Phil & the guys to look after organizing the Working Bees. PC to confirm. Approx 10 seats need to be installed, prior to the Ag Show, as they will need to be moved out of the AMP Building shed before then. Priority is the seat / plaque for Ivan Pipcorn (between the Fishing Pontoon & the next seat closest to the Rowing Club). Also planting of replacement trees on the walking track near the Ticket box at Rec Reserve, and installation of other seats, including a Table/chair combo located at JD's. Also the Quarry dust / Scoria that has been delivered now to a site in the Common needs to be spread out around the Shelter up near the Weir (town side of the river)

### **8.8 Update on Old Pub Site Development**

JD advised that the construction of the Pub Site project will be starting very soon – just waiting on the approval for the Building Permit – hopefully this week. The opening of the block will be on the same night as “The Wimmera” Book launch on 4<sup>th</sup> September 2021. All Construction is being done off-site & will be brought in to town & erected very quickly.

### **8.9 Opening Event scheduled for 4<sup>th</sup> Sept 2021 for the launch of the “Wimmera” book, & official opening of the Old Pub site corner block development.**

JD explained that the “Wimmera” Book launch & Official opening of the Corner block community development event that is scheduled for 4<sup>th</sup> September will be organized under the umbrella of the DTC. All Shire forms paperwork was provided in a meeting last month with JD, CO, Shire representatives Steve Nicholzen & Aiden, & submitted that day. This included Risk Assessment forms, Road Closure forms, Serving of Alcohol forms, & Event information forms. JD, CO, Pru Cook then met with Monica Revel & Aiden later in the month to further discuss the event & a submission to the Shire for some extra funding of \$8,000 to help cover expenses for a Lighting/Building Projections, COVID expenses, Promotion Costs, Signage & Volunteer expenses. At the meeting it was discussed that a Sub Committee be formed

including the above & also Maggie Bridgewater with JD & CO representing the DTC. CO to then give a report every month to the DTC re progress.

CO submitted a draft of the event Poster & a sample Style of Poster to all attending prior to the meeting. The Dimboola Print museum will be printing these for the event. He gave a brief outline of the event and it's link into a "Steampunk" theme. Most aspects of the event will be Donated – including entertainment; so the event will be a free event – but there will be a \$ Donation (to be confirmed) for the Costume exhibition to be held in the old "store" owned by Neil & Rose – opposite IGA. All proceeds will be donated to the Royal Flying Doctors Service – as requested by the organizers of the exhibition. (It was discussed that some \$'s might also be directed towards "Rural Outreach" as well, who are very beneficial in our area. CO to pass this on to Maggie Bridgewater & the event organizers.

The poster submitted to everyone gives a broader outline of what will be included in the night.

It has been confirmed that the owners of the Star Theatre have given permission for Tracey Rigney's short film documentary re the Dimboola Hotel, be played in the Theatre in ½ hour interval's.

Also included in the event will be Food & refreshment Stalls / Vans, & it was discussed that if Alcohol is to be served, it is the supplier (Stall / Van holder) that needs to organize their own Liquor License.

Earlier in the meeting, David Kennett attended and stated that he is considering organizing a Wood Fired Pizza van & Movie night at the Dimboola Caravan Park on the night before the event (Friday 3<sup>rd</sup> Sept) for those that have travelled to town for the event. It was agreed that this would be a great idea & for him to pursue looking into it. Feedback to CO as event organizer.

JD acknowledged all the hard work & dedication CO has put in to this event & thanked him on behalf of the town & the DTC.

### **8.10 Future events at the Dimboola Library Community Hub**

JD & KP attended the official opening of the Dimboola Library Community Hub, & it was suggested that the DTC might use the public space for our monthly meetings. Monica Revel was in agreeance that we would just need to book the room & organize access with library staff prior to the meeting. It was decided that we will try this for our next meeting – pending COVID restrictions in place at that time.

### **8.11 HPV Event**

AH addressed the DTC re a \$400,000 funding opportunity that the Shire are wanting to submit to seal the tracks around the Dimboola Rec Reserve & install lighting for future HPV Events. The submission is a 1 in 4 funding request, with the Shire covering all the financial costs – but for the DTC to Host/Organize/Run the event.

DN stated that the HPV Events are not a Community Event as Dimboola has no representation in the event. None of our schools or sporting groups have teams submitted. Horsham schools usually attend / Compete, but otherwise the teams are from various other towns around the state & interstate.



It was noted that as the event is away from the town at the Rec Reserve, there is usually very little opportunities for tourism benefits, as they drive in on the day, attend the event, & leave on the day. It was noted that if the event was a 24 hour event or 12 hour event, then the opportunities would be greater, but would our town have sufficient facilities to accommodate these #'s. Prior occasions they stay in Horsham.

It was agreed by all at the DTC meeting (of which there was no Chorum) that, at such short notice, the DTC could not agree to organize / run the event. If we had more time to consider getting help from other interested parties from other towns that have a commitment to HPV events, then it could be considered – but the DTC could not make a decision prior to the Hindmarsh Shire Meeting to be held on Wednesday 7<sup>th</sup> July.

### 8.12 Senior Citizens Building

JD asked AH what was happening with the Dimboola Senior Citizens building, as it seems to now be closed. AH explained that the Dimboola Senior Citizens seems to have disbanded for the time being, and as such no longer use the facility. The Shire own the building, and will be looking for expressions of interest for future use of the facility.

## 9. URGENT BUSINESS

Nil

## 10. MEETING CLOSE

There being no further business Chair declared the meeting closed at 9.05pm.

## 11. COUNCIL OFFICER AUTHORISATION



I \_\_\_\_\_ accept the recommendations made by the Dimboola Town Committee in these minutes dated 5<sup>th</sup> July 2021 .

I \_\_\_\_\_ accept the recommendations made by the Dimboola Town Committee in these minutes dated 5<sup>th</sup> July 2021 apart from the following items



**MINUTES OF THE JEPARIT TOWNSHIP ADVISORY COMMITTEE MEETING  
HELD 12<sup>TH</sup> JULY 2021 AT THE JEPARIT FOOTBALL PAVILION, RECREATION  
CENTRE COMMENCING AT 7.30PM  
AGENDA**

- 1. Acknowledgement of the Indigenous Community**
- 2. Apologies**
- 3. Disclosure by Committee members or Councillors or Council Officers of any interest or conflicts of interest in any item on the agenda**
- 4. Confirmation of Minutes**
- 5. Business Arising from the Minutes**
- 6. Correspondence**
- 7. Events**
- 8. General business as notified to the Chair**
- 9. Councillor Report**
- 10. Officer Report**
- 11. Urgent business**
- 12. Finance report**
- 13. Decisions to be made**
- 14. Meeting Closed**
- 15. Council Officer Authorisation**

**Present:**

Councillor in Attendance: Mr. B. Ireland (HSC), Ms. J. Fritsch (HSC), Jason Hutson (Chair-CM), Cheryl Quinn (Secretary-CM), Terese. Smith 7.38PM (CM), Graham Blair (CM), Mel Wagener (CM), Tony Simpson (CM), Sharon Reilly 7.39pm (CM), Elizabeth Chivell, Bec Schultz and Duncan Colbron 7.45pm.

**1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER**

***Acknowledgement of the Indigenous Community***

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

**2. APOLOGIES**

Wendy Werner (CM)

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

- General conflict of interest; or
- Material conflict of interest

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

**4. CONFIRMATION OF MINUTES**

***RECOMMENDATION:***

***That the Minutes of the JTAC Committee Meeting held on 14<sup>th</sup> June 2021 at the Jeparit Football Pavilion, Recreation Centre, circulated to Committee Members be taken as read and confirmed.***

**Moved:** Graham Blair

**Seconded:** Tony Simpson

**CARRIED**

**5. BUSINESS ARISING FROM THE MINUTES**

**6. CORRESPONDENCE**

***INWARD:***

**6.1** B. Schultz – Expression of Interest on 15/6/2021

**6.2** S. Reilly – Host a BBQ Cure Cancer details on 15/6/21

**6.3** S86 Committee confirm Min of Meeting 14/6/21

**6.4** W. Werner re: Statutory Meeting information 16/6/21

**6.5** B.Ireland (HSC) Camp Kitchen Swimming Hole completion – 17/6/21

**6.6** Mr. C. Donahoo – Expression of Interest 20/6/21

- 6.7 Ms. J. Fritsch (HSC) Re: Motion for Council Approval on 7/7/21 of new members (May Meeting) on 22/6/21
- 6.8 Grampians Tourism on 24/6/21
- 6.9 Mr. J. Woodward (HSC) Jeparit Brochure update 1/7/21
- 6.10 G. Blair – Jeparit brochure updates
- 6.11 Ms. J. Fritsch (HSC) Financial statement 30/6/21 on 5/7/21
- 6.12 W. Werner additions to JTAC Agenda 5/7/21

**OUTWARD:**

- 6.13 L. Chivell response to late mail received: on 15/6/2021
- 6.14 Min of Meeting 14/6/21 sent to HSC on 15/6/21
- 6.15 Min of Meeting 10/5/21 sent to JTAC members 15/6/21
- 6.16 S. Reilly – Host a BBQ Cure Cancer details forwarded to T. Smith on 15/6/21
- 6.17 Agenda for meeting 14/6/21 to HSC & JTAC members 5/7/21
- 6.18 W. Werner Re: Statutory Meeting information forwarded 16/6/21
- 6.19 JTAC May Financials copy required 22/6/21
- 6.20 Grampians Tourism to JTAC members on 24/6/21
- 6.21 Mr. J. Woodward (HSC) Jeparit Brochure update to JTAC members 1/7/21
- 6.22 Werner additions to JTAC Agenda confirmation of same 5/7/21
- 6.23 Minutes, Agenda, Finance and Topics to JTAC Members 5/7/21
- 6.24 Minutes, Agenda, Finance and Topics to HSC 5/7/21

**RECOMMENDATION:**

That the Outward Correspondence be approved and the Inward Correspondence noted.

**Moved:** Graham Blair

**Seconded:** Teresa Smith

**Carried**

<b>7. EVENTS</b>
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<b>Event:</b>	<i>Easter Egg Hunt</i>	<b>Location:</b>	<i>Jaypex Park</i>	<b>Date</b>	<i>4 April 2021</i>
<i>Relevant documents</i>					
	<b>Responsibility</b>	<b>Due date</b>	<b>Status</b>		
<b>Risk assessment</b>					
<b>Food permit</b>					
<b>Local Law permit</b>					

<b>8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR</b>
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8.1 **Town signage** – No update (10/5/21)

8.2 **New Committee Members** - Approved by HSC at meeting 7<sup>th</sup> July 2021 S. Reilly & A (Tony). Simpson.

8.3 **Township outdoor seating** - Discussion regarding budget of \$16,000, quote received of \$14,000 plus installation costs. JTAC will need to contribute to any outstanding expenditure. (Buffer of funds which includes removal of older seating and storage).(14/6/21).

**8.4 Purchasing of Polo Shirts** - on hold until AGM in October for HSC meeting (14/6/21).

**8.5 Garden pod rubbish container** - Installed 09/07/2021.

**8.6 Request by Community member for volunteer work** as part of course being undertaken – Community member needs to contact HR at HSC.

**8.7 JTAC Logo (for letters) and Header (for emails)** - Phil King (HSC) continues to work on this. (14/6/21).

**8.8 New Member for Jeparit Town Advisory Committee**

**Moved:** Jason Hutson

**Seconded:** Sharon Reilly

That JTAC request Council to appoint Rebecca. Schultz as a Committee Member of the Jeparit Town Advisory Committee.

**CARRIED**

**8.9 Secretary – JTAC – Cheryl Quinn**

It was noted that Council's 07 July 2021 Minutes included Cheryl as a CM but not her role as Secretary.

It was agreed by the Committee to ask Council to note that Cheryl Quinn is the appointed Secretary for the Jeparit Town Advisory Committee.

**8.10 Mural for corrugated wall in Menzies Square** – Discussion included that regional arts funds are available – a bird suggestion estimated cost was \$13,000 in 2013. Further quotes to be obtained.

**8.11 Four Mile Beach** – Discussion included:

- Coin operated washing machine has been unusable for a number of years – Replacement required.
- Pressure washer that was stolen has not been replaced.
- Suggestion of seal on Camp kitchen flooring would enable ease of cleaning.

**8.12 HSC notification of repossession notices on properties in Jeparit for rate arrears** – Discussion held.

**8.13 River Environment Committee** – Wendy Werner has flagged re-establishing this Committee. Further discussion at next meeting when Wendy is present.

**8.14 Advisory Committee Membership** - As there is interest from Residents of Jeparit to join the JTAC, it has been ascertained that the maximum number of committee members is eleven, which includes the Councillor. It was noted however that members of the public may attend meetings on a regular basis with input but without voting rights.

**8.15 2021 AGM** - Jeparit Advisory Committee will hold their AGM in October to ensure their members are endorsed at the Council Statutory Meeting to be held in November. HSC will undertake the advertising of the AGM at the appropriate time.

**8.16 Events** - A reminder to be planning events for the end and early next year events.

**8.17** Changes to draft of Jeparit Township Brochure;

**A: Kumbala** Native Garden **to be removed totally.**

**B: Bowls:** please remove the word "**new**" prior to synthetic green, please remove "**Phone (03) 5397 2230**" replace with  
**For further information please contact [jeparitbowls@icloud.com](mailto:jeparitbowls@icloud.com).**

**C: "Cricket "** **Please remove totally.**

(West Wimmera Club spasmodically play cricket on the Jeparit grounds.

**D: Football and Netball** please change to read - The Jeparit/Rainbow Football & Netball Club operate from April – September each year. The STORM participate in the Horsham District Football/Netball League.

**E: Accomodation:** Please change

2<sup>nd</sup> paragraph please add Larrikins"Pub n Grub" call for bookings on 0499 883 776 – please remove :(Hopetoun House Hotel)".

**F:** Hindmarsh Hotel please change contact details by removing existing phone numbers and inserting. "The owner can be contacted on 0493 106 481"

**G:** Second paragraph please change to read Larrikins Pub n Grub on Roy Street .....

**H:** Calendar of Events please remove details of Open Garden Weekends

**9. COUNCILLOR REPORT**

**9.1** Mr. B. Ireland (C) discussed the following items in his report.

- Camp kitchen draft nearing community consultation which will be held in Jeparit at a 5.00pm time slot. It will consist of steps to a sanded beach area and costing around \$217,000 which does not include the Kitchen (separate funding). Commencement needs to begin within the next few months – planned completion December 2021.
- Funds are available through Covid Committee to assist projects to get back on track ie: Movie night suggestion.
- Rainbow Lake works have commenced. Tennis court and wc complex.
- Dimboola Steampunk Festival – 4<sup>th</sup> September (Street market & Community garden, book launch.)
- Discussion held over old engineers report on Wood Railway Bridge. Planned walk will not cross river.
- Antwerp will be a part of the Silo Art trail which will benefit Jeparit.

**10. OFFICER REPORT**

**11. URGENT BUSINESS**

**12. FINANCE REPORT**

**12.1 Summary of Balances in Finance Report.**

**RECOMMENDATION:**

That the Finance Report as provided with this Agenda be approved, subject to the following alteration:

"Unspent Funds - \$150.00 Roadshow Films"

as this is also presented in expenditure undertaken.

Recommendation too that dates on outstanding accounts be added.

**Moved:** Mel Wagener

**Seconded:** Tony Simpson

**CARRIED**

**12.2 Purchase Orders to be raised - \$2,000 or less – NIL.**

**12.3 Purchase Orders to be raised – Greater than \$2,000 – NIL.**

**13. DECISIONS TO BE MADE**

The following decisions are recommendations to Council for endorsement:

ITEM NO.	DESCRIPTION	DECISION
8.8	New Member for Jeparit Town Advisory Committee (JTAC)	That JTAC request Council to appoint Rebecca Schultz as a Committee Member of the Jeparit Town Advisory Committee.
8.9	JTAC – Cheryl Quinn as Secretary	That JTAC ask Council to note that Cheryl Quinn is the appointed Secretary for the Jeparit Town Advisory Committee.

**14. MEETING CLOSED**

The meeting closed at 9.15pm

**15. COUNCIL OFFICER AUTHORISATION**

I Janette Fritsch accept the following recommendations made by the Jeparit Town Advisory Committee at this meeting held 12/07/2021.

ITEM NO.	DESCRIPTION	DECISION
4	Confirmation of Minutes	That the Minutes as read, be confirmed.
6	Correspondence	That the Outward Correspondence be approved and the Inward Correspondence noted.
12.1	Finance Report	That the Finance Report as provided with this Agenda be approved, subject to the following alteration: “Unspent Funds - \$150.00 Roadshow Films” as this is also presented in expenditure undertaken. Recommendation too that dates on outstanding accounts be added.

I Janette Fritsch advise that the following items:

ITEM NO.	DESCRIPTION	DECISION
8.8	New Member for Jeparit Town Advisory Committee (JTAC)	That JTAC request Council to appoint Rebecca Schultz as a Committee Member of the Jeparit Town Advisory Committee.
8.9	JTAC – Cheryl Quinn – Appointed Secretary	That JTAC ask Council to note that Cheryl Quinn is the appointed Secretary for the Jeparit Town Advisory Committee.

- Need to be referred to a Council Meeting / CEO for a decision.

SIGNED: Council Officer Janette Fritsch

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

Dated: 26 July 2021





## MINUTES OF RAINBOW ADVISORY COMMITTEE

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### AGENDA

**Notice** is hereby given that a Rainbow Advisory Committee Extraordinary Meeting of the Hindmarsh Shire Council to be held by ZOOM on Monday 26<sup>th</sup> July 2021 at 7:30 – 8.15 pm

1. **Acknowledgement of the Indigenous Community**

2. **Apologies**

3. **Confirmation of Minutes**

4. **Disclosure by Committee members or Councillors or Council Officers of any interest or conflicts of interest in any item on the agenda**

5. **Finance report**

6. **Decisions to be made**

7. **Correspondence**

8. **General business as notified to the Chair**

9. **Urgent business**

10. **Meeting Closed**

11. **Council Officer Authorisation**

**Meeting held by Zoom**

**Logged on were:** Leonie Clarke (Chair), Greg Roberts, Alison Ey, Bill Hutson, Julie Mc Lean, Mayor Cr Ron Ismay

**Visiting:** Wayne Schulze (HMSC)

**1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER**

Chairperson opened the meeting at 7.30pm by acknowledging the Indigenous Community.

*We Acknowledge the Shire's Indigenous community as the first owners of this country.*

*We recognise the important ongoing role that indigenous people have in our community and pay our respects to their elders and people both living and past.*

**2. APOLOGIES**

**3. CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

**4. DISCLOSURE BY COMMITTEE MEMBERS OR COUNCILLORS OR COUNCIL OFFICERS OF ANY INTEREST OR CONFLICTS OF INTEREST IN ANY ITEM ON THE AGENDA**

- General; or
- Material

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

None Recorded

**5. FINANCE REPORTS**

Wayne Schulz finance report (HMSC)

**6. DECISIONS TO BE MADE**

**6.1** The Rainbow Town Committee seeks Council approval to wind up Enduro Working Group as a working group of the Rainbow Town Committee as they have become officially incorporated on 6<sup>th</sup> July 2021

**Moved:** Alison Ey / Greg Roberts - carried

**6.2** The Rainbow Town committee seek council approval to release the funds held by on behalf of the Enduro working Group being approximately \$26,625.04 at 15/07/21 as per Wayne Schulze financial report

**Moved:** Greg Roberts / Julie McLean - carried

Two members Ross Heinrich and Michael Sullivan indicated to Chairperson Leonie Clarke that they fully supported the two motions.

## 7. CORRESPONDENCE

**Outwards:**

**Inwards:**

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## 8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR

## 9. URGENT BUSINESS

**RECOMMENDATION:**

## 10. MEETING CLOSE

Chairperson thanked those members that participated in our first Zoom meeting and closed the meeting at 8:00 pm.

Next meeting scheduled for 2<sup>nd</sup> August 2021 subject to the Covid.

## 11. COUNCIL OFFICER AUTHORISATION:

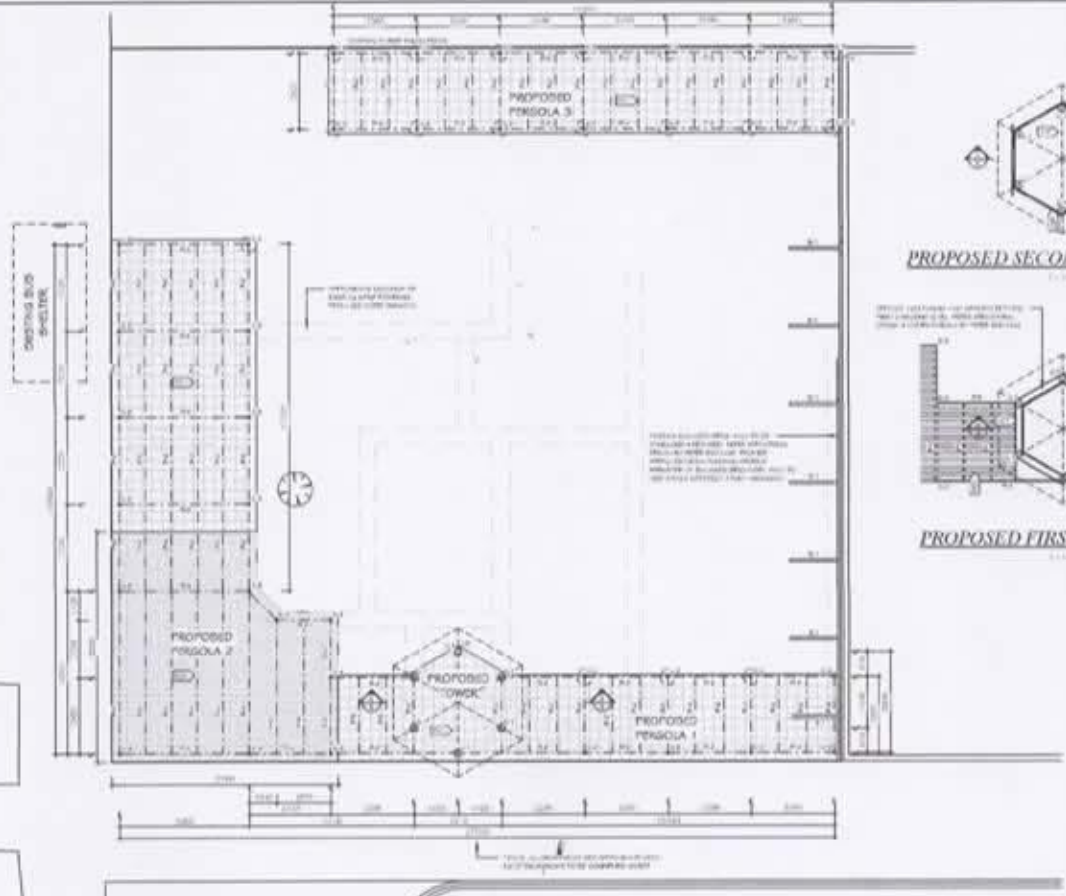
I WAYNE SCHULZE accept the recommendations made by the RTC Committee in these minutes dated 27<sup>th</sup> March 2021 apart from the following items which [require more information / do not align with the Hindmarsh Shire Council Plan / need to be referred to a Council meeting for a decision]:

- Item 6.1
- Item 6.2

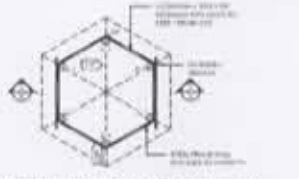




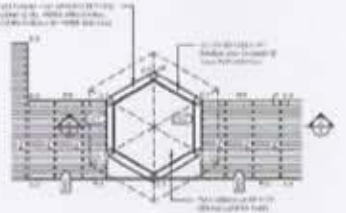
NO.	REVISION
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2	REVISED PERMITS
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**GENERAL NOTES**  
 1. REFER TO DIMBODOLA HOTEL & STRAITSIDE ART GALLERY PERMITS



**PROPOSED SECOND LEVEL PLAN**  
1:100



**PROPOSED FIRST LEVEL PLAN**  
1:100

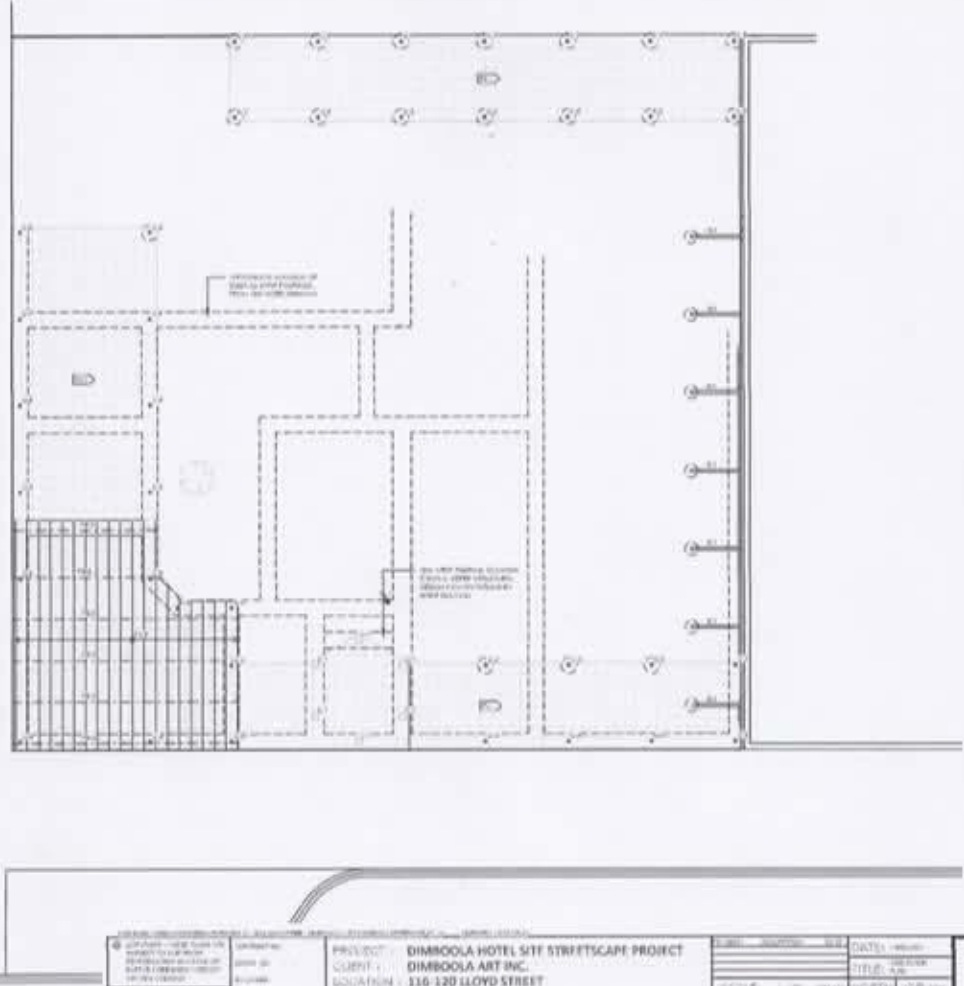
**PROPOSED GROUND FLOOR PLAN**  
1:100

PROJECT: DIMBODOLA HOTEL SITE STREETScape PROJECT CLIENT: DIMBODOLA ART INC. LOCATION: 116-120 LLOYD STREET DIMBODOLA VIC	DATE: 18/08/2024 DRAWING TITLE: 21-4516	<b>McKnight &amp; Bray</b> ARCHITECTS & REAL ESTATE DESIGN	116-120 LLOYD STREET DIMBODOLA VIC 3183 PH: 03 9499 1111 WWW.MCKNIGHTANDBRAY.COM.AU
	SCALE: 1:100 (GROUND FLOOR) SHEET NO.: 21-4516		

CONSTRUCTION ISSUE (FOR CONSTRUCTION)

LEGEND	
1	EXISTING CONCRETE SLAB
2	NEW CONCRETE SLAB
3	EXISTING CONCRETE WALL
4	NEW CONCRETE WALL
5	EXISTING CONCRETE COLUMN
6	NEW CONCRETE COLUMN
7	EXISTING CONCRETE BEAM
8	NEW CONCRETE BEAM
9	EXISTING CONCRETE FLOOR FINISH
10	NEW CONCRETE FLOOR FINISH
11	EXISTING CONCRETE CEILING FINISH
12	NEW CONCRETE CEILING FINISH
13	EXISTING CONCRETE ROOF FINISH
14	NEW CONCRETE ROOF FINISH
15	EXISTING CONCRETE CURB
16	NEW CONCRETE CURB
17	EXISTING CONCRETE KERB
18	NEW CONCRETE KERB
19	EXISTING CONCRETE DRIVE
20	NEW CONCRETE DRIVE
21	EXISTING CONCRETE PAVEMENT
22	NEW CONCRETE PAVEMENT
23	EXISTING CONCRETE SIDEWALK
24	NEW CONCRETE SIDEWALK
25	EXISTING CONCRETE CURB
26	NEW CONCRETE CURB
27	EXISTING CONCRETE KERB
28	NEW CONCRETE KERB
29	EXISTING CONCRETE DRIVE
30	NEW CONCRETE DRIVE
31	EXISTING CONCRETE PAVEMENT
32	NEW CONCRETE PAVEMENT
33	EXISTING CONCRETE SIDEWALK
34	NEW CONCRETE SIDEWALK
35	EXISTING CONCRETE CURB
36	NEW CONCRETE CURB
37	EXISTING CONCRETE KERB
38	NEW CONCRETE KERB
39	EXISTING CONCRETE DRIVE
40	NEW CONCRETE DRIVE
41	EXISTING CONCRETE PAVEMENT
42	NEW CONCRETE PAVEMENT
43	EXISTING CONCRETE SIDEWALK
44	NEW CONCRETE SIDEWALK
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McKnight & Bray  
 100 LLOYD STREET  
 DIMBOOLA VIC 3462  
 PH: 08 8662 1111  
 WWW.MCKNIGHTBRAY.COM.AU



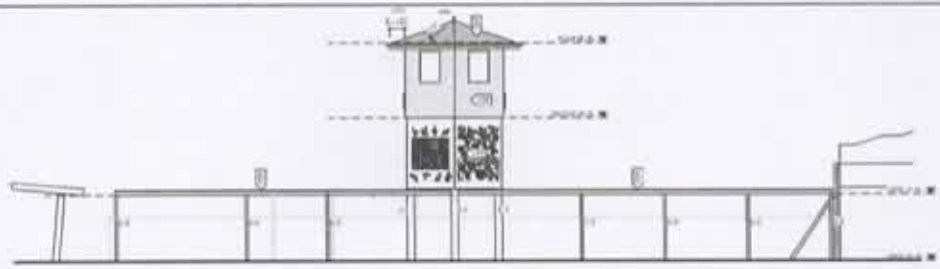
**SUBFLOOR PLAN**  
 1:100

PROJECT: DIMBOOLA HOTEL SITE STREETScape PROJECT CLIENT: DIMBOOLA ART INC. LOCATION: 116-120 LLOYD STREET DIMBOOLA VIC.	DATE: 18/08/2024 DRAWN: JAB TITLE: SUB	PROJECT NO: 21-4516 DRAWING NO: 1001
	SCALE: 1:100 (A3) SHEET NO: 1/1	

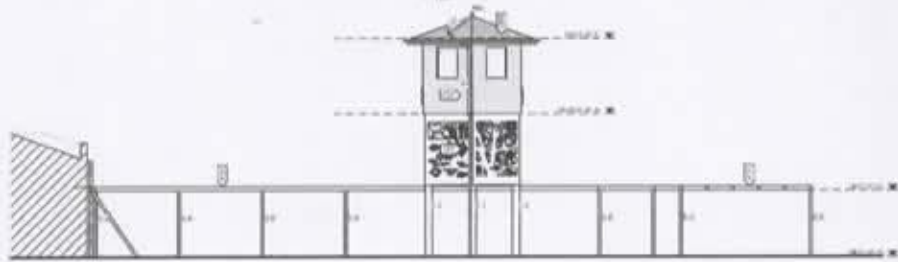
**McKnight & Bray**  
 ARCHITECTS & CIVIL ENGINEERS  
 100 LLOYD STREET  
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 PH: 08 8662 1111  
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CONSTRUCTION ISSUE (FOR CONSTRUCTION)

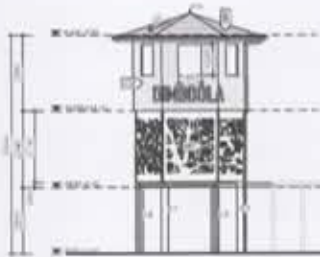
LEGEND	
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9	EXISTING TERRACE
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WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

PROJECT	
DIMBOOLA HOTEL SITE STREETScape PROJECT	
CLIENT	
DIMBOOLA ART INC.	
LOCATION	
110-120 LLOYD STREET DIMBOOLA VIC	
DATE	
TITLE	
SCALE	
SHEET No.	
DRAWING	
NORTH	JOB No
	21-4516
DESIGNER	
DRAWN	
CHECKED	
APPROVED	
PROJECT MANAGER	
MCKNIGHT & BRAY	
MCKNIGHT & BRAY ARCHITECTS DESIGN CITY LTD	
100/101 LLOYD STREET DIMBOOLA VIC 3462	
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CONSTRUCTION ISSUE (FOR CONSTRUCTION)





## Appendix 1: Schedule of Colours and Finishes

### **PERGOLAS:**

**Materials:** recycled timber from old Wimmera St bridge, treated pine joists, black steel columns which will with time undergoes the process of wet corrosion to form a porous brown iron oxide coating ( $Fe_3O_4 \cdot xH_2O$ ).

All pergola flooring to be paved – see below. There is one exception: the pergola at the corner of Lloyd St and Lochiel St, over the cellar. The flooring there will be recycled timber from old Wimmera St bridge

### **PAVING:**

Pavers are: Buildpro "Havenslab" 400 x 200 x 40 mm, colour: Port Blend



### **SEATING:**

Materials are red gum and railway iron

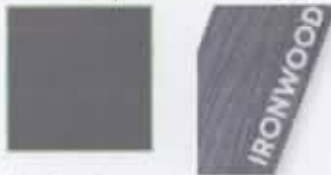
### **TOWER:**

Material for around the windows. (Note: Windows need pigeon proof wire and the roof needs a hook for the crane.)

As the top section of the tower around the windows can no longer be the decking from the bridge timbers a composite decking material that would not require regular oiling or other painting maintenance would be appropriate. A greyish colour would mimmick the silvered bridge timbers and contrast well with the rusted laser cut panels below it.

a. Ekodeck decking (**ironwood** colour) The dimensions for the decking are 137 x 23 x 5400mm. This has a thicker profile than the screening products from Ekodeck and requires centre to centre joist spacing of 450mm.

b. Ekodeck screening (**greystone** finish). The dimensions for the screening are 67 x 15 x 2700mm. This is narrower and has a thinner profile than the decking product and requires a maximum span of 900mm to prevent bowing.



Colour: **Greystone**

### **Colour of roof?**

Looking at old pictures of the Dimboola Hotel, it appeared to have a terracotta tiled roof. A similar colour in would be light weight and contrast well with the grey composite material underneath.

The colour chosen is TERRAIN.

Roof guttering is the colorbond colour NIGHTSKY.



### **Sign on Tower:**

The approximate size of the sign when put together would be 2600mm wide x 300mm high

Material: steel (same as steel used for laser cut panels)

Colour: the grey colour of the steel with time undergoes the process of wet corrosion to form a porous brown iron oxide coating ( $\text{Fe}_3\text{O}_4 \cdot x\text{H}_2\text{O}$ ).

*Artwork on Tower:*

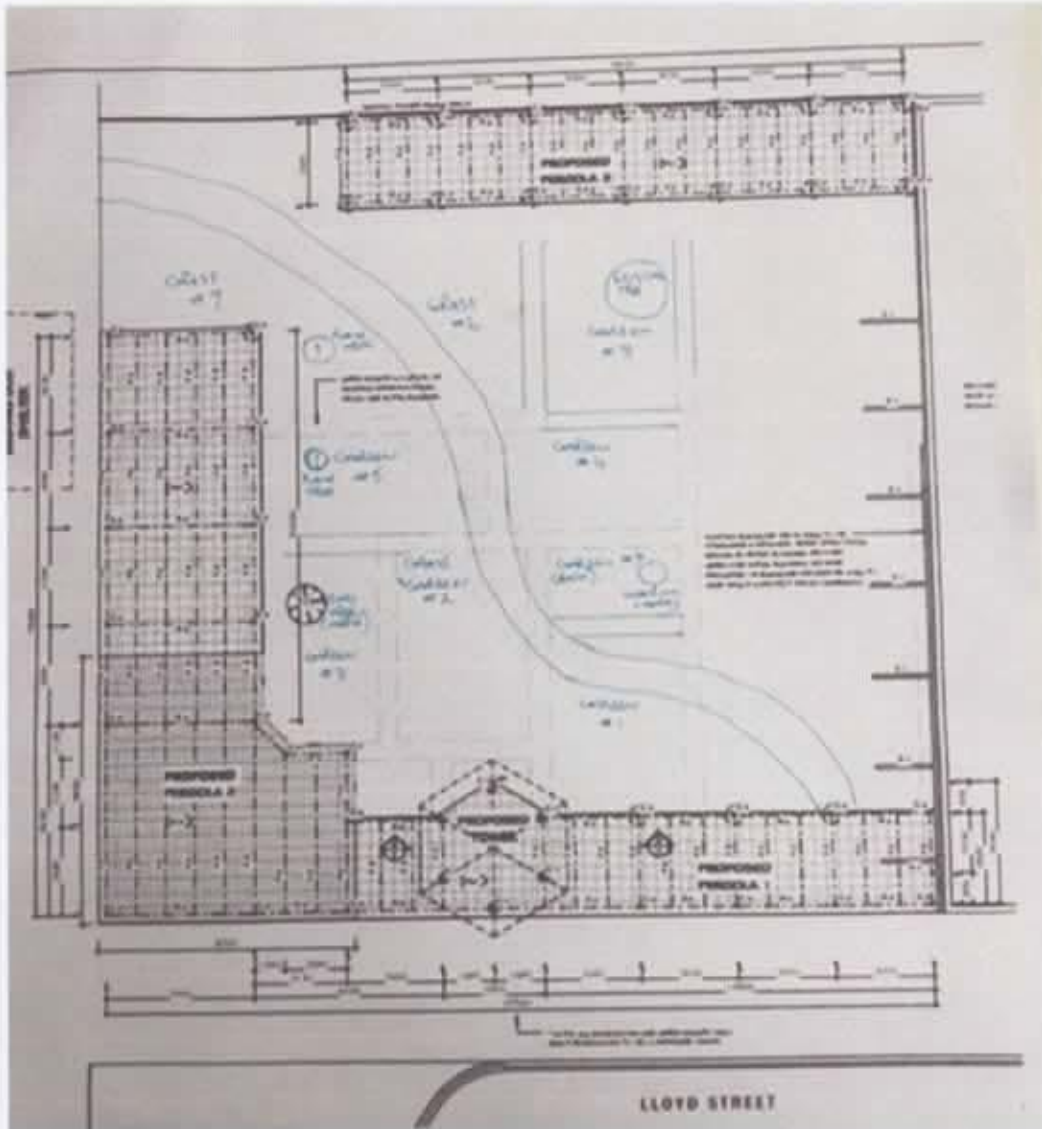
These are laser cut steel panels. The size of each of the 6 panels is 2 metres wide x 2.6 metres high

Colour: the grey colour of the steel with time undergoes the process of wet corrosion to form brown iron oxide coating ( $\text{Fe}_3\text{O}_4 \cdot x\text{H}_2\text{O}$ ).




Panel designs: see **Appendix 4: Artwork Panel Designs**

PA1633-2019 – AMENDMENT APPLICATION – LANDSCAPE PLAN

See excel attachments for species, locations and numbers



## Dimboola Corner Block Development - Landscape Plants

Symbol / #	ID	Qty	Common Name	Botanical Name	Height x Width @ Maturity	Pot Size	Source	Image	Room/s
1	Cw		White Correa	Correa alba	1.5 x 1.2	20	Wimmera Nursery		8
2	Cd		Dusky Bells	Correa "Dusky Bells"	0.5x 0.7	10	Wimmera Nursery		8
3	Cm		Mariens Marvel Correa	Correa "Marion's Marvel"	1.5 x 2.5		Wimmera Nursery		8
4	Cs		Succulent	Cotelydon "Silver Wave"	0.3 x 0.4	10	Locally		9
5	Cb		Cushion Bush	leucophyta brownli	0.6 x 0.6	10	Wimmera Nursery		5
6	Le		Lambs Ear	Stachys bizantina	0.15 x 0.5	14	Locally		5
7	Lg		Gold Lechenaultia	Lechenaultia formosa 'Eldorado'	0.4 x 0.4		Wimmera Nursery		2
8	Lb		Blue Lechenaultia	Lechenaultia formosa 'Biloba'	0.5 x 0.5		Wimmera Nursery		2
9	Nm		Native Mint	Prostanthera rotundifolia	2m x 1.5	Tube?	Wimmera Nursery		5
10	Td		Purple Tree Daisy	olearia phlogopappa	1.5 x 1		Wimmera Nursery		1
11	Gd		Golden Diosma	Coleonema Aureum	1.0 X 1.5		Wimmera Nursery		6
12	Pd		Pink Diosma	Coleonema pulchellum	1.0 x 1.5		Wimmera Nursery		7
13	Hp		Hebe Purple	Hebe Buxifolia	0.6 x 0.6		Wimmera Nursery		3
14	Hi		Hebe Lilac	Hebe Lilac Mist?	0.6 x 0.6		Wimmera Nursery		3
15	Rr		Rock Rose	Cistus Sunset Rock Rose	0.5 x 1.2		Wimmera Nursery		1
16	Srp		Swan River Pea	Gastrolobium celsianum	0.5 x 1.2		Wimmera Nursery		4
17	Wg		Coastal Rosemary	Westringia 'Glabra Cadabra'	1.2 x 1.2		Wimmera Nursery		1

## Dimboola Corner Block Development - Landscape Plants

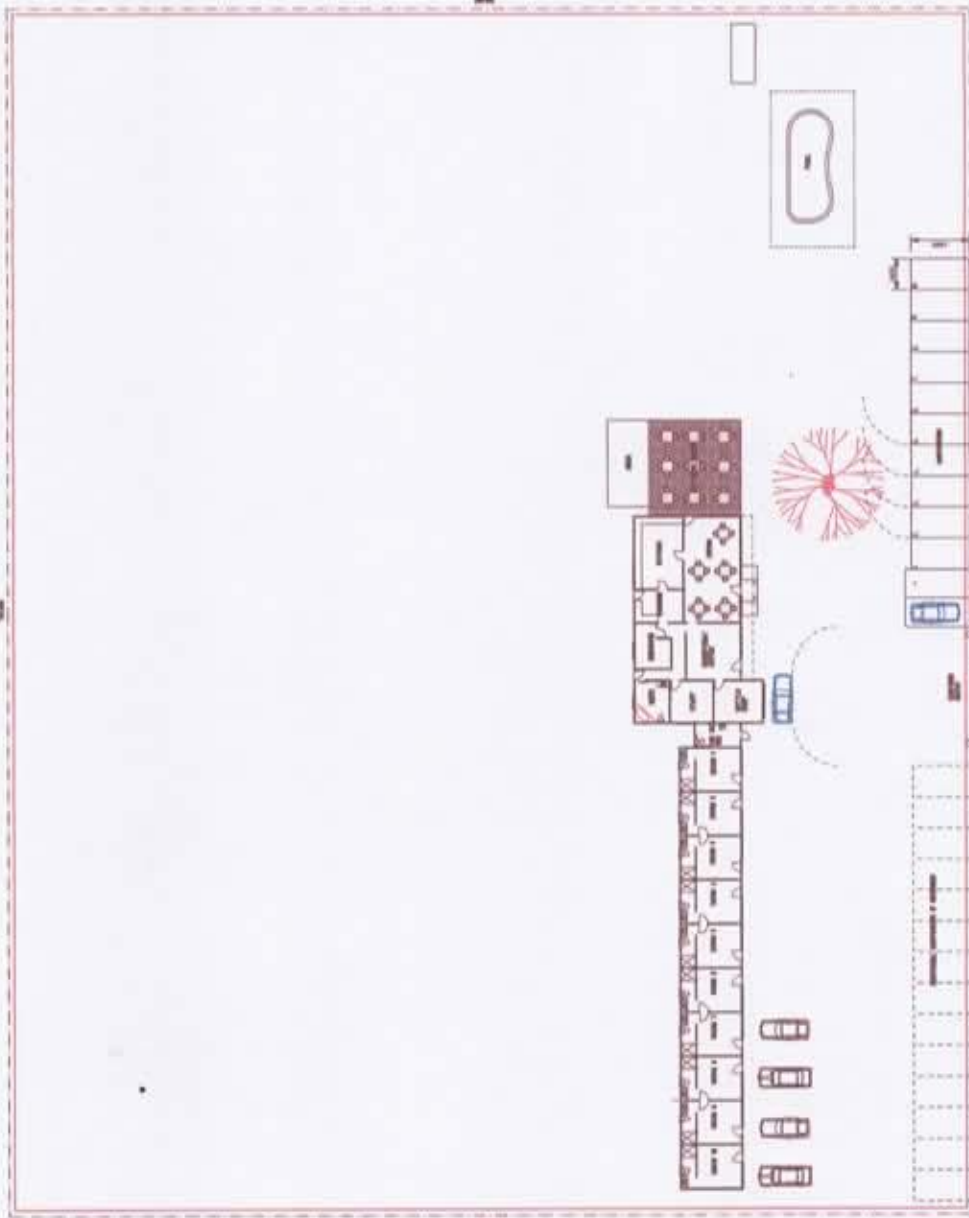
Symbol / #	ID	Qty	Common Name	Botanical Name	Height x Width @ Maturity	Pot Size	Source	Image	Room/s
18	Sc		Scarlet Kunzea	Kunzea baxteri	1.2 x 1.2		Wimmera Nursery		
19	Lt		Lemon Scented Tea Tree	Leptospermum petersonii	3m x 1.2		Wimmera Nursery		
20	Aw		Albany Wooly Bush	Adenanthos sericeus	1.5 x 1.5		Wimmera Nursery		5
21	Am		African Mellow (Lilac)	Anisodonteia capensis	1.5 x 1		Wimmera Nursery		1
22	Vp		Plumed Feather Flower	Verticordia plumosa purple	1.0 x 1.0		Wimmera Nursery		3
23	Mp		Creeping Boobialla (Pink)	Myoporum parvifolium	0.2 x 1.5		Wimmera Nursery		7
24	Dd		Dampiera (Purple)	Dampiera diversifolia	0.2 x 1.5		Wimmera Nursery		8, 9
25	Lj		Little John Bottlebrush	Callistemon Little John	0.7 x 0.7		Wimmera Nursery		4
26	Cq		One Sided Bottlebrush	Calothamnus quadrifidus dwarf	0.6 x 1.1		Wimmera Nursery		5
27	Kc		Kalbarri Carpet (Golf)	Eremophila glabra	0.2 x 1.5		Wimmera Nursery		1
28	Eb		Emu Bush	Eremophila Nivea	1.0 x 1.0		Wimmera Nursery		1
29	Gs		Grevillea Sea Spray	Grevillea preissii Green Seaspray	0.5 x 2.0		Wimmera Nursery		4, 6
30	Ck		Coprosma Karo Red	coprosma repens	1.0 x 0.8		Wimmera Nursery		
31	Nd		Dwarf Sacred Bamboo	nandina domestica nana	0.6 x 0.6		Wimmera Nursery		4
32	Gw		Geraldton Wax	Chamelaucium uncinatum	0.5 x 2.0		Wimmera Nursery		3
33	Li		Mat Rush	lomandra lime tuff	0.4 x 0.4		Wimmera Nursery		1, 4
34	Cp		Crowea	Crowea exalata compact purple	0.5 x 0.5		Wimmera Nursery		3

## Dimboola Corner Block Development - Landscape Plants

Symbol / #	ID	Qty	Common Name	Botanical Name	Height x Width @ Maturity	Pot Size	Source	Image	Room/s
35	Pf		Purple Fountain Grass	Pennisetum setaceum 'Rubrum'	0.6 x 0.6		Wimmera Nursery		7
36	Ct		Cockies Tongue	Templetonia Retusa	1.0 x 2.0		Wimmera Nursery		5
37	Bf		Blue Fescue Grass	Festuca Glauca	0.2 x 0.2		Wimmera Nursery		3, 6
38	Kp		Kangaroo Paws	Anigozanthos flavidus	0.5 x 0.2		Wimmera Nursery		
39	Dg		Fortnight Lilly	Dietes grandiflora	1.0 x 0.4		Wimmera Nursery		7
40	Go		Goodenia Prostate Hop	Goodenia ovata 'Prostrate'	0.3 x 1.0		Wimmera Nursery		9
41	Rf		Rice Flower	Ozothamnus diosmifolius	1.5 x 1.0		Wimmera Nursery		5
42	Wf		Wallflowers	Erysimum	0.4 x 0.8		Wimmera Nursery		8
43	Sv		Salvia Violet Profusion	Salvia Nemorosa	0.6 x 0.6		Locally		7
44	Sr		Salvia Red	Salvia Splendens	1.5 x 0.4		Locally		8
45	Lj		Lavander Javelin Forte	Lavander Javelin Forte Deep Purple	0.4 x 0.4		Locally		6, 8
46	IFT		Illawarra Flame Tree	Brahychilton acerifolius	12 x 8.0	100 x 3m high	Wimmera Native Nursery		5
47	Bc		Birthday Candles	Banksia "Birthday Candles"	0.3 x 1.0	14	Wimmera Nursery		4
48	Wc		Weeping Cherry	Prunus pendula	2m x 1.5		Wimmera Native Nursery		9
49	Mt		Mop Top	Robinia pseudoacacia 'Umbraculifera'	3m x 1.2		Wimmera Native Nursery		2
Grass			Grass						



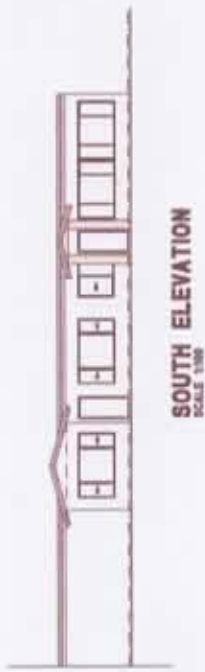




**NEW SITE PLAN**  
SCALE 1/8" = 1'-0"



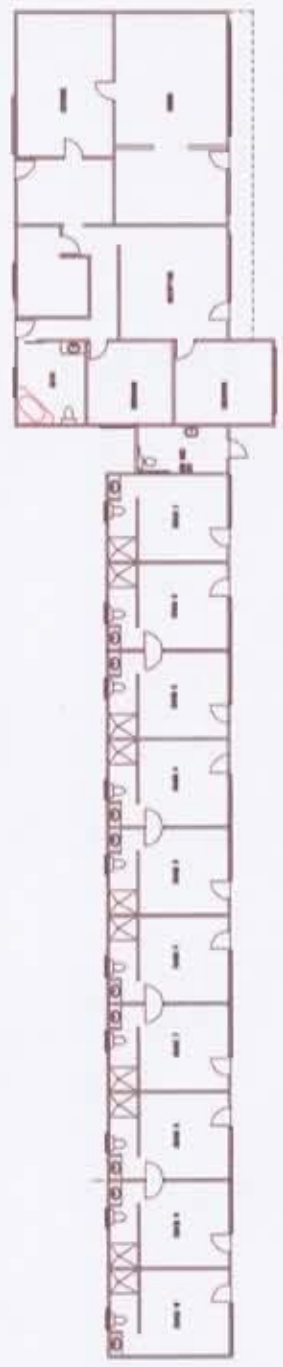
	<p>FOR THE PROPOSED NEW OUTDOOR SWIMMING POOL AT THE WESTERN HUNTER HILL RESORT AND GOLF COURSE &amp; VILLAGE TOWN</p>	<p>SITE PLAN NO. 021-0221 02-007</p>	
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**SOUTH ELEVATION**  
SCALE 1/8" = 1'-0"



**NEW SITE PLAN**  
SCALE 1/8" = 1'-0"



**EXISTING CONDITIONS PLAN  
DEMOLITION PLAN**  
SCALE 1/8" = 1'-0"

	<p><b>PROPOSED NEW BUILDING</b> OWNER JILL WETTER HENRY SABULTE MICRODOCKERS &amp; VENTURES, INC.</p>	<p><b>EXISTING CONDITIONS PLAN NEW FLOOR PLAN ELEVATION</b> DATE: 07-1-2021 DRAWN BY: JKH-026 CHECKED BY: JKH-026</p>	
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**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  
Centres**

**Jeparit**

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

**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

2 August 2021

Ms Lucy Stephan  
C/O Gus and Mandy Stephan  
55 Woorak-Ni Ni-Lorquon Road  
NHILL VIC 3418

Dear Lucy

**Re: Congratulations – Gold Medal at Tokyo Olympics 2020**

On behalf of Councillors and staff of Hindmarsh Shire Council, I would like to extend our sincere congratulations to you and your team mates on your fantastic achievement in winning the Gold Medal in the Women's Coxless Fours at the Olympic Games in Tokyo.

Wednesday 28 July 2021 will go down as one of Australia's finest days in Olympic history and for you to be a part of it is something that you, your team mates, family, supporters and the rest of Australia will be extremely proud of.

From growing up on the family farm at Nhill to being an Olympic Rowing Champion in 2021 is no mean feat and it is made even more remarkable when you take into consideration you didn't start rowing until attending school in Ballarat.

Not only did you and your crew win the Gold Medal, but the expression you showed when crossing the finishing line in front of The Netherlands was one of sheer joy, relief, excitement and a fitting finish to your Gold Medal performance.

Once again on behalf of Councillors and staff of Hindmarsh Shire Council, congratulations on your efforts to not only reach, but also to perform on the world's biggest sporting stage.

To row such a brilliant race and to win Gold was a magnificent reward for all of your hard work and the sacrifices you have made to reach achieve your goals.

Yours sincerely

Greg Wood  
**Chief Executive Officer**



**MINUTES OF THE DIMBOOLA TOWN COMMITTEE MEETING HELD MONDAY  
2<sup>ND</sup> AUGUST 2021, ONLINE, COMMENCING AT 7.07 PM.**

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**AGENDA**

**1. Acknowledgement of the Indigenous Community**

**2. Apologies**

**3. Confirmation of Minutes**

**4. Disclosure by Committee members or Councillors or Council Officers of any interest or conflicts of interest in any item on the agenda**

**5. Finance report**

**6. Decisions to be made**

**7. Correspondence**

**8. General business as notified to the Chair**

**9. Urgent business**

**10. Meeting Closed**

**11. Council Officer Authorisation**

**Present:**

*Kaylene Pietsch KP (Committee Member), Amanda Ingeme AI (Committee Member), Phil Colquhoun PC (Committee Member), Jo Donnelly JD (Committee Member), Chan Ouy CO (Committee Member), Angela Hoy AH (Council Officer), Lou Catania LC (Member), Tony Schnieder TS (Committee Member), Wendy Bywaters WB (Councillor in Attendance)*

**1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER**

Chairperson opened the meeting at 7.07pm by acknowledging the Indigenous Community.

**2. APOLOGIES**

*Bill Eldridge (Committee Member), Rick Charlesworth (Member), Deb Nelson (Committee Member), Sharyn Cook (Member)*

**MOVED: JD; 2<sup>nd</sup>: PC**

**3. CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

***That the Minutes of the DTC Committee Meeting held on Monday 5<sup>th</sup> July, 2021 Online Meeting as circulated to Councillors be taken as read and confirmed.***

**MOVED COMMITTEE MEMBERS: AI 2<sup>nd</sup>: CO**

***That the Minutes of the DTC Committee Meeting held on 7<sup>th</sup> June, 2021 at the Dimboola Community Centre as circulated to Committee Members be taken as read and confirmed.***

*Attachment: 1*

**4. DISCLOSURE BY COMMITTEE MEMBERS OR COUNCILLORS OR COUNCIL OFFICERS OF ANY INTEREST OR CONFLICTS OF INTEREST IN ANY ITEM ON THE AGENDA**

Angela Hoy (Council Officer), Wendy Bywaters (Councillor in Attendance) and Tony Schneider (Committee Member) all declared a conflict of interest relating to Article 8.7 Update on the Old Pub site development. It was agreed that Article 8.7 move to the end of the meeting to make it easier, being an On-line meeting.

**5. FINANCE REPORTS**

Financial Report was supplied by the Shire, forwarded to all in attendance. It was brought to everyone's attention that even though our financial report shows that we have access to \$33,694.00, the majority of these funds are for earmarked projects & approximately \$29,000 is allocated to the Soundshell upgrade. It was clarified that the \$60.50 that was deducted from our funds on 23/2/21 paid to VicRoads was the Registration of the DTC BBQ Trailer.

It was noted that as the DTC were “holding the funds” on behalf of the Swimming Pool re \$’s allocated to the Swimming Pool Advisory group for the Dimboola Swimming Pool, it was unclear what the balance was, and also expenditure. Tony Schneider requested that the Hindmarsh Shire forward the DTC a reconciliation of the funds, showing the balance in the account from the time the Advisory Council disbanded, all expenditure (itemised & dated), & the current balance.

**MOVED COMMITTEE MEMBERS: AI 2<sup>nd</sup>: JD**

## **6. DECISIONS TO BE MADE**

The following decisions are recommendation to Council for endorsement:

**8.8 Opening Event 4<sup>th</sup> Sept 2021, for the Wimmera Steampunk Event - \$ Expenditure by the DTC.**

## **7. CORRESPONDENCE**

### **7.1 GENERAL CORRESPONDENCE**

#### **Introduction:**

The following correspondence is tabled for noting by the Committee,

Inwards:

- Various correspondence between the Hindmarsh Shire & the DTC re the 4<sup>th</sup> September Steampunk Event.
- Letter from the Shire 8/7/21 re Event Funding Submission – excerpt:  
*Council will provide the Dimboola Town Committee with funding of \$2,000 from the Arts and Culture ledger. This will be made up of \$500 in-kind to cover Council expenses in relation to the event, along with \$1,500 cash contribution.  
Council has also allocated up to \$6,000 from the COVID recovery ledger to support the event should grant applications submitted for the event be unsuccessful.*

Outwards:

- KP Ended subscription to ZartMart – we no longer require & don’t have a Postbox any more.

#### **RECOMMENDATION:**

***That the Committee notes the attached correspondence.***

**MOVED: JD. 2<sup>nd</sup>: LC**

***That the Committee notes the attached correspondence.***

## **8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR**

### **8.1 Update on signage – Lou Catania**

Replacement Dimboola Entrance signs are ready to go. LC to liaise with PC about a time / date to put the new sign up. (TS stated that he has the bolts for the sign). It was discussed where the other duplicate sign should be erected on the Nhill Road entrance into town. AH stated that approval would need to be obtained from VicRoads

to erect it. We would need to look at the guidelines as to where signage can be placed (for easiest approval). It was noted that you don't require VicRoads approval if you are replacing an existing sign. LC stated that there was a duplicate entrance sign on this road (Location unsure) but it was pulled down by (VicRoads? / Shire?) when the road was recently upgraded. AH to follow up.

### **8.2 Update on Storage for DTC**

No further update. KP followed up with Graincorp, but they have not responded as yet.

### **8.3 Update on Grainflow BBQ**

KP stated that Ron Ismay is still very busy. It was asked if we would require it for the Dimboola Show, but we are unsure whether the Show will be going ahead. Once we have confirmation that the Show is not going ahead, PC will take trailer up to Ron Ismay.

### **8.4 \$'s from the Shire to replace plants around town**

As per minutes from last month, JD to submit a letter to the Hindmarsh Shire requesting \$1,000 be allocated to the DTC to beautify High Street section up to the Roundabout from Victoria Street. Plants would be low growing and Natives.

### **8.5 New Date for Welcome New Residents event**

Event that was scheduled for Friday 28<sup>th</sup> May was cancelled due to COVID Restrictions at short notice, then again for July – again cancelled. It was discussed that we will wait now until later in the year – once daylight saving has ended, and we can hold the event outdoors. It was discussed that we ideally use the new outside area at the new Library, but there are always other options. We will look at this at the next meeting.

### **8.6 Working Bee's to be scheduled**

PC has agreed to co-ordinate DTC Working bees etc, along with Bill Eldridge and some of the other men on the DTC. As per last month's minutes, jobs that need to be done are: Approx 10 seats need to be installed, prior to the Ag Show if it is still going ahead) as they will need to be moved out of the AMP Building shed before then. Priority is the seat / plaque for Ivan Pipcorn (between the Fishing Pontoon & the next seat closest to the Rowing Club). Also planting of replacement trees on the walking track near the Ticket box at Rec Reserve, and installation of other seats, including a Table/chair combo located at JD's. Also the Quarry dust / Scoria that has been delivered now to a site in the Common needs to be spread out around the Shelter up near the Weir (town side of the river)

It was agreed that we wait for the weather to be better – not so wet & cold.

It was also discussed that the holes for the installation of the seating / tables etc need to be bigger, as they might not be secure enough. Some may need to be redone. AH volunteered use of their diesel Hole Digger.

### **8.7 Update on Old Pub Site Development**

JD advised that the Planning Permit is going to Council on Wednesday this week, then hopefully we will have a Building Permit soon after. A temporary fence will be going around the block in the next few days & the Tower will be coming into town later

in the week (to be laid down on the block to start with & then once we have a building permit the footings can be laid for the tower then the tower can be erected. Max Bakers team will be doing the work for us. We are hoping that for the 4<sup>th</sup> September event we have the Tower up, & hopefully also some / all of the Pergola. We won't be doing any plantings prior to the event as they might be damaged with the crowd. The temporary fence that was on the block separating the block from the one behind fell down in the strong winds last week – but it will be replaced with the Pergola Supports and a fence will align in with that.

### **8.8 Opening Event scheduled for 4<sup>th</sup> Sept 2021 for the launch of the “Wimmera” book, & official opening of the Old Pub site corner block development.**

CO explained to DTC that at the moment, with the current COVID Restrictions, we are only allowed to have approx 300 people at our event. He explained that we cannot afford to work within these restrictions as we will be having people visiting for the event from all over Victoria & the Wimmera. We will wait until the notification from the Government around 10<sup>th</sup> August to see if the restrictions are lifted. If they are not lifted, and it is still the 300 limit, we will need to postpone the event until they are lifted to allow approx 1,000. CO has explained this to everyone involved in the event (Vendors, stall Holders, Musicians, etc). If everything can go ahead, CO has everything organised.

It was noted that there is very little expenditure at this stage as CO has secured most aspects at nil costs. Main expenditure will be Lighting / Projections onto the buildings etc at around \$8,000, but if the event doesn't go ahead, there is not loss to us. Their services will not be required at this stage. Other expenditure would take place once we know that the event is definitely going ahead. We have been notified by the Hindmarsh Shire that they will provide DTC \$2,000 from the Arts & Culture Ledger. This will be made up of \$500 in-kind to cover Council expenses in relation to the event, along with \$1,500 cash contribution.

Council has allocated up to \$6,000 from the COVID recovery ledger to support the event should grant applications submitted for the event be unsuccessful. Committee be formed including the above & also Maggie Bridgewater with JD & CO representing the DTC. CO to then give a report every month to the DTC re progress.

Pru Cook has been working with the team & put together a Prospectus (distributed to all in attendance) which allows people / Businesses / Groups to invest in the event. No \$'s will be invoiced for until 1 week prior to the event (we already have at least \$2,000 in donations).

Star Theatre & O'Shaughnessy's are being renovated to be utilised in the event.

Advertising Posters are being done through the Dimboola Print Museum.

JD brought to the DTC attention that we need to decide on what \$ Value we wish to commit to the event.

It was agreed that DTC resolve to agree to spend up to \$15,000.

So, DTC seek council approval to spend up to \$15,000 (excluding GST) on the upcoming Dimboola Steam Punk event on Saturday 4<sup>th</sup> September, 2021 to cover lighting, Covid Safe Materials, Advertising and any other incidentals, expenditure.



**MOVED: CO. 2<sup>nd</sup>: KP**

**8.9 Calling for Volunteers for 4<sup>th</sup> September event**

CO advised that we will require quite a few volunteers for the event. Some tasks that they would be required for would be to direct visitors across Lloyd Street to the Star Theatre where the screening of Tracy Rigneys Short film about Dimboola Hotel will be screening. WB suggested SES - & that the Nhill SES is very generous with volunteering. CO to approach both the Dimboola & the Nhill SES.

**8.10 Nutrien Ag Grant – up to \$5,000**

Not due until later in September – KP to follow up on further info

**8.11 Other Business**

PC noted that the Solar Lights on the Bridge in Dimboola still not working. JD to follow up with another work order request.

AL advised that there is an Ap “Send/Snap/Save” that apparently you take a photo of something in your town that needs attention, & it creates a work order to that Shire? – to look into.

**8.12 Next Meeting**

It was noted that the next meeting would be on the 6<sup>th</sup> September (after the 4<sup>th</sup> September event), so if the event is scheduled to go ahead – we will look at pulling the meeting forward a week to Monday 30<sup>th</sup> August to address anything that needs to be covered prior to the event.

**9. URGENT BUSINESS**

Nil

**10. MEETING CLOSE**

There being no further business Chair declared the meeting closed at 8.45pm.

**11. COUNCIL OFFICER AUTHORISATION**

I \_\_\_\_\_ accept the recommendations made by the Dimboola Town Committee in these minutes dated 2<sup>nd</sup> August 2021 .



I \_\_\_\_\_ accept the recommendations made by the Dimboola Town Committee in these minutes dated 2<sup>nd</sup> August apart from the following items:

- 8.8 - expenditure of \$15,000 for the launch of the “Wimmera” book, & official opening of the Old Pub site corner block development requires a Council Decision.