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MINUTES OF THE COUNCIL MEETING OF HINDMARSH SHIRE COUNCIL HELD 4 AUGUST 2021 AT THE NHILL MEMORIAL COMMUNITY CENTRE, 77-79 NELSON STREET NHILL, COMMENCING AT 3:00PM.

AGENDA

1. Acknowledgement of the Indigenous Community and Opening Prayer

2. Apologies

3. Declaration of Interests

4. Confirmation of Minutes

5. Public Question and Submission Time

6. Activity Reports

7. Correspondence

8. Planning Permit Reports

8.1 VicSmart Report and Planning Applications Approved Under CEO Delegation

8.2 Planning Permit Application PA1698-2020 – Development of Three Dwellings at the rear of the Existing Dwelling, Vegetation Removal, Construction of Fences and a Four Lot Subdivision at 32 Rockley Street, Nhill, VIC 3418

8.3 Planning Permit Application PA1721-2021 — Use of the Land to Sell Liquor under a Packaged Liquor Licence for Offsite Consumption - 49 Victoria Street Nhill VIC 3418

9. Reports Requiring a Decision

- 9.1 Draft Council Plan 2021-2025, Incorporating the Health and Wellbeing Plan, and Community Vision 2040
- 9.2 Domestic Animal Management Plan
- 9.3 Procurement Policy
- 9.4 Hindmarsh Shire Council Staff Delegations
- 9.5 Council Plan 2017-2021 Progress Report
- 9.6 Financial Report for the period ending 30 June 2021
- 9.7 Road Management Plan Review
- 9.8 Gazetting of Roads for B Double Use
- 9.9 Deviation of Antwerp-Woorak Road, Glenlee and Exchange of Land
- 9.10 Rainbow Rises Events Association
- 9.11 Sale of Discontinued Road in Whitton Street Dimboola

10. Council Committees

- 10.1 Yurunga Committee of Management
- 10.2 Dimboola Town Committee
- 10.3 Jeparit Town Committee
- 10.4 Rainbow Town Committee

11. Late Reports

- 11.1 Amended Application for Planning Permit PA633-2019 – Use and Development for a Place of Assembly - 116-120 Lloyd Street Dimboola VIC 3414
- 11.2 Planning Permit Application PA1715-2021 – Construct Buildings and Works for Alterations to the Existing Motel and for Use for an Ancillary Restaurant and a Bottle Shop and to Use the Land for the Sale and Consumption of Liquor at 7291 Western Highway, Nhill, VIC 3418

12. Notice of Motion

13. Other Business

14. Confidential Matters

- 14.1 Councillor Development

15. Meeting Closed

Crs R Ismay (Mayor), M Albrecht (Deputy Mayor), 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), Mr Jeff Woodward (Tourism and Economic Development Officer), Ms Helen Thomson (Manager Governance and Human Services) and Ms Janette Fritsch (Manager Development).

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

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

2. APOLOGIES

No apologies.

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

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.

Cr Bywaters declared a material conflict of interest in relation to item 9.9 as her land adjoins the land relevant to the decision.

4. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 7 July 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 7 July 2021 at the Nhill Memorial Community Centre as circulated to Councillors be taken as read and confirmed.

CARRIED

Attachment Number: 1

5. PUBLIC QUESTION AND SUBMISSION TIME

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

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

No public questions or submissions received.

6. ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: JULY 2021

Cr ISMAY, MAYOR

Date	Meeting	Location	Comments
01/07/2021	Opening of Dimboola Civic Hub	Dimboola	
05/07/2021	Rainbow Enduro Meeting	Rainbow	
07/07/2021	Briefing Meeting	Nhill	
	Council Meeting		

	Meeting with Humphreys Group	Microsoft Teams	
09/07/2021	Mayoral Gathering	Horsham	
14/07/2021	Planning / Vision Meeting	Nhill	
20/07/2021	WMT Meeting	Zoom	
21/07/2021	Facilitation Meeting	Zoom	

Cr ALBRECHT, DEPUTY MAYOR

Date	Meeting	Location	Comments
01/07/2021	Meet Dr Anne Webster	Nhill	Discussed advocacy of connectivity across Hindmarsh.
07/07/2021	Council Briefing	Nhill	
	Council Meeting		
08/07/2021	Wimmera Development Association Board Executive Committee Meeting	Nhill	Key business: review of draft budget.
13/07/2021	Wimmera Development Association Board Meeting	Zoom	Key business: Budget presentation.
14/07/2021	Council Plan & Council Vision – Councillor Development Session	Nhill	
14/07/2021	Hindmarsh Landcare Network	Dimboola	
19/07/2021	Nhill Town Committee	Zoom	Progression of key projects including Dog Park survey, upcoming events and Welcome to Nhill packs.
21/07/2021	Community Satisfaction Survey Results briefing session	Zoom	Explanation of the key findings and opportunities that were identified.
21/07/2021	Meeting with Mayor	Zoom	

Cr GERSCH

Date	Meeting	Location	Comments
01/07/2021	Dimboola Civic Hub Opening	Dimboola	
02/07/2021	Waste Meeting		
	Nhill Fire Brigade AGM		
07/07/2021	Council Briefing and Meeting	Nhill	
	Nhill Lake Committee AGM		
11/07/2021	Meeting re Truck Parking Glenferness Street		
12/07/2021	Meeting with EO		
13/07/2021	Personal Vaccination		
14/07/2021	Council Plan Update		
16/07/2021	Meeting with resident re draining issue		
23/07/2021	Wimmera Regional Roads Meeting	Zoom	
	RCV Board Meeting	Zoom	

Cr IRELAND

Date	Meeting	Location	Comments
01/07/2021	Opening of Dimboola Community Civic Hub by Dr Anne Webster MP	Dimboola	In the AM
	Community Consultation with Dr Anne Webster	Jeparit Supermarket	In the PM
07/07/2021	Council Briefing Meeting 1-3pm	Nhill	
	Council Meeting 3-5pm		
12/07/2021	Jeparit Town Committee Meeting 7-9:30pm		
15/07/2021	Yurunga Homestead Meeting 7:30-9:30pm	Rainbow	

Cr NELSON

Date	Meeting	Location	Comments
01/07/2021	Official Opening of Dimboola Community Civic Hub	Dimboola	
05/07/2021	Dimboola Town Committee Meeting		
07/07/2021	Briefing Meeting	Nhill	
	Council Meeting		
14/07/2021	Council Plan Meeting	Nhill	
20/07/2021	Wimmera Southern Mallee LLEN Finance Meeting		
21/07/2021	Community Satisfaction Survey Meeting		

Cr BYWATERS

Date	Meeting	Location	Comments
01/07/2021	Refurbished Old Dimboola Shire Hall Official Opening	Dimboola	
07/07/2021	Council Briefing and Council Meeting	Nhill	
14/07/2021	Meeting with Upper House MP Stuart Grimley about returning passenger rail to the Wimmera at the WDA offices	Horsham	

7. CORRESPONDENCE

7.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Attachment Numbers: 2 – 13 and 36

Introduction:

The following correspondence is tabled for noting by Council.

Inwards:

- 09/07/2021 – Letter to Mayor from Stuart Grimley MP regarding Victoria's Big Housing Build Program
- 12/07/2021 – Letter to Council from Anne Simms regarding Public Consultation of Road Gazetting of B Double Routes
- 13/07/2021 – Letter to Council from Carol Paech regarding Western Beach Road B Double Use and Road Management Plan 2021-2023
- 15/07/2021 – Letter to Council from Wendy Werner regarding Wimmera River Discovery Trail
- 19/07/2021 – Letter to CEO from Dr Anne Webster on behalf of Roy Dickinson regarding B Double Access on Local Roads in the Hindmarsh Shire
- 22/07/2021 – Letter to Mayor from Barengi Gadjin Land Council regarding Request to close Ebenezer Mission Road and Transfer of Ownership

Outwards:

- 08/07/2021 – Council Response to Dimboola Town Committee regarding Event Funding Submission
- 12/07/2021 – Letter of Congratulations from Council to John and Alex O'Halloran Dimboola Store
- 12/07/2021 – Letter of Congratulations from Council to Tori Lehmann and Linda Millane Dimboola Store
- 22/07/2021 – Council Response to Carol Paech regarding Western Beach Road B Double Use and Road Management Plan 2021-2023
- 22/07/2021 – Council Response to Anne Simms regarding B Double Use on Taverner Street, Rainbow
- 23/07/2021 – Council Response to Dr Anne Webster regarding Roy Dickinson's Request
- 02/08/2021 – Letter of Congratulations to Lucy Stephan regarding Gold Medal at Tokyo Olympics 2020

RECOMMENDATION:

That Council notes the attached correspondence.

MOVED: CRS M Albrecht/W Bywaters

That Council notes the attached correspondence.

CARRIED

Attachment Numbers: 2 – 13 and 36

8. PLANNING PERMITS

8.1 VICSMART REPORT AND PLANNING APPLICATIONS APPROVED UNDER CEO DELEGATION

Responsible Officer: Director Infrastructure Services

Introduction:

This report is presented to provide an update on VicSmart permits processed by Council for the period 01 April 2021 to 30 June 2021.

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

Discussion:

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

Key features of VicSmart include:

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

The table below lists the VicSmart permit that has been approved within this period.

Permit No.	Address	Proposal	Date Lodged	Trigger	Date approved	Statutory Days
VS1728-2021	24 Tarranyurk East Rd Tarranyurk	Development of an agricultural outbuilding	25/06/2021	Clause 35.07 – Farming Zone - A permit is required to construct a building within 100m of a waterway (Environmental Significance Overlay 2 – Channel) 59.13 (Vicsmart) - Buildings and works in a Rural Zone	30/06/2021	3

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

Permit No.	Address	Proposal	Date Lodged	Trigger	Date Approved	Statutory Days
PA1710-2021	2657 Dimboola-Rainbow Rd Rainbow	Development of an agricultural building (farm machinery shed)	19/03/2021	Clause 32.05 – Township Zone - Permit is required to construct Buildings and Works for Section 2 use & Clause 35.07 Farming Zone – A Permit is required as the minimum setbacks specified in 35.07 have not been met.	01/04/2021	12
PA1711-2021	748 McKenzie Rd Antwerp	Construction of workshop & machinery shed	22/03/2021	Clause 35.07 – Farming Zone for a building which is within 100m from a waterway. 42.01 – Environmental Significance Overlay 2 (Channel Protection) - To construct buildings and works.	15/04/2021	24
PA1705-2021	291 Lorquon Station Rd Netherby	Use and development of a second dwelling in the Farming Zone	28/01/2021	Clause 35.07 – Farming Zone. A Planning Permit is required for Use as a second dwelling	23/04/2021	6
PA1717-2021	2A Railway St Rainbow	Native vegetation removal – 2 large trees	19/05/2021	Clause 52.17 – Native Vegetation - A permit is required to remove vegetation if there is no exemption for the proposal	16/06/2021	28
PA1720-2021	2653 Dimboola-Rainbow Rd Tarranyurk	Construction of a new storage building and works and reduce the required number of car parking spaces	19/05/2021	Clause 35.07 (FZ) - A permit is required for Buildings and Works associated with a Section 2 use (being Trade Supplies in the Farming Zone) and also for a building (a) less than 100m from Road Zone Category 1 and (b) less than 100m from a dwelling not in the same ownership.	28/06/2021	31

Options

N/A

Link to Council Plan:

Strategic Objective 1.1

An actively engaged community.

Strategic Objective 2.1

Well-maintained physical assets and infrastructure to meet community and organisational needs.

Strategic Objective 3.1	A strong rural economy and thriving towns
Strategic Objective 4.2	Quality customer services
Strategic Objective 4.6	An organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation.

Financial Implications:

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

Risk Management Implications:

Risk is managed appropriately by adhering to the VicSmart process.

Conflict of Interest:

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

Author – Janette Fritsch, Manager Development

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

Officer Responsible – Angela Hoy, Director Infrastructure

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

Communications Strategy:

Nil

Next Steps:

Next Report to be provided October 2021.

RECOMMENDATION:

That Council notes the:

- *VicSmart permit issued; and*
- *Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 01 April 2021 to 30 June 2021.*

MOVED: CRS B Ireland/D Nelson

That Council notes the:

- *VicSmart permit issued; and*
- *Planning Applications approved under delegation by the Chief Executive Officer as listed above, for the period 01 April 2021 to 30 June 2021.*

CARRIED

8.2 PLANNING PERMIT APPLICATION PA1698-2020 – DEVELOPMENT OF THREE DWELLINGS AT THE REAR OF THE EXISTING DWELLING, VEGETATION REMOVAL, CONSTRUCTION OF FENCES AND A FOUR LOT SUBDIVISION AT 32 ROCKLEY STREET, NHILL, VIC 3418

Responsible Officer:	Director Infrastructure Services
File:	Planning – Applications
Assessment:	146960
Application No:	PA1698-2020
Applicant:	Wendy Azzopardi, Dreamworx Drafting and Design Pty Ltd
Owner:	Nicolas and Aisawan Morton
Subject land:	32 Rockley Street, Nhill, VIC 3418 (Lot 12 Section 25 Plan of Subdivision 008462)
Proposal:	Development of three dwellings at the rear of the existing dwelling, vegetation removal, construction of fences and a four lot subdivision
Zoning and Overlays:	General Residential Zone Schedule 1 Environmental Significance Overlay Schedule 6 <ul style="list-style-type: none">• Clause 32.08-3 - Subdivision• Clause 32.08-6 - Building and Works associated with construction of three dwellings• Clause 42.01-2 - Subdivision
Attachments:	14 - 16

Summary

This report recommends that Council approve Planning Permit PA1698-2020 for the development of three dwellings at the rear of the existing dwelling, vegetation removal, construction of fences and a four lot subdivision at 32 Rockley Street, Nhill VIC 3418 (Lot 12 Section 25 Plan of Subdivision 008462), subject to standard conditions.

Background

Planning Application PA1698-2020 was lodged with Council on 23 December 2020 for the development of two new single storey dwellings, retention of the existing dwelling and a three lot subdivision. The application was amended on 26 April 2021, 7 May 2021 and 12 May 2021 to propose the development of three new single storey dwellings, retention of the existing dwelling, the inclusion of vegetation removal and the construction of fences and a four lot subdivision.

Proposal

Subdivision

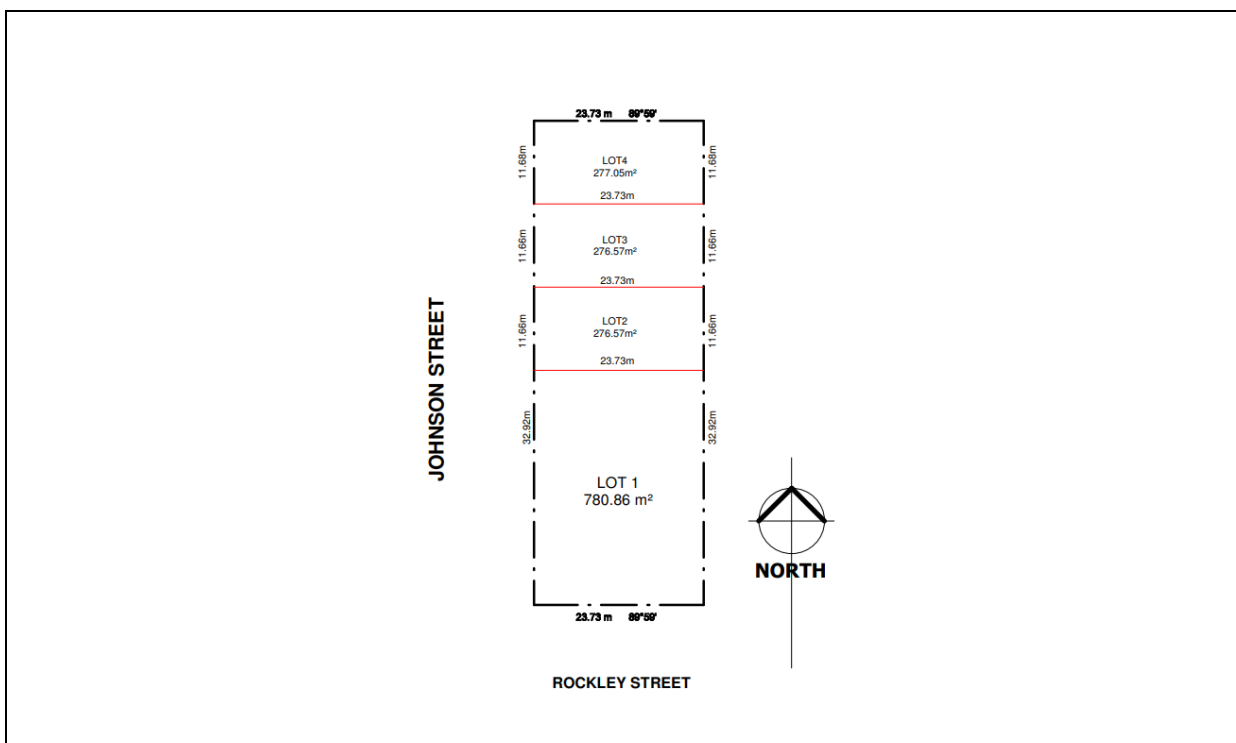
The application proposes the subdivision of the existing 1611m² site into a total of four

(4) lots, as follows:

- Lot 1 – 780.86m²
- Lot 2 – 276.57m²
- Lot 3 – 276.57m²
- Lot 4 – 277.05m²

Lot 1 will retain the existing dwelling and carport. Lot 2, Lot 3 and Lot 4 will each be developed with a single storey dwelling. The lots will be connected to the required services.

Proposed Plan of Subdivision below:



Development

Lot 1 - Existing dwelling

The existing single storey dwelling and adjacent carport will be retained. The existing dwelling will be setback 3.775 metres from the northern boundary of Lot 2. Vehicle access to Lot 1 will be from an existing single width vehicle crossover from Rockley Street.

Lot 2, Lot 3 and Lot 4 – new single storey dwelling on each lot

Lots 2, 3 and 4 will each be developed with a single storey detached dwelling setback 6.0 metres from the front walls of the dwellings to the western boundary along Johnston Street. The front porches of the dwellings will extend 1 metre forward of the front façades to be 5 metres from the title boundary with side setbacks of between 1.4 metres to 1.47 metres in between the dwellings and from the northern wall of Dwelling 3 and the northern boundary.

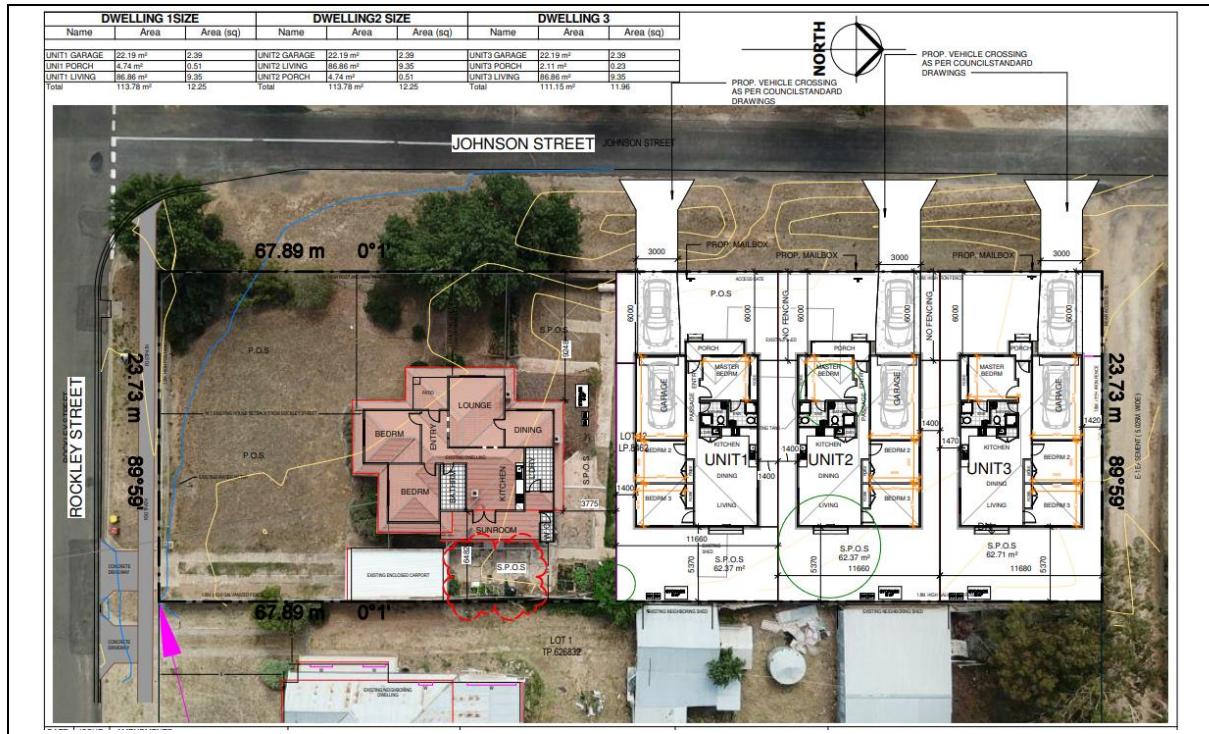
Each dwelling will be provided with three bedrooms, an open plan living, kitchen and meals area, bathrooms and laundry and a single garage with a tandem car space in accordance with the car parking requirements of Clause 52.06 Car Parking. Vehicle access to the three new dwellings on Lots 2, 3 and 4 will be from Johnson Street. Council's Engineers also require that each vehicle cross over has a minimum width of 3 metres as measured from the boundary of the respective lots.

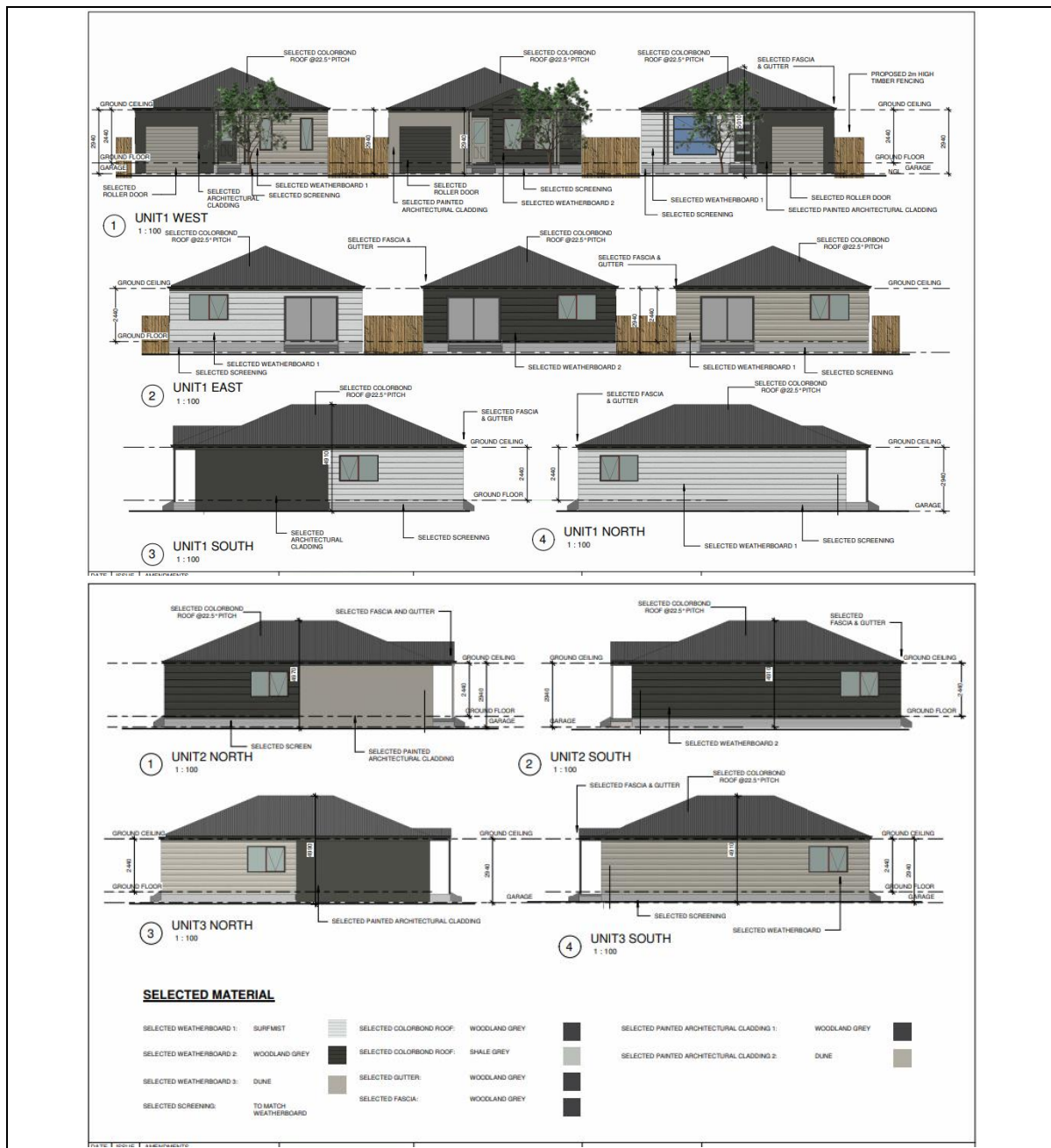
The application proposes the construction of new fences in between the four lots and in between the three new dwellings. There is existing vegetation to also be removed which consists of three existing trees in the rear yard of the site.

Demolition plan showing the trees to be removed below:



Proposed Ground Floor Plan and Elevations of the dwellings below:





Requirement for Permit:

The subject land is located within the General Residential Zone Schedule 1 and the Environmental Significance Overlay Schedule 6.

A planning permit is required to subdivide land under Clause 32.08-3 Subdivision of the General Residential Zone. A planning permit is also required under the Environmental Significance Overlay Schedule 6 for vegetation removal and construction of fences.

Subject Site and Locality

The subject site is located on the northern side of Rockley Street, Nhill and the eastern side of Johnston Street, Nhill. The site has a total area of approximately 1611m². The site contains a single storey weatherboard dwelling, a carport and a shed.

The site is within an established residential area within Nhill. The commercial centre of Nhill is located approximately 800 metres to the east of the site.

The adjacent property to the east at 30 Rockley Street is developed with a single storey weatherboard dwelling. A rear laneway and the rear yard of the adjoining property to the north at 193 Nelson Street adjoins the northern boundary of the site and is developed with a single storey detached dwelling and shed. To the west on the opposite side of Johnston Street is single storey detached dwelling and extensive vegetation. There are a variety of detached dwellings located on the southern side of Rockley Street on similar sized lots.

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 as the proposal is not within land affected by Aboriginal Cultural Heritage Sensitivity pursuant to the *Aboriginal Heritage Regulations 2018*.

Advertising

Section 52 Notice of Application

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- Sending notices to the owners and occupiers of the adjoining land.
- Placing two public notices on site, with one sign fronting Rockley Street and one sign fronting Johnston Street for a period of 14 days.
- The application being made available for public viewing on Council's website.

The notification has been carried out correctly by Council on behalf of the applicant.

Two submissions were received from neighbours in relation to queries about contributions to any future road upgrades, but written confirmation has been received from the submitters that they are not objecting to the application.

Council has therefore not received any objections to date.

Referrals

External Referrals

Section 55

Powercor Australia

The application was referred to Powercor Australia who advised:

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

GWM Water

The application was referred to GWM Water who advised:

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

Wimmera Catchment Management Authority (Wimmera CMA)

The application was referred to WCMA who advised:

- No objection. Note provided about potential flooding larger in height and extent than a 1% AEP flood may occur in the future.

Internal Referrals

The application was referred internally to the following Departments:

- Engineering – No objection to the development subject to conditions requiring:
 - Three new 3.0 metre wide single crossovers shall be constructed as per IDM-255 standard and at a location and of a size to the satisfaction of the Responsible Authority.
 - The existing culvert crossing in Johnston Street to be removed and drain re-installed to satisfaction of the Responsible Authority.
 - The vehicle crossings must be constructed at the applicant's expense to provide ingress and egress to the site to the satisfaction of the Responsible Authority.
 - A consent to works within road reserve permission is required prior to construction of each crossover.
 - Drainage to the western side of the property to the open table drain in the Johnston Street road reserve.

Planning Scheme:

Planning Scheme Requirements:

Municipal Planning Strategy (MPS)

Clause 02.02 Vision

Clause 02.03 Strategic Directions

Clause 02.03-1 Settlement and housing

Clause 02.03-2 Environmental and landscape values

Clause 02.03-3 Environmental risks and amenity

Clause 02.03-5 Building Environment and heritage

Council's strategic directions for built environment and heritage includes the need to:

- *Promote urban design and architecture that reflects the characteristics, aspirations and cultural identity of the community.*

Clause 02.04 Strategic Framework Plans

Nhill Framework Plan

Planning Policy Framework (PPF)

Clause 11.01-1S Settlement

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

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

Clause 11.02-1S Supply of urban land

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

Clause 15.01 Built Environment

Clause 15.01-2S Building Design objective is:

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

Clause 15.01-3S Subdivision design objective is:

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

Clause 15.01-4S Healthy neighbourhoods

Clause 15.01-5S Neighbourhood character

Clause 16.01 Residential Development

Clause 16.01-1S Housing Supply

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

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

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

Clause 19.03-3S Integrated water management objective is:

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

Planning Response:

The proposed subdivision and development of three single storey dwellings located in proximity to existing services and facilities is supported by the relevant planning policies in the MPS and PPF relating to Settlement, Built Environment, Housing, Infrastructure and Urban Development. The proposal will provide a range of housing and accommodation options and will allow infill development to be accommodated within the town, which is encouraged in Clauses 02.03-1 Settlement and housing.

Clause 32.08 – General Residential Zone

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

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

Clause 32.08-3 Subdivision

Permit requirement

A permit is required to subdivide land.

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

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

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

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

Permit requirement

A permit is required to:

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

This Clause requires applications under this provision to be assessed against the requirements of Clause 55. The application complies with the provisions of Clause 55 as detailed later in this report.

Planning Response:

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

An amended Demolition Plan is required to fully remove the existing smaller shed and the existing water tank that are not relocated anywhere on the development plans. An amended Landscape Plan is also required to ensure the three trees to be removed on the Demolition Plan are also shown to be removed on the Landscape Plan. A condition is required for amended plans to address the above issues.

A Section 173 Agreement is required to ensure that the permit holder/owner agrees to construct the proposed development in accordance with the plans endorsed to the permit before the subdivision is finalised, which can be addressed as a condition.

Clause 42.01 Environmental Significance Overlay Schedule 6 (ESO6)

42.01-2 Permit requirement

A permit is required to:

- Construct a fence if specified in a schedule to this overlay.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.

42.01-5 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and Planning Policy Framework.
- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay

Schedule 6 to the ESO – Catchments of Wetlands Conservation Value

3.0 Permit requirement (relevant to application)

A permit is required for:

- Vegetation removal
- Construction of a fence that may obstruct the flow of water

A permit is not required for:

- Construction of a building

Planning Response:

The application is consistent with the Municipal Planning Strategy and Planning Policy Framework as discussed above. The application complies with the environmental objectives of Schedule 6 of the ESO.

The demolition plan shows the existing vegetation to be removed consists of three planted trees, which are not significant species, and their removal will not affect the primary catchment area for the wetlands of conservation value within the surrounding area of Nhill. The landscape plan shows that two of the trees will be retained, which is an inconsistency and is impractical due to the location of new internal fencing between Lot 1 and Lot 2 and the location of the new dwellings. A condition is required to amend the landscape plan to show the existing trees will be removed to be consistent with the demolition plan.

The construction of the fences between the lots and in between the dwellings will not adversely impact on the flow of water into the water catchment within the area. The Wimmera CMA has also advised they have no objections to the proposal.

Particular Provisions

Clause 52.06 Car Parking

52.06-5 Number of car parking spaces required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

Table 1: Car parking requirement

<u>Use</u>	<u>Rate</u>	<u>Car Parking Measure</u>
Dwelling	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom)

Planning Response:

The four dwellings each have a single garage and space in front for a tandem car space to provide the two car spaces required for the dwellings to comply with this Clause.

Clause 53.01 Public Open Space Contribution and Subdivision

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*.

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

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

- *It is one of the following classes of subdivision:*
 - *Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.*
 - *Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building. It is for the purpose of excising land to be transferred*

to a public authority, council or a Minister for a utility installation. It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

Planning Response:

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

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

The application has been assessed against the requirements of Clause 55 and complies with the objectives and standards of the relevant Clauses.

Clause 55.02 Neighbourhood character

The existing single storey detached weatherboard dwelling is to be retained. The proposed construction of three single storey weatherboard dwellings is to the north of the existing dwelling. The three new dwellings will be oriented towards Johnston Street and share similar scale, setbacks and heights as the existing dwelling. The new dwellings will be setback a minimum of 5 metres for the porches and 6 metres for the front walls from Johnston Street. The front setbacks of the new dwellings will be landscaped.

Clause 55.03 Site Layout and Building Massing

The proposed dwellings will have lesser front and side setbacks than the existing dwelling, however, the building height and design features are in keeping with the scale and height of the existing dwelling. The landscape plan shows new planting of trees and shrubs for landscaping on the site.

Clause 55.04 Amenity Impacts

The proposed development will not cause any adverse amenity impacts on the adjoining properties. The development will not create overlooking or overshadowing issues. The three new dwellings will face towards existing sheds at the rear of the adjoining property to the east, so there are limited views into this property. The proposal will not impact on solar access to existing habitable room windows of dwellings on the neighbouring properties.

Clause 55.05 On Site Amenity and Facilities

The three new dwellings will be oriented toward Johnston Street. Private open space is located at the rear of each dwelling and faces east. The living areas and secluded private open space areas of the proposed dwellings generally have a north-eastern orientation.

Proposed Dwelling 1 has north and east facing living areas which results in good northern orientation. Proposed Dwelling 2 and 3 only have east facing living areas, which is not ideal but this is acceptable as there will be adequate exposure to northern sunlight in the secluded open space areas. Storage areas of 6m³ are provided for each dwelling in the rear private open space areas. Bin storage areas and letterbox areas are detailed on the plans.

Clause 55.06 Detailed Design

The design detail of the three new weatherboard dwellings is respectful of the existing neighbourhood character due to their single storey detached building form and hipped roof form.

Clause 56 – Residential Subdivision

The application has been assessed against the requirements of Clause 56 and complies with the relevant objectives and standards of the Clause.

The subdivision will respect the existing neighbourhood character (Standard C6) and is consistent with the relevant provisions of the Municipal Planning Strategy and the Planning Policy Framework. The subdivision achieves a good lot diversity for the overall area in compliance with Standard C7 (Lot diversity and distribution). All lots are oriented towards the street to comply with Standard C10 (Street orientation).

The new crossovers for access to the lots from Johnston Street will need to be 3.0 metres and constructed to IDM-255 standard to comply with Standard C21. The new crossovers must be constructed before the issue of a Statement of Compliance or before the occupation of the dwellings in accordance with Council's design standards. The construction of the crossovers to Council's design standards will be addressed as condition.

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

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

General Provisions

Clause 65 - Decision Guidelines

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

Clause 65.01 Approval of an application or plan (relevant to the application)

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

- *The matters set out in Section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*

Clause 65.02 Approval of an application to subdivide land

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

- *The suitability of the land for subdivision.*
- *The existing use and possible future development of the land and nearby land.*
- *The availability of subdivided land in the locality, and the need for the creation of further lots.*
- *The effect of development on the use or development of other land which has a common means of drainage.*
- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.*
- *The density of the proposed development.*
- *The area and dimensions of each lot in the subdivision.*
- *The layout of roads having regard to their function and relationship to existing roads.*

- *The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.*
- *The provision and location of reserves for public open space and other community facilities.*
- *The design and siting of buildings having regard to safety and the risk of spread of fire.*
- *The provision of off-street parking.*
- *The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.*

Planning Response:

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

The three new dwellings will contribute to the diversity of housing stock in Nhill. The proposed development and subdivision will not affect the environment and will not impact on the amenity of the area and facilitates the orderly planning of the area.

The subdivision and the area and dimension of the lots to be created are appropriate in conjunction with the proposed development. The density of the proposed development is reasonable within this residential area in Nhill. The subdivision will be connected to the required services, which will be included as conditions.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the Municipal Planning Strategy and Planning Policy Framework, the General Residential Zone and the Environmental Significance Overlay Schedule 2, Clause 52.06, Clause 55, Clause 56 and Clause 65 of the Hindmarsh Planning Scheme.

Report to Council:

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

Processing Times:

23/12/2020	Application lodged
25/01/2021	Fee received
04/02/2021	Further information requested
26/04/2021	Response to further information and amended plans received pursuant to Section 50 of the <i>Planning and Environment Act 1987</i>
07/05/2021	Further information email sent to the applicant
12/05/2021	Subsequent further information email sent to the applicant
12/05/2021	Response to further information and amended plans received pursuant to Section 50 of the <i>Planning and Environment Act 1987</i>
14/05/2021	Further information email sent to the applicant
14/05/2021	Response to further information and consent to amend the application received pursuant to Section 50 of the <i>Planning and Environment Act 1987</i>
20/05/2021	Public Notice instructions sent to applicant
25/05/2021	Applicant requested HSC undertake notification on their behalf
25/05/2021	Public notification commenced – letters sent
26/05/2021	Public notice – sign erected by Council on site
27/05/2021	Internal referrals to Engineering and Building sent
03/06/2021	External referrals sent
10/06/2021	Advertising period ends.
11/06/2021	Advertising fee paid to Council
22/06/2021	Responses all received to external and internal referrals
04/08/2021	Presented to Council for approval

The report is being presented to Council for approval at the meeting held 04 August 2021 (61 statutory days).

The statutory processing time requirements of the *Planning and Environment Act 1987* have not been satisfied in this instance.

Link to Council Plan:

Strategic Objective 3.1.6 Encourage investment in housing stock to address housing shortages.

Financial Implications:

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

Risk Management Implications:

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

Conflict of Interest:

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

Officer Responsible – Angela Hoy, Director Infrastructure Services

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

Author – Bernadine Pringle, Consultant Town Planner

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

Communications Strategy:

Advise the applicant of the Councils decision

Next Steps:

Issue planning permit and endorse the plans if approved by Council

RECOMMENDATION:

That Planning Permit PA1698-2020 be approved, to allow the Development of three dwellings at the rear of the existing dwelling, vegetation removal, construction of fences and a four lot subdivision at 32 Rockley Street, Nhill VIC 3418 (Lot 12 Section 25 Plan of Subdivision 008462), subject to the following conditions:

Amended Plans

- 1. Before the commencement of the development, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but amended to show:***
 - a) An amended Demolition Plan (TPO4) to fully remove the existing smaller shed and the existing water tank from the site.***
 - b) An amended Landscape Plan (TP11) to show all three trees to be removed to be consistent with the Demolition Plan (TPO4).***

Endorsed Plans

- 2. The location and design of the development as shown on the endorsed plans shall not be altered or modified, whether or not in order to comply with any statute or statutory rule or local law or any other reason without the written consent of the Responsible Authority.***

3. ***The layout and site dimensions of the subdivision hereby permitted, as shown on the endorsed plan/s, must not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plan/s.***

Section 173 Agreement or Construction of Dwellings to Occupancy Permit

4. ***Before the plan of subdivision is certified under the Subdivision Act 1988, the owner must either:***
 - a) ***Enter into an agreement with the responsible authority made pursuant to Section 173 of the Planning and Environment Act 1987 (the Act) and make application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the Act, which specifies that:***
 - i) ***The development of the lots will be constructed in accordance with the plans endorsed to Planning Permit PA1698-2020.***

The owner/operator must pay the reasonable costs of preparation, execution and registration of the Section 173 Agreement.

OR

- b) ***Provide evidence to the responsible authority that the approved dwellings have been constructed in accordance with the plans endorsed to Planning Permit PA1698-2020 and an occupancy permit has been issued.***

General Requirements

5. ***Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.***
6. ***All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.***
7. ***External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.***
8. ***The exterior colour and cladding of the buildings must be of a non-reflective nature and / or either painted or have a pre-painted finish in natural, muted toning (or such other colour as is approved by the Responsible Authority) to the satisfaction of the Responsible Authority.***

Landscaping

9. ***Before the occupation of the dwellings approved by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority.***
10. ***The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.***

Waste management

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

Engineering Conditions

Access/Vehicle Crossovers

12. ***Before the occupation of the dwellings approved by this permit, the existing culvert crossing in Johnston Street must be removed and the drain re-installed to the satisfaction of the Responsible Authority.***
13. ***Before the occupation of the dwellings approved by this permit, new crossovers must be constructed to each of Lot 2, Lot 3 and Lot 4 from Johnston Street to the satisfaction of the Responsible Authority.***
14. ***The crossovers must be constructed as per IDM- 255 standard and at a location and of a size to the satisfaction of the Responsible Authority.***
15. ***The vehicle crossovers must be constructed at the permit holder's expense to provide ingress and egress to the site to the satisfaction of the Responsible Authority.***

Drainage

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

Public Open Space Contribution for Subdivision

18. ***Before the issue of a Statement of Compliance under the Subdivision Act 1988, the permit holder must pay a Public Open Space Contribution to the***

Responsible Authority of 5% of the site value. Such payment will satisfy in full any Public Open Space requirement under the Planning Scheme. The payment must be made no less than seven (7) days before the issue of a Statement of Compliance for the subdivision.

Mandatory Telecommunications Conditions

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

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

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

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

Grampians Wimmera Mallee Water Conditions

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

22. The owner / applicant must install sewerage mains and associated works to individually serve each lot of the proposed development, at the owner's cost, in accordance with GMMWater's specifications and requirements.

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

- 24. The owner / applicant must disconnect the existing sewer for the existing house on the property and reconnect to a new point constructed within the new lot boundary.**
- 25. The owner / applicant must provide plans and estimates of all proposed sewerage works prior to commencement for GWMWater's approval.**
- 26. The owner/applicant must pay to GWMWater a fee of 3.25% of the total cost of construction (including design and supervision) for its review of design documentation and supervision of works. This fee relates to checking that the works are designed and constructed in accordance with GWMWater's requirements and does not relieve the developer from ensuring proper design and appropriate supervision.**
- 27. The owner/applicant must provide three metre wide easements in favour of GWMWater over all existing and proposed sewers located within private land.**
- 28. The owner/applicant must provide written notification of commencement of the works to enable GWMWater to organise inspections and coordinate with its staff.**
- 29. The owner/applicant must ensure all infrastructure is tested in accordance with the relevant WSA and GWMWater standards. This includes compaction and air pressure testing as directed by GWMWater.**
- 30. The owner/applicant must provide "as constructed" plans and a schedule of final asset costs at the level identified in GWMWater's asset register for all water and sewerage works upon completion.**
- 31. The plan of subdivision submitted for certification must be referred to GWMWater in accordance with Section 8 of the Subdivision Act.**
- 32. The owner / applicant must provide GWMWater with an updated drainage plan for each lot submitted by a qualified plumber.**
- 33. The owner / applicant must ensure any existing water or sewer services and GWMWater assets made redundant by this development are abandoned, at the owner's cost, in accordance with GWMWater's standards.**

Powercor Australia Conditions

- 34. The letter dated 4 June 2021 shall be supplied to the applicant in its entirety.**
- 35. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.**

36. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributors requirements and standards.

Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

37. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

Development Expiry

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

- a) **The development is not started within two years of the date of this permit**
- b) **The development is not completed within four years of the date of this permit.**

In accordance with Section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

Subdivision Expiry

39. The subdivision will expire if:

- a) **The plan of subdivision is not certified within two (2) years of the date of this permit.**
- b) **The registration of the subdivision is not completed within five (5) years of the date of certification of the plan of subdivision.**

In accordance with Section 69 of the Planning and Environment Act 1987, 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 of the permit expiry date.

Notes:

Building

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

Planning

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

Engineering

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

Powercor

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

Wimmera CMA

- ***The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent, than the 1% AEP flood, may occur in the future.***
- ***Should you require further information please contact Wimmera CMA Floodplain Officer, on (03) 5382 1544. To assist Wimmera CMA in handling any enquiries please quote WCMA-F-2021-00115 in your correspondence with us.***

MOVED: CRS R Gersch/D Nelson

That Planning Permit PA1698-2020 be approved, to allow the Development of three dwellings at the rear of the existing dwelling, vegetation removal, construction of fences and a four lot subdivision at 32 Rockley Street, Nhill VIC 3418 (Lot 12 Section 25 Plan of Subdivision 008462), subject to the following conditions:

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 - a) ***An amended Demolition Plan (TPO4) to fully remove the existing smaller shed and the existing water tank from the site.***
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Endorsed Plans

2. ***The location and design of the development as shown on the endorsed plans shall not be altered or modified, whether or not in order to comply with any statute or statutory rule or local law or any other reason without the written consent of the Responsible Authority.***
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Drainage

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

Public Open Space Contribution for Subdivision

- 18. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the permit holder must pay a Public Open Space Contribution to the Responsible Authority of 5% of the site value. Such payment will satisfy in full any Public Open Space requirement under the Planning Scheme. The payment must be made no less than seven (7) days before the issue of a Statement of Compliance for the subdivision.**

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Grampians Wimmera Mallee Water Conditions

21. *The owner / applicant must provide individually metered water services to each lot in accordance with GMMWater's requirements.*
22. *The owner / applicant must install sewerage mains and associated works to individually serve each lot of the proposed development, at the owner's cost, in accordance with GMMWater's specifications and requirements.*
23. *The owner / applicant must provide individual sewer services to each lot in accordance with GMMWater's requirements.*
24. *The owner / applicant must disconnect the existing sewer for the existing house on the property and reconnect to a new point constructed within the new lot boundary.*
25. *The owner / applicant must provide plans and estimates of all proposed sewerage works prior to commencement for GMMWater's approval.*
26. *The owner/applicant must pay to GMMWater a fee of 3.25% of the total cost of construction (including design and supervision) for its review of design documentation and supervision of works. This fee relates to checking that the works are designed and constructed in accordance with GMMWater's requirements and does not relieve the developer from ensuring proper design and appropriate supervision.*
27. *The owner/applicant must provide three metre wide easements in favour of GMMWater over all existing and proposed sewers located within private land.*
28. *The owner/applicant must provide written notification of commencement of the works to enable GMMWater to organise inspections and coordinate with its staff.*

- 29. The owner/applicant must ensure all infrastructure is tested in accordance with the relevant WSA and GWMWater standards. This includes compaction and air pressure testing as directed by GWMWater.**
- 30. The owner/applicant must provide “as constructed” plans and a schedule of final asset costs at the level identified in GWMWater’s asset register for all water and sewerage works upon completion.**
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Powercor Australia Conditions

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- 36. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributors requirements and standards.**
Notes: Extension, augmentation or rearrangement of the Distributor’s electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
- 37. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).**
Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

Development Expiry

- 38. This permit will expire if one of the following circumstances applies:**
 - a) The development is not started within two years of the date of this permit**
 - b) The development is not completed within four years of the date of this permit.**

In accordance with Section 69 of the Planning and Environment Act 1987, the

responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

Subdivision Expiry

39. The subdivision will expire if:

- a) *The plan of subdivision is not certified within two (2) years of the date of this permit.*
- b) *The registration of the subdivision is not completed within five (5) years of the date of certification of the plan of subdivision.*

In accordance with Section 69 of the Planning and Environment Act 1987, 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 of the permit expiry date.

Notes:

Building

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

Planning

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

Engineering

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

Powercor

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

Wimmera CMA

- ***The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent, than the 1% AEP flood, may occur in the future.***
- ***Should you require further information please contact Wimmera CMA Floodplain Officer, on (03) 5382 1544. To assist Wimmera CMA in handling any enquiries please quote WCMA-F-2021-00115 in your correspondence with us.***

CARRIED

Attachment Numbers: 14 - 16

8.3 PLANNING PERMIT APPLICATION PA1721-2021 — USE OF THE LAND TO SELL LIQUOR UNDER A PACKAGED LIQUOR LICENCE FOR OFFSITE CONSUMPTION - 49 VICTORIA STREET NHILL VIC 3418

Responsible Officer: Director Infrastructure Services
File: Planning – Applications – PA1721-2021
Assessment: 130400
Applicant: Mr Robin Barber (Building Design Consultant)
Owner: Mrs Zeenath Kottakuth
Subject Land: 49 Victoria Street, Nhill VIC 3418
Proposal: Use of the land to sell liquor under a packaged liquor licence for offsite consumption
Zoning & Overlays: Commercial 1 Zone (C1Z)
Environmental Significance Overlay - Schedule 6 (ESO6)
Attachment Number: 17

Summary:

This report recommends that Council approve Planning Permit PA1721-2021 for the use of the land to sell liquor under a packaged liquor license for offsite consumption at 49 Victoria Street, Nhill 3418, formally described as Lot 1 on LP15179 (refer to figure 1). The current use is as a grocery store (named “Nhill Mart”) that specialises in Indian produce offering Indian spices, soft drinks, fresh fruits and vegetables and frozen fruits and

vegetables, canned food, dairy products, chips, baked items, and cigarettes for sale to the general public. There is no change sought to the current use.

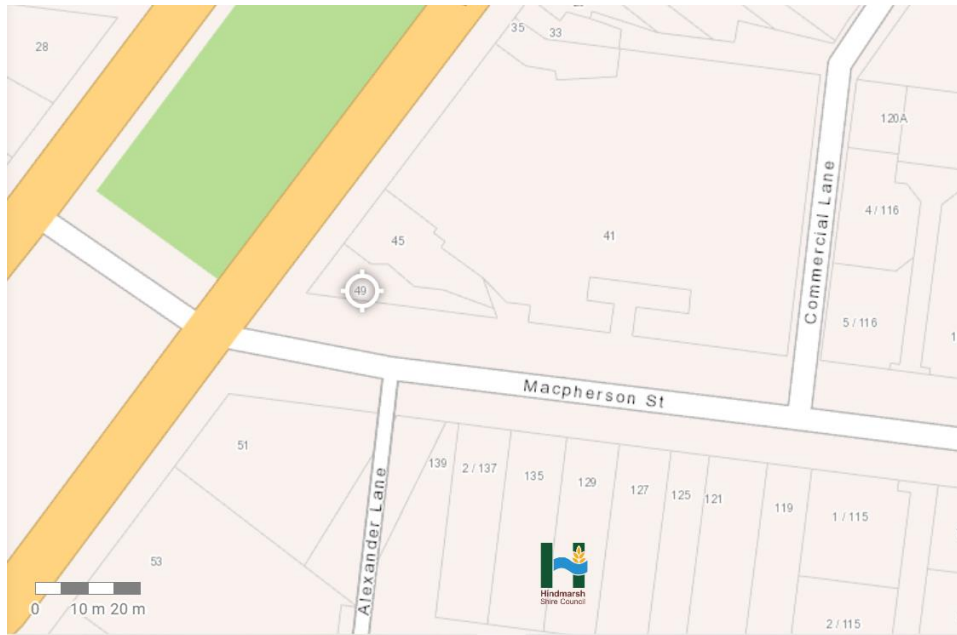


Figure 1: Sites Location (source: Council Community Maps)

Background:

The application has been lodged by Mr Robin Barber (Building Design Consultant) on behalf of Mrs Zeenath Kottakuth for the use of the land to sell liquor under a packaged liquor licence at 49 Victoria Street Nhill, for offsite consumption. The application was received on 11 May, 2021 with a request for further information sent to the applicant on the 24 May, 2021 requiring better and further particulars in relation to a written assessment against Councils Planning Scheme Clause 52.27, category of licence being sought, clarity on the interpretation of the proposal and payment of the outstanding lodgement fee. It should be noted that the property has recently transacted to Mrs Zeenath Kottakuth on 7 May 2021 (refer to attachment 2 for recent copy of title).

The applicant provided a response on 1 June 2021 which was acceptable, noting however that Council made a determination of the category of licence after discussions with the Victorian Commission for Gambling and Liquor Licence (VCGLR) wherein it was determined that the sale of packaged liquor was to be consumed off site (this will be a permit condition if a permit is to be issued).

Permit History:

The Permit Applicant had submitted an application over the subject site on 22 February, 2021 for a reduction in the Statutory Car Parking Requirement to Zero (Planning Permit PA1708-2021) associated with her retail premises (grocery store). Whilst the proposed use was not subject to a planning permit (a retail premises is a Section 1 Use – no Planning Permit required), the reduction in parking to zero did require a planning permit under Clause 52.06-5 (Car Parking) of the Hindmarsh Shire Planning Scheme. That

application was exempt from public notification under Clause 52.06-4 of the Hindmarsh Planning Scheme, wherein:

An application under Clause 52.06-3 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if:

- *the application is only for a permit under Clause 52.06-3*

As the only permit trigger to that application was Clause 52.06-3, the proposal was not required to be publicly notified.

Councils Planning Officers and Engineers assessed the application which was referred to the Department of Transport (VicRoads), who had no objections to the application, subject to conditions namely:

1. *The use and development as shown on the endorsed plan Drawing SK-001, dated 22/02/2021 prepared by Robin L Barber must not be altered without the written consent of the Responsible Authority*
2. *All deliveries and pick up of goods associated with the business must take place in adjacent existing loading zone in Macpherson Street.*
3. *The use of shopping trolleys or carts are prohibited.*

A report was prepared and considered/approved by the CEO under delegation on 25 March 2021.

Proposal Details:

The proposal seeks to obtain a planning permit to allow for the of the land to sell liquor under a packaged liquor license for offsite consumption as nominated by the proposed red line plan (refer to figure 2). The application for a Planning Permit is required under Clause 52.27 of the Hindmarsh Shire Planning Scheme whereby:

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

- *A licence is required under the Liquor Control Reform Act 1998.*

It is intended that packaged liquor (the applicant has advised that the store will provide a range of alcoholic choices to service the area) is sold within the red line area (i.e. that the area where liquor can be supplied and sold) of the shop, in addition to the grocery items of the current retail premises use. It is important to note that consumption is for offsite and not consumed on premises. Whilst the red line plan includes the entire shop area, Council Officers have been verbally advised by VCGLR that storage of liquor is to be included within the red line plan. On this advice, Council Officers were satisfied that the coverage of the entire shop was suitable and acceptable.

The trading hours of sale of liquor is controlled by the *Liquor Control Reform Act 1998*, namely referred to in the Act as “ordinary trading hours” which for this application will have the following trading controls (section 3(1) (c) of the Act) :

- (c) in relation to a packaged liquor licence or late night (packaged liquor) licence—
 - (i) the hours between 9 a.m. and 11 p.m. on each day, other than Sunday, Good Friday, ANZAC Day or Christmas Day; and
 - (ii) the hours between 10 a.m. and 11 p.m. on Sunday; and
 - (iii) the hours between 12 noon and 11 p.m. on ANZAC Day.

The grocery shop presently operates from 7am to 9pm Monday through to Sundays. The Applicant has indicated that the proposed hours they will sell liquor are:

Monday – Saturdays: 9:00am – 9:00pm.
Sundays: 10:00am – 9:00pm.
ANZAC Day: 12noon – 8:00pm
No sales on Good Friday or Christmas.

Such hours proposed are well within the “Ordinary Trading Hours” of the *Liquor Control Reform Act 1998*. A condition of the permit will bind the sale of liquor to the above hours, noting that should the Operator wish to extend these hours, an amendment to the Planning Permit is required under Clause 52.27 of the Hindmarsh Planning Scheme.

It should be noted that obtaining a liquor licence is a two part process. The first is to obtain Council’s approval via the planning permit stage, the second is that once approval has been obtained, an application needs to be made to the VCGLR wherein the application is more rigorously assessed against the Act and other State based policies.

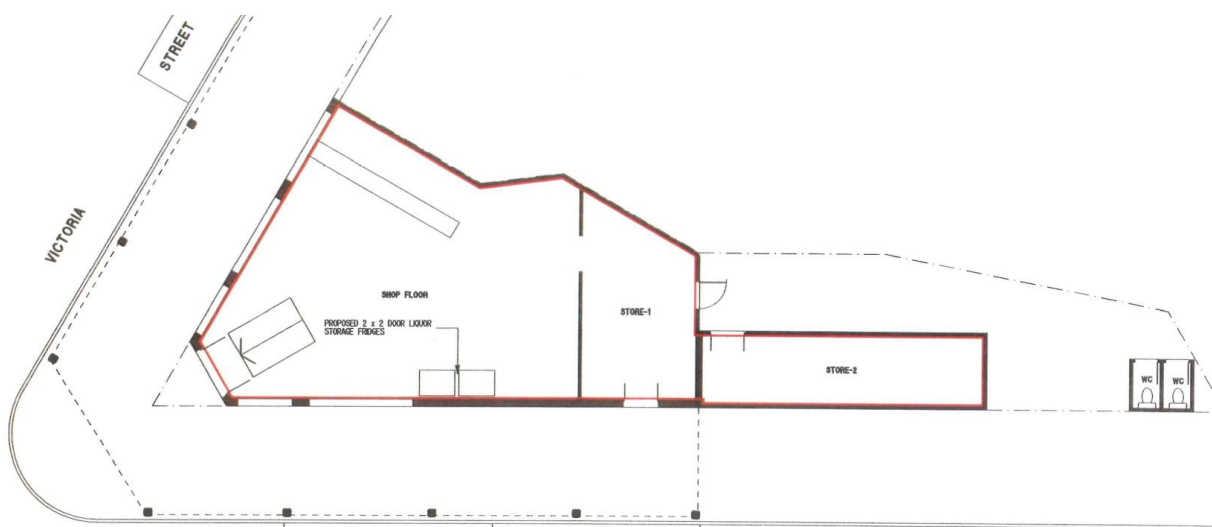


Figure 2: Proposed Redline Plan as provided by the Permit Applicant.

Requirement for Permit:

A planning permit is required under the following clause of the Hindmarsh Planning Scheme:

- Clause 52.27 (Liquor Licence) – a permit is required to use land to sell or consume liquor if a licence is required under the *Liquor Control Reform Act 1988*.

Definitions:

The current use of the subject site is a “grocery store”. Under Clause 73.03 of the Hindmarsh Shire Planning Scheme, a grocery store is considered to be a “Retail Premises” defined as:

Land used to:

- a) Sell goods by retail, or by retail and wholesale.*
- b) Sell services; or*
- c) Hire goods.*

Within the definition, a retail premises also includes a shop.

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 & Locality:

The subject site is located on the corner of Macpherson and Victoria Streets and has an approximate frontage to Macpherson Street of 36.09 metres and a frontage to Victoria Street of approximately 12.01 metres (as shown on the Plan of Subdivision). Directly west (across Victoria Street) is Goldsworthy Park and land directly north, south and east is zoned Commercial 1 with uses comprising a mix of offices, the Union Hotel, bakery, cafes, pharmacy, banks and other retail uses.

The subject site is considered to be “within the heart” of the Nhill commercial township and the proposed use will be complementary to the existing businesses.

Advertising

Section 52 Notice of application

Under Clause 52.06-4 of the Hindmarsh Planning Scheme, the application was not exempt from public notification. Advertising commenced on 8 June, 2021 and comprised of notification by way of letters to properties within the area identified in figure 3 below and the placement of 2 signs for a period of 14 days (one facing Victoria Street, the other to Macpherson Street). An advertisement was also placed in the Nhill Free Press on 09 June 2021.



Figure 3: Properties notified by way of letters to planning application PA1721-2021

A total of three objections were initially received, with all being withdrawn prior to the finalisation of this report.

Two of the three asked that it be noted in the Council report that their main concerns related to the following:

- The town's population is suitably catered to by the current licences held by the IGA & liquor store and the two hotels.
- The granting of this permit would mean a fourth business selling packaged liquor within 200 metres proximity to an objectors place of work,
- The required cleaning to the external commercial premises caused by intoxicated persons.

In response to the concerns raised above the following is noted:

The sale of packaged liquor is a not in the same league as a vertical drinking bar, night club or tavern. It is at the lower end of the scale for potential impacts to the surrounding area. Liquor purchased is to be consumed off site. As a retail supplier, the shop cannot control how or where the liquor will be consumed. If it is in a public park or space, this is a matter for the police or one controlled by Councils Local Laws (Hindmarsh Municipal Local Laws, Division 9.3, clause 60 "Consumption of Alcohol").

To ensure full compliance with the provisions of *The Liquor Control Reform Act (1998)*, the Licensee will ensure that the Responsible Service of Alcohol provisions of the Act are adhered to with all staff involved in the sale/supply of liquor to be over the age of 18 and

RSA trained. An appropriate RSA training registrar will also be maintained as required by the Act. Staff will also be subject to an appropriate staff induction program upon commencement. The sale of alcohol to intoxicated persons is a serious offence that carries heavy fines and cancellation of a licence.

Referrals:

External Referrals/Notices Required by the Planning Scheme:

Section 52 Referrals:

The application was referred to both the Nhill Police and to the VCGLR on 10 June, 2021. The Horsham Local Area Commander (liquor licensing Inspector for the Hindmarsh area) had no objection to the granting of the application and no response was received from the VCGLR. As highlighted above, the application is formally assessed by the Commission once a planning permit has been issued by Council. This may require, at the discretion of the VCGLR, further advertising.

Planning Assessment:

Planning Scheme Requirements:

State Planning Policy Framework

Clause 17-01-1S – Diversified Economy.

The objective of this policy is to strengthen and diversify the economy by supporting rural economies to grow and diversify as well as facilitate growth in the retail sector.

Local Planning Policy Framework

The proposal is not at odds with Clauses 02-02 (Vision) and 02-03-6 (Economic Development) of the Hindmarsh Shire Planning Scheme, noting that a key Strategic Direction for Economic Development is to promote service industries within the existing towns, which this proposal seeks to achieve.

Zoning and Overlay Provisions

A planning permit is not triggered for the use of the land for the sale of liquor under a packaged liquor license for offsite consumption by either the Commercial 1 Zone or the Environmental Significance Overlay (Schedule 6), rather a permit is triggered under the requirements of Clause 52.27 (Liquor License) of the Shire of Hindmarsh Planning Scheme.

Clause 52.27 (Liquor Licence)

The purpose of Clause 52.27 is:

- To ensure that licensed premises are situated in appropriate locations.
- To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

As a requirement to considering liquor licensing applications, both the Applicant and Council are required to address the Decision Guidelines of Clause 52.27. Those decision guidelines include:

- The Municipal Planning Strategy and the Planning Policy Framework.
- 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 impact of the number of patrons on the amenity of the surrounding area.
- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

Based on the following assessment, it is not considered that the use of the land for the sale of packaged liquor for offsite consumption will result in any adverse impacts on the town center's character or identity.

- The Municipal Planning Strategy and the Planning Policy Framework.

Addressed above with the proposal not considered to be at odds with the planning policies of Councils Planning Scheme.

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

The retail premise is set amongst other retail shops. An additional packaged liquor license is considered acceptable at this location, even in the context of the existing liquor license at the Union Hotel located 2 doors down. This is primarily due to the commercial setting and low number of packaged liquor licenses in the immediate area. It is not considered that an additional packaged liquor outlet will have a detrimental impact on the local amenity nor create greater social concerns for the community. If all licensed premises operate concurrently there will be a slightly higher availability of liquor however potential competition could also lead to lower prices and greater consumer choice.

Whilst it is intended that this premises is to supply alcohol, consumption is not permitted on-site. Furthermore, consumption of liquor off-site is governed by Local Laws and the Police. The consumption of alcohol, rather than the supply of liquor, is considered to have a greater impact on the immediate amenity of the area due to noise, and perceived anti-social behaviour. The proposed packaged liquor outlet would be a retail supplier, which cannot control how or where customers consume alcohol, and the ability to purchase liquor cannot be solely attributed to anti-social behaviours. Packaged liquor can be purchased for consumption in a private capacity and it is unreasonable to suggest that all packaged liquor sold, will be consumed in a public space. However, as public consumption does occur, local laws are in place to prohibit the consumption of alcohol in public places. Furthermore, liquor licensing legislation ensures that liquor is not sold to minors or those already intoxicated.

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

As highlighted above, the proposed hours to which liquor is to be sold is proposed to be:

Monday – Saturday: 9:00am – 9:00pm

Sunday: 10:00am – 9:00pm

Anzac Day: 12noon – 8:00pm

Good Friday and Christmas no trade

These operating hours are inside the existing trading hours of the grocery shop, and are also inside of the operating hours of nearby Union hotel and other licensed premises in Nhill.

The table below outlines the existing premises nearby the Subject Site with liquor licenses and their respective trading times:-

Licenses Venue	Licence Type and Number	Licensed hours allowed under the Victoria Commission for Gambling and Liquor Regulation
The Union Hotel	Late night (general) Licence No. 31915070	<p><i>For Consumption Off the License Premises:</i> Sunday:- Between 10 am and 11 pm. Good Friday & Anzac Day: - Between 12 noon and 11 pm On any other day: - Between 7 am and 11 pm</p> <p><i>For consumption on the Licensed Premises (beer garden, balcony and carport):</i> Sunday: - Between 10 am and 11 pm. Good Friday & Anzac Day: - Between 12 noon and 11 pm On any other day: - Between 7 am and 1 am the following morning except for the morning of Good Friday.</p> <p><i>In the remainder of the premises:</i> Sunday: - Between 10 am and 11 pm. Good Friday & Anzac Day: - Between 12 noon and 11 pm Monday to Thursday: - Between 7am and 1 am the following morning. Friday and Saturday: - 7 am and 3 am the following morning.</p>
Farmers Arm Hotel	General Licence	<p><i>For Consumption Off the License Premises:</i> Sunday:-</p>

(Denbake Holdings)	Licence No. 31909671	<p>Between 10 am and 11 pm. Good Friday & Anzac Day: - Between 12 noon and 11 pm On any other day: - Between 7 am and 11 pm</p> <p><i>For Consumption On the License Premises:</i> Sunday:- Between 10 am and 11 pm. Good Friday:- Between 12 noon and 11 pm ANZAC Day (Sunday):- Between 12 noon – 11 pm. ANZAC Day (Monday – Saturday):- Between 12 noon and 1 am the following morning. On any other day:- Between 7 am and 1 am the following morning except for the morning of Good Friday.</p>
Nhill Bowling Club	Full Club Licence Licence No. 32120505	<p>At any time on any day other than Sunday, Good Friday or ANZAC Day:- Sunday:- Between 10 am and 11 pm. Good Friday and ANZAC Day: Between 12 noon and 11 pm.</p>
Nhill & District Sporting Club	Limited Licence Licence No. 36122876 (licence in force during March to October only)	<p>Sunday:- Between 2 pm and 8 pm. Monday to Friday:- Between 4.30 and 1 pm. Saturday:- Between 3 pm and 1 am the following morning.</p>
Supa IGA Plus Liquor	Packaged Liquor Licence Licence No. 32021549	<p>On any day other than Sunday, Good Friday, ANZAC Day or Christmas Day:- Between 9 am and 11 pm. Sunday:- Between 10 am and 11 pm. ANZAC Day: Between 12 noon and 11 pm.</p>

Table 1: Source VCGLR

The wider township contains a diverse range of land uses that have various opening hours to suit their business offerings. Small retail shops and small commercial businesses such as an accounting and real-estate firms are typically open during normal business hours of 8.30 am to 5:30 pm (Monday through to Saturdays). Within the township there are a number of restaurants and take away options that have later opening hours with the majority closing around 9pm.

- The impact of the number of patrons on the amenity of the surrounding area.

Unlike a restaurant, tavern or bar, retail outlets do not have patrons but customers. Consumption is not permitted on site and therefore it is unlikely that the size/scale of the area assigned to packaged liquor will have any impact on the amenity of the area. The grocery shop currently acts like any other retail outlet in terms of customers entering the site, purchasing the product and exiting and the sale of liquor will not alter that balance. Behaviour and consumption off the premises is managed through other legislation such as the VCGLR, Victoria Police, and Council compliance and local laws.

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

A cumulative impact as it relates to liquor licenses is defined by the Department of Environment, Land, Water and Planning Practice Note 61 (June 2015) as:

Cumulative impact refers to both positive and negative impacts that can result from clustering a particular land use or type of land use. Potential cumulative impact from a cluster of licensed premises will vary between locations, depending on the mix and number of venues and whether the area is a destination for activities associated with the supply of alcohol. Cumulative impact is a product of the number and type of venues present, the way they are managed, and the capacity of the local area to accommodate those venues.

A “cluster” is defined by the Practice Note as:

As a general guide, a cluster would occur where there are:

- *three or more licensed premises (including the proposed premises) within a radius of 100 metres from the subject land; or*
- *15 or more licensed premises (including the proposed premises) within a radius of 500 metres from the subject land*

According to VCGLR Interactive Map, there is 1 other licensed premises which sells packaged liquor for off-site consumption within 100 metres of the subject site (the Union Hotel). Additionally there are 2 licensed premises within a 500 metres that have a permit to sell packaged liquor (The Farmers Arm and Supa IGA Plus). Within this 500 metre setting, it should be noted one premises has a limited licence whilst another has a club licence.

In this context, there are three other premises that are permitted to sell packaged liquor and it is not considered that the addition of a fourth will cause a ‘tipping point’ or saturation level resulting in an unreasonable cumulative/amenity impact.

Relevant VCAT Decision

Given the limited scope offered within the planning scheme to assess packaged liquor proposals, it is beneficial to review and consider the outcomes of some of the relevant Victorian Civil Administrative Tribunal (VCAT) decisions. The Tribunal has made several decisions on applications for Packaged Liquor Licences, with the following case being pertinent and relevant to this application:

- ***Tonlan Pty Ltd v Kingston CC [2015] VCAT 277 (17 March 2015) (Refer to Attachment 4 Tonlan vs Kingston)***

This application for review sought to challenge the council's decision to refuse the use of the land for a large format liquor shop within a small strip shopping centre. The decision of the Responsible Authority to refuse the permit application was overturned by the Tribunal who directed that a permit be granted.

The Tribunal member's analysis of the hearing is as follows at paragraphs 21-24:

(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 caused 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 licensed 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.

(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.”

From the above deliberations of VCAT, it is evident that packaged liquor licences have a lower potential to create adverse amenity impacts. In regards to cumulative impacts, the negative impacts associated with packaged liquor licences diminish greatly after the first licence in an area, as the first licence provides convenient access to liquor.

It is considered that the proposed liquor licence would not increase the access or convenience of purchasing package liquor within Nhill, simply the proposal will provide greater choice to customers.

General Provisions

Clause 65 - Decision Guidelines

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

Clause 65.01– Approval of an application or plan

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

- The matters set out in Section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.

Response:

It is considered that the application complies with the relevant decision guidelines as outlined. The proposal is supportive of, and complies with the Planning Policy Framework

having regard to the benefit the proposal will cause in providing retail diversity opportunities within the township of Nhill.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies and Clause 52.27 (Liquor Licence) in the Hindmarsh Planning Scheme.

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:

11/05/2021	Application was received
27/05/2021	Fee Paid
24/05/2021	Request for Further Information issued
27/05/2021	Amended Application & partial response to RFI received
01/06/2021	Letter to the Permit Applicant advising that red line proposed is acceptable and the correct category of licence.
08/06/2021	Advertising commenced.
24/06/2021	Advertising ceased.
30/06/2021	Letters sent to objectors responding to non-town planning matters raised in their objections.
23/07/2021	All objections withdrawn.
04/08/2021	Presented to Council for approval

The report is being presented to Council for approval at the meeting held 04 August 2021 (43 statutory days).

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

Link to Council Plan:

Strategic Objective 3.1 A strong rural economy and thriving towns.

Financial Implications:

There are no financial implications anticipated.

Risk Management Implications:

There are no anticipated risks to be managed by Council.

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 – Stephen Michael O’Brien, 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 and objectors of Councils decision.

Next Steps:

Issue the planning permit and endorse the plan if approved.

RECOMMENDATION:

That Council approves Planning Application PA1721-2021 for the use of the land to sell liquor under a packaged liquor licence for offsite consumption on land known as 49 Victoria Street, Nhill, 3418, subject to the following conditions:

- 1. The sale of packaged liquor for offsite consumption is to only occur within the redline endorsed plan, referred to as “proposed liquor licensed area” and must not be altered without the written consent of the Responsible Authority.***
- 2. The sale of liquor is for offsite consumption only and must not be consumed on premises***
- 3. The sale of liquor must only occur between the hours of:***
Monday – Saturday: 9:00am – 9:00pm
Sunday: 10:00am – 9:00pm
ANZAC Day: 12noon – 8:00pm
No sale of liquor is permitted on Christmas day or Good Friday.
- 4. The permitted hours must not be altered without the written consent of the Responsible Authority.***
- 5. At all times during the operation of the use there must be present on the premises a person over the age of 21 years who is responsible for ensuring that the activities on the premises and the conduct of the persons attending the premises do not have a detrimental impact on the amenity of the locality to the satisfaction of the Responsible Authority (referred to in this permit as “the Manager”).***
- 6. The Manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any Officer of the Responsible Authority and the Victorian Police and/or Liquor Licensing Victoria authorised under Section 129 of the Liquor Control Reform Act 1998; and/or to take action on his/her behalf in accordance with a direction by such Officer.***

Time Limit

7. ***This permit will expire if one of the following circumstances applies:***
- a) ***The use does not start within two years of the date of this permit.***
 - b) ***The use is not completed within four years of the date of this permit.***

The Responsible Authority may extend the periods referred to above if a request is made in writing before the permit expires or within 6 months afterwards if the development has not commenced or 12 months after if the development has commenced but is not yet completed.

*****End of Conditions*****

Notes

- ***Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.***

MOVED: CRS B Ireland/M Albrecht

That Council approves Planning Application PA1721-2021 for the use of the land to sell liquor under a packaged liquor licence for offsite consumption on land known as 49 Victoria Street, Nhill, 3418, subject to the following conditions:

1. ***The sale of packaged liquor for offsite consumption is to only occur within the redline endorsed plan, referred to as “proposed liquor licensed area” and must not be altered without the written consent of the Responsible Authority.***
2. ***The sale of liquor is for offsite consumption only and must not be consumed on premises***
3. ***The sale of liquor must only occur between the hours of:***
Monday – Saturday: 9:00am – 9:00pm
Sunday: 10:00am – 9:00pm
ANZAC Day: 12noon – 8:00pm
No sale of liquor is permitted on Christmas day or Good Friday.
4. ***The permitted hours must not be altered without the written consent of the Responsible Authority.***
5. ***At all times during the operation of the use there must be present on the premises a person over the age of 21 years who is responsible for ensuring that the activities on the premises and the conduct of the persons attending the premises do not have a detrimental impact on the amenity of the locality to the satisfaction of the Responsible Authority (referred to in this permit as “the Manager”).***
6. ***The Manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any Officer of the Responsible Authority and the Victorian Police and/or Liquor Licensing Victoria authorised under Section 129 of the Liquor Control Reform Act 1998; and/or to take action on his/her behalf in accordance with a direction by such Officer.***

Time Limit

7. ***This permit will expire if one of the following circumstances applies:***
- a) ***The use does not start within two years of the date of this permit.***
 - b) ***The use is not completed within four years of the date of this permit.***

The Responsible Authority may extend the periods referred to above if a request is made in writing before the permit expires or within 6 months afterwards if the development has not commenced or 12 months after if the development has commenced but is not yet completed.

*****End of Conditions*****

Notes

- ***Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.***

CARRIED

Attachment Number: 17

9. REPORTS REQUIRING A DECISION

9.1 DRAFT COUNCIL PLAN 2021-2025, INCORPORATING THE HEALTH AND WELLBEING PLAN, AND COMMUNITY VISION 2040

Responsible Officer: Director Corporate and Community Services
Attachment Number: 18

Introduction:

The report presents the Draft Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 in accordance with the *Local Government Act 2020*. The report includes a recommendation that Council adopt the draft Council Plan and Community Vision and invite community submissions.

Discussion:

Under section 90 of the *Local Government Act 2020* council must prepare and adopt a Council Plan for a period of at least the next 4 financial years after the general election. Council is also required under section 88 of the *Local Government Act 2020* to maintain a Community Vision that has been developed with its community for the period of at least the next 10 financial years.

Both the Council Plan and Community Vision are required to be adopted by 31 October

2021.

The draft Council Plan 2021-2025 incorporates the Community Vision and Public Health and Wellbeing Plan. In developing the Vision, Council Plan and Health and Wellbeing Plan Council has taken into account the needs and aspirations raised by our communities. Council engaged with the community by conducting an online survey and holding in person community conversation sessions where round table discussions were held with Councillors and officers.

Our Vision for Hindmarsh is:

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

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

The Community Vision and Council Plan follows four key themes:

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

The Health and Wellbeing Plan will focus on four key areas:

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

The plan has been prepared as 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.

The draft Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 will be made available for public inspection and the receiving of submissions for the period Monday 9 August 2021 to Friday 10 September 2021. Council will be advised of any submissions received at the 22 September 2021 Council meeting.

Community drop in sessions will be held throughout August 2021 (subject to COVID-19 restrictions) to enable our community the opportunity to meet with Council on the Council Plan and Community Vision. Session dates and times will be advertised in local newspapers and Council's e-newsletter.

The Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and

Community Vision 2040 will be available for public inspection at Council Customer Service Centres (subject to COVID-19 restrictions) and online on Council's website.

Options:

Council must prepare and advertise its Council Plan 2021-2025 and Community Vision 2040 pursuant to the *Local Government Act 2020*. The Health and Wellbeing Plan must be prepared pursuant to the *Public Health and Wellbeing Act 2008*.

Link to Council Plan:

The Council Plan is the overarching plan that sets the strategic objectives for Council over the four-year term and provides initiatives and activities under the four key themes.

Financial Implications:

Initiatives and activities within the Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, will be contained within the annual budget and long term financial plan.

Risk Management Implications:

The preparation of the Council Plan, incorporating the Health and Wellbeing Plan, and Community Vision is a statutory requirement.

Relevant legislation:

Local Government Act 2020

Public Health and Wellbeing Act 2008

Community engagement:

The Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 were developed following consultation with the community through an online survey and in person community conversation sessions.

Community conversation sessions included round table discussions where participants were asked to consider and discuss a series of questions with Councillors and staff members.

Gender equality implications:

No gender impact assessment is required.

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

Communications Strategy:

It is proposed the draft Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 will be made available to allow for submissions for the

period Monday 9 August 2021 to Friday 10 September 2021. Submissions will be considered at the Council meeting on Wednesday 22 September 2021.

Copies of the draft Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 will be available at Council's Customer Service Centres (subject to Covid-19 restrictions) and on Council's website.

RECOMMENDATION:

That Council:

- 1. Approves the draft Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 for the purposes of public consultation in accordance with the Local Government Act 2020,***
- 2. Gives public notice of the preparation of the draft Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 inviting written submissions from the public for the period Monday 9 August 2021 to Friday 10 September 2021, and***
- 3. Considers public submissions from those who have requested that they be heard in support of their submission and the formal adoption of the Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 at the Council meeting held on Wednesday 22 September 2021.***

MOVED: CRS W Bywaters/M Albrecht

That Council:

- 1. Approves the draft Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 for the purposes of public consultation in accordance with the Local Government Act 2020,***
- 2. Gives public notice of the preparation of the draft Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 inviting written submissions from the public for the period Monday 9 August 2021 to Friday 10 September 2021, and***
- 3. Considers public submissions from those who have requested that they be heard in support of their submission and the formal adoption of the Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040 at the Council meeting held on Wednesday 22 September 2021.***

CARRIED

Attachment Number: 18

9.2 DOMESTIC ANIMAL MANAGEMENT PLAN

Responsible Officer: Director Corporate and Community Services

Attachment Number: 19

Introduction:

This report presents the draft Domestic Animal Management Plan 2021-2025 in accordance with the *Domestic Animals Act 1994*. The report includes a recommendation that Council adopt the draft plan and invite community submissions.

Discussion:

The *Domestic Animals Act 1994* (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* (Regulations). Council's current Domestic Animal Management Plan was for the period 2017 – 2021.

Council Officers have prepared the draft Domestic Animal Management Plan 2021 – 2025 in line with the requirements outlined in the Act and the Regulations.

The Plan's overarching objectives of the 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; and
3. Reduce domestic animal nuisance issues and dog attacks.

The Plan outlines 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;
- minimise the risk of attacks by dogs on people and animals;
- address any over-population and high euthanasia rates for dogs and cats;
- encourage the registration and identification of dogs and cats;
- minimise the potential for dogs and cats to create a nuisance;
- 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;
- 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;
- 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.

Options:

1. Council can endorse that the draft Domestic Animal Management Plan 2021 – 2025

- be made available to the community for public submissions; or
2. Council can make changes to the draft Domestic Animal Management Plan 2021 – 2025 and then endorse that the draft Domestic Animal Management Plan be made available to the community for public submissions.

Link to Council Plan:

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

Financial Implications:

The plan makes commitments to ensuring Council's Local Law Officers have the appropriate training to enable them to safely and competently do their job. These costs are allocated in Council's annual budget for training.

Risk Management Implications:

Council's Domestic Animal Management Plan is an important part of the risk management process associated with domestic animals in the Shire. The plan sets out strategies and actions that aim at reducing the risk of issues that domestic animals can cause in the community including:

- overpopulation of cats;
- domestic animal businesses operating outside of the law;
- dog attacks;
- nuisance issues such as barking dogs and dog faeces; and
- threats to native wildlife.

Relevant legislation:

Local Government Act 2020
Domestic Animal Management Act 1994
Domestic Animal Regulations 2015

Community engagement:

Council Officers have completed a community engagement plan which will involve making the draft plan available to community from 05 August 2021 until 6 September 2021 and inviting submissions.

Gender equality implications:

A Gender Impact Assessment was undertaken on the plan. The Plan does not include gender stereotypes and uses inclusive non-gendered language.

Confidential Declaration:

N/A

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

Author – Helen Thomson, Management Governance and Human Services
In providing this advice as the Author, I have no disclosable interests in this report.

Communications Strategy:

Council Officers will make the draft plan available on Council's website and will advertise the draft plan's availability by way of Social Media posts including Council's e-newsletter.

Next Steps:

1. engage with the community on the Domestic Animal Management Plan 2021 – 2025
2. review the Domestic Animal Management Plan 2021 – 2025 based on feedback from the community
3. bring the Domestic Animal Management Plan 2021 – 2025 to the September Council Meeting for final endorsement from Council.

RECOMMENDATION:

That Council:

1. ***approves the draft Domestic Animal Management Plan 2021-2025 in accordance with the Domestic Animal Management Act 1994,***
2. ***gives public notice of the preparation of the draft Domestic Animal Management Plan inviting written submissions from the public for the period Thursday 5 August 2021 to Monday 6 September 2021, and***
3. ***considers public submissions from those who have requested to be heard in support of their submission and the formal adoption of the Domestic Animal Management Plan 2021-2025 at the Council meeting held on Wednesday 22 September 2021.***

MOVED: CRS M Albrecht/R Gersch

That Council:

1. ***approves the draft Domestic Animal Management Plan 2021-2025 in accordance with the Domestic Animal Management Act 1994,***
2. ***gives public notice of the preparation of the draft Domestic Animal Management Plan inviting written submissions from the public for the period Thursday 5 August 2021 to Monday 6 September 2021, and***
3. ***considers public submissions from those who have requested to be heard in support of their submission and the formal adoption of the Domestic Animal***

Management Plan 2021-2025 at the Council meeting held on Wednesday 22 September 2021.

CARRIED

Attachment Number: 19

9.3 PROCUREMENT POLICY

Responsible Officer: Director Corporate and Community Services

Attachment Number: 20

Introduction:

This reports seeks Council adoption of the Hindmarsh Shire Council Procurement Policy.

Discussion:

The *Local Government Act 2020* section 108 requires Council to prepare and adopt a Procurement Policy. The Policy must specify the principles, processes and procedures applying in respect of the purchase of goods and service by Council, including the carrying out of works.

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

The 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.

Thresholds for quotations and tendering:

Thresholds have not been amended since the adoption of the Procurement Policy in July 2015. A review was conducted on the current thresholds and it was determined to recommend the threshold for tendering of all goods, services, building and construction at \$200,000 (exclusive of GST). There was no justification for splitting these being goods and services \$150,000 (inclusive of GST) / construction works \$200,000 (inclusive of GST). As Council budget for expenditure exclusive of GST the thresholds have been amended to be exclusive of GST for consistency.

Following the review thresholds for quotations are as follows:

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 (previously \$8,000)	1 Written Quotation	Purchase Order	Written Quote/s must be saved in Council's records system for Audit purposes
\$10,001 to \$30,000 (previously \$8,001 to \$25,000)	2 Written Quotations		
\$30,001 to \$125,000 (previously \$30,001 to \$100,000)	3 Written Quotations		
\$125,001 to \$200,000 Previously (\$100,001 to \$149,999 / \$199,999)	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

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 decide that this does not apply to a particular quotation or tender.

Criteria	Description	Weighting
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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 Prescribed Local Area for a period of at least 6 months)	2.5%
	Principal Place of Business (permanent office in the Prescribed Regional Area for a period of at least 6 months)	2.5%

The policy definitions are as follows:

- Prescribed Local Area is defined as the municipal area of Hindmarsh Shire Council.
- Prescribed Regional area is defined as the municipal areas of Hindmarsh Shire, Yarriambiack Shire, Horsham Rural City, Northern Grampians Shire, West Wimmera Shire and Buloke Shire.

Options:

Under the Local Government Act 2020 Council is required to adopt a Procurement Policy by 31 December 2021.

Link to Council Plan:

Strategic Objective 4.1 Long-term financial sustainability
Strategic Objective 4.6 An organisation that takes risk management responsibilities seriously and embeds a culture of risk management throughout the organisation.

Financial Implications:

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

Risk Management Implications:

Strong purchasing procedures and processes reduce the risk of fraud. The finance team regularly review purchase and payments to ensure compliance with the policy.

Relevant legislation:

Local Government Act 2020

Gender equality implications:

A gender impact assessment was not completed.

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

Communications Strategy:

The Procurement Policy is available on Council's website.

RECOMMENDATION:

That Council adopts the Hindmarsh Shire Council Procurement Policy.

MOVED: CRS W Bywaters/B Ireland

That Council adopts the Hindmarsh Shire Council Procurement Policy.

CARRIED

Attachment Number: 20

9.4 HINDMARSH SHIRE COUNCIL STAFF DELEGATIONS

Responsible Officer: Director Corporate & Community Services

Attachment Numbers: 21 - 23

Introduction:

This report presents the Instrument of Delegation from Council to the Chief Executive Officer, Instrument of Delegation from Council to Council staff and Instrument of Sub-Delegation from Council to Council staff (collectively, Delegations) to Council for review and approval.

Discussion:

Delegations from Council to the Chief Executive Officer and Council staff are essential to ensure day to day decisions and operations of Council are undertaken efficiently and effectively.

The *Local Government Act 2020* (Act), requires Council to review instruments of delegation within 12 months of a general election. Council officers have reviewed and prepared the Delegations and recommend that Council approves them in their current form.

CEO Delegation

The Act gives Council a power of delegation under section 11, which provides that Council may by instrument of delegation delegate to members of a delegated committee or to the Chief Executive Officer.

The Instrument of Delegation to the CEO authorises the power to determine any issues; take any action; or 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. This authority is restricted by stating a number of actions, acts of things that the CEO cannot undertake, without Council resolution. These limitations are outlined in the Instrument of Delegation to the CEO.

Council last reviewed the Council Delegations to the CEO 19 August 2020. This report recommends a change to Instrument of Delegation to the CEO relating to financial delegation.

During the COVID-19 pandemic and Council not being guaranteed to be able to hold Council meetings the CEO delegation was increased to \$600,000 to ensure continuity of business. Council is now in a position to reduce the CEO financial delegation to \$200,000 in line with the draft procurement policy which is being presented to this Council meeting.

Council to staff delegation

There is no formal requirement in the Act for Council to delegate powers to staff. However to ensure good governance, Council should have an Instrument of Delegation from Council to staff for legislation that does not contain a specific power of sub-delegation.

Council's Instrument of Delegation to Council staff was last reviewed on 19 August 2021. Changes made to the Instrument of Delegation to Council staff include:

- updates to position titles;
- some delegations to Council staff have been restricted to the Chief Executive Officer;
- ss 15(1) and (2) of the *Cemeteries and Crematoria Act 2003* have been removed.
- the *Environment Protection Act 1970* has been removed.
- ss 36A, 36B, 38G(1), 38G(2) and 40F of the Food Act 1984 have been inserted.
- s 181H of the Local Government Act 1989 (LGA 1989) has been removed. With the repeal of s 181H(2) of the LGA 1989, the CEO may now sub-delegate the power to enter into an environmental upgrade agreement and declare and levy an environmental upgrade charge to a member of Council staff pursuant to s 181H of the LGA 1989 and s 47 of the Local Government Act 2020 (LGA 2020).
- ss 4H, 4I, 18, 21(2), 26(1), 26(2), 28(1), 28(2), 28(4), 41(1), 41(2), 42(2), 49(2), 51, 57(5), 70, 97G(6), 179(2) of the Planning and Environment Act 1987 have been amended to reflect the changes made under the Planning and Environment Amendment Act 2021, in particular the new requirement to make certain

information/documents available in accordance with the public availability requirements.

- ss 91ZU(1), 91ZZC(1), 91ZZE(1), 91ZZE(3), 206AZA(2), 207ZE(2) of the Residential Tenancies Act 1997 are now in force.
- s 42A of the Road Management Act 2004 has been updated. The reference to VicRoads has been removed and replaced with Head, Transport of Victoria.
- the *Residential Tenancies Regulations 2021* has been inserted and is in force.

Environment Protection Act 2017

The Environment Protection Act 2017 (EPA Act) was updated and took effect on 1 July 2021. The update to the EPA Act made Councils joint regulators of the EPA Act and corresponding regulations. Council will now have a role in regulating residential noise complaint, litter and other waste complaints and on-site wastewater management systems. Specific new powers for Councils include:

- the power to issue improvement notice under the EPA Act;
- the power to issue prohibition notice under the EPA Act;
- the power to amend a notice;
- the functions and powers of the environment protection authority; and
- the power to give advice to persons with duties or obligations.

Council is required to delegate the powers to Council staff to enable Council to meet its obligations under the EPA Act.

Options:

Council can:

1. approve the delegations outlined in the attached Instrument of Delegation to the Chief Executive Officer;
2. approve the delegations outlined in the attached Instrument of Delegation to members of Council staff;
3. approve the *Environment Protection Act 2017* Instrument of Delegation to members of Council staff;
4. modify the delegations outlined in the attached Instrument of Delegation to the Chief Executive Officer;
5. modify the delegations outlined in the attached Instrument of Delegation to members of Council staff;
6. modify the *Environment Protection Act 2017* Instrument of Delegation to members of Council staff.

Link to Council Plan:

Strategic Objective 4.6.2 An organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation by developing a governance and compliance framework within Council.

Financial Implications:

There are no financial implications.

Risk Management Implications:

Reviewing Council's Instrument of Delegations is important for Council to maintain good governance practices.

Relevant legislation:

Cemeteries and Crematoria Act 2003

Cemeteries and Crematoria Regulations 2015

Domestic Animals Act 1994

Environment Protection Act 1970

Environment Protection Act 2017

Food Act 1984

Heritage Act 2017

Local Government Act 1989

Local Government Act 2020

Planning and Environment (Fees) Regulations 2016

Planning and Environment Act 1987

Planning and Environment Regulations 2015

Residential Tenancies (Caravan Parks And Movable Dwellings Registration And Standards) Regulations 2020

Residential Tenancies Act 1997

Road Management (General) Regulations 2016

Road Management (Works And Infrastructure) Regulations 2015

Road Management Act 2004

Community engagement:

N/A

Gender equality implications:

N/A

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 & Community Services

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

Author — Helen Thomson, Manager Governance and Human Services

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

Communications Strategy:

Relevant staff will be provided with confirmation of the amendments to the Instruments of Delegation.

A copy of the Instrument of Delegation to the Chief Executive Officer will be placed on Council's website. The Instruments of Delegation to staff will be placed on Council's website in a summarised form.

RECOMMENDATION:

(A) DELEGATION TO THE CHIEF EXECUTIVE OFFICER

In the exercise of the power conferred by section 11(1)(b) of the Local Government Act 2020 (the Act), Hindmarsh Shire Council (Council) resolves that –

- 1) There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.***
- 2) The instrument comes into force immediately when the Resolution is passed.***
- 3) On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.***
- 4) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***

(B) DELEGATION TO COUNCIL STAFF

In the exercise of the power conferred by the legislation referred to in the attached instrument of delegations, Hindmarsh Shire Council (Council) resolves that –

- 1) There be delegation to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.***
- 2) The instrument comes into force immediately when the Resolution is passed.***
- 3) On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.***
- 4) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***

(C) SUB – DELEGATION TO COUNCIL STAFF

In the exercise of the power conferred by the legislation referred to in the attached

instrument of sub-delegation, Hindmarsh Shire Council (Council) resolves that –

- (1) There be delegation to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Sub-Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.*
- (2) The Instrument comes into force immediately when the Resolution is passed.*
- (3) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

MOVED: CRS R Gersch/B Ireland

(A) DELEGATION TO THE CHIEF EXECUTIVE OFFICER

In the exercise of the power conferred by section 11(1)(b) of the Local Government Act 2020 (the Act), Hindmarsh Shire Council (Council) resolves that –

- 1) There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.*
- 2) The instrument comes into force immediately when the Resolution is passed.*
- 3) On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.*
- 4) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

(B) DELEGATION TO COUNCIL STAFF

In the exercise of the power conferred by the legislation referred to in the attached instrument of delegations, Hindmarsh Shire Council (Council) resolves that –

- 1) There be delegation to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.*
- 2) The instrument comes into force immediately when the Resolution is passed.*
- 3) On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.*
- 4) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with*

any guidelines or policies of Council that it may from time to time adopt.

(C) SUB – DELEGATION TO COUNCIL STAFF

In the exercise of the power conferred by the legislation referred to in the attached instrument of sub-delegation, Hindmarsh Shire Council (Council) resolves that –

- (1) There be delegation to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Sub-Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.*
- (2) The Instrument comes into force immediately when the Resolution is passed.*
- (3) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

CARRIED

Attachment Numbers: 21 - 23

9.5 COUNCIL PLAN 2017-2021 PROGRESS REPORT

Responsible Officer: Director Corporate and Community Services

Introduction:

This report provides Council with a progress update on the actions taken against the Council Plan 2017-2021.

Discussion:

Council's main strategic document the Council Plan 2017-2021 was developed and adopted in August 2017. The document contains strategic objectives under four Key Result Areas (KRA) Community Liveability; Built and Natural Environment; Competitive and Innovative Economy; and Our People, Our Processes with agreed initiatives on how Council will achieve the objective of the plan.

Quarterly progress reports have been presented to Council throughout the duration of the plan.

Further to progress reported to Council on Wednesday 9 June 2021, progress has been made on the following objectives:

Strategic objective 1.1.6 – Continue to engage with our farming community on road and road related infrastructure maintenance and improvements.

Council's Road Management Plan has been reviewed with the draft plan currently out for

public consultation. The plan has been altered to clearly define the land owners responsibility and Council's responsibility with pictures to make the plan more user friendly.

Strategic Objective 2.1.1 – Re-develop and maintain attractive streetscapes, open spaces and public places.

Council has installed new street furniture in each of the four towns as part of the outdoor dining grant received. Pods have been placed in each town, along with picnic tables and chairs outside cafes, takeaway businesses and hotels in each town.

Anderson Street, Dimboola is currently being developed with new kerb and channel, underground drainage, road surface constructed and trees to be planted.

Strategic Objective 2.1.2 – Encourage and support residents and ratepayers to maintain the cleanliness and good order of the properties for which they are responsible

Council has prepared a Nature strip policy. The Road Management Plan also addresses responsibilities with regards to nature strips, road verges, and crossovers.

Additional hard stands will be constructed at Council transfer stations to encourage increased recycling.

Strategic Objective 2.1.3 – Develop and prioritise detailed plans relating to new infrastructure, infrastructure upgrade and renewal (including roads, bridges, drains, footpaths and buildings) for each town.

Work has begun on identifying future strategic routes within the Shire to allow for future B Double truck movements both local and non-local throughout the shire to address the drop off and pick up issues with regards to permits being required. The identification and planning for future strategic routes will enable more accessible farm to paddock access on roads not classed for heavy vehicle use.

A condition audit on Council's road related assets has been awarded. The audit will include proposed infrastructure renewal plans for Council based on the condition of the road.

Strategic objective 2.1.5 – Continue to implement the Nhill Aerodrome Master Plan

Council has been successful in obtaining funding to implement a concrete hard stand for use by emergency services. The hardstand will provide a safer and more efficient re-filling site for the CFA fire bombers.

Strategic objective 2.1.8 – Explore alternative road base treatments that will reduce long term maintenance cost

A trial of PolyCom polymer stabilizer on Perenna Road intersection has been recently undertaken. This intersection will be monitored for performance over the coming years.

Strategic objective 3.3.1 – Advocate for appropriate NBN coverage

NBN has recently been installed at the Dimboola library and Riverside Holiday Park Dimboola. The improved coverage will result in better connectivity and less down time through internet drop out.

Strategic objective 3.1.9 – Review Hindmarsh Planning Scheme, including Municipal Strategic Statement (MSS), with a focus on industrial and residential development. Success measured by Hindmarsh Planning Scheme and MSS adopted. The project to translate the Local Planning Policy Framework including the Municipal Strategic Statement was undertaken in the first half of 2020/2021 with the Amendment gazetted and operational on 10 June 2021.

Strategic objective 3.3.3 – Advocate for improved mobile phone coverage

An assessment has been undertaken identifying black spots for mobile phone coverage. Council will advocate for coverage for the identified black spots.

Strategic objective 4.1.1 – An equitable, efficient and transparent rating strategy

As part of the 2021/2022 budget process Council developed a Revenue and Rating Strategy. The strategy will be reviewed annually as part of each annual budget process.

Strategic Objective 4.1.4 – Build strong relationships with upper and lower house representatives at a state and federal level

Council recently met with Beverly McArthur MP to discuss important issues for Hindmarsh. Council's CEO and Director Corporate and Community Services met with Stuart Grimley MP on Wednesday 14 July 2021. Discussion was held regarding the importance of improved public transport including passenger rail, Nhill Historical Society building, State and Federal government grants available to businesses, State government emergency orders and Davis Park.

Strategic objective 4.2.1 – Develop and implement a customer service strategy

The Customer Service Charter has recently been updated following a review. The review identified the charter spelt out the expectations of Council, but did not include expectations of community members. The charter now includes the following:

What do we ask of you?

- To treat our staff with mutual respect
- To respect the rights of other customers
- To provide accurate and complete information in your dealings with us
- To respect the community in which we live
- To work with us to solve problems
- To submit ALL customer requests / feedback to Council via phone, email, website or via written correspondence
- To respect Council Officers private lives and allow Council Officers to enjoy community events or functions in a personal capacity.

Strategic objective 4.3 – An actively engaged, skilled workforce capable of meeting community needs.

Council is currently completing a Gender Equality Action Plan 2021 – 2025 as per the *Gender Equality Act 2020* (GEAP). The primary focus of the GEAP is to set strategies

and measures for Council's workforce that promote gender equality. To inform the GEAP, Council participated in the Victorian Public Sector People Matter Survey in June of this year. The survey asked employees about their experience as an employee of Hindmarsh Shire Council. Council officers are also undertaking a workplace gender audit to see if there are areas where gender inequality is persisting. The GEAP is due to be submitted to the Gender Equality Commissioner on 1 December 2021.

Link to Council Plan:

The Council Plan is the overarching plan that sets the strategic objectives for Council over the four-year term and provides initiatives and activities under the four key themes.

Financial Implications:

Council's annual budget allocates funding to complete initiatives.

Risk Management Implications:

The preparation of the Council Plan, incorporating the Health and Wellbeing Plan, and Community Vision is a statutory requirement

Relevant legislation:

The Council Plan was developed under the Local Government Act 1989 and Public Health and Wellbeing Act 2008

Community engagement:

Community engagement was undertaken as part of the development and adoption of the Council Plan 2017-2021.

Gender equality implications:

A gender impact assessment was not required.

Conflict of Interest:

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

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

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

RECOMMENDATION:

That Council receives the Council Plan 2017-2021 update.

MOVED: CRS M Albrecht/D Nelson

That Council receives the Council Plan 2017-2021 update.

CARRIED

9.6 FINANCIAL REPORT FOR THE PERIOD ENDING 30 JUNE 2021

Responsible Officer: Director Corporate and Community Services
Attachment Number: 24

Introduction:

The Financial Report for the fourth quarter of 2020/2021 financial year has been prepared. Including explanations of variances where applicable, and is presented for the information of Council.

RECOMMENDATION:

That Council notes the Financial Report for the period ending 30 June 2021 as presented.

MOVED: CRS M Albrecht/R Gersch

That Council notes the Financial Report for the period ending 30 June 2021 as presented.

CARRIED

Attachment Number: 24

9.7 ROAD MANAGEMENT PLAN REVIEW

Responsible Officer: Director Infrastructure Services
Attachment Number: 25

Introduction:

This report recommends Council adopts the Road Management Plan 2021-2023 (as required by Section 54(5) of the *Road Management Act 2004*) and gives notice of the adoption in the Victorian Government Gazette and local newspapers.

Discussion:

At the Council meeting held on Wednesday 9 June 2021, Council endorsed for public consultation the draft Road Management Plan (as required by Section 54(5) of the Road Management Act 2004) and to undertake public consultation for a minimum period of 28 days.

Notice was given in the Herald Sun, Victorian Government Gazette and local newspapers
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on the 16 June 2021 on the draft Road Management Plan requesting written feedback be received by 19 July 2021.

At the time of writing this report no submissions were received.

With no submissions received Council can now consider adopting the Road Management Plan. Following approval, notices of adoption will be given and formally gazetted in the Victorian Government Gazette and advertised in local newspapers.

Options:

1. Council can adopt the draft Road Management Plan as required by the Road Management Act 2004.
2. Council can not the Draft Road Management Plan, and adopt the existing Road Management Plan contained in the 2017 document.

Link to Council Plan:

Strategic Objective 3.2 Well-maintained physical assets and infrastructure to meet community and organisational needs.

Financial Implications:

The Road Management Plan has no direct impact on Council's budget, however, the changes made on service levels may have an impact on Council's future budgets.

Risk Management Implications:

The review of the Road Management Plan addresses risk across the municipal road network by placing roads of similar risk into urban and rural road classes, which are then allocated corresponding levels of service and defect inspection regimes.

Relevant legislation:

Road Management Act 2004

Communications Engagement:

Hindmarsh Shire Council is required under Section 54 of the *Road Management Act 2004* to give notice in the Government Gazette and a local newspapers regarding the adoption of the Road Management Plan 2021-2023 for a period of 28 days. This requirement has been met with no submissions received at the closing of the submission date.

Gender equality implications:

A gender Impact assessment was completed and found that there will be no gender specific impact.

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 Responsible – Joe Scimone, Development Engineer

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

Next Steps:

A notice of the Adopted Road Management Plan will be placed in the Victorian Government Gazette and local newspapers as soon as practicable after the August Council meeting.

RECOMMENDATION:

That Council

- 1. adopts the Road Management Plan 2021-2023 (as required by Section 54(5) of the Road Management Act 2004), and***
- 2. gives notice of the adoption of the Road Management Plan 2021-2023 in the Victorian Government Gazette and local newspapers.***

MOVED: CRS B Ireland/D Nelson

That Council

- 1. adopts the Road Management Plan 2021-2023 (as required by Section 54(5) of the Road Management Act 2004), and***
- 2. gives notice of the adoption of the Road Management Plan 2021-2023 in the Victorian Government Gazette and local newspapers.***

CARRIED

Attachment Number: 25

9.8 GAZETTING OF ROADS FOR B DOUBLE USE

Responsible Officer: Director Infrastructure Services

Attachment Number: 26

Introduction:

This report seeks Council approval on the roads mentioned in table 1 to be gazetted for HML, Grain Harvest Management Scheme (GHMS) - B-Doubles, Grain Harvest Management Scheme (GHMS) - Rigid trucks & Semi-Trailers, PBS Level 1 & PBS Level 2A with some conditions between full and local access only.

Discussion:

At the Council Meeting held on Wednesday 9 June 2021 Council resolved 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 was advertised for public consultation.

Table 1

Option D

Road Name	Comments & Traffic Data	Recommendation to Open to full B Double with no conditions	Recommendation to Open to Local B Double Access with conditions
Janetzki Rd	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
Coker Dam Rd	Already a B double Gazetted Route	n/a From Dimboola to Kiata South	n/a
Winiam East Road	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
Sandsmere Rd	ADT week unknown	No- straight Rd, repaired under flood recovery, limestone and earth	Yes should be for local traffic only, Dry weather
Yanac South Road	21 ADT per week non peak	No- Upgraded under flood recovery, straight road. Alternative Route is Broughton Rd which is already a B Double Gazetted	Yes should be for local traffic only, Dry weather
Winiam Road	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.

Nhill Diapur Rd	Already a B Double Gazetted Route	n/a	n/a
Tarranyurk East Rd	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
Aubrey Rd	ADT unknown – Yarriambiack Shire	n/a	n/a
O'Reilly	Suggested by Council Officers ADT unknown links Diapur Yanac	No - Narrow 4m seal	Yes should be for local traffic only
Ellam-Willenabrina	Suggested by Council Officers	No – narrow seal and Limestone links to Geodetic	Yes should be for local traffic only, Dry weather
King Road	ADT Unknown	No - Mix of limestone and earth	Yes should be for local traffic only, Dry weather
Drendel Rd	Suggested By Council Officers Currently B double Gazetted – 43 ADT per week peak	No – limestone road	Yes portion of road only should be for local traffic only, Dry weather, Northern end of 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
Werner Road	15 ADT per week	No - Mix of limestone and earth	Yes should be for local traffic only, Dry weather
Solly Rd	Suggested By Council Officers 26 ADT per week peak	No – limestone	Yes should be for local traffic only, Dry weather
Stasinowskys Rd	Suggested By Council Officers 31 ADT per week peak	No – limestone	Yes should be for local traffic only, Dry weather
Katyil/Wail between Antwerp	Suggested By Council Officers 42	No - Narrow seal	Yes should be for local traffic only

Warracknabeal to Borong Highway	ADT per week peak		
Tarranyurk West Rd	46 ADT per week – non peak	No - Narrow seal then limestone	Yes should be for local traffic only, Dry weather
Rainbow-Nhill Road	Construction Complete, trafficable width suitable	Yes - 8m sealed	n/a
Mt Elgin Rd	35 ADT per week – non peak	No - Narrow seal	Yes should be for local traffic only
Boyeo-Tarranginnie Rd	unknown	No - Limestone	Yes should be for local traffic only, Dry weather
Kinimakatka Rd (North South)	41 ADT per week Non Peak	No - limestone	Yes should be for local traffic only, Dry weather
Kinimakatka Rd (East West)	61 ADT per week – Non Peak	No - Narrow seal - limestone	Yes should be for local traffic only, Dry weather
Heinrich Rd	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
Burma Rd	Suggested by Council Officers 9 ADT per week links to Heinrich	No – Lime stone	Yes should be for local traffic only, Dry weather
Pigick Kurnbrunin	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
Western Beach Rd	Unable to open as this road is not owned by HSC 23 non peak – 185 peak per week	n/a - Narrow seal if Shire acquires Road the Yes for all traffic in future	n/a
Perenna Rd	Suggested by Council Officers 41	No - Seal and Limestone	Yes should be for local traffic only, Dry

	ADT per week - peak		weather
Netting Fence From Perenna Rd	Suggested by Council Officers	No - Limestone links to Rainbow Nhill	Yes should be for local traffic only, Dry weather

At the closing of submissions, six (6) submissions were received. Four (4) were in support of table 1, and 2 were against table 1. A copy of the submissions received have been consolidated and attached to the Council agenda for Councillors information.

The B Double working group has continued to meet on a regular basis and are recommending the following definitions of local road use under the *Road Management Act*, road rules 104. The adoption of the definition of local road use with specific conditions will be subject to a future Council report.

A road deemed for local use only may be accessed by a B-double

- If the destination of the B-double is on the specific road for the purposes of loading and unloading; or
- If the B-double's depot is located on the road; or
- If there is no alternative route for the B-double to reach its final destination.

The definition of local road use means that an un-laden vehicle that has dropped off a load anywhere in the Shire (or outside the Shire) should not be using a local use road as a short-cut. Only vehicles that have dropped off a load on a local use road should be allowed to use that same road to make their return journey.

Approval of Table 1 to be opened to B Double access as well as another 5 truck classes including HML, Grain Harvest Management Scheme (GHMS) - B-Doubles, Grain Harvest Management Scheme (GHMS) - Rigid trucks & Semi-Trailers, PBS Level 1 & PBS Level 2A with some conditions between full and local access only, this will allow increased farm access to paddocks for pickup and delivery.

Options

Council can:

1. Approve the recommendations as per the attached Table 1.
2. Not approve or amend the recommendations as per the attached Table 1.

Link to Council Plan:

- Strategic Objective 1.1 An actively engaged community.
- Strategic Objective 1.1.6 Continue to engage with our farming community on road and road related infrastructure maintenance and improvements.
- Strategic Objective 2.1 Well-maintained physical assets and infrastructure to meet community and organisational needs.

- Strategic Objective 2.1.3 Develop and prioritise detailed plans relating to new infrastructure, infrastructure upgrade and renewal (including roads, bridges, drains, footpaths and buildings) for each town.
- Strategic Objective 3.4 Transport solutions that support the needs of our communities and businesses.
- Strategic Objective 3.4.1 Advocate for flexible and responsive public and freight transport.
- Strategic Objective 3.4.2 Investigate innovative transport solutions and facility upgrades.

Financial Implications:

N/A

Risk Management Implications:

Approval of the recommendations will:

1. Increase access and heavy vehicle use by responsible vehicle operators and thus increase the numbers of heavy vehicles currently on the roads, which will initially increase council's maintenance costs. The costs in time will balance out as there will be less vehicle movements, with vehicle configurations able to take more loads. Farmers and transport companies will also have increased farm access to paddocks for pickup and delivery.
2. Reduce the number of permits issued by Council staff, and allow the current local transport operators to operate within the law.
3. Have an effect on residents and non-heavy vehicle road users, which needs to be taken into account when making assessments and enforcing conditions.

Relevant legislation:

Road Management Act 2004.

Community engagement:

Council advertised for public feedback and submissions from 16 June 2021 until 16 July 2021.

Gender equality implications:

Gazetting of Table 1 for B Doubles does not have any gender specific impact.

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/Author – Angela Hoy, Director Infrastructure Services

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

Communications Strategy:

Advise the submissions received and interested parties of council's decision.

Next Steps:

Contact National Heavy Vehicle Regulator, and B Double Working Group to advise them of Council's decision with regards to Table 1.

RECOMMENDATION:

That Council approves the recommendations as per the attached Table 1.

MOVED: CRS B Ireland/R Gersch

That Council approves the recommendations as per the attached Table 1.

CARRIED

Attachment Number: 26

Cr W Bywaters declared a material conflict of interest and left the room at 3:52pm.

9.9 DEVIATION OF ANTWERP-WOORAK ROAD, GLENLEE AND EXCHANGE OF LAND

Responsible Officer: Director Infrastructure Services

Attachment Number: 27 - 29

Introduction:

This report proposes that Council finalise the statutory procedures to deviate part of Antwerp-Woorak Road, Glenlee, exchange the land and finalise compensation negotiations with the adjoining land owner.

Discussion:

At the Council meeting held on 19 December 2018, Council resolved commence the process of undertaking a land exchange and deviation on Antwerp-Woorak Road, Glenlee to allow for the road re-alignment. Council resolved to bring an update on the land exchange to a future Council meeting.

Since the council meeting held 19 December 2018, the following has occurred:

- Road works have been completed including discontinuation of use of existing road, and deviation of road onto proposed reserve with approval from landowner as per Attachment 28
- Minister consent to the proposed deviation, Attachment 29
- Council advertised its intention to deviate the road and to transfer to the owners of the adjoining land the land from the Existing Road in exchange for the owners of the adjoining land transferring to Council the land for the New Road in local newspapers

in June 2021. The notice also stated that Council proposes to pay to the owners of the adjoining land an amount representing the difference in the current market value between the two parcels of land.

- At the close of submissions, no submissions were received.
- Council commissioned a valuation on the property. The valuation was undertaken by Preston Rowe Patterson (PRP) in June 2021. This is in accordance with the following:

Under clause 2 of Schedule 10 of the *Local Government Act 1989 (Act)* Power to deviate roads

- (1) *A Council may deviate a road through private land, Crown land or land held by licensees under the Land Act 1958*
- (2) *However, in the case of a proposed deviation-*
 - (a) *through Crown land; or*
 - (b) *which would result in the vesting of land in a Council under section 207B(2A)- this power may only be exercised after the Council has obtained the consent of the Minister administering the Land Act 1958.*

Under section 189 of the *Local Government Act 1989 (Act)* Restrictions on power to sell land

- (2) *Before selling or exchanging the land the Council must –*
 - (a) *ensure that public notice of intention to do so is given at least 4 weeks prior to selling or exchanging the land; and*
 - (b) *obtain from a person who holds the qualifications or experience specified under section 13DA(2) of the **Valuation of Land Act 1960** a valuation of land which is made not more than 6 months prior to the sale or exchange.*
- (3) *A person has a right to make a submission under section 223 on the proposed sale or exchange.*

- The valuation found that a rate of \$9,390 per hectare would be appropriate for the arable land component. Calculations were also undertaken to determine appropriate compensation, given the acquired land is greater in area than the land disposed of. The calculations were completed as follows:

CALCULATIONS			
Value of Crown Allotment 57 Before Acquisition	81.078 ha @ \$9,390 per ha	\$761,322	
Value of Crown Allotment 57 After Acquisition	77.67 ha of arable land @ \$9,390 per ha	\$729,321	
Difference		Loss	(\$32,001)
Value of Crown Allotment 46 Before Acquisition	31.918 ha of arable land @ \$9,390 per ha	\$299,710	
	16.50 ha of timber @ \$1,483 per ha	\$24,470	
	Total	\$324,180	
Value of Crown Allotment 46 After Acquisition	34.4837 ha of arable land @ \$9,390 per ha	\$323,802	
	16.50 ha of timber @ \$1,483 per ha	\$24,470	
	0.7963 ha of former road considered non-arable for 4-6 years @ \$2,348 per ha	\$1,870	
	Total	\$350,142	
Difference		Increase	\$25,962
		Difference	(\$6,039)
Total Compensation	(rounded for practical purposes)		\$7,500

All legal costs, fencing, access and gateways area to be re-instated and met by the acquiring authority.

Options:

1. Council can choose to proceed and finalise the road deviation and land exchange as proposed and compensate the land owner \$7,500 for the difference in land valuation.

Link to Council Plan:

- Strategic Objective 1.1.6 Continue to engage with our farming community on road and road related infrastructure maintenance and improvements.
- Strategic Objective 2.1 Well-maintained physical assets and infrastructure to meet community and organisational needs.
- Strategic Objective 2.1.3 Develop and prioritise detailed plans relating to new infrastructure, infrastructure upgrade and renewal (including roads, bridges, drains, footpaths and buildings) for each town.

Financial Implications:

Council will incur survey and legal costs associated with amending the title to the adjoining owner's land and gaining the title to the new road, as well as the compensation to be paid.

Upon the exchange of the land rates and charges will be levied.

Risk Management Implications:

There are risk management implications from the process of the exchange, should the interested parties withdraw from the process, which would affect the completion of the project.

Relevant legislation:

Local Government Act 1989 (Act).

Local Government Act 2020.

Land Act 1958

Community engagement:

Council advertised its intention to deviate the road and to transfer to the owners of the adjoining land the land from the Existing Road in exchange for the owners of the adjoining land transferring to Council the land for the New Road in local newspapers in June 2021.

Gender equality implications:

No gender impact assessment was required as there are no gender specific impacts with the land exchange

Conflict of Interest:

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

Officer Responsible: Angela Hoy, Director Infrastructure Services

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

Author: Daniel Griffiths, Manager Capital Works

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

Communications Strategy:

Council will notify the ratepayer of the private land with of the outcome of this report.

RECOMMENDATION:

That Council, having given public notice of its intention to deviate part of Antwerp-Woorak Road, Glenlee, and exchange the land, as shown on the Plan for Road Exchange contained within Attachment 27, and having received no submissions in respect of the proposal under section 223 of the Local Government Act 1989 (the Act):

- a. *deviates the road under clause 2 of Schedule 10 of the Act and exchanges the land under section 189 of the Act,*
- b. *directs that a notice of the deviation be published in the Victoria Government Gazette,*
- c. *directs that the owners of the adjoining land be paid the sum of \$7,500 representing the difference in the current market value between the exchanged land; and*
- d. *authorises the Chief Executive Officer to sign all documents relating to the land exchange.*

MOVED: CRS D Nelson/M Albrecht

That Council, having given public notice of its intention to deviate part of Antwerp-Woorak Road, Glenlee, and exchange the land, as shown on the Plan for Road Exchange contained within Attachment 27, and having received no submissions in respect of the proposal under section 223 of the Local Government Act 1989 (the Act):

- a. *deviates the road under clause 2 of Schedule 10 of the Act and exchanges the land under section 189 of the Act,*
- b. *directs that a notice of the deviation be published in the Victoria Government Gazette,*
- c. *directs that the owners of the adjoining land be paid the sum of \$7,500 representing the difference in the current market value between the exchanged land; and*
- d. *authorises the Chief Executive Officer to sign all documents relating to the land exchange.*

CARRIED

Attachment Numbers: 27 - 29

Cr W Bywaters returned to the room at 3:56pm.

9.10 RAINBOW RISES EVENTS ASSOCIATION

Responsible Officer: Director Corporate and Community Services

Introduction:

This report seeks a Council resolution in relation to the Rainbow Rises Events Association Incorporated.

Discussion:

In 2017, the Rainbow Town Committee formed a sub-committee called the Rainbow Desert Enduro Working Group. The purpose of the Working Group was to plan, organise and run the Rainbow Desert Enduro in collaboration with the Victorian Off Road Racing

Association. As a sub-committee of the Rainbow Town Committee, the Working Group's funds were held by Council and Council had ultimate ownership and responsibility of the Rainbow Desert Enduro.

On 6 July 2021, the Working Group became the Rainbow Rises Events Association Incorporated (Association). The Association is seeking to have the portion of money held in the Rainbow Town Committee's funds for the Rainbow Desert Enduro released to the Association.

According to Council's records, the portion of the Rainbow Town Committee's funds allocated to the Rainbow Desert Enduro is as follows:

Opening Balance 16/09/2020	\$16,652.09
Funds received 22/04/2021	\$18,984.78
Expenses to date	\$8,926.30
Commitments	\$84.00
Closing balance	\$26,626.57

This report recommends that Council release \$26,626.87 to the Association as per their request.

Event ownership and funding allocation

The Rainbow Desert Enduro is scheduled for 27-29 August 2021. Given that the Enduro is to be held in four weeks' time, it is not practicable for the Association to obtain new permits under the new entity. As a result of this, Council will need to retain overall ownership of the event and enter into an agreement with the Association for the running of the 2021 Enduro Event.

Council's 2021/2022 budget has \$12,000.00 allocated to the Rainbow Desert Enduro broken into \$5,500 for advertising and \$6,500 for in-kind expenses. This report recommends that Council fund the advertising for the 2021 event subject to forming an agreement with the Association. The Agreement will outline Council's responsibilities, the Association's responsibilities and will appoint a Council liaison officer to assist with organising the event.

Options:

1. Council can release \$26,626.57 to the Rainbow Rises Events Association Incorporated subject to an agreement formed between Council and the Association.
2. Council can retain the \$26,626.57 and not enter into an agreement with the Rainbow Rises Events Association.

Link to Council Plan:

Strategic Objective 3.1 A strong rural economy and thriving towns

- Strategic Objective 3.1.1 Market the Shire's livability, its stunning environment, relaxed country living, and unique business opportunities
- Strategic Objective 3.1.8 Work regionally/collaboratively with other organisations
- Strategic Objective 3.2: A thriving tourism industry
- Strategic Objective 3.2.3: Support innovative community-driven events and festivals that stimulate tourism and growth

Financial Implications:

This report recommends that Council release the funds held in the Rainbow Town Committee ledger for the Rainbow Desert Enduro to the Association. This is not a significant financial implication for Council as the funds were already set aside for the Rainbow Desert Enduro.

In addition to releasing the Working Group's funds to the Association. This Council Report is recommending that Council enter into a three year sponsorship arrangement with the Association for the Enduro event. A budget allocation of \$12,000.00 (\$5,500 cash and \$6,500 in-kind) would be committed to the Enduro in each annual budget from 2022/23 until 2025/26.

Risk Management Implications:

The Rainbow Desert Enduro 2021 poses a significant public safety risk to Council. As part of the agreement with the Association, Council will appoint a Council Officer to liaise with the Association to ensure that the Rainbow Desert Enduro has the appropriate risk management controls in place.

Relevant legislation:

Local Government Act 2020.

Community engagement:

N/A

Gender equality implications:

N/A

Confidential Declaration:

N/A

Conflict of Interest:

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

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

Author – Helen Thomson, Manager Governance and Human Services

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

Communications Strategy:

Council will communicate the outcome of this Council Report to the Rainbow Rises Events Association Incorporated and Rainbow Town Committee.

Next Steps:

Council will liaise with the Rainbow Rises Events Association Incorporated for planning the Rainbow Desert Enduro 2021.

RECOMMENDATION:

That Council:

- 1) notes the formation of the Rainbow Rises Events Association Incorporated;***
- 2) transfers \$26,626.57 (less any expenditure prior to transfer) from the Rainbow Town Committee funds to the Rainbow Rises Events Association Incorporated;***
- 3) enters into an agreement with the Rainbow Rises Events Association Incorporated to run the Rainbow Desert Enduro 2021;***
- 4) authorises the CEO to liaise with DELWP to gain ministerial approval to enter into a lease agreement with Rainbow Rises Events Association Incorporated for Crown Parcels 10~B\PP5664 (P006233) and 9~B\PP5664 (P006232), Rainbow Rises Road Rainbow.***

MOVED: CRS R Gersch/B Ireland

That Council:

- 1) notes the formation of the Rainbow Rises Events Association Incorporated;***
- 2) transfers \$26,626.57 (less any expenditure prior to transfer) from the Rainbow Town Committee funds to the Rainbow Rises Events Association Incorporated;***
- 3) enters into an agreement with the Rainbow Rises Events Association Incorporated to run the Rainbow Desert Enduro 2021;***
- 4) authorises the CEO to liaise with DELWP to gain ministerial approval to enter into a lease agreement with Rainbow Rises Events Association Incorporated for Crown Parcels 10~B\PP5664 (P006233) and 9~B\PP5664 (P006232), Rainbow Rises Road Rainbow.***

CARRIED

9.11 SALE OF DISCONTINUED LAND IN WHITTON STREET DIMBOOLA

Responsible Officer: Director Infrastructure Services

Introduction:

This report seeks Council approval to sell the previously discontinued road in Whitton

Street, Dimboola to the adjoining land owners.

Discussion:

On 21 January 2021, Council received correspondence from Ferguson and Perry, acting on behalf of their client who owns lots 15 to 23 on LP11511 in Whitton Street Dimboola.

The correspondence advised that in 1989, Dimboola Shire Council initiated a road discontinuance in Whitton Street Dimboola and that this land was to be sold to abutting owners by private treaty. The correspondence further advised that this sale was never completed. It was requested that Council investigate their records and expedite the sale to their clients to ensure they that prospective purchasers have rightful access to Whitton Street.

Council's investigations have revealed that in 1988, the Dimboola Shire Council received a request from the owner of land at the corner of Lloyd and Whitton Street Dimboola, to purchase a portion of the road reserve as their property encroached on to the road reserve.

Minutes of the 16 August 1988 Council Meeting document that Council decided to approach all the landowners on this side of Whitton Street to ascertain whether they were interested in purchasing six feet of Whitton Street, adjacent their properties, at a cost of \$10.00 per frontage.

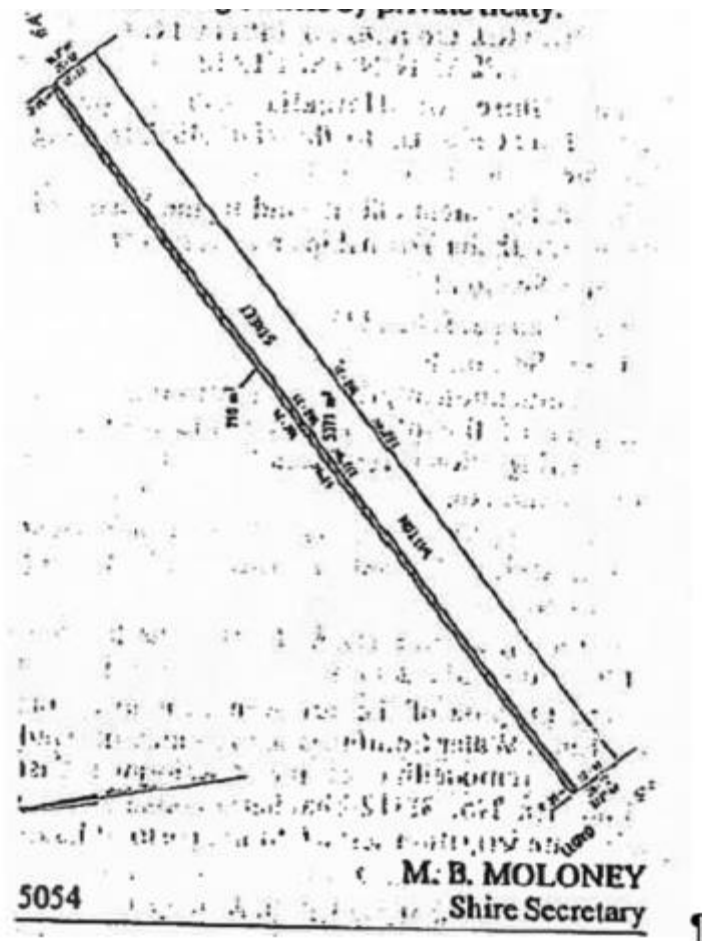
Three of the four owners responded that they wished to proceed and the Minutes of the Council Meeting held 20 September 1988 contained the following motion.

1. "The Council in accordance with Section 528 (2) of the Local Government Act proceed to reduce the width of Whitton Street 6 feet along the properties being Lots 24-28.
2. That Messrs Guy and Ferguson be instructed to prepare the necessary documentation.

The Government Gazette of 03 May 1989 contained the following notice:

"Pursuant to section 528 (2) of the *Local Government Act 1958* it is resolved that this Council being of the opinion that the part of the road shown hatched on the plan hereunder is not reasonably required as a road for public use, having consulted with any relevant public statutory authority, having published and given the notices required by section 528 (2) of the *Local Government Act 1958*, and not having received any objections to the proposal does hereby resolve and direct that:

- (a) Such parts be discontinued;
- (b) Publication of this resolution be effected in the Government Gazette;
- (c) Thereafter the said part to be sold to abutting owners by private treaty."



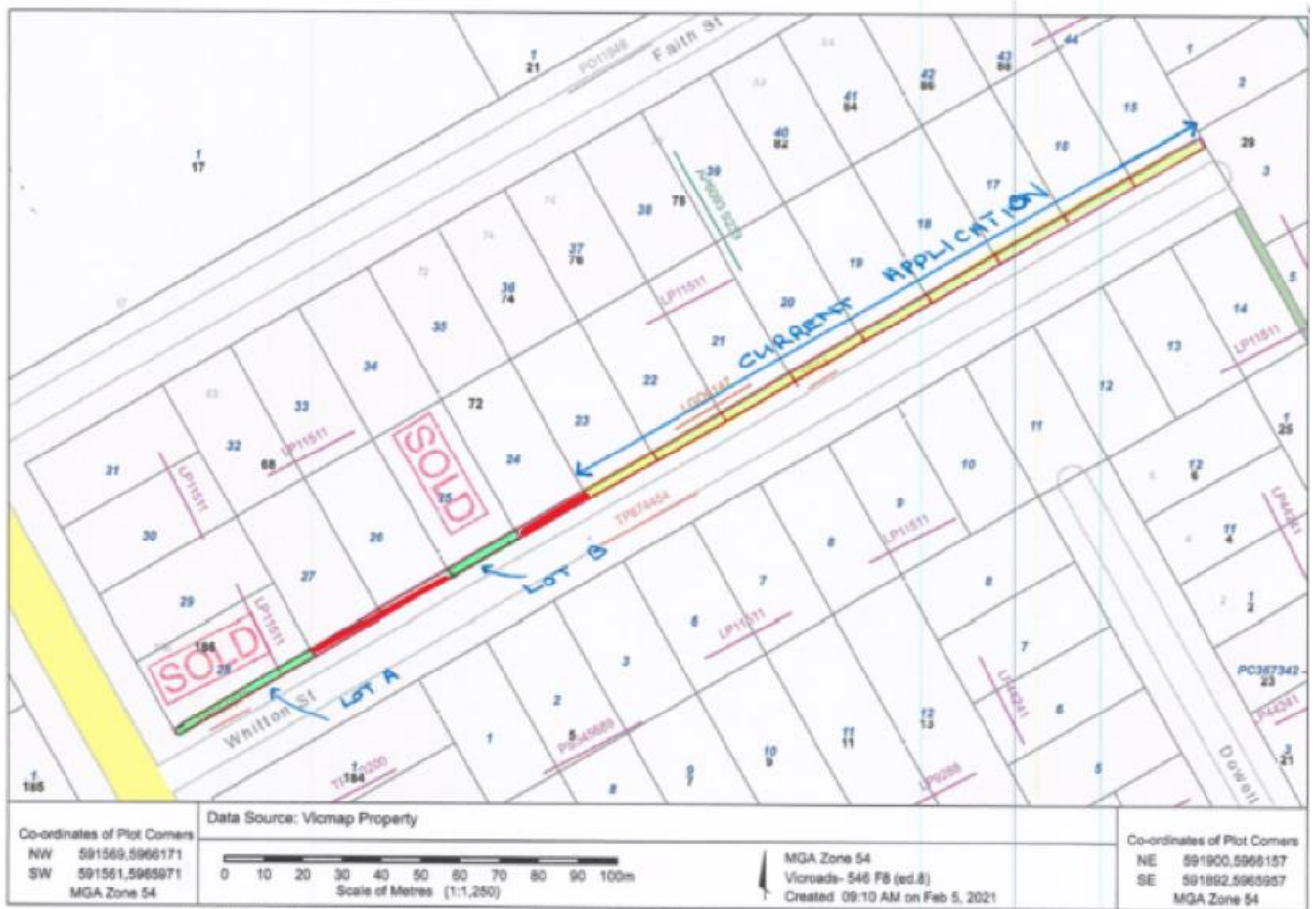
Source: Government Gazette 03 May 1989.

The portion of road was formally discontinued and Council sold the section of road shown as Lot A (green) on the plan below, to the owner of 186 Lloyd Street Dimboola around August 1989 (Lot 1 TP654071P).

Council gained Title to the remaining lots, 1-13 in 1991 and in May 1991 Council sold the section of road shown as Lot B (green) on the plan below to the abutting owner (Lot 3 TP64L).

The application from Ferguson and Perry is for the section of discontinued road shown yellow, adjacent lots 15 to 23.

The remaining lots shown in red on the plan below, adjacent lots 24, 26 and 27, should also be sold to the adjoining owners to ensure they enjoy legal access to Whitton Street and to complete the project commenced in 1988.



Given the length of time from the original decision and the fact there have been two new acts (1989 and 2020) since the proposed sale was advertised in the Government Gazette, it is deemed appropriate to abide by the current requirements.

Section 114 of the 2020 Act sets out the following requirements for the selling of land.

1. Council Report authorising the Chief Executive Officer to complete the sale of land process.
2. Gain a valuation of the property.
3. Advertise Council's intention to sell the land in the local papers and on the website for 4 weeks.
4. Complete the sale of land.

Options:

1. Council can authorise the Chief Executive Officer to complete the sale of land in Whitton Street Dimboola.
2. Council may choose not to complete the sale of land in Whitton Street Dimboola.

Link to Council Plan:

Strategic Objective 3.1.6 Encourage investment in housing stock to address housing shortages.

Financial Implications:

A formal valuation has been obtained. The total Market Value of all the lots comprising 614.57 m² of undeveloped and discontinued road, is \$4,000.

Council sold the land, shown as lots 15 to 23, adjacent the yellow sliver of Whitton Street in 2006.

Given the decision in 1989 to discontinue the portion of road, in order to ensure that the land sold by Council enjoyed legal access to Whitton Street, the discontinued road should have been part of the 2006 sale / acquisition.

In order to rectify this oversight, Council should expedite a transfer of the former road to the current owners as requested by Ferguson and Perry. It is suggested that a nominal consideration of \$1.00, with each party bearing its own costs, is appropriate.

In relation to the remaining three portions of discontinued road (shown as red on the map above) it is recommended that these be offered to the current owners at market value with each party bearing its own legal costs.

Risk Management Implications:

Given the decision to discontinue a portion of the road and sell this land to the adjacent land owners was made in 1989 it would be wise to expedite and complete the sale of this land.

Relevant legislation:

Local Government Act 2020 - Section 114 – Restriction on power to sell or exchange land.

Community engagement:

In accordance with Section 114 of the *Local Government Act 2020*, Council must at least 4 weeks prior to selling or exchanging the land, publish notice of intention to do so –

- (1) on the Council's Internet site; and
- (2) in any other manner prescribed by the regulation for the purposes of this subsection; and
- (3) undertake a community engagement process in accordance with its community engagement policy.

Gender equality implications:

Not deemed applicable.

Confidential Declaration:

Not applicable.

Conflict of Interest:

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

Officer Responsible – Angela Hoy, Director Infrastructure Services

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

Author – Janette Fritsch, Manager Development

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

Communications Strategy:

Council will undertake the notification as required under the *Local Government Act 2020*

Next Steps:

1. Undertake the notification process as required by the Act.
2. At the conclusion of this period, engage Conveyancing Lawyer to undertake the sales process.

RECOMMENDATION:

That Council authorises the Chief Executive Officer to undertake the sale of discontinued road in Whitton Street Dimboola to the adjacent landowners in accordance with the Local Government Act 2020.

Further, that the terms of sale be offered as follows:

- ***\$1 for the land shown as yellow***
- ***Market Value for the land shown as red***
- ***Each party to pay their own legal costs.***

MOVED: CRS W Bywaters/D Nelson

That Council authorises the Chief Executive Officer to undertake the sale of discontinued road in Whitton Street Dimboola to the adjacent landowners in accordance with the Local Government Act 2020.

Further, that the terms of sale be offered as follows:

- ***\$1 for the land shown as yellow***
- ***Market Value for the land shown as red***
- ***Each party to pay their own legal costs.***

CARRIED

10. COUNCIL COMMITTEES

10.1 YURUNGA COMMITTEE OF MANAGEMENT

Responsible Officer: Director Corporate and Community Services
Attachment Number: 30

Introduction:

The Yurunga Committee of Management held its meetings on 22 April 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 Yurunga Committee of Management meeting held on 22 April 2021.

MOVED: CRS B Ireland/M Albrecht

That Council notes the minutes of the Yurunga Committee of Management meeting held on 22 April 2021.

CARRIED

Attachment Number: 30

10.2 DIMBOOLA TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment Number: 31 and 36

Introduction:

The Dimboola Town Committee held its meetings on 5 July 2021 and 2 August 2021. The purpose of this report is to note the minutes from these meetings. A copy of these minutes are included as an attachment for the information of Council.

RECOMMENDATION:

That Council:

- 1. notes the minutes of the Dimboola Town Committee meetings held on 5 July 2021 and 2 August 2021, and*
- 2. approves expenditure of up to \$15,000 (ex gst) for the Dimboola Steam Punk event on Saturday 4 September 2021 to cover lighting, COVID safe materials, advertising and incidentals.*

MOVED: CRS W Bywaters/D Nelson

That Council:

- 1. notes the minutes of the Dimboola Town Committee meetings held on 5 July 2021 and 2 August 2021, and**
- 2. approves expenditure of up to \$15,000 (ex gst) for the Dimboola Steam Punk event on Saturday 4 September 2021 to cover lighting, COVID safe materials, advertising and incidentals.**

CARRIED

Attachment Number: 31 and 36

10.3 JEPARIT TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Number: 32

Introduction:

The Jeparit Town Committee held its meetings on 12 July 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:

- 1. notes the minutes of the Jeparit Town Committee meeting held on 12 July 2021,**
- 2. notes that Cheryl Quinn is the Secretary appointed by the Committee, and**
- 3. approves the appointment of Rebecca Schultz as a new Committee member.**

MOVED: CRS B Ireland/W Bywaters

That Council:

- 1. notes the minutes of the Jeparit Town Committee meeting held on 12 July 2021,**
- 2. notes that Cheryl Quinn is the Secretary appointed by the Committee, and**
- 3. approves the appointment of Rebecca Schultz as a new Committee member.**

CARRIED

Attachment Number: 32

10.4 RAINBOW TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment Number: 33

Introduction:

The Rainbow Town Committee held its meetings on 26 July 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. Matters arising from the meeting are dealt with in a separate report on this agenda (Item 9.10)

RECOMMENDATION:

That Council notes the minutes of the Rainbow Town Committee meeting held on 26 July 2021.

MOVED: CRS R Gersch/D Nelson

That Council notes the minutes of the Rainbow Town Committee meeting held on 26 July 2021.

CARRIED

Attachment Number: 33

11. LATE REPORTS

11.1 AMENDED APPLICATION FOR PLANNING PERMIT PA1633-2019 – USE AND DEVELOPMENT FOR A PLACE OF ASSEMBLY - 116-120 LLOYD STREET DIMBOOLA VIC 3414

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 25220
Planning Permit No: PA1633-2019
Applicant: Mr John Nichols, Dimboola Art Inc.
Owner: Graeme Schneider
Subject Land: 116-120 Lloyd Street Dimboola VIC 3414 (Lot 1 PS803114J)
Proposal: Use and development for a Place of Assembly
Zoning & Overlays: Commercial 1 Zone (C1Z)
Environmental Significance Overlay Schedule 6 (ESO6)
Heritage Overlay Schedule 34 (HO34)
Road Zone Category 1 (RDZ1) adjacent to Lloyd Street
Attachment Number: 34

Summary:

This report recommends that Council approve amended development plans and an amended planning permit to allow the use and development of a Place of Assembly. Amended conditions are required to address heritage considerations and landscaping and to manage the use within the definition of a Place of Assembly.

Background:

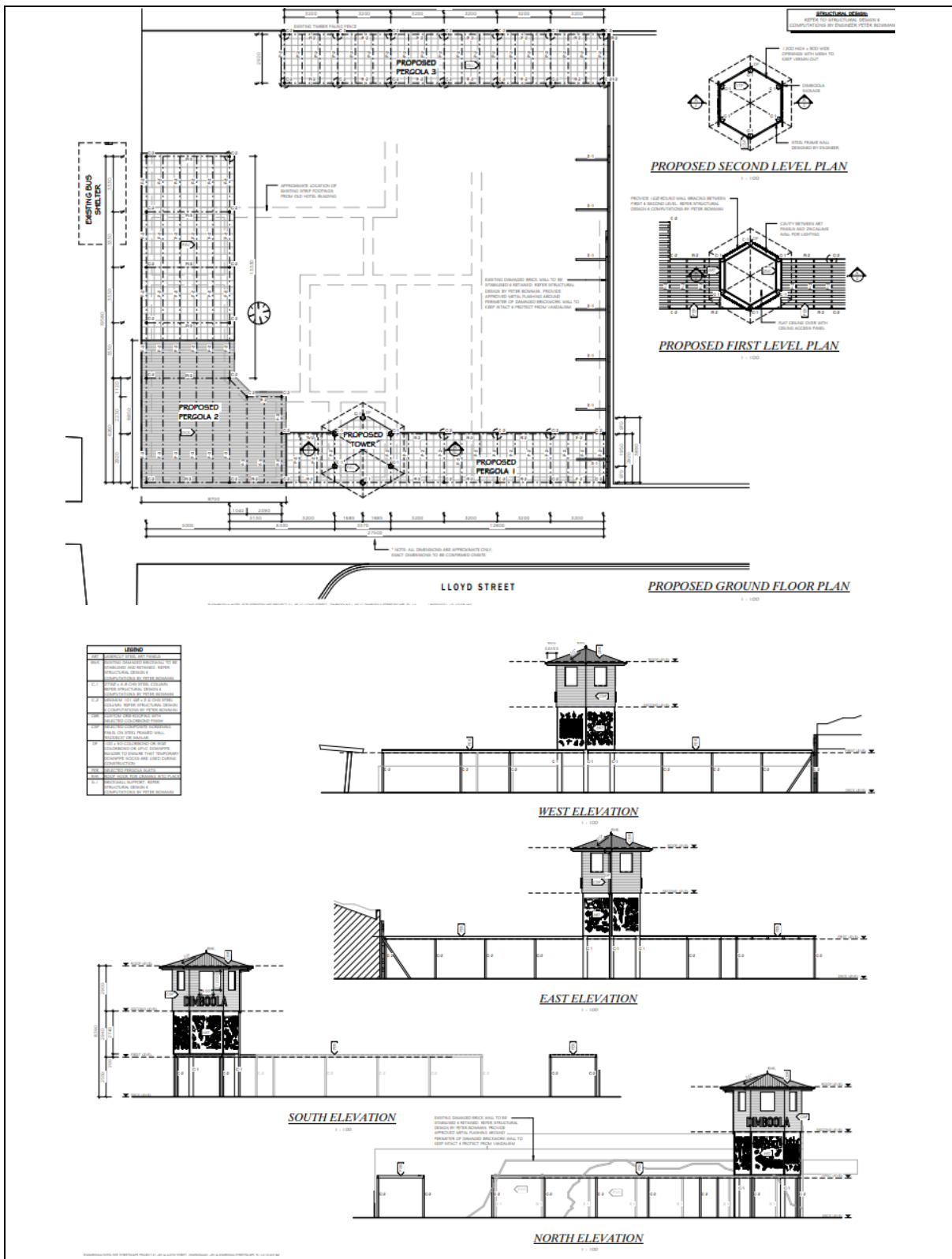
The site was previously occupied by the Dimboola Hotel which has been demolished. The proposal is to utilise this vacant parcel of land for arts related and community projects which originally received funding from 'Pick My Project - Open Community Arts & Reflection Space', a State Government funding program. An amended design concept is proposed to relocate the proposed tower and the proposed pergolas and to revise the layout of pathways and gardens for landscaping on the site.

Proposal Details:

The amended proposal is for the proposed use and development for a Place of Assembly on the site, which will include arts and cultural events for the community and provide a space for community events including fundraising events. The Dimboola Art Inc. Committee are proposing a visual arts and crafts display, community markets and outdoor community-based activities to be held on the site. The development will no longer be constructed in stages.

The amended proposal includes the relocation of the new tower building and changes to dimensions, materials and colours, alter the pergola structures and materials, the removal of kiosk, outdoor seating in different locations to define areas, gravel pathways along the footings of the former hotel and garden areas for landscaping. Local native plants are proposed in garden areas to define the separate spaces. The artistic feature tower is proposed to be relocated away from the corner of Lloyd Street and Lochiel Street due to structural issues with the existing underground cellar of the former hotel. There are no buildings or works proposed on the Council footpaths.

Amended ground floor plan and amended elevations below:



Requirement for Permit:

A planning permit is required for Use for a Place of Assembly pursuant to Clause 34.01-1 and for Buildings and works for a Section 2 (permit required) Use pursuant to 34.01-4 of the Commercial 1 Zone (C1Z).

A planning permit is also required for buildings and works pursuant to Clause 43.01-1 of the Heritage Overlay Schedule 34.

An Art and Craft Centre, and Exhibition Centre and a Market use which is under the definition of Retail Premises, do not specifically require a planning permit as these uses are listed as Section 1 Uses under the C1Z.

There is no planning permit trigger under the Environmental Significance Overlay Schedule 6, as there is no vegetation removal and no earthworks proposed.

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 subject land is not within an area of Aboriginal Cultural Heritage Sensitivity. The proposal is exempt from requiring a CHMP pursuant to the *Aboriginal Heritage Regulations 2018*.

Subject site & locality:

The site is located at 116-120 Lloyd Street Dimboola, being Lot 1 on PS803114J and is vacant land within the commercial centre of Dimboola. The subject land fronts Lloyd Street to the west and Lochiel Street to the north.

The surrounding land is currently used for shops and offices, with the Dimboola RSL, the Dimboola CFA and the Dimboola Library and Customer Service Centre situated on the western side of Lloyd Street.

The closest dwellings within residential zoned land are located approximately 75 metres to the north and approximately 100 metres to the east of the site.

Aerial Map below – Hindmarsh POZI



Advertising

Section 52 Notice of amended application

The amended application was advertised by sending notices as follows:

- Notices to the Adjoining Neighbours (including Council).
- Two (2) public notices on the land – one (1) sign fronting Lloyd Street and one (1) sign fronting Lochiel Street.
- Public notice in the Dimboola Banner newspaper.
- Public notice on Council's website.

As a result of the advertising, no objections were received.

Referrals:

No External Referrals/Notices were required by the Planning Scheme.

Internal Referrals:

- Engineering: Comments provided about the following:
Drainage
 - Should be to the Western side of the property to the drain in the Lloyd Street road reserve.
 - Legal Point of Discharge (LPD) can be applied for with the building permit application.

- A Consent to Works within Road Reserve permit is required for any works conducted in the road reserve.
- Heritage Adviser: Comments provided below by David Helms:

The loss of the Dimboola Hotel had a significant impact upon the integrity of the Dimboola Town Centre Heritage Precinct. It was one of several key landmark buildings on street corners that defined the identity and historic character of the centre. Because of this, this project provides an important opportunity to remember and interpret the history of this important building.

I am pleased that the history of the site is to be interpreted through features such as the gravel pathways, which are positioned above the surviving strip footings of the hotel, as well as the tower feature. However, I believe more could be done and the following changes are suggested to mitigate potential heritage impacts:

- *Relocate the tower to the corner of Lloyd and Lochiel streets. As the form and detailing of the tower feature makes a direct reference to the original tower it should also be in the same location. This is important not only for historic reasons, but also in urban design terms, as it will better address this corner by providing a visible and prominent marker visible when viewed along both streets.*
- *Include an interpretation sign. The history of the site and significance of features such as the tower and the gravel paths over the hotel footings may not be fully understood or appreciated without some on-site information about the history of this site. This would be in a form of a simple information board/sign that could include an historic image of the hotel, some details of its history (including Traditional Owner history), and an explanation of some of the interpretive features (paths, tower) and the artwork on the tower. This could be developed in association with the local historical society and Traditional Owner groups.*

The above are the key recommended changes to mitigate potential heritage impacts. Other changes that could be considered (subject to cost) are an additional gravel path along the remaining north-south building footing and extending the pergola structure over the footpath so as to interpret the original hotel – this does not have to be the full length of the frontage and could be contained to a small sections on either side of the corner. I appreciate the above changes may have cost implications for the project and I'm happy to discuss them further to find appropriate solutions.

Planning Scheme Requirements:

Municipal Planning Strategy (MPS):

Clause 02.02 Vision

Clause 02.03 Strategic Directions

Clause 02.03-5 Building Environment and heritage

Clause 02.03-6 Economic Development

Clause 02.04 Strategic Framework Plans - Dimboola Framework Plan

Planning Policy Framework (PPF):

Clause 11.01-1S Settlement

Clause 11.01-1R Settlement – Wimmera Southern Mallee

Clause 13.05-1S Noise abatement

Clause 13.07-1S Land use compatibility

Clause 15.03-1S Heritage conservation

Clause 17.01-1S Diversified economy

Clause 17.01-1R Diversified economy - Wimmera Southern Mallee

Clause 17.04-1S Facilitating tourism

Clause 17.04-1R Tourism - Wimmera Southern Mallee

Clause 19.02-3S Cultural facilities

Clause 19.02-4S Social and cultural infrastructure

Clause 19.02-4R Social and cultural infrastructure - Wimmera Southern Mallee

Zoning Provisions:

Clause 34.01 – Commercial 1 Zone (C1Z)

34.01-1 Table of uses

Section 1 – Permit not required

- Art and Craft Centre, and Exhibition Centre - includes Art Gallery
- Retail Premises (other than Shop) – includes Market

Section 2 – Permit required

Place of Assembly (other than Exhibition centre)

34.01-4 Buildings and works

A permit is required to construct a building or construct or carry out works.

This does not apply to (relevant):

An awning that projects over a road if it is authorised by the relevant public land manager.

34.01-8 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate (relevant to application):

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.

- The provision of carparking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- The design of buildings to provide for solar access.

Overlay Provisions:

Clause 43.01 – Heritage Overlay Schedule 34 (HO34) - Dimboola Town Centre Heritage Precinct

43.01-1 Permit requirement

A permit is required to construct a building or construct or carry out works.

43.01-8 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate (relevant to application):

- The Municipal Planning Strategy and the Planning Policy Framework.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

Schedule 34 to the HO - Dimboola Town Centre Heritage Precinct

- External paint controls apply

The Dimboola Town Centre Heritage Precinct does not have a specific heritage citation dating back from when the existing Heritage Overlay and Schedules were translated into the new format Hindmarsh Planning Scheme on 6 January 2000.

The heritage significance of the Dimboola Town Centre Heritage Precinct has recently been assessed in a Heritage Assessment and external painting guidelines by David Helms dated 29 June 2019, which has not been adopted by Council. In this heritage

assessment of the Dimboola Town Centre, its historical significance, representativeness and aesthetic significance have been identified. The following comments are noted:

- *The Dimboola Town Centre is historically significant for evidence of the development of Dimboola into an important commercial and civic centre in the Wimmera region from the late nineteenth century.*
- *The Dimboola Town Centre is a representative example of a typical country town civic and commercial centre.*
- *The Dimboola Town Centre has aesthetic significance for the consistency and integrity of the streetscapes, which comprise commercial buildings of related scale and form, many with original or typical post-supported verandahs or suspended awnings. Interspersed among these buildings are some impressive civic and commercial buildings including the Post Office, former Court House, former Shire Hall, which are local landmarks and add to the distinctive historic character. The mature Fig and Pepper trees in Lochiel Street are landmarks due to their size and frame the view toward the Wimmera River.*
- *The HO34 Dimboola Town Centre Precinct is of local historic and aesthetic significance to Hindmarsh Shire.*

The External Painting Guidelines of the Heritage Assessment notes that ‘*These guidelines are intended to encourage and support the conservation of the historic character of the Dimboola Town Centre heritage precinct*’ and ‘*The purpose of the Guidelines is to provide assistance to both Council and property owners or occupiers with choosing appropriate colour schemes for historic buildings within the Dimboola Town Centre*’.

Particular Provisions:

Clause 52.05 Signs

52.05-11 Category 1 – Commercial areas

Minimum limitation

Section 1 - Permit not required

A Business Identification Sign, a Direction Sign and a Promotion sign are Section 1 signs – no permit required - provided the total display area of all signs to each premises does not exceed 8 sqm.

Internally illuminated signs are also Section 1 signs - no permit required – if the conditions listed below are met:

- The total display area to each premises must not exceed 1.5 sqm.
- No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level.
- The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.

Planning Response:

The revised tower art works are not considered signs and do not require a planning permit. The Dimboola sign on the tower does not require a planning permit provided the total area is less than 8sqm.

Clause 52.06 – Car Parking

52.06-5 Number of car parking spaces required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

Table 1: Car parking requirement

- Place of Assembly – 0.3 car spaces to each patron permitted
- Art & Craft Centre – 4 car spaces to each 100 sqm of net floor area.
- Art Gallery – No set rate.
- Exhibition Centre – No set rate.
- Market – 8 car spaces to each 100 sqm of site area

52.06-6 Number of car parking spaces required for other uses

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme, before a new use commences, car parking spaces must be provided to the satisfaction of the responsible authority.

Planning Response:

Although the overall use is a Place of Assembly, the more specific uses under this broader definition have different car parking rates or no set rate under Clause 52.06-5.

The absence of car parking for the amended application is the same as the original application, which was assessed under Clause 52.06-6 and was deemed to be satisfactory within this commercial area.

General Provisions

Clause 65 - Decision Guidelines, states that:

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

Clause 65.01 Approval of an application or plan

Before deciding on an application or approval of a plan, the Responsible Authority must consider, relevant matters, as appropriate.

Discussion:

Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF)

The amended proposal will continue to facilitate the use and development of an underutilised parcel of land within the commercial area of Dimboola for a community-based space. The proposed Place of Assembly will reactivate this part of Dimboola and encourage cultural diversity, tourism and economic development opportunities.

The amended proposal will comply with the relevant decision guidelines of the MPS and LPPF, with conditions requiring details of heritage colours and an additional pathway along the eastern footings of the former hotel to protect and enhance the heritage values of the site.

Commercial 1 Zone (C1Z)

The proposed Place of Assembly use and associated uses will have a positive impact on the adjoining commercial uses and will have adequate separation from the closest residential areas to minimise any potential noise and amenity impacts.

The revised design and layout of the tower building and the pergolas with timber batten screening will enhance the appearance of the site within the streetscape and activate the street frontages. The relocation of the tower further south is required to avoid the structural issues associated with the existing underground cellar which was part of the former hotel on the corner of Lloyd Street and Lochiel Street. The amended development will still encourage appropriate pedestrian access, the provision of direction signs and suitable lighting. The revised pergola structures will extend along most of the two street frontages and will also provide for solar access and shading. The provision of new landscaping will improve the presentation of the site to the street frontages.

There is no vehicle access proposed to the site from Lloyd Street and Lochiel Street, which is acceptable in this instance due to the nature of the uses and activities and the availability of car parking and public transport adjacent to the site.

The amended proposal complies with the relevant decision guidelines of the Commercial 1 Zone.

Heritage Overlay Schedule 34 (HO34)

Although Council's Heritage Adviser comments are warranted in terms of heritage matters, the proposed tower cannot be relocated to the front corner due to structural issues with the existing underground cellar of the former Dimboola Hotel on the corner of the site. The design and proportions of the proposed relocated tower are respectful of the former tower and provides an interpretative presentation of key attributes of the former hotel.

The inclusion of an interpretative sign for the former hotel is a positive recommendation from Council's Heritage Adviser. An interpretative sign will be a required condition within six (6) months of the commencement of the use. This timeframe will allow the development to proceed and the use to commence first to activate this vacant site within the commercial centre of Dimboola.

The addition of a gravel pathway along the south-eastern footings of the former hotel is also required as a condition. The proposed pergolas will not be extended over the footpath so that Council is not required to maintain such structures within the road reserve along Lloyd Street.

The amended proposal therefore complies with the relevant decision guidelines of the HO for the following reasons:

- The amended design of the proposal will not adversely affect the significance of the heritage place and will not adversely affect the natural or cultural significance of the place.
- The site is Non-contributory according to the Statement of Significance attached to the Heritage Assessment for HO34.
- The location, bulk, form or appearance of the proposed buildings will not adversely affect the significance of the heritage place.
- The location, bulk, form and appearance of the proposed buildings will respect the character and appearance of adjacent buildings and the heritage place, and the proposed colours will respect the heritage character of the area.
- The proposed works will not adversely affect the significance, character or appearance of the heritage place.

Clause 52.06 Car Parking

Although there is no car parking proposed on site, there is ample on-street car parking in front of the site and within walking distance to the site to accommodate any likely car parking demand generate by the proposal. There are likely to be multi-purpose trips within the locality which would be combined with a trip to the site. There will also be a variation in car parking demand for the proposed uses depending on the time of day and the day of the week. The majority of car parking demand will be short stay and some long stay for the operators of the businesses. There are public transport buses available in the locality and convenient pedestrian and cyclist access to the site. The proposal warrants a reliance on on-street parking to be approved.

The amended proposal is therefore to the satisfaction of Council in accordance with Clause 52.06-6.

Clause 65 Decision Guidelines

The amended proposal will comply with the MPS and PPF and outlined above. The amended proposal will enable the redevelopment of this vacant commercial site and will enhance the economic development of the township of Dimboola.

The amended proposal will not adversely impact on the environment and the amenity of the area and will facilitate the orderly planning of the area. The amended proposal will not adversely impact on adjacent public land. The revised development will be required to be designed to maintain or improve the quality of stormwater within and exiting the site subject to conditions. There are no loading and unloading facilities on the site, but any such facilities can be accommodated on the street frontages and there are unlikely to be any associated amenity, traffic flow and road safety impacts.

The amended application will comply with the relevant decision guidelines of Clause 65.

Amended Description

The description of the permit will be simplified to refer to the 'Use and development for a Place of Assembly' and to not refer to the Art Gallery, Cinema and Market to provide more flexibility for the extent of uses on the site.

Amended Conditions

There are several conditions that will be deleted and replaced with new conditions for the amended application. Condition 1 will be revised to remove the colours, landscaping and stormwater conditions and to require an additional pathway along the south-eastern footings of the former hotel for heritage reasons. Condition 2 for the staging of the development will be deleted as this is no longer proposed. Two conditions will be added for interpretative signage to be designed and approved by Council within six (6) months of the commencement of the use and to be erected on site within six (6) months of the approval of the plans. The renumbering of the remaining conditions will also occur.

Strategic, Statutory and Procedural Requirements:

The amended proposal is consistent with the Municipal Planning Strategy and Planning Policy Framework, the Commercial 1 Zone, the Heritage Overlay Schedule 34 and Clause 65 of the Hindmarsh Planning Scheme.

Report to Council:

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

Processing Times:

29/06/2021	Application to Amend Permit PA1633-2019 lodged
09/07/2021	Amended Application and correct Title received pursuant to Section 50 of the <i>Planning and Environment Act 1987</i>
09/07/2021	Public Notice instructions sent to applicant
12/07/2021	Public notification commenced – letters sent
12/07/2021	Public notice – signs erected by Applicant on site
14/07/2021	Public notice – Advertisement appears in the Dimboola Banner
19/07/2021	Amended Landscape Plan received pursuant to Section 50 of the <i>Planning and Environment Act 1987</i>
19/07/2021	Internal referrals to Engineering and Building sent
28/07/2021	Advertising period ends
30/07/2021	Statutory declaration returned by the Applicant
29/07/2021	Responses all received to internal referrals
30/07/2021	Fee Payment – Journal to be undertaken by Council
04/08/2021	Presented to Council for approval

This report is being presented to Council for approval at the meeting held 04 August (6 statutory days).

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

Link to Council Plan:

- Strategic Objective 1.1 An actively engaged community.
Strategic Objective 1.3 A community that is physically active with access to a wide range of leisure, sporting and recreation facilities.
Strategic Objective 2.1.1 Re-develop and maintain attractive streetscapes, open spaces and public places.

Financial Implications:

The development will be funded by the grant monies the Dimboola Art Inc. received through the Pick My Project Fund.

Risk Management Implications:

The responsibility for on-going maintenance costs has not been established.

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 to disclose.

Author: Bernadine Pringle, Consultant Town Planner

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

RECOMMENDATION:

That Council approves Amended Planning Application PA1633-2019 for Use and development for a Place of Assembly at 116-120 Lloyd Street Dimboola VIC 3414 (Lot 1 on PS803114J), subject to the amended permit description and the following amended conditions:

Amended Permit Description:

'Use and development for a Place of Assembly'

Amended Conditions:

Amended Plans

1. ***Before the construction for the development and use commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the permit. Three copies must be provided. The plans must be generally in accordance with the amended plans dated 18 May 2021 but modified to show:***
 - a) ***The addition of a gravel pathway along the south-eastern footings of the former hotel.***

Endorsed Plans

2. ***The use and development as shown on the endorsed plan 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.***

Heritage

Interpretation signage

3. ***Within six (6) months from the commencement of the use, plans for an interpretation sign that includes an historic image of the former Dimboola Hotel, details of its history (including Traditional Owner history) and an explanation of some of the interpretive features (paths, tower) and the artwork on the tower, must be submitted to and approved by the Responsible Authority.***

Installation of Interpretation signage

4. ***This signage must be installed within six (6) months of the approval the plans by the Responsible Authority to the satisfaction of the Responsible Authority.***

Amenity

5. ***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.***

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

Stormwater

7. *Stormwater drainage from the approved development must be designed appropriately to be diverted to the legal point of discharge and/or contained on site to the satisfaction of Responsible Authority.*

Time Limit

8. *This permit will expire if the development and use is not started within two years of the date of this permit and if the development is not completed within four years of the date of this permit.*

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or:

- a) *within six months of the expiry date, where the use allowed by the permit has not yet started; and*
- b) *within 12 months of the permit expiry date, where the use has lawfully started before the permit expires.*

Notes:

Planning

The Dimboola signs must not exceed 8sqm or the total area of all signs must not exceed 8sqm to not require a planning permit. Further planning approval is required for any signs that are not exempt from requiring a planning permit under the relevant clauses of the Hindmarsh Planning Scheme.

Building

A building permit is required for the tower building and pergolas and other supporting structures.

Engineering

Drainage required to the south-western side of the property to the drain in the Lloyd Street road reserve.

Legal Point of Discharge (LPD) can be applied for with the building permit application.

A Consent to Works within Road Reserve permit is required for any works conducted in the road reserve.

MOVED: CRS D Nelson/W Bywaters

That Council approves Amended Planning Application PA1633-2019 for Use and development for a Place of Assembly at 116-120 Lloyd Street Dimboola VIC 3414 (Lot 1 on PS803114J), subject to the amended permit description and the following amended conditions:

Amended Permit Description:

'Use and development for a Place of Assembly'

Amended Conditions:

Amended Plans

- 1. Before the construction for the development and use commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the permit. Three copies must be provided. The plans must be generally in accordance with the amended plans dated 18 May 2021 but modified to show:***
 - a) The addition of a gravel pathway along the south-eastern footings of the former hotel.***

Endorsed Plans

- 2. The use and development as shown on the endorsed plan 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.***

Heritage

Interpretation signage

- 3. Within six (6) months from the commencement of the use, plans for an interpretation sign that includes an historic image of the former Dimboola Hotel, details of its history (including Traditional Owner history) and an explanation of some of the interpretive features (paths, tower) and the artwork on the tower, must be submitted to and approved by the Responsible Authority.***

Installation of Interpretation signage

- 4. This signage must be installed within six (6) months of the approval the plans by the Responsible Authority to the satisfaction of the Responsible Authority.***

Amenity

- 5. 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.***
- 6. The site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area.***

Stormwater

- 7. Stormwater drainage from the approved development must be designed appropriately to be diverted to the legal point of discharge and/or contained on site to the satisfaction of Responsible Authority.***

Time Limit

- 8. This permit will expire if the development and use is not started within two years of the date of this permit and if the development is not completed within four years of the date of this permit.***

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or:

- a) within six months of the expiry date, where the use allowed by the permit has not yet started; and***
- b) within 12 months of the permit expiry date, where the use has lawfully started before the permit expires.***

Notes:

Planning

The Dimboola signs must not exceed 8sqm or the total area of all signs must not exceed 8sqm to not require a planning permit. Further planning approval is required for any signs that are not exempt from requiring a planning permit under the relevant clauses of the Hindmarsh Planning Scheme.

Building

A building permit is required for the tower building and pergolas and other supporting structures.

Engineering

Drainage required to the south-western side of the property to the drain in the Lloyd Street road reserve.

Legal Point of Discharge (LPD) can be applied for with the building permit application.

A Consent to Works within Road Reserve permit is required for any works conducted in the road reserve.

CARRIED

Attachment Number: 34

11.2 PLANNING PERMIT APPLICATION PA1715-2021 – CONSTRUCT BUILDINGS AND WORKS FOR ALTERATIONS TO THE EXISTING MOTEL AND FOR USE FOR AN ANCILLARY RESTAURANT AND A BOTTLE SHOP AND TO USE THE LAND FOR THE SALE AND CONSUMPTION OF LIQUOR AT 7291 WESTERN HIGHWAY, NHILL, VIC 3418

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 131060
Application No: PA1715-2021
Applicant: Robin Barber
Owner: VS Group of Companies Pty Ltd
Subject land: 7291 Western Highway, Nhill, VIC 3418 (Lot 1 on PS067881)
Proposal” Construct buildings and works for alterations to the existing Motel and for use for an ancillary restaurant and a bottle shop and to use the land for the sale and consumption of liquor
Zoning and Overlays Commercial 1 Zone (C1Z)

- Clause 34.01-4 of the C1Z - Buildings and works for Section 2 Use
- Clause 52.27-1 – Licensed Premises – Use the land for

the sale and consumption of liquor

Attachment Number: 35

Summary

This report recommends that Council approve Planning Permit PA1715-2021 to construct buildings and works for alterations to the existing Motel and for use for an ancillary restaurant and a bottle shop and to use the land for the sale and consumption of liquor at 7291 Western Highway, Nhill, VIC 3418 (Lot 1 on PS067881), subject to standard conditions.

Background

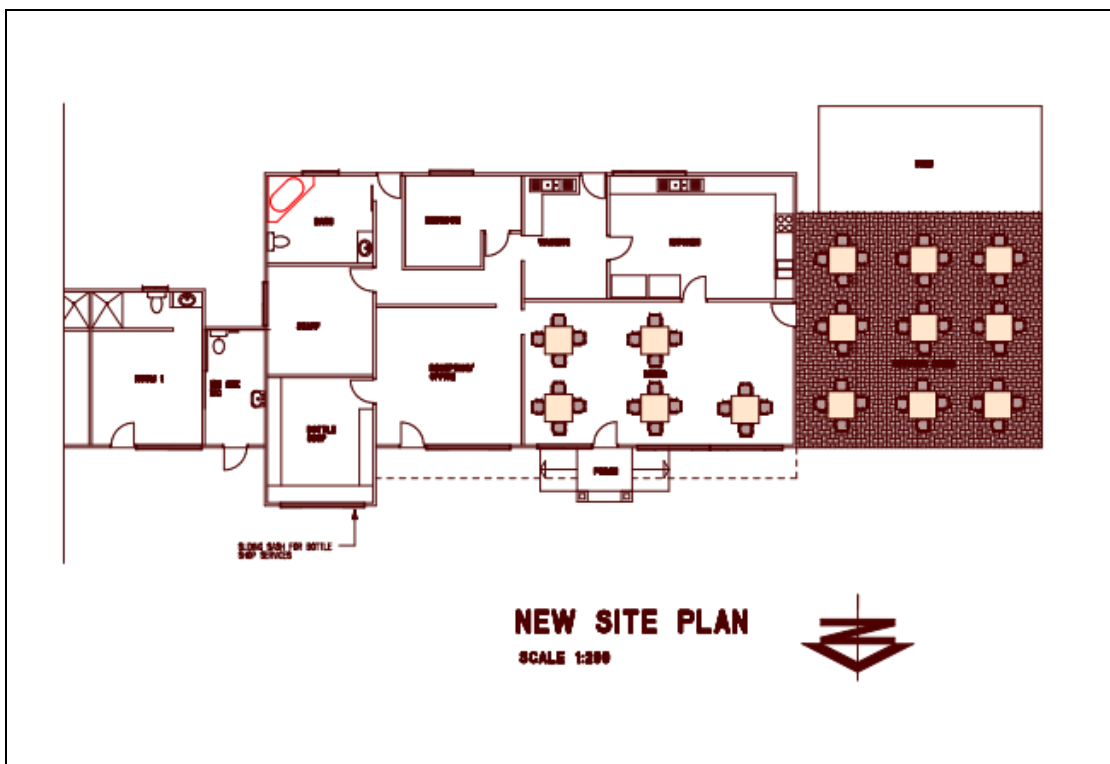
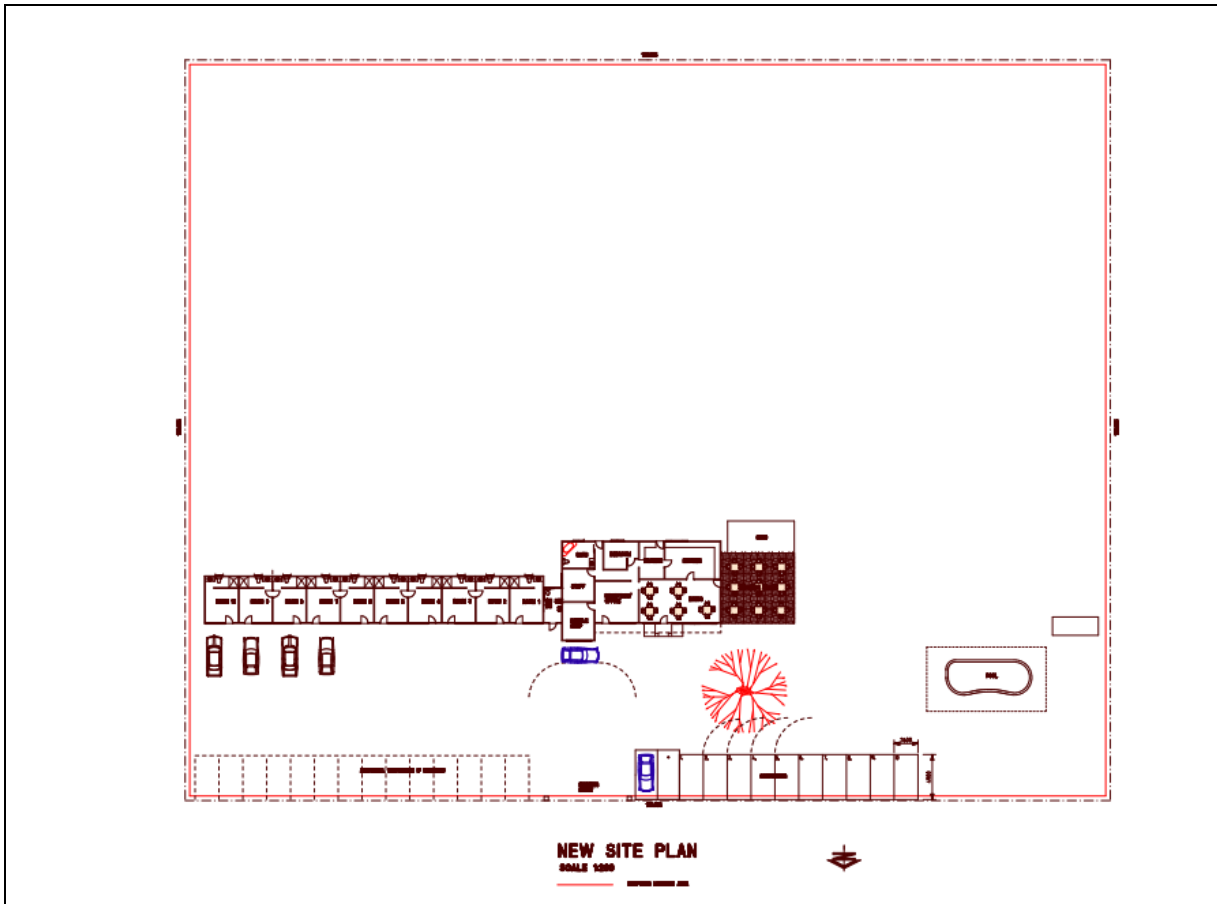
Planning Application PA1715-2021 was lodged with Council on 19 April 2021 and the application fee was paid on 29 April 2021. Amended plans were submitted on 13 May 2021 and the application form was amended on 3 June 2021 pursuant to Section 50 of the *Planning and Environment Act 1987*.

Proposal

The application proposes to construct buildings and works for alterations to the existing Motel and for use for an ancillary restaurant and a bottle shop and to use the land for the sale and consumption of liquor. The proposal consists of the following:

- A new entry porch in front of the restaurant and a new sliding sash front window for the proposed Bottle Shop.
- A new outdoor dining area for the existing restaurant to increase the number of seats from the seven (7) existing seats to the 56 seats proposed. The proposed dining hours in restaurant will be 5am to 11pm.
- The new outdoor dining area will not be undercover.
- The proposed liquor licence hours for the Motel and Restaurant will be 10am to 11pm.
- Conversion of one bedroom of the existing manager dwelling into a Bottle Shop with the replacement sliding sash window.
- The proposed Bottle Shop liquor licence hours will be 10am to 11pm.
- The proposed red line area is to extend over the entire site under a General Liquor Licence, which is to be separately assessed by the VCGLR.
- The construction of eleven (11) additional car parking spaces adjacent to the entry to the site and an overflow car parking area to the east.
- The retention of the ten existing Motel rooms on the site, with space for future expansion at the rear of the site which would be subject to a further planning permit application.
- No proposed changes to the existing vehicle access from Western Highway to the north.

Proposed Site Plans x 2 below:



Requirement for Permit:

The subject land is located within the Commercial 1 Zone. There are no Overlays applying

to the land.

A planning permit is required to construct buildings and works under Clause 34.01-4 of the Commercial 1 Zone.

A planning permit is also required under Clause 52.27-1 Licensed Premises to use the land for the sale and consumption of liquor (General Liquor Licence).

Subject Site and Locality

The subject site is located on the southern side of Western Highway, Nhill and is situated approximately 2km to the east of the commercial centre of Nhill. The site has a total area of approximately 8136m². The site contains an existing Motel and an associated restaurant for Motel patrons.

The site is located within commercial area on the southern side of the highway and adjoins a service station to the west and a grain storage and handling facility to the east. There is farming land located to the south of the site.

Aerial Photo below (Hindmarsh POZI)



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 as the proposal is not within land affected by Aboriginal Cultural Heritage Sensitivity pursuant to the *Aboriginal Heritage Regulations 2018*.

Advertising

Section 52 Notice of Application

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- Sending notices to the owners and occupiers of the adjoining land.
- Placing one public notice on site fronting Western Highway for a period of 14 days.
- Placing the public notice in the local newspaper, The Nhill Free Press.
- The application being made available for public viewing on Council's website.

A statutory declaration was received from the applicant. The notification has been carried out correctly by the applicant.

Council has not received any objections to date.

Referrals

External Referrals

Section 55

Nil

Section 52

Department of Transport – No response received.

Victorian Commission for Liquor and Gambling Regulation (VCGLR) – Comments provided - Does not intend to offer any comment or submission on the above application.

Internal Referrals

The application was referred internally to the following Departments:

Engineering

- No objection to the development subject to a condition for Car Parking Spaces:
The patrons of the motel complex, who attend the premise must use the allocated Car Parking Spaces provided and not overflow onto the Road Reserve.

Environmental Health

- Comments provided:
The current registration under the Food Act 1984 is Class 3, therefore he has to change it to Class 2 to run a restaurant.
I conducted on-site inspection earlier this year, and the kitchen needs to be built to meet the Food Safety Standards. Several emails were sent in early February. Please see the attached.
I can only issue Food Act registration once Planning, Building permits have been issued to run the food business and also, he has complied with the Food Act 1984 and Food Standards Australia New Zealand.

Building

- Comments provided

A building permit is required for the proposed alteration and additions.

Planning Scheme:

Planning Scheme Requirements:

Municipal Planning Strategy (MPS)

Clause 02.02 Vision

Clause 02.03 Strategic Directions

Clause 02.03-1 Settlement and housing

Nhill has an important role as a service and business centre for the local community, travellers along the Western Highway and the surrounding rural hinterland.

Council's strategic directions for settlement includes to:

- *Promote the development of Nhill as the major service and business centre in the Shire providing a range of economic and community opportunities.*

Clause 02.03-5 Building Environment and heritage

Council's strategic directions for built environment and heritage includes the need to:

- *Promote urban design and architecture that reflects the characteristics, aspirations and cultural identity of the community.*

Clause 02.03-6 Economic Development

Council's strategic directions for economic development include to:

- *Develop new activities that are economically, environmentally and socially sustainable.*
- *Facilitate increased employment opportunities within and adjacent to the towns.*

Clause 02.04 Strategic Framework Plans

Nhill Framework Plan

Planning Policy Framework (PPF)

Clause 11.01-1S Settlement

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

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

Clause 15.01 Built Environment

Clause 15.01-2S Building Design

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

Clause 15.01-5S Neighbourhood character

Objective - To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Clause 17.01-1S Diversified economy

Objective - To strengthen and diversify the economy.

Clause 17.01-1R Diversified economy - Wimmera Southern Mallee

Strategies include - Capitalise on economic development opportunities through building on the region's assets, particularly agriculture, energy, mining and tourism.

Clause 17.02-1S Business

Objective - *To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.*

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

Clause 19.03-3S Integrated water management objective is:

Planning Response:

The proposed development on the existing Motel site will enhance the existing services and facilities provided and encourage employment and economic opportunities, which is supported by the relevant planning policies in the MPS and PPF relating to Settlement, Built Environment and Economic Development.

In particular, the proposal will encourage new retail activities and economic development in accordance with Clause 02.03-6 of the MPS. The proposal will support and protect the commercial character of the area and encourage development to meet the community's needs for retail uses in accordance with Clauses 15.01-S and 17.02-1S of the PPF.

Clause 34.01 – Commercial Zone

34.01-1 Table of uses

Section 1 – Permit not required

- Retail premises (other than Shop) - includes Restaurant
- Shop – includes Bottle Shop

Section 2 - Permit required

- Accommodation - includes Motel – The frontage at ground level exceeds 2 metres. This is an existing use.

34.01-4 Buildings and works

A permit is required to construct a building or construct or carry out works

34.01-8 Decision guidelines (relevant to the application)

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.

- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.

Planning Response:

The application is consistent with the Municipal Planning Strategy and Planning Policy Framework as discussed above. The site adjoins land that is within the Commercial 1 Zone (C1Z) and the Farming Zone (FZ) and will not impact on these surrounding areas. The development will respect and enhance the commercial activities of this part of Nhill and will respect the character of the surrounding area.

The existing Motel use will operate in conjunction with the Restaurant and Bottle Shop uses and will have a positive effect on these two new as-of-right uses within the C1Z. The development will be connected to existing services and the kitchen of the Restaurant will need to be upgraded to current food safety standards. The proposal is unlikely to have any impact on traffic along Western Highway provided all car parking for the uses are contained on the site.

There will be no impact to the movement of pedestrians, cyclists, and vehicles as a result of the proposal. There are adequate car parking spaces to be provided on the site. The streetscape will not be adversely impacted by the proposed development.

A condition is required to ensure the provision of the required number of car spaces for the Restaurant use and the total number of car spaces for all uses. A condition is also required to ensure that rubbish is suitably screened on site and disposed of off the site. The buildings, landscaping and paved areas will be easily maintained.

The proposal will therefore comply with the decision guidelines of the zone.

Particular Provisions

Clause 52.06 Car Parking

52.06-5 Number of car parking spaces required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

Table 1: Car parking requirement

<u>Use</u>	<u>Rate</u>	<u>Car Parking Measure</u>
Motel	1	To each unit, and one to each manager dwelling, plus 50 per cent of the relevant requirement of any ancillary use
Restaurant	0.4	To each patron permitted
Shop	4	To each 100 sq m of leasable floor area this table

Planning Response:

The existing Restaurant of the Motel currently has seven (7) seats indoors as advised by the applicant. This is proposed to increase to 56 seats as a result of the alterations to the Motel and the outdoor dining area, which will be open to the public. This is an increase of 49 seats for the Restaurant.

The applicant has advised that approximately half of the seats within the Restaurant, which is 28 seats, will be available to the public and the remaining 28 seats will be utilised by Motel guests.

The existing Motel use generates a requirement for 14 car spaces, which is comprised of 10 car spaces for the units, one (1) car space for the manager dwelling and three (3) car spaces for the Restaurant with seven (7) seats as an ancillary use.

There are a sufficient number of car parking spaces available in front of the Motel units, the managers dwelling and the ancillary restaurant to accommodate the existing car parking demand.

The proposed expansion of the Restaurant as a separate use that is open to the public and the public will contribute to half of the seating capacity. This will effectively result in a net increase of 28 patrons to the site at any given time. The additional 28 patrons will generate a requirement for 11 car parking spaces for the Restaurant. The site plan submitted by the applicant shows the provision of 11 new car spaces including 10 standard car spaces and one (1) accessible car space along the front boundary of the site. An overflow car parking area is also noted to the east of the existing entrance to the site.

The new Bottle Shop use will result in the removal of one bedroom of the manager dwelling for the Motel. The site plan shows a drive through area in front of the Bottle Shop. The leasable floor area of the Bottle Shop will be approximately 25m², which generates a requirement for one (1) car space. Customers to the bottle shop may either drive through or park on the site.

A total of 26 car parking spaces are required for the existing and proposed uses and can be accommodated within the frontage of the site. Conditions are required to ensure the provision of a minimum of 26 car parking spaces before the new uses commence and that car parking areas and access is kept available and accessible at all times.

The proposal will therefore comply with the car parking rates required in this Clause.

Clause 52.27 Licensed Premises

Permit required

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

- A licence is required under the Liquor Control Reform Act 1998.
- A different licence or category of licence is required from that which is in force.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.
- The impact of the hours of operation on the amenity of the surrounding area.
- The impact of the number of patrons on the amenity of the surrounding area.
- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

Planning Response:

The application is consistent with the Municipal Planning Strategy and Planning Policy Framework as discussed above. The proposed sale and consumption of liquor to Motel guests, to Restaurant patrons and to Bottle Shop customers within this commercial area is appropriate and will not impact on the amenity of the surrounding area.

The proposed hours of operation for the liquor licence from 10am to 11pm for the Motel, Restaurant and Bottle Shop use are acceptable within this commercial area provided the hours are limited to be from 12noon to 11pm on Good Friday and Anzac Day, which is consistent with VCGLR hours required on those public holidays.

The existing Motel can accommodate 20 guests and the proposed Restaurant will accommodate up to 56 patrons. The number of patrons for the liquor licence is acceptable within this commercial area. The proposed liquor licence will not adversely impact on the amenity of the area. There are no existing licensed premises within close proximity to the site and no cumulative impacts.

Conditions are required to manage the hours of operation of the liquor licence.

The proposal will therefore comply with the decision guidelines of this Clause subject to conditions.

General Provisions

Clause 65 - Decision Guidelines

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

Clause 65.01 Approval of an application or plan (relevant to the application)

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

- *The matters set out in Section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*

Planning Response:

The application complies with the relevant decision guidelines as outlined above. The proposal complies with the Municipal Planning Strategy and Planning Policy Framework, having regard to the benefit the proposal will have to enhance the commercial activities

on the site and the associated economic development opportunities.

The proposed development will not affect the environment and will not impact on the amenity of the area. The proposal enables the orderly planning of the area. There is adequate space on the site for loading and unloading facilities for the Motel, Restaurant and Bottle Shop uses. There are not likely to be any traffic flow and road safety impacts.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the Municipal Planning Strategy and Planning Policy Framework, the Commercial 1 Zone, Clause 52.27 and Clause 65 of the Hindmarsh Planning Scheme.

Report to Council:

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

Processing Times:

19/04/2021	Application lodged
29/04/2021	Fee received
12/05/2021	Further information requested
13/05/2021	Response to further information and amended plans received pursuant to Section 50 of the <i>Planning and Environment Act 1987</i>
21/05/2021	Further information email sent to the applicant
21/05/2021	Response to further information received
21/05/2021	Further information email sent to the applicant
03/06/2021	Response to further information and an amended application received pursuant to Section 50 of the <i>Planning and Environment Act 1987</i>
03/06/2021	Public Notice instructions sent to applicant and letters sent
10/06/2021	External referrals sent
10/06/2021	Internal referrals to Engineering, Environmental Health and Building sent
21/06/2021	Statutory declaration for advertising received.
02/07/2021	Responses received to most external referrals and internal referrals
07/07/2021	Advertising fee paid to Council
04/08/2021	Presented to Council for approval

The report is being presented to Council for approval at the meeting held 04 August 2021 (44 statutory days).

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

Link to Council Plan:

Strategic Objective 3.1 A strong rural economy and thriving towns.

Financial Implications:

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

Risk Management Implications:

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

Conflict of Interest:

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

Officer Responsible – Angela Hoy, Director Infrastructure Services

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

Author – Bernadine Pringle, Consultant Town Planner

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

Communications Strategy:

Advise the applicant of the Council's decision.

Next Steps:

Issue planning permit and endorse the plans if approved by Council.

RECOMMENDATION:

That Planning Permit PA1715-2021 be approved, to allow the buildings and works for alterations to the existing Motel and for use for an ancillary restaurant and a bottle shop and to use the land for the sale and consumption of liquor at 7291 Western Highway, Nhill, VIC 3418 (Lot 1 on PS067881), subject to the following conditions:

Amended Plans

- 1. Before the development and use starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:***
 - a) A north elevation to provide details of the following:***
 - i) The maximum height of the new entry porch, and***
 - ii) A notation for the sliding sash front window of the Bottle Shop to be a replacement window.***

Unless otherwise approved, in writing, by the Responsible Authority.

Endorsed Plans

- 2. The use and development as shown on the endorsed plans shall not be altered or modified, whether or not in order to comply with any statute or statutory rule or local law or any other reason without the written consent of the Responsible Authority.***

General Requirements

- 3. 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.***

Hours of Liquor Licence

- 4. The sale and consumption of liquor for the Motel, Restaurant and Bottle Shop uses must not occur outside the following hours:***
 - Sunday to Thursday: between 10.00am-11.00pm.***
 - Friday and Saturday: between 10.00am-11.00pm.***
 - Good Friday and Anzac Day: between 12.00pm-11.00pm.***

Unless otherwise approved in writing by the Responsible Authority.

Amenity

- 5. 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) Artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.***
 - d) Presence of vermin.***
- 6. The owner/operator must take all responsible measures to ensure that patrons consuming alcohol remain within the licensed area, so as not to breach conditions of the liquor licence, and that patrons' behaviour is acceptable, so as not to create a nuisance to pedestrians or road users, all to the satisfaction of the Responsible Authority.***
- 7. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.***

Access and Car Parking

8. ***A minimum of twenty-six (26) car spaces must be provided on the land for the Motel, Restaurant and Bottle Shop uses, including the provision of an adequate number of accessible car spaces with dimensions and layout to comply with the Australian Standards, to the satisfaction of the Responsible Authority.***
9. ***Before the use commences, the car parking spaces must be provided on site, with all car parking, access lanes and driveways as shown on the plans to remain unobstructed and available for their intended use at all times, unless otherwise approved in writing by the Responsible Authority.***
10. ***Car spaces and parking areas, access lanes and driveways must be maintained in a good condition to the satisfaction of the Responsible Authority.***

Engineering Condition

Car Parking

11. ***The patrons of the motel use and visitors who attend the site must use the allocated car parking spaces provided on the site and car parking must not overflow onto the Road Reserve along the Western Highway to the satisfaction of the Responsible Authority.***

Environmental Health Condition

12. ***Before the commencement of the Restaurant use, the required food registration must be approved by Council's Environmental Health Department and the upgrade of the kitchen must be approved and constructed, all to the satisfaction of the Responsible Authority.***

Waste Management

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

Permit Expiry

14. ***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.***

In accordance with Section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

Notes:

Planning

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

Environmental Health

- ***The current registration under the Food Act 1984 is Class 3, therefore the registration has to be changed to Class 2 to run a restaurant.***
- ***The kitchen must be built to meet the Food Safety Standards. Previous advice was sent by Council's Environmental Health Officer about the upgrades to the kitchen that are required.***
- ***A Food Act registration cannot be issued until the Planning permit and Building permit have been issued to run the food business and not until the permit holder/owner has complied with the Food Act 1984 and Food Standards Australia New Zealand.***

Building

- ***This permit is not a Building Permit. Please consult a Building Surveyor and ensure a Building Permit is obtained.***
- ***Note:***
Adequate sanitary facilities must be provided on site for the restaurant patrons and must comply with the relevant Building Regulations.

MOVED: CRS M Albrecht/D Nelson

That Planning Permit PA1715-2021 be approved, to allow the buildings and works for alterations to the existing Motel and for use for an ancillary restaurant and a bottle shop and to use the land for the sale and consumption of liquor at 7291 Western Highway, Nhill, VIC 3418 (Lot 1 on PS067881), subject to the following conditions:

Amended Plans

1. ***Before the development and use starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:***
 - a) ***A north elevation to provide details of the following:***
 - i) ***The maximum height of the new entry porch, and***

- ii) A notation for the sliding sash front window of the Bottle Shop to be a replacement window.*

Unless otherwise approved, in writing, by the Responsible Authority.

Endorsed Plans

- 2. The use and development as shown on the endorsed plans shall not be altered or modified, whether or not in order to comply with any statute or statutory rule or local law or any other reason without the written consent of the Responsible Authority.*

General Requirements

- 3. 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.*

Hours of Liquor Licence

- 4. The sale and consumption of liquor for the Motel, Restaurant and Bottle Shop uses must not occur outside the following hours:*
- Sunday to Thursday: between 10.00am-11.00pm.*
 - Friday and Saturday: between 10.00am-11.00pm.*
 - Good Friday and Anzac Day: between 12.00pm-11.00pm.*

Unless otherwise approved in writing by the Responsible Authority.

Amenity

- 5. 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) Artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*
 - d) Presence of vermin.*
- 6. The owner/operator must take all responsible measures to ensure that patrons consuming alcohol remain within the licensed area, so as not to breach conditions of the liquor licence, and that patrons' behaviour is acceptable, so as not to create a nuisance to pedestrians or road users, all to the satisfaction of the Responsible Authority.*
- 7. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.*

Access and Car Parking

8. ***A minimum of twenty-six (26) car spaces must be provided on the land for the Motel, Restaurant and Bottle Shop uses, including the provision of an adequate number of accessible car spaces with dimensions and layout to comply with the Australian Standards, to the satisfaction of the Responsible Authority.***
9. ***Before the use commences, the car parking spaces must be provided on site, with all car parking, access lanes and driveways as shown on the plans to remain unobstructed and available for their intended use at all times, unless otherwise approved in writing by the Responsible Authority.***
10. ***Car spaces and parking areas, access lanes and driveways must be maintained in a good condition to the satisfaction of the Responsible Authority.***

Engineering Condition

Car Parking

11. ***The patrons of the motel use and visitors who attend the site must use the allocated car parking spaces provided on the site and car parking must not overflow onto the Road Reserve along the Western Highway to the satisfaction of the Responsible Authority.***

Environmental Health Condition

12. ***Before the commencement of the Restaurant use, the required food registration must be approved by Council's Environmental Health Department and the upgrade of the kitchen must be approved and constructed, all to the satisfaction of the Responsible Authority.***

Waste Management

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

Permit Expiry

14. ***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.***

In accordance with Section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or

within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

Notes:

Planning

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

Environmental Health

- *The current registration under the Food Act 1984 is Class 3, therefore the registration has to be changed to Class 2 to run a restaurant.*
- *The kitchen must be built to meet the Food Safety Standards. Previous advice was sent by Council's Environmental Health Officer about the upgrades to the kitchen that are required.*
- *A Food Act registration cannot be issued until the Planning permit and Building permit have been issued to run the food business and not until the permit holder/owner has complied with the Food Act 1984 and Food Standards Australia New Zealand.*

Building

- *This permit is not a Building Permit. Please consult a Building Surveyor and ensure a Building Permit is obtained.*
- **Note:**
Adequate sanitary facilities must be provided on site for the restaurant patrons and must comply with the relevant Building Regulations.

CARRIED

Attachment Number: 35

12. NOTICES OF MOTION

No notices of motion.

13. OTHER BUSINESS

MOVED: CRS W Bywaters/B Ireland

That Council:

1. *Notes that cultural heritage management plans (CHMPs) are currently being prepared for the Wimmera River Discovery Trail;*

2. ***Requests that officers review the decision to install a new footbridge in lieu of refurbishing the existing old rail bridge at Jeparit;***
3. ***Requests that officers review the request from Barengi Gadjin Land Council to close the final 350m of Ebenezer Mission Road leading past Ebenezer Mission; and***
4. ***A report, or reports, be prepared, on these issues, for a future Council meeting after the preparation of the CHMPs and prior to any tendering for an alternative footbridge at Jeparit.***

CARRIED

MOVED: CRS R Gersch/W Bywaters

That Council liaise with VicRoads regarding a 50km speed limit in the built up area in Taverner Street, Rainbow.

CARRIED

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

RECOMMENDATION:

That the meeting be closed in accordance with section 66 (2) (a) of the Local Government Act 2020, to consider reports that contain confidential information as defined by section (3) of the Local Government Act 2020:

14.1 COUNCILLOR DEVELOPMENT – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;

MOVED: CRS R Gersch/W Bywaters

That the meeting be closed in accordance with section 66 (2) (a) of the Local Government Act 2020, to consider reports that contain confidential information as defined by section (3) of the Local Government Act 2020:

14.1 COUNCILLOR DEVELOPMENT – this report contains “Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released” insofar as it pertains to contractual matters;

CARRIED

15. MEETING CLOSE

There being no further business, Cr R Ismay declared the meeting closed at 4:36pm.



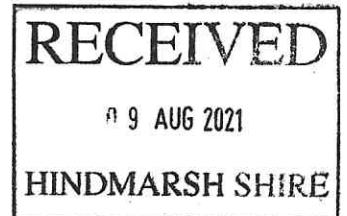
Nhill Agricultural & Pastoral Inc.

P.O. Box 80, Nhill 3418

Ph: 0448 732 609

Email: nhillap.secretary@gmail.com

Mr Greg Wood
CEO
Hindmarsh Shire Council
92 Nelson Street
NHILL VIC 3418



5th August 2021

Re: Cancellation of the Nhill Annual Show Day - 14th October 2021

Dear Mr Wood,

The Nhill A & P Society Inc committee would like to inform the Hindmarsh Shire Council that for 2021, we have made the decision to cancel the Nhill Annual Show which would have been held on Thursday 14th October 2021.

The decision was based around the uncertainty of the changing restrictions / regulations, border closures that we are currently living with due to the pandemic (COVID). This was not an easy decision for the committee to make as the Annual Show Day is an event that brings the Nhill Community and surrounding district together.

The committee had written to the council in June 2021, requesting the Melbourne Cup Public Holiday be changed to the Nhill Show Day, we now withdraw this request. The A & P Society had also received funding from the Hindmarsh Shire, which was allocated to the 2021 Show Day, this will be carried over to 2022 Show Day.

On behalf of the committee members, I would like to thank the Hindmarsh Shire Council for there ongoing support, and we look forward to running a Show Day in 2022.

Kind Regards,

Julie Woolcock
Secretary / Treasurer

ATT Ron & Greg

As Requested,

In relation to the flooding caused by council works from the Nhill main drain up stream, from Ward st / Ridgewell st crossover to the railway culvert.

Proposal A

Hindmarsh Shire purchase block A + block B at current market value. Valued by a certified valuer.

Council to fill in existing drain and dam.

Upgrade Nazum Lane to provide access.

Council to pay all legal fees. (Conveyancing etc)

Proposal B

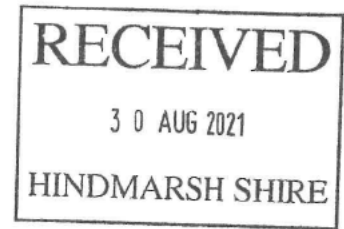
Exchange block A + block B for the remainder of Mcilwraith Lane. Titles to be attached to individual blocks D, F, H. Block I to become 1 lot (see map).

Council to fill in existing drain and dam.

Upgrade Nazum Lane to provide access.

Blocks C, D, E, F, G, H, I rezoned light industrial 1.

Council to pay all legal fees. (Conveyancing etc)



All Councillors and CEO,
Hindmarsh Shire Council,
NHILL 3428

Correspondence B Double Route Taverner St

I refer to my correspondence to the Hindmarsh Shire CEO from the 22.3.2021, then to the Council about the problem of the use of B Doubles and Trucks in Taverner St. Rainbow to which anadequate answer **has not been received**. I asked the question what can be done by the shire to assist its ratepayers to alleviate the situation of damage to our homes due to the B Double use in Taverner Street Rainbow.

I also advised of an alternate route which could be used by the vehicles and paid for by those who are benefitting financially - from the mines etc.

I do not believe that the ratepayers should contribute to a new road that does not benefit them. The use of Taverner Street is just a 'go thru' to everywhere else. I can assure you that up to **500 trucks per day do not** stop for fuel or food in Rainbow. In fact it would be a miniscule amount.

A letter was then received by me from Ms Hoy of the 22.6.2021 - **3 months later** - stating the content of my submission to the B Double Public consultation was presented to the council meeting of the 5.5.2021.- then to the Rainbow Town Committee's meeting of the 21.6.2021 for discussion and they supported a reduction of speed limit to Vic Roads **through council**, and they, the Town Committee felt it was not financially feasible for the mine owners to fund an alternate route. Why not?

At this point I would ask why the matter to my letter was sent to the Rainbow Town Committee who are only subservient to the Hindmarsh Shire Council as proved.

The question of the damage to our homes seem not to bother that body at all

considering the fact that none of them live in Taverner St. - only that the mine owners should not have to pay for a road that only they will benefit. If the mine owners want their product to go to market then they should contribute to how it gets there, not the ratepayers of Rainbow. Will the mine owners contribute to fixing the damage to our homes that they cause.

Why are the members of the Rainbow Town Committee so concerned about the mine owners and not the ratepayers who they are supposed to represent?

And who suggested a reduction in the speed limit in Taverner Street? A time wasting exercise by the Hindmarsh Shire Council.

My submission to the B Double question within the shire is of no consequence to ratepayers as they are only interested in the situation in Taverner Street Rainbow.

I then wrote to the Rainbow Town Committee on the 4.7.2021 setting out the concerns of the ratepayers who live in Taverner Street and I presume that committee has sent you a copy of my letter - (which I will include with this letter) so Council will be aware of where we stand with the Rainbow Town Committee, who have not even bothered to respond to my letter - perhaps another letter to that body is in order.

I then received a letter from Ms Hoy of the 22.7.2021 referring to my letter to the Hindmarsh Shire Council dated 4.7.2021 which I requested to be tabled at the next shire meeting of the 4.8.2021.

This I found most interesting as she stated she was responding to me on behalf of the CEO and Councillors- this **two weeks** before the meeting of the 4th August with decisions made re an alternate route for the vehicles - **before** the actual meeting! (was this a meeting before a meeting ? what is that called again?) when my complete letter should have been read, tabled and discussed as requested - didn't happen.

In her letter she further stated my suggested alternate route in its current form is not suitable for heavy vehicles and has been considered to be unviable unless future funding becomes available - in other words - do nothing.

1. My suggestion was for the land, mine owners to pay for any work to be done on Wheatlands West Road and 3 Chain Road, not the ratepayers of Rainbow - as they would be the only ones using both roads on a daily basis. Currently both roads are being used with the 3 Chain Road being used for as long as I can remember. The first part of Wheatlands Road West already has heavy vehicles using same.

2. Who from the shire were the people making the decisions about the roads not

being suitable, and why was I not asked to be in attendance as I requested?

Where and when did the discussion of the alternate route take place?

3. It is noted however that both the roads in question are also being used by the Enduro -which shows both roads are being used - could that be part of the reasoning? Should not the Enduro contribute to the upgrading of the road as they are using both roads as well, and receive financial assistance from the ratepayers.

With regard to the **allegation** of property damage, of course Hindmarsh Shire is quick to pass any responsibility to Vic roads and yet you are denying some ways that any further damage could be avoided by your inaction.

There are 3 alternate routes the heavy vehicles could use-

1. The route already mentioned - detour all B Doubles and Trucks to Wheatlands Road West then to the 3 Chain Road as per my map sent to you. Only vehicles that wish to stop for fuel or perhaps lunch should use Taverner St.

2. When leaving Albacutya they proceed toward Yaapeet and take the turn off that will take them to Kenmare from there they could proceed to Beulah, Warracknabeal W and then to Horsham and other areas on two different roads - both sealed.

3. Proceed to Hopetoun and let them have the problem that we face.

It is also noted that as of this month, Albacutya Gypsum has started a new contract carting limestone to Horsham, which will go on for up to 5 years, and of course Taverner Street is the preferred route they are taking now - this in addition to the gypsum and grain cartage later in the year.

And no - the drivers are not stopping for fuel and food as suggested by Mr. Ireland, and as Vic roads have refused to lower the speed limit as I advised you would happen, and that Mr Gersch was happy to motion about, along with the Rainbow Town Committee, what is the next step in the too hard basket!

I am sure with monies available through the shire plus Enduro plus land and mine owners etc that the two roads in question could be made suitable for heavy vehicles **now**. All of the vehicles proceed on earth roads from leaving the mines, paddocks etc - so being on the earthen roads of the 3 Chain and Wheatlands should not be any bother to the drivers.

As the Rainbow Town Committee are supposed to be working for the ratepayers - is it up to them to pay for restoration to our homes or for the shire to do so as you

refuse to do anything to alleviate the situation.

There are approximately 70 buildings in Taverner Street, homes and commercial businesses, school and kindergarten that are or will be receiving damage to their properties if something is not done **now** - so who will pay?

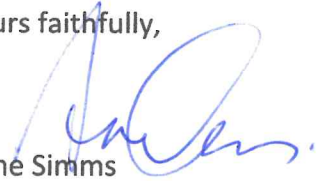
In conclusion I again wish this letter be read, tabled, and discussed fully with recommendations, so that same will appear in the minutes of the next shire council meeting and not just part read as happened to my letter at the 4th August shire council meeting.

I await a suitable response to this letter after the next shire council meeting.

Yours faithfully,

Anne Simms

Ratepayer



Loch-1

Copy

To all members of the
RAINBOW TOWN COMMITTEE.
RAINBOW

Members,

I have recently received information, inadvertently, from the Hindmarsh Shire that at your meeting of the 21st June you advised the shire that you support the reduction of the speed limit and that you will advocate and lobby Vic Roads through the council to reduce the speed limit in the town,- no mention of Taverner St.

Please advice where all this came from.

Did the Shire send your committee, a copy of my letter which would be extremely strange, considering that at the shire meetings of the 5.5.21 and the 9.6.21 my letter to the shire was not tabled and read as requested and therefore no minutes being entered into at either meeting.

I have been told that this is illegal.

Also at the meeting of the 9.6.21 the meeting was not live streamed, nor was it recorded and also as I have seen - no minutes of my correspondence was taken! How strange!

What has my letter to the shire got to do with the Rainbow Town Committee? Who suggested advocating Vic Roads through the shire -

how is that accomplished? and which has already been done some years ago when we were told that as Taverner St is a public road therefore the speed limit will stay at 60 km., and it was up to the police to deal with speeding etc.

I wrote a letter to the Hindmarsh Shire CEO on **29.3.21** (a response still not received), then to the Hindmarsh Shire **Council** setting out my request for assistance re B-Doubles using Taverner St. as a 'go thru' to anywhere else, and the associated damage being done to our homes, due to 500 trucks and B-doubles using Taverner St daily for months on end. These vehicles because of their weight, speed, odour, noise, cause vibrations, windows rattling, cracking of walls, doors sticking etc plus are quite dangerous with tailgating being seen daily.

This commences at 6am and goes through to 10.30pm at night.

All this traffic does very little or nothing for Rainbow, with a miniscule amount trucks stopping to buy fuel or food.

The Shire also advises that in my request for trucks to use another route, your 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 have to seek alternate funding.

1. Financially feasible - the land, mine, truckdrivers are the one who benefit from the gypsum - not the home owners in Taverner St, so of course its financially feasible otherwise they would not be in the business of gypsum. The township of Rainbow also does not benefit from the situation of being only a 'go thru'. If it does, please advise how?

2. At this point in time - when exactly does the Rainbow Town Committee feel it would be a good time - to proceed with an alternate route away from Taverner St., particularly as the area in question does not have any impediments that would delay the commencement of the construction of a new route - by the aforementioned business owners,.

The land to be used is I believe crown land and has never been used for

any purpose, from the Hopetoun Road to the 3 Chain Road, since the inception of Rainbow.

3. Unlikely to fund - why wouldn't the mine owners fund this route if they had no other option to move their product. Of course they could also go via Hopetoun as an alternative choice. Why should the ratepayers or the shire pay for some that is of no financial benefit to Rainbow.

If you wish the speed limit to be the only thing done in this matter - who will police this - I am positive the Victorian Police will not sit in Taverner Street for 16 hours a day for months on end - so who amongst your committee will attend to this tedious job? And what authority will you have to curtail the speed?

As far as the damage to our homes- who amongst your committee is prepared to come any fix the problems caused by the trucks - at your expense of course?

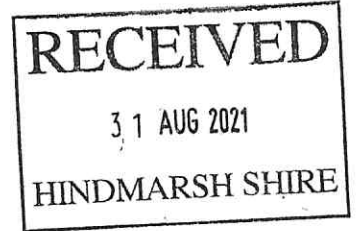
May I also ask why your committee is not and I repeat not being of assistance to the ratepayer/home owners - only to the mine owners etc. I understood the **Rainbow** town committee would be for the betterment of **Rainbow** and its population.

Why haven't I heard from any of 10 members of your committee? Have any of you gone to have a look t the proposed site - if so who advised you of the site?

In conclusion I trust your committee will look at the proposed land reconsider your actions. I enclose a copy of the map of the area for your information.

Yours faithfully,

JIM'S BUTCHERY
ABN: 70 774 647 047
25 Victoria Street,
Nhill, Vic. 3418.
Phone: (03) 5391 1031
email: jims.butchery@bigpond.com



24th August 2021

Mr. Greg Wood
Chief Executive
Hindmarsh Shire Council
Nelson Street
NHILL VIC 3418

Dear Greg

Re: Closure of Jim's Butchery

It is with some sadness that we inform you that Jim's Butchery will be closing permanently after 26 years of business.

We will be ceasing the business and closing our doors for the last time on Thursday 30th September 2021, and therefore advise we will no longer be able to supply your organisation with meat and other products after that date.

We would appreciate if you can advise relevant staff and Accounts Department to ensure any outstanding invoices are settled during our final week, or as soon as possible following our last day of trading.

We take this opportunity to sincerely thank you for your support and loyalty to our business over the past several years - your loyal patronage has certainly contributed to the success of our business.

~~Thank you again for supporting a local small business, and we wish you and your staff all the best for the future.~~

Yours sincerely

Jim + Linda White

Jim & Linda White
Owners



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

11 August 2021

Julie Woolcock
Nhill Agricultural & Pastoral Inc.
PO BOX 80
NHILL VIC 3418
Email: nhillap.secretary@gmail.com

Dear Julie

Re: Cancellation of the Nhill Annual Show Day – 14 October 2021

Thank you for your letter dated 5 August 2021 regarding the cancellation of the Nhill Annual Show Day that was to be held on 14 October 2021.

Council is disappointed to hear that the Nhill Annual Show Day is unable to go ahead again this year and acknowledge that it would have been a difficult decision to make. Council understands the level of planning and hard work that is involved in planning this event each year and although not ideal, supports the Nhill A & P Society on its decision to cancel the event this year due to the uncertainty of COVID-19 restrictions.

We are happy for the funding for the 2021 Show Day to be carried over to the 2022 Nhill Annual Show Day, and look forward to the Nhill Annual Show Day returning again in 2022.

Yours sincerely

Greg Wood
Chief Executive Officer



**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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Ph: (03) 5391 4452
Fax: (03) 5389 1734

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

Hamish & Lucy Merrett

NHILL VIC 3418

Email:

Dear Hamish and Lucy

Re: Nhill Main Drain

Thank you for your letter received 12 August 2021 with regards to proposals A and B for the main drain located on Ward Street and Ridgewell Street Nhill.

Levels taken show that there is a 90-95mm fall from the drain/culverts under the railway line to the culvert under Ward Street and Railway Street intersection. This translates to approximately a 1:2210 gradient, which is virtually flat.

Council is unable to support proposals A and B for the following reasons:

1. It was identified through the Drainage Study following the 2011 floods that this water course did not cause any specific problems during the 2011 flood event. Both your proposals (A and B) do not take into consideration where the water from the drain would be channelled too from underneath the railway track. If Council were to fill in the dam and existing drain to the current ground level, flooding would still occur as the Vic track drains/culverts would remain in place. A simple land swap or purchase would not resolve this issue.
2. In relation to your request that Nazum lane be upgraded to provide access I can advise that this is a "paper road". Paper roads are not constructed or maintained. As such, Council does not inspect, maintain or have any intention of upgrading this land to create a road access.

Yours sincerely

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

Angela Hoy
Director Infrastructure Services



Hindmarsh
Shire Council

**Administration
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17 August 2021

Barengi Gadjin Land Council Aboriginal Corporation
C / - Tim McCartney
38 Plumpton Road
HORSHAM VIC 3400
Email: tim.mccartney@bglc.com.au

Dear Tim

Re: Ebenezer Road Closure Request

Thank you for your letter dated 22 July 2021. I have been asked to respond on behalf of the CEO and Councillors in relation to the above matter.

Your letter was tabled as incoming correspondence at the Ordinary Council Meeting on 4 August 2021. In response to your correspondence I can advise that Council resolved the following:

That Council:

- 1. Notes that cultural heritage management plans (CHMPs) are currently being prepared for the Wimmera River Discovery Trail;***
- 2. Requests that officers review the decision to install a new footbridge in lieu of refurbishing the existing old rail bridge at Jeparit;***
- 3. Requests that officers review the request from Barengi Gadjin Land Council to close the final 350m of Ebenezer Mission Road leading past Ebenezer Mission; and***
- 4. A report, or reports, be prepared, on these issues, for a future Council meeting after the preparation of the CHMPs and prior to any tendering for an alternative footbridge at Jeparit.***

Yours sincerely

Angela Hoy
Director Infrastructure Services



19 August 2021

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Rainbow

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

Wendy Werner

Email:

Dear Wendy

Re: Wimmera Discovery Trail

Thank you for your letter dated 15 July 2021. I have been asked to respond on behalf of the CEO and Councillors in relation to the above matter.

Your letter was tabled as incoming correspondence at the Ordinary Council Meeting on 4 August 2021. In response to your correspondence I can advise that Council resolved the following:

That Council:

- 1. Notes that cultural heritage management plans (CHMPs) are currently being prepared for the Wimmera River Discovery Trail;***
- 2. Requests that officers review the decision to install a new footbridge in lieu of refurbishing the existing old rail bridge at Jeparit;***
- 3. Requests that officers review the request from Barengi Gadjin Land Council to close the final 350m of Ebenezer Mission Road leading past Ebenezer Mission; and***
- 4. A report, or reports, be prepared, on these issues, for a future Council meeting after the preparation of the CHMPs and prior to any tendering for an alternative footbridge at Jeparit.***

Yours sincerely

Angela Hoy
Director Infrastructure Services



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Shire Council

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Fax: (03) 5395 1436

1 September 2021

Jim & Linda White
Jim's Butchery
25 Victoria Street
NHILL VIC 3418
Email: jims.butchery@bigpond.com

Dear Jim & Linda

Re: Closure of Jim's Butchery

Thank you for your letter dated 24 August 2021 advising of the closure of Jim's Butchery.

Whilst this is sad news and would undoubtedly have been a difficult decision for you to make, you should be very proud of the service you have provided to the Nhill and district community for the past 26 years.

On behalf of Council and staff I would like to extend our thanks and congratulations to you and your employees for the dedicated and professional service provided during the past 26 years.

As with most small businesses in rural communities, support and loyalty is a two way street which has been obvious given the sponsorship Jim's Butchery has provided to many sporting and community organisations.

We would like to take this opportunity to once again say thank you and wish you and your family all the very best for your future careers or ventures.

Yours sincerely

Greg Wood
Chief Executive Officer

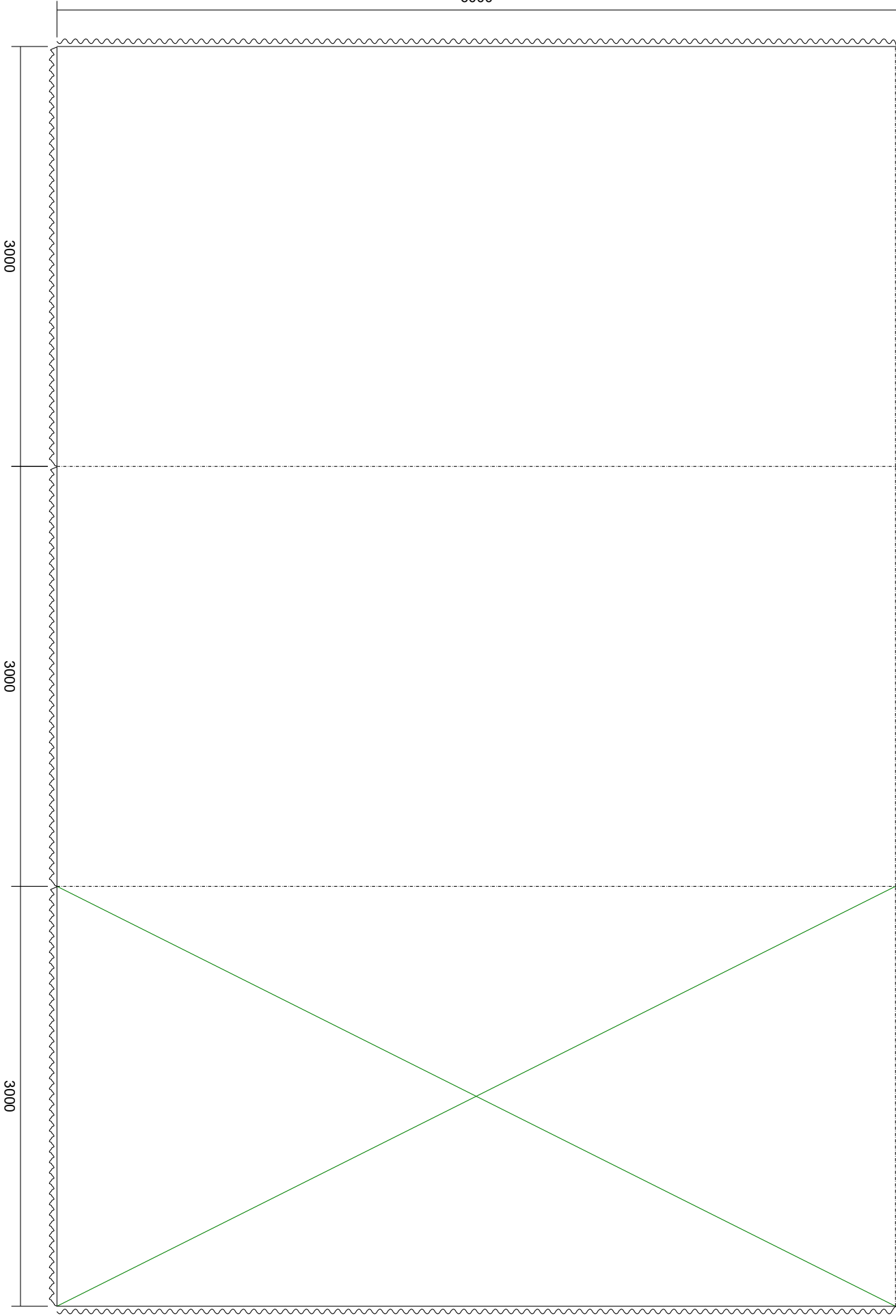
SITE PLAN - 21a Arnold Street, Nhill



Prepared by:

North West Planning 20/08/2021

Rear Elevation
6000



Left Elevation

Right Elevation

Building Plan	Factory Direct Sheds	
	Job #: FDS2679	Client: Hayley Merrett

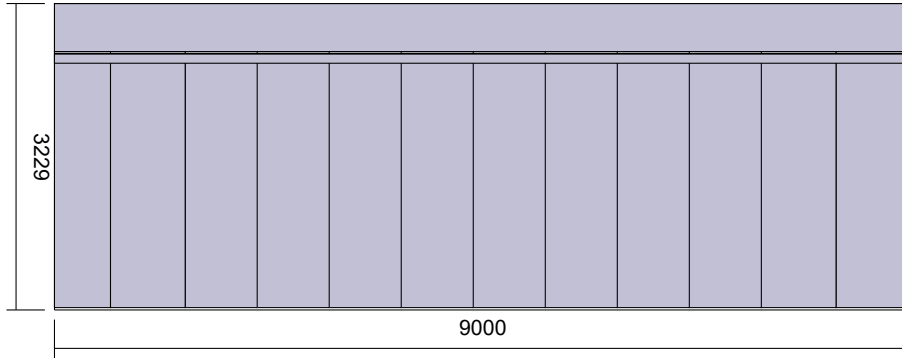
Elevations

Factory Direct Sheds
Job#: FDS2679

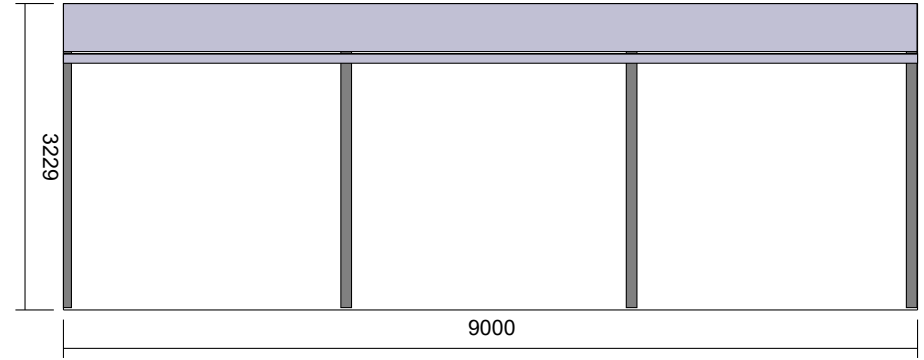
Client: Hayley Merrett
Client Address: 21A Arnold Street, Nhill VIC, 3418

Building Type: Shed

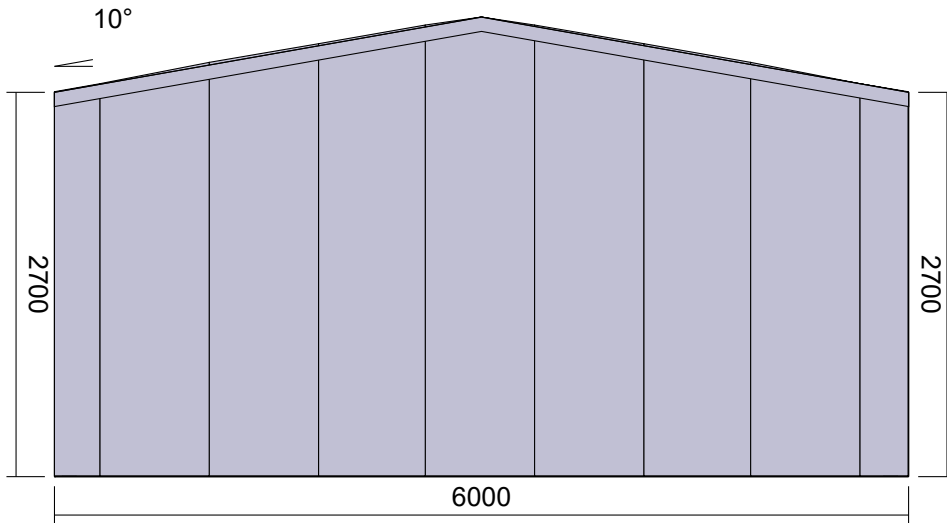
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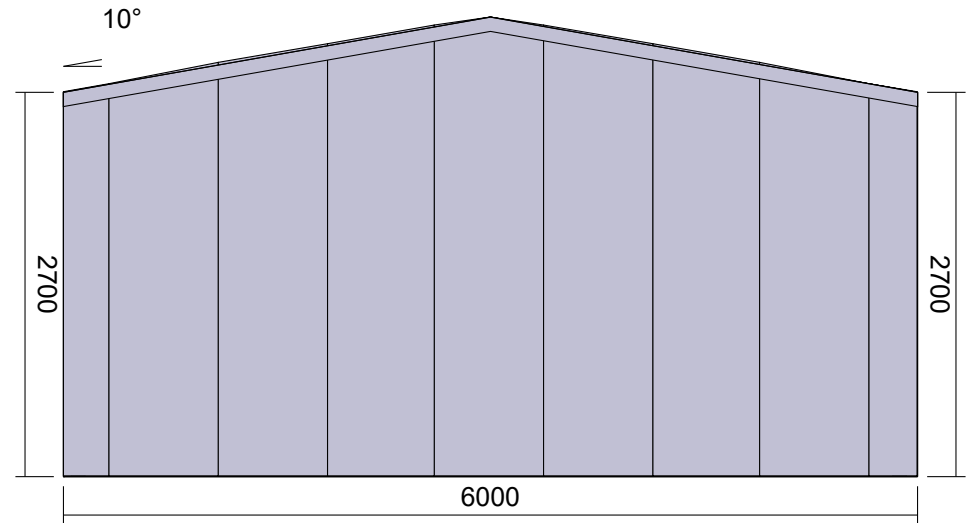
Left Elevation



Right Elevation



Front Elevation



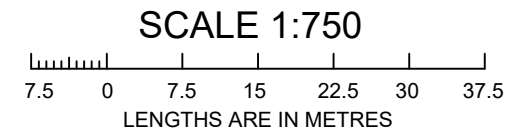
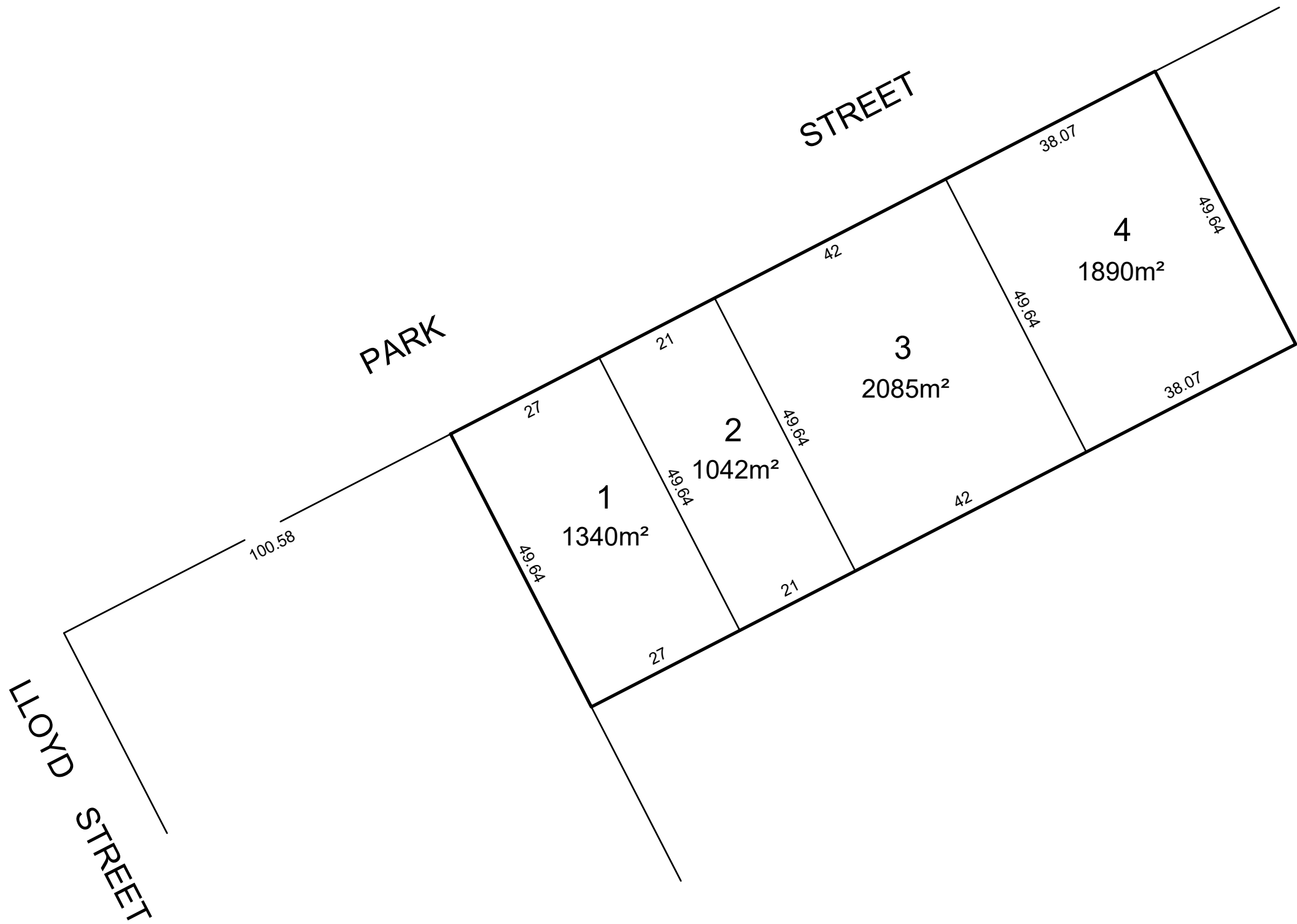
Rear Elevation

Customer Signed

Date

Management Signed

Date

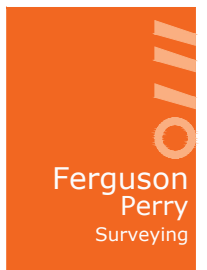


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 E admin@fergusonperry.com.au

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SURVEYORS REF.
H012021
21H0145
 21.05.2021
 DRAWN BY: LJM

NOTATIONS

THE DIMENSIONS SHOWN HEREON ARE APPROXIMATE AND ARE SUBJECT TO SURVEY.

PLAN OF PROPOSED SUBDIVISION

COUNTY OF

PARISH OF DIMBOOLA

LOT 1 ON PS713225A



SCALE 1:750
 7.5 0 7.5 15 22.5 30 37.5
 LENGTHS ARE IN METRES

Ferguson Perry Surveying Pty Ltd
 62 McLachlan Street Horsham,
 Victoria 3400
 ABN 76126 194 483

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SURVEYORS REF.
H012021
21H0145
 21.05.2021
 DRAWN BY: LJM

NOTATIONS

THE DIMENSIONS SHOWN HEREON ARE APPROXIMATE
 AND ARE SUBJECT TO SURVEY.

PLAN OF PROPOSED SUBDIVISION
 SHOWING EXISTING FEATURES

COUNTY OF
 PARISH OF DIMBOOLA
 LOT 1 ON PS713225A

Attachment 2

PA1725-2021 – 12 Park Street Dimboola

Clause 56 Assessment

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 – no new footpaths /cycling paths required	Yes - no new footpaths /cycling paths required
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 - no new footpaths /cycling paths required	Yes - no new footpaths /cycling paths required
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 - new crossovers to be constructed to Council standards

Clause 56.07 Integrated Water Management

Clause & objective	Standard Met	Objective Met
Clause 56.07-1 Drinking water supply objective – Standard C22	Yes - standard conditions required	Yes - standard conditions required
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 - standard conditions required	Yes - standard conditions required

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 – standard conditions required	Yes - standard conditions required
Clause 56.09-3 Fire Hydrants objective – Standard C29	Yes	Yes
Clause 56.09-4 Public lighting objective – Standard C30	Yes – no new lighting required	Yes

PLANNING DRAWINGS SET

SHEET NO.	DWG TITLE
01	COVER SHEET
02	EXISTING SITE PLAN
03	PROPOSED SITE PLAN
04	FLOOR PLAN
05	ELEVATIONS NORTH & SOUTH
06	ELEVATIONS EAST & WEST
07	PERSPECTIVE VIEWS



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DESCRIPTION	DATE	ISSUED
Project: PROPOSED NEW RESIDENCE		
Series: COUNTRY EXPLORER SERIES		
Scale:		Client Manager:
Drawn M J		Project Manager:
Client Approval		Date
		Drawing: COVER SHEET
		Client: B & V WESTENDORF
		Address: Lot 1, 112 Ellerman Street, Dimboola, VIC 3414
		Revision: 20/08/2021 9:27:07 AM
		Project No. X0902 Sheet No. 01 OF 07

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Address

EXISTING SITE PLAN

Drawing title

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Project No. **X0902**

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DESCRIPTION	DATE	ISSUED



EXISTING SITE PLAN

1 : 500

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STORMWATER

90 mm Ø CLASS 6 UPVC STORM WATER LINE LAID TO A MINIMUM OF 1:100 AND CONNECTED TO THE LEGAL POINT OF DISCHARGE TO LOCAL AUTHORITIES REQUIREMENTS. PROVIDE INSPECTION OPENINGS AT 9000mm CTS AND AT EACH CHANGE OF DIRECTION. THE COVER TO UNDER GROUND STORMWATER DRAINS SHALL BE NOT LESS THAN:

- 100mm UNDER SOIL
- 50mm UNDER PAVED OR CONCRETE AREAS
- 100mm UNDER UNREINFORCED CONCRETE OR PAVED DRIVEWAYS
- 75mm UNDER REINFORCED CONCRETE DRIVEWAYS

STORMWATER DRAINAGE TO COMPLY WITH AS/NZS 3500.3. LAYOUT SHOWN IS DIAGRAMATIC ONLY. BUILDER OR PLUMBER TO MODIFY LAYOUT PROVIDING DRAINAGE COMPLIES WITH AUSTRALIAN STANDARDS AND LOCAL AUTHORITIES REQUIREMENTS.

ENERGY RATING REQUIREMENTS:

UNLESS PERMITTED OTHERWISE, CLASS ONE BUILDINGS SHALL REACH A 6 STAR ENERGY RATING. 6 STAR RATED DESIGNS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STAMPED APPROVED PLANS AS PROVIDED BY THE ACCREDITED ENERGY RATER WITHOUT ALTERATION.

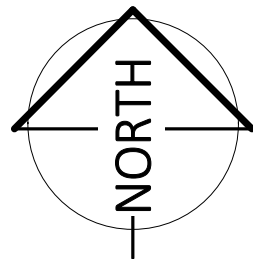
IN ORDER TO ACHIEVE A 6 STAR RATING, BUILDER IS TO:

- PROVIDE R2.0 INSULATION TO EXTERNAL WALLS.
- PROVIDE R4.0 INSULATION TO CEILINGS.
- WEATHERSTRIP EXTERNAL DOORS.
- SEAL GAPS & CRACKS
- EXHAUST FANS TO BE FITTED WITH "DRAFT STOPPA" OR APPROVED SIMILAR SEALING DEVICE.
- WINDOW SIZE, OPERATION, GLAZING TYPE AND MANUFACTURER (IF SPECIFIED) TO BE AS PER WINDOW SCHEDULE. ALL WINDOWS TO BE FITTED WITH WEATHER SEALS TO OPENABLE WINDOW SASHES.
- A MINIMUM 2000 LITRE RAINWATER TANK FILLED FROM A ROOF AREA NO LESS THAN 50m² CONNECTED TO WC'S FOR FLUSHING **OR** AN APPROVED SOLAR OR HEAT PUMP HOT WATER SERVICE TO BE PROVIDED AT A COST TO THE CLIENT.

GAPS & CRACKS:

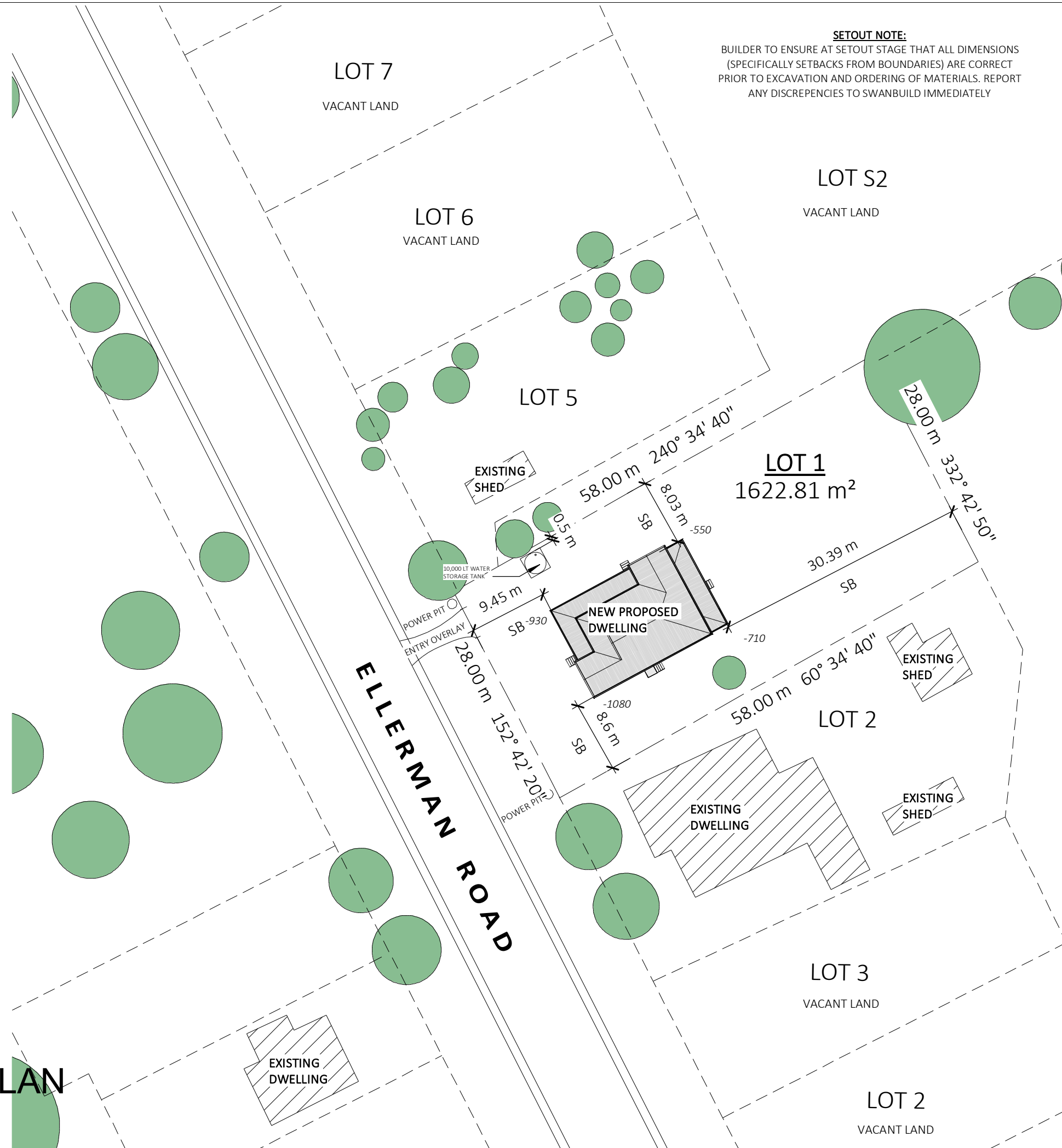
BUILDER TO PROVIDE A CONTINUOUS IMPERMEABLE BARRIER WITH THE DOUBLE SIDED SISALATION FOIL. PAY PARTICULAR ATTENTION TO:

- 1) TAPING JOINS AND AROUND PENETRATIONS (SUCH AS PLUMBING SERVICES).
- 2) ENSURE THAT THE MATERIAL COVERS THE GAP BETWEEN STUDS AND DOOR AND WINDOW FRAMES. IF FLASHING ATTACHES TO WINDOW FRAMES, FLASHING SHOULD BE TAPED OVER SISALATION FOIL.



PROPOSED SITE PLAN

1 : 500



SETOUT NOTE:
BUILDER TO ENSURE AT SETOUT STAGE THAT ALL DIMENSIONS (SPECIFICALLY SETBACKS FROM BOUNDARIES) ARE CORRECT PRIOR TO EXCAVATION AND ORDERING OF MATERIALS. REPORT ANY DISCREPANCIES TO SWANBUILD IMMEDIATELY



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Drawing title

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DESCRIPTION	DATE	ISSUED

PLANNING DRAWINGS (NOT FOR CONSTRUCTION)

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SMARTROBE SYSTEM		
TYPE	STUD OPENING	WIDTH
2/ 720	1465	1460
2/ 770	1565	1560
3/ 770	2315	2310

KEYNOTE LEGEND	
0.9 x 1.2 SHWR	0.9m x 1.2m SHOWER
BR	BROOM CUPBOARD
BT 1650	1650mm BATH TUB
FGS	FIXED GLASS SCREEN
PTRY	PANTRY
REF	REFRIGERATOR
SU	SHELVING UNIT
V1200	1200mm WIDE VANITY UNIT
WM	WASHING MACHINE

VENTILATION
EXHAUST FROM WET AREAS TO BE VENTED DIRECTLY TO ATMOSPHERE VIA DUCTING TO THE UNDERSIDE OF EAVES

STAIRS TO COMPLY WITH BCA 3.9.1.3 & 3.9.1.4
 a) RISERS (R) TO BE BETWEEN 115mm & 190mm
 b) GOINGS (G) TO BE BETWEEN 240mm & 355mm
 c) R2 + G BETWEEN 550mm & 700mm
 d) NO OPENING ARE TO PERMIT A SPHERE WITH A MAXIMUM DIAMETER OF 125mm TO PASS THROUGH
 e) A CONTINUOUS, UNOBSTRUCTED HANDRAIL LOCATED ALONG AT LEAST ONE SIDE OF ALL STAIRS THAT PROVIDE A CHANGE IN FLOOR LEVEL OF AT LEAST 1m, AT A HEIGHT OF AT LEAST 865mm ABOVE THE STAIR NOSINGS
 f) STAIRS SHOULD HAVE A SLIP RESISTANCE CLASSIFICATION AS BELOW

APPLICATION	SITE CONDITION	
	DRY	WET
TREAD OR LANDING SURFACE	P3 OR R10	P4 OR R11
NOSING OR LANDING EDGE STRIP	P3	P4

ALL GLAZING TO COMPLY WITH AS 1288 AND AS 2047

ALL WET AREAS TO BE WATERPROOFED IN ACCORDANCE WITH AS 3740

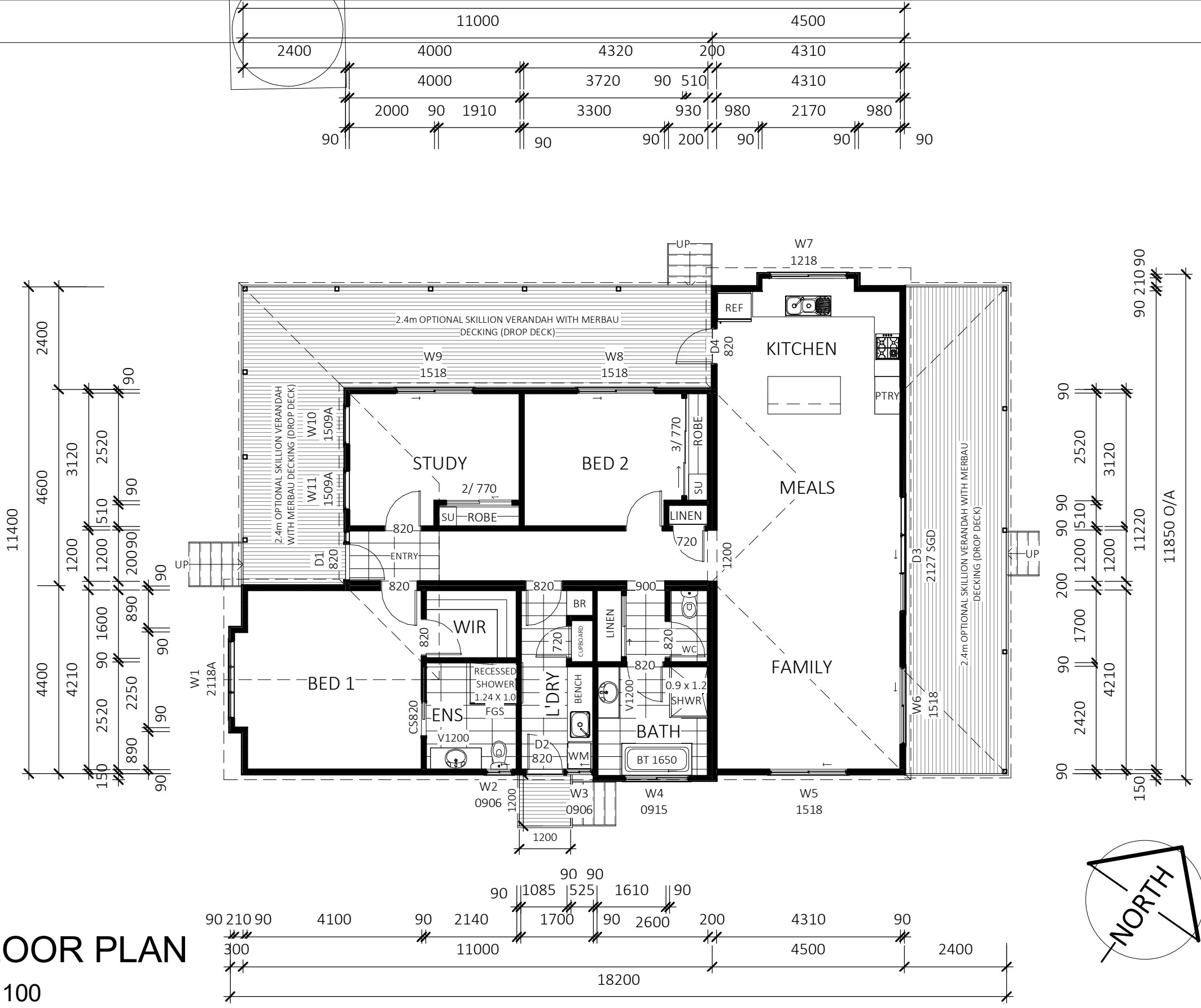
LIFT OFF HINGES TO WC DOOR

Ⓢ SMOKE DETECTORS TO BE INTERCONNECTED & HARD WIRED TO MAINS POWER. INSTALLATION TO COMPLY WITH AS 3786

AREA	m ²	SQ'S	LOCATION
LIVING AREA	141.1 m ²	15.2	LIVING
LIVING TOTAL	141.1 m ²	15.2	
FRONT VERANDAH AREA	37.4 m ²	4.0	OUTDOOR
REAR VERANDAH AREA	27.4 m ²	2.9	OUTDOOR
OUTDOOR	64.8 m ²	7.0	
TOTAL	205.9 m ²	22.2	

FLOOR PLAN

1 : 100



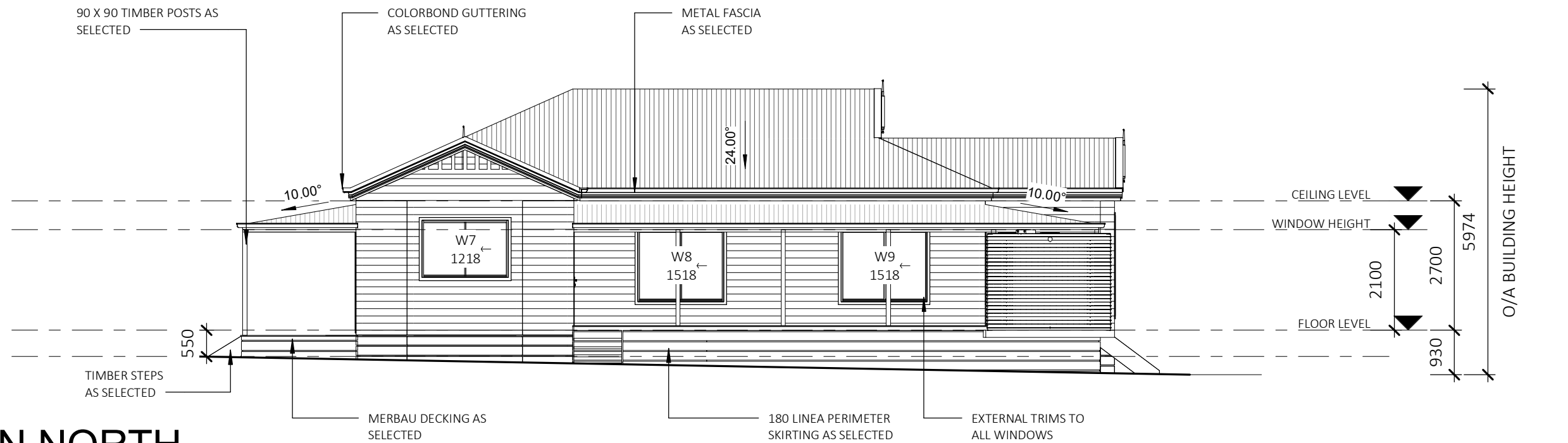
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Drawn M J	Project Manager:	
Client Approval	Date	

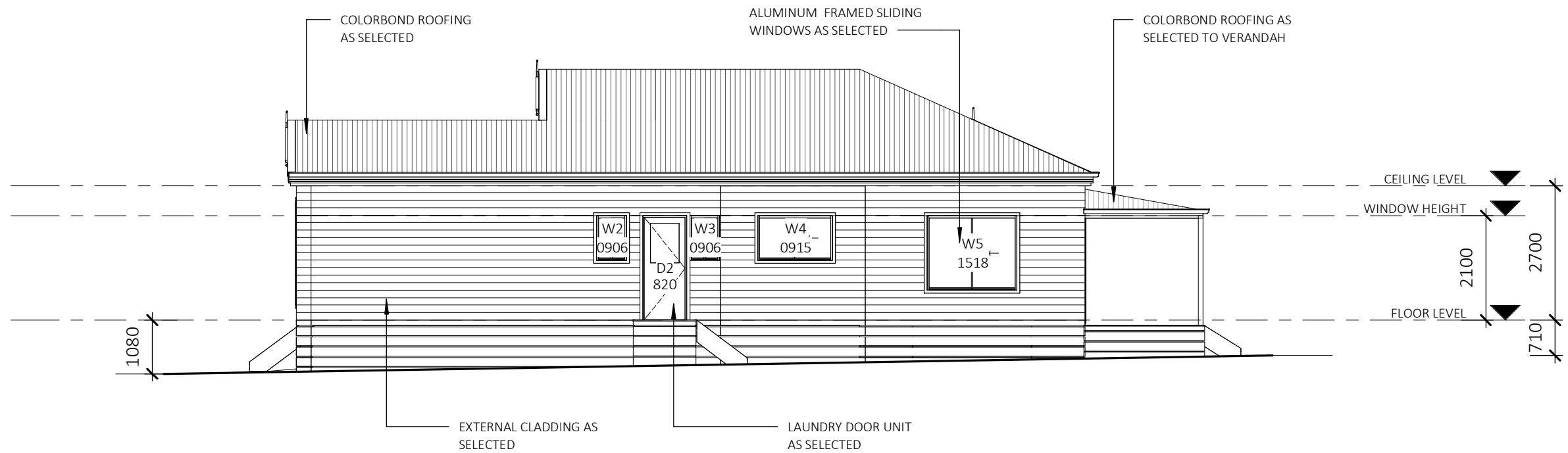
Drawing: FLOOR PLAN	Client: B & V WESTENDORF
Address: Lot 1, 112 Ellerman Street, Dimboola, VIC 3414	
Revision: 20/08/2021 9:27:08 AM	
Project No. X0902	Sheet No. 04 OF 07

NOTE:
REFER TO COLOUR SELECTIONS
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ELEVATION NORTH

1 : 100



ELEVATION SOUTH

1 : 100



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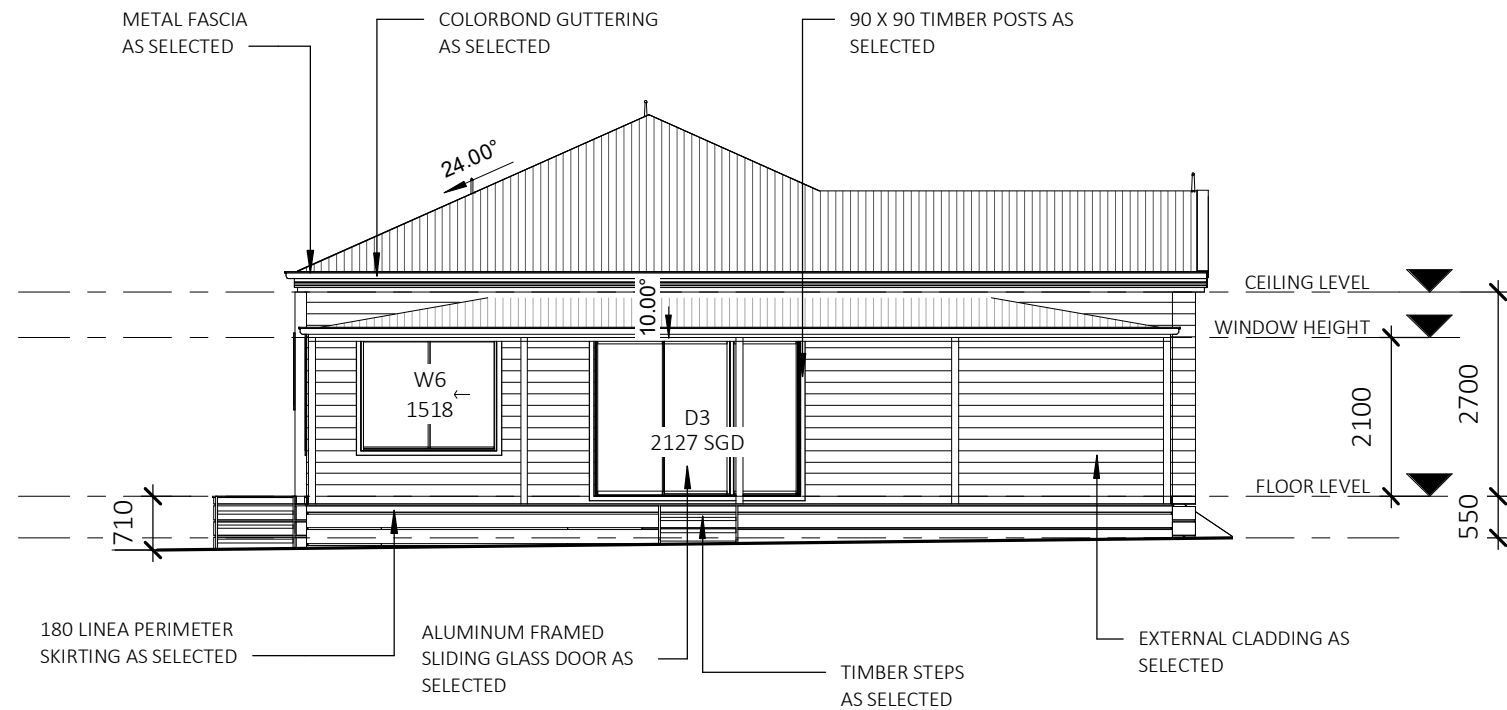
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Series: COUNTRY EXPLORER SERIES	
Scale: 1 : 100	Client Manager:
Drawn M J	Project Manager:
Client Approval	Date

Drawing: ELEVATIONS NORTH & SOUTH	
Client: B & V WESTENDORF	
Address: Lot 1, 112 Ellerman Street, Dimboola, VIC 3414	
Revision:	20/08/2021 9:27:09 AM
Project No. X0902	Sheet No. 05 OF 07

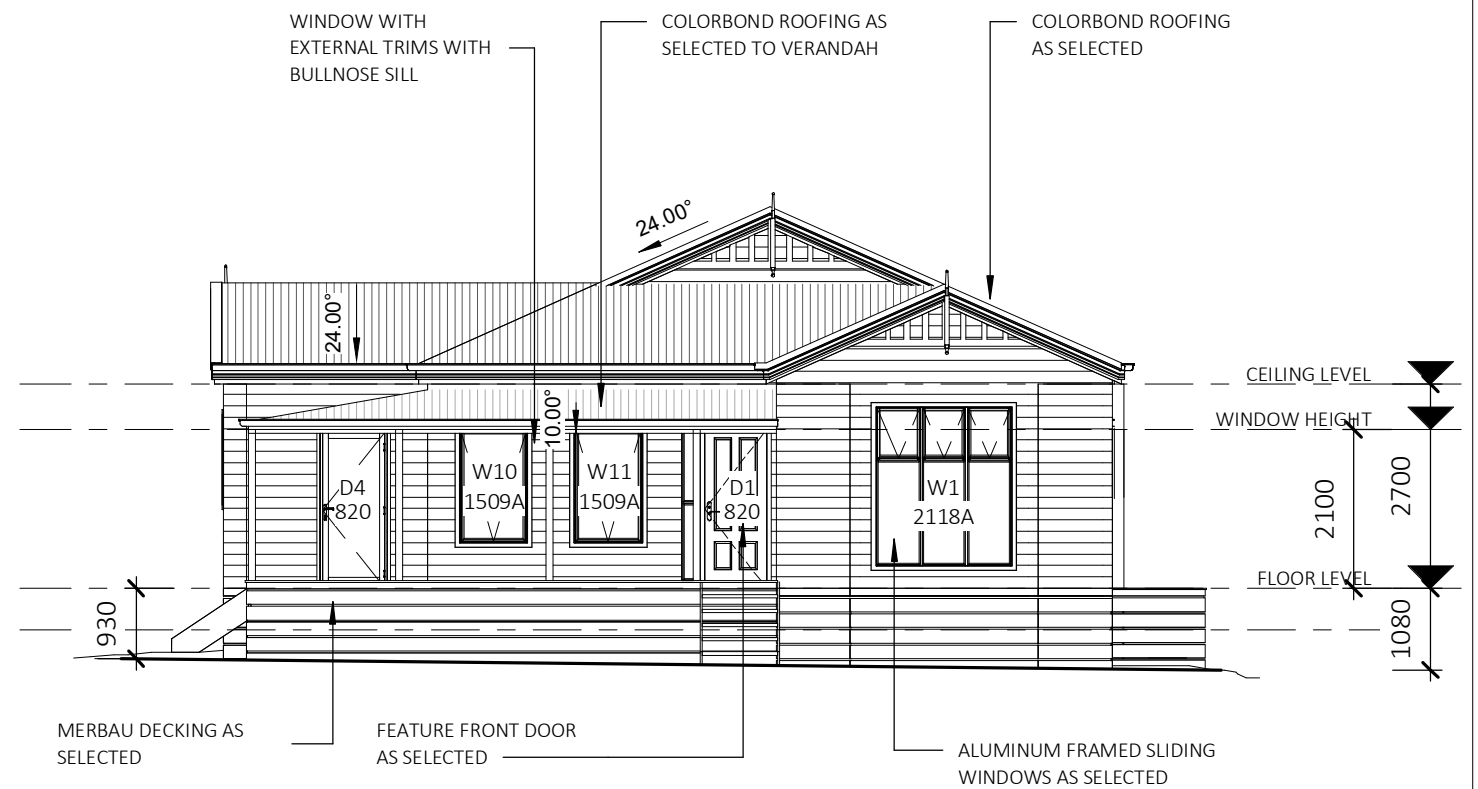
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ELEVATION EAST

1 : 100



ELEVATION WEST

1 : 100

WINDOW & EXTERNAL DOORS SCHEDULE

MARK	TYPE	DESCRIPTION	HEAD HEIGHT	HEIGHT	WIDTH	GLAZING	LOCATION	COMMENTS	AREA
W1	2118A	ALUMINIUM AWNING WINDOW	2400	2100	1800		BED 1		3.8 m ²
W2	0906	ALUMINIUM SLIDING WINDOW	2100	900	600		ENS		0.5 m ²
W3	0906	ALUMINIUM SLIDING WINDOW	2100	900	600		L'DRY		0.5 m ²
W4	0915	ALUMINIUM SLIDING WINDOW	2100	900	1500		BATH		1.4 m ²
W5	1518	ALUMINIUM SLIDING WINDOW	2100	1500	1800		FAMILY		2.7 m ²
W6	1518	ALUMINIUM SLIDING WINDOW	2100	1500	1800		FAMILY		2.7 m ²
W7	1218	ALUMINIUM SLIDING WINDOW	2300	1200	1800		KITCHEN		2.2 m ²
W8	1518	ALUMINIUM SLIDING WINDOW	2100	1500	1800		BED 2		2.7 m ²
W9	1518	ALUMINIUM SLIDING WINDOW	2100	1500	1800		STUDY		2.7 m ²
W10	1509A	ALUMINIUM AWNING WINDOW	2100	1500	900		STUDY		1.4 m ²
W11	1509A	ALUMINIUM AWNING WINDOW	2100	1500	900		STUDY		1.4 m ²
W12	2102 F	ALUMINIUM FIXED WINDOWS	2715	2065	250		ENTRY	SIDELIGHT WITH HALF GLASS HALF TIMBER	0.5 m ²
									22.4 m ²
D1	820	TIMBER HINGED ENTRY DOOR	2100	820	2100		ENTRY	WITH HALF GLASS HALF TIMBER SIDELIGHT.	1.7 m ²
D2	820	LAUNDRY DOOR UNIT	2065	820	2065		L'DRY		1.7 m ²
D3	2127 SGD	ALUMINIUM SLIDING GLASS DOOR	2100	2700	2100		FAMILY		5.7 m ²
D4	820	FRENCH DOOR	2100	885	2100		KITCHEN		1.9 m ²
EXTERIOR: 4									10.9 m ²

WINDOW SIZES NOMINATED ARE NOMINAL ONLY. ACTUAL SIZE MAY VARY ACCORDING TO MANUFACTURER. WINDOWS TO BE FLASHED ALL AROUND. REFER TO FLOOR PLAN & ELEVATIONS FOR OPENING DIRECTION. ARROW DETONATES WHICH WAY THE DOOR OR WINDOW OPENS

NOTE:
REFER TO COLOUR SELECTIONS DOCUMENT FOR ALL SELECTIONS, MATERIALS, COLOURS AND FINISHES.



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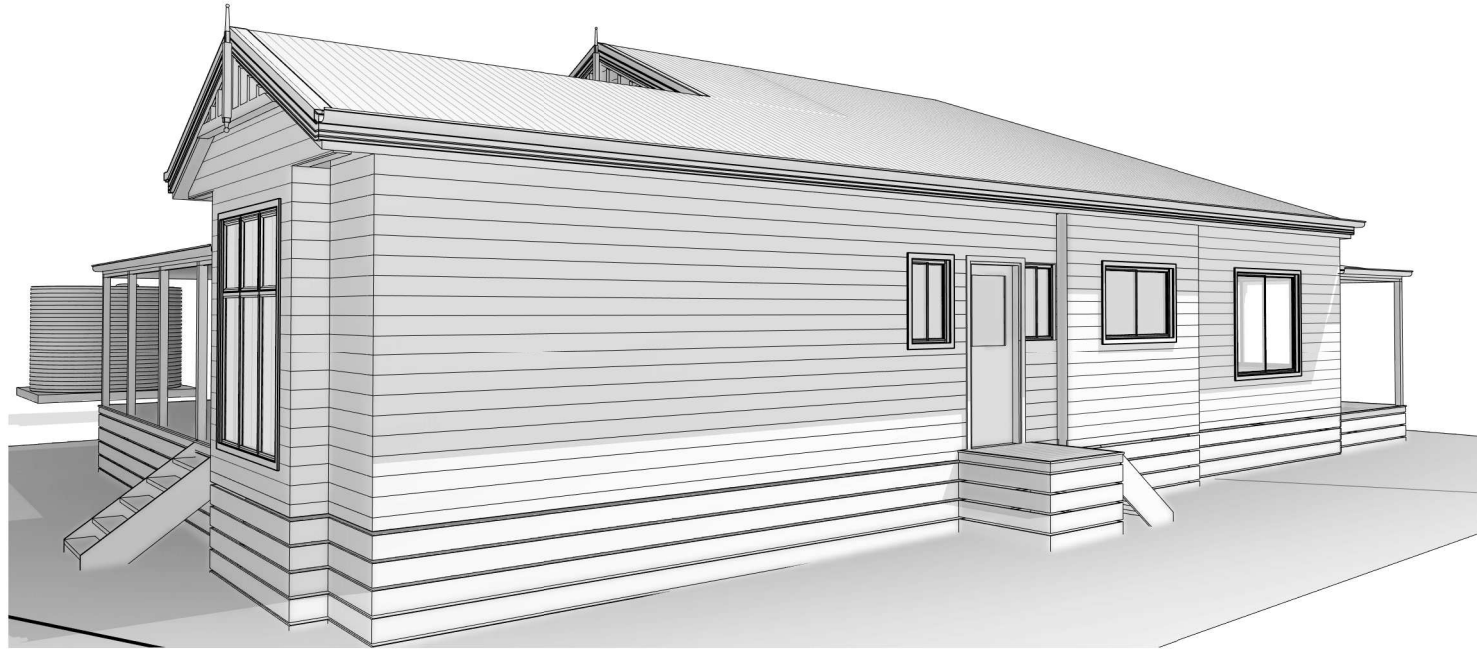
DESCRIPTION	DATE	ISSUED

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Series: **COUNTRY EXPLORER SERIES**
Scale: **1 : 100** Client Manager:
Drawn **M J** Project Manager:
Client Approval _____ Date _____

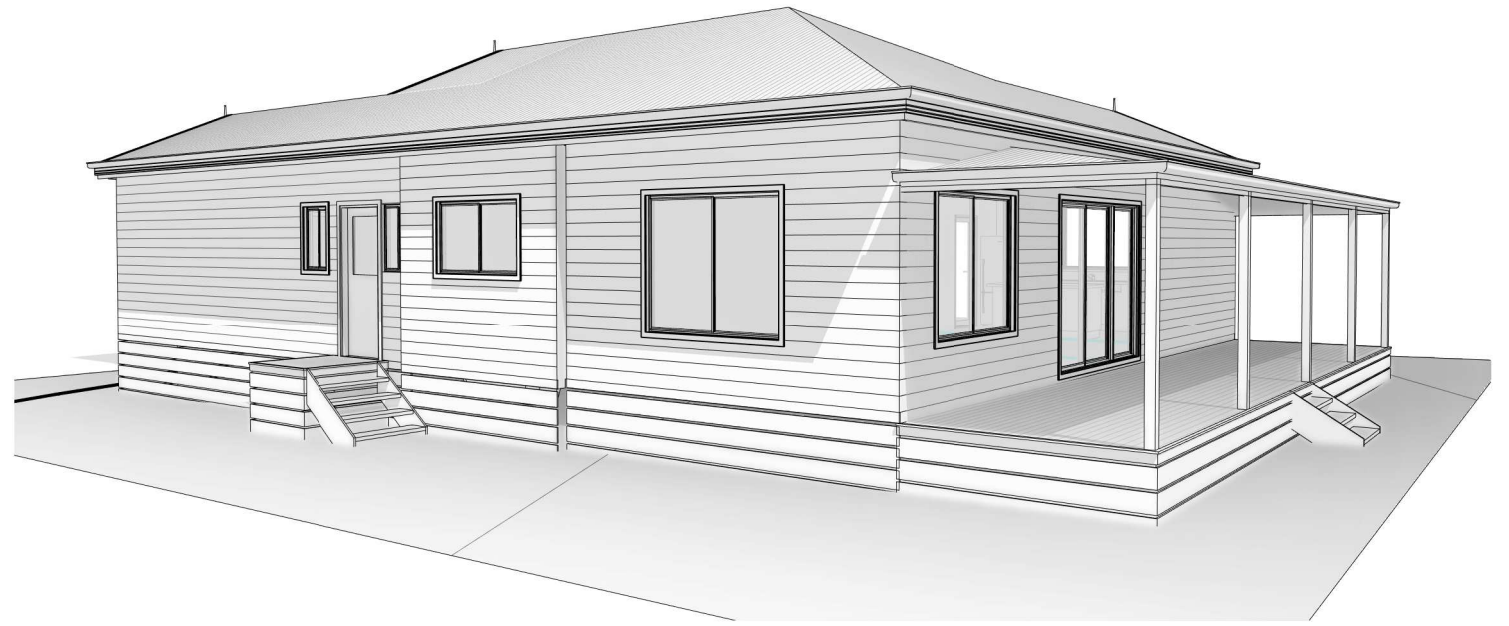
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Client: **B & V WESTENDORF**
Address: **Lot 1, 112 Ellerman Street, Dimboola, VIC 3414**
Revision: **20/08/2021 9:27:10 AM**
Project No. **X0902** Sheet No. **06 OF 07**

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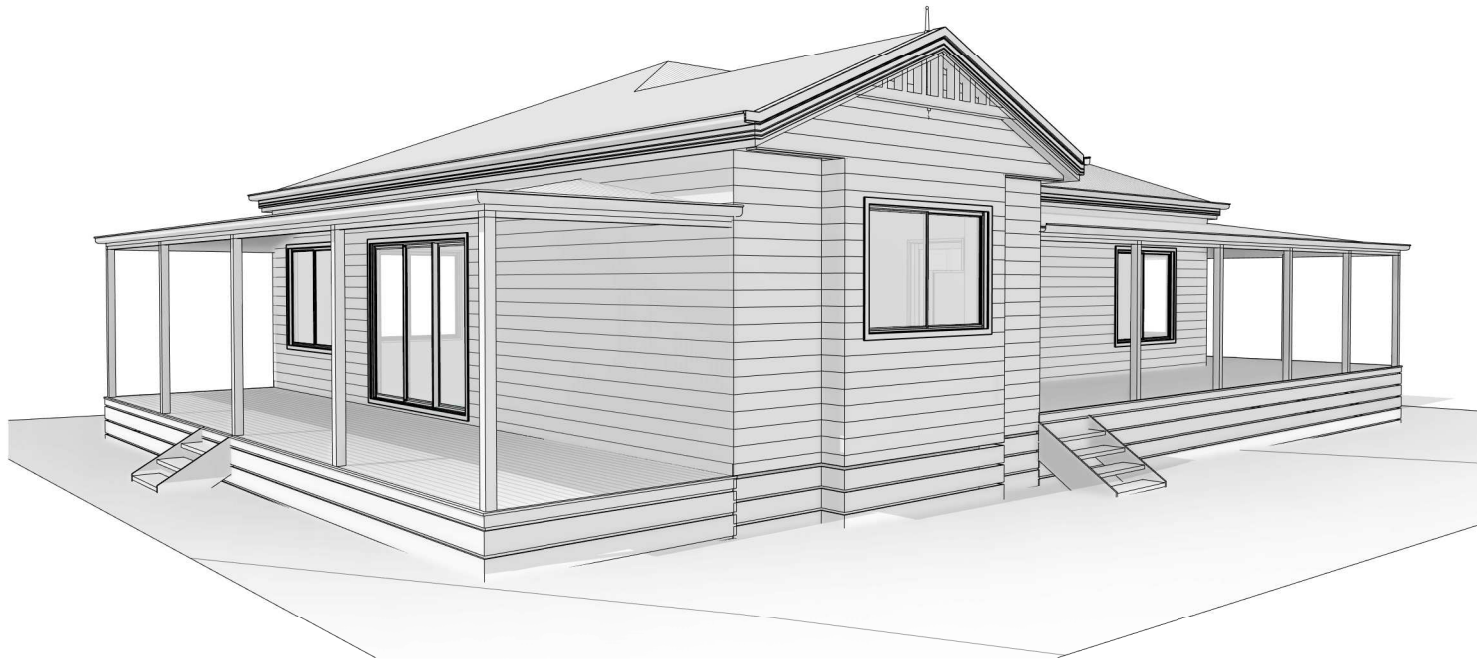
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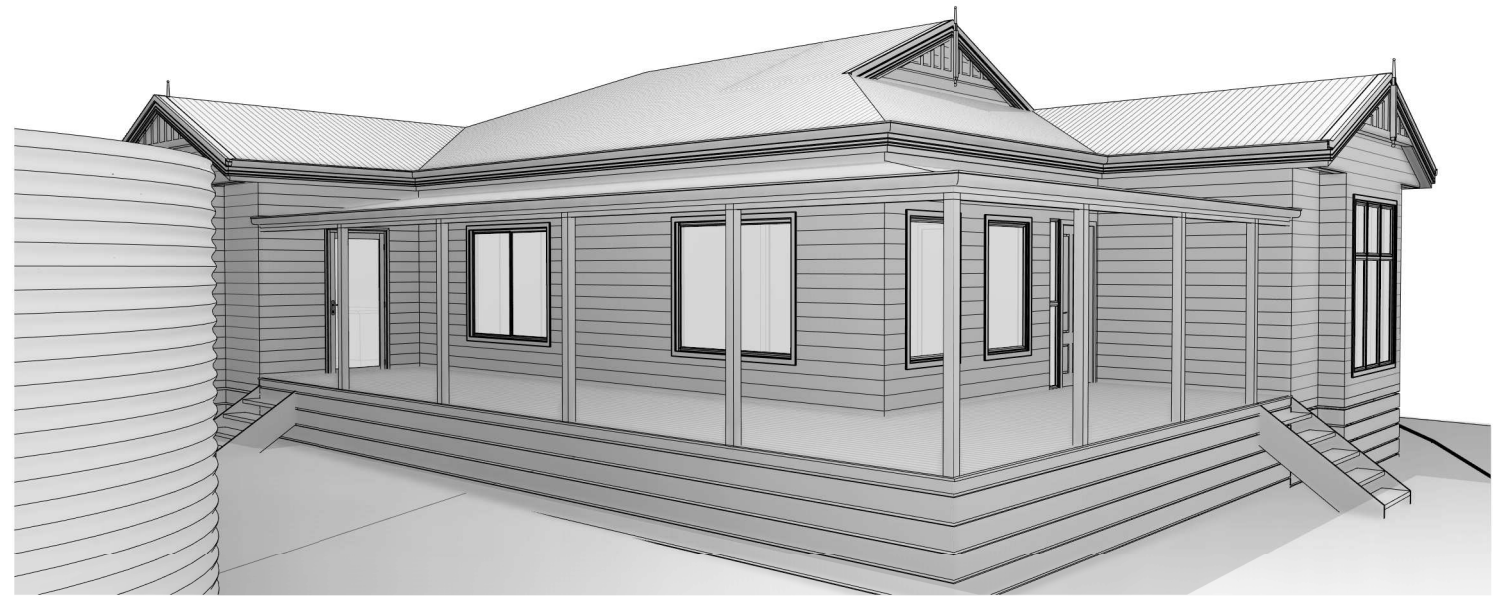
3D VIEW 1




3D VIEW 2



3D VIEW 3



3D VIEW 4

	Head Office & Factory: 212-214 Karinie Street, Swan Hill VIC 3585 Phone 03 5036 0000 or 1800 008 024 Lic: Vic DB-U3234, N.S.W. 8932C ABN: 64 753 985 826 © Swanbuild	© COPYRIGHT These drawings are subject to copyright. Reproduction in whole or part is forbidden without written consent from Swanbuild All works finished as per contract & variation documents Figured dimensions take precedence over scaled dimensions DO NOT SCALE OFF DRAWING	DESCRIPTION DATE ISSUED	Project: PROPOSED NEW RESIDENCE Series: COUNTRY EXPLORER SERIES Scale: Drawn MJ Client Manager: Project Manager:	Drawing: PERSPECTIVE VIEWS Client: B & V WESTENDORF Address: Lot 1, 112 Ellerman Street, Dimboola, VIC 3414 Revision: Project No. X0902 Sheet No. 07 OF 07
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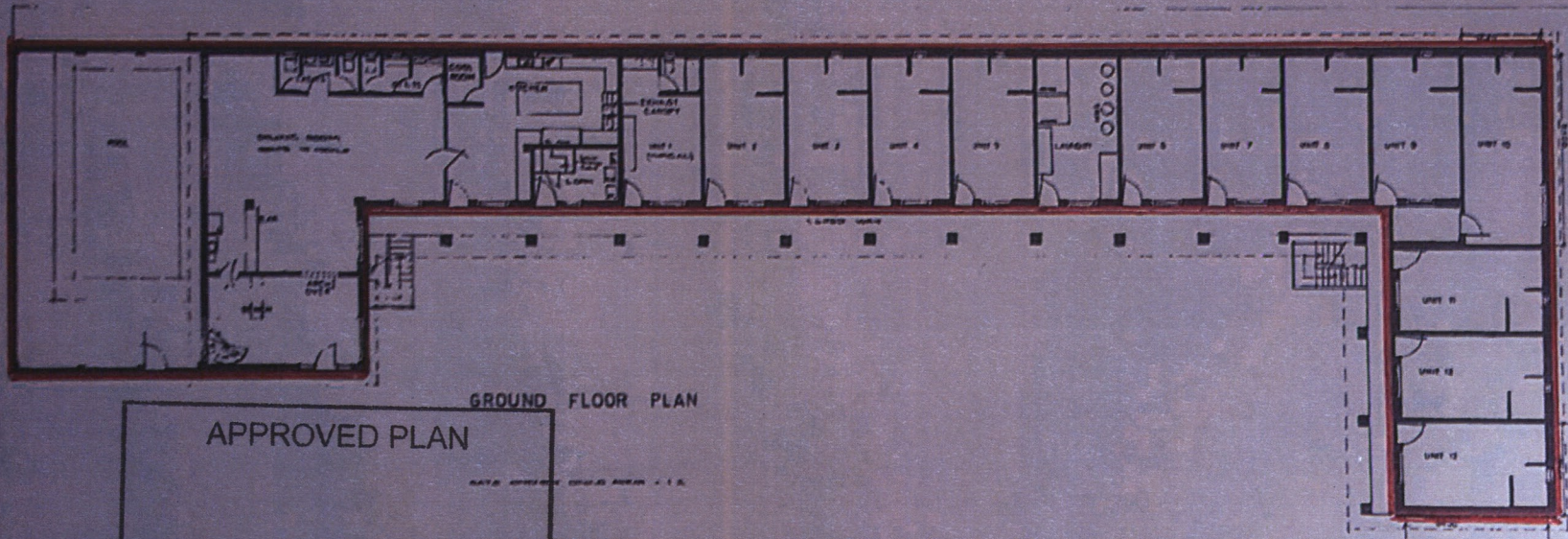
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31 NELSON STREET, NHILL

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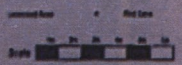


GROUND FLOOR PLAN

APPROVED PLAN

[Signature] 15/2/18
 Delegate of the V.C.G.L.R.

- LEGEND
- THICK WALL
 - DRIVE SHAFT
 - WATER TRENCH
 - LIQUID DRAINAGE AREA
 - LEAKED AREA BOUNDARY
 - SMOOTH CONCRETE



27-5-18 SA, LSA, TAN
 Licence granted
 Cost of \$350,000
[Signature]

FINAL AMENDED PLAN 27-5-18

	SCALE	1:50	PROPOSED HOTEL FOR MR & MRS J HAMMER, NELSON ST NHILL	
	DRAWN			
	CHECK			
	DATE	MAY '18		

Date of Approval 27 May 1999

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CoRE

COMMUNITIES OF RESPECT & EQUALITY

Preventing violence against women and
their children in the Grampians region
2021-2025 STRATEGY



ACKNOWLEDGEMENTS

Women's Health Grampians acknowledges:

- The Traditional Custodians of the lands across the Grampians region: the Wadawurrung, Dja Dja Wurrung, Djab Wurrung, Wurundjeri, Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples, and recognises their continuing connection to the land and waterways. In particular, we recognise the strength and courage of Aboriginal women and girls in our communities who bravely speak up against oppression and the consequences of colonisation and generously share their wisdom on family, country and culture.
- The many women and gender diverse people who have lived experience of discrimination and violence, who, by bravely sharing their stories, have helped inspire cultural change.
- The many people who generously contributed their knowledge throughout the consultation process that informed this Strategy.
- The insights and advice provided by this Strategy's Expert Panel including Kathryn Aedy, Multicultural Centre for Women's Health; Helen Freris and Soizic Brohan, Women with Disabilities Victoria; Dr Jessica Crofts, Sports & Recreation Victoria; Adjunct Associate Professor Sue Dyson, Australian Research Centre in Sex, Health and Society, La Trobe University; Patty Kinnersly, OurWatch; Shelley Lillyst, Ballarat and District Aboriginal Co-operative; and Dr Cathy Tischler, Federation University Wimmera.
- Alison Peipers (Alison Peipers Consulting) for leading the development of this Strategy and Adelle Rohrsheim (AR Graphic Design) for leading the design.
- The support of the Victorian Government.

FOREWORD

It's not enough for us to be aware that violence against women and their children is a widespread problem in Australia.

Simply being horrified by the statistics and heartbroken by the stories isn't enough. We must act.

Although gender-based violence is a serious and complex social problem, it is preventable. We know what to do to create a community where gender-based violence is a thing of the past, and the momentum for change has never been stronger. Our political and social environments are focussed on violence against women and gender-based discrimination. National and international campaigns and rallies against violence, harassment and discrimination have created a sense of urgency that we must harness.

We are immensely proud of the Communities of Respect and Equality (CoRE) Alliance and members' commitment to creating safe, equal and respectful communities across the Grampians region – communities where every person is valued, heard, respected and empowered, and has equal access to opportunities. We are confident that when this is the case, gender-based violence won't occur.

Culture and systems change are long-term propositions that call for collective action. Women, men and gender diverse people must work together to redress disadvantage and to eliminate the systemic causes of gender inequality in policy, programs and the delivery of services in workplaces and communities. This will mean working harder to ensure that women and gender diverse people who live with the impacts of multiple discriminations, including Aboriginal and Torres Strait Islander women, those from diverse cultures and religions, those living with a disability and those of different sexual orientations, live free from prejudice in all its forms.

We know that equality is good for everyone and that those with inherent privilege are often well-placed to influence change. This is why the engagement of men as allies to the gender equality movement is vital, and we're proud to have so many compassionate men committed to CoRE.

I am really pleased to share this, the second four-year Strategy developed for CoRE. You'll note it's a shorter document, as the rationale, theories and intentions outlined in the original CoRE Plan still stand. The 2021-2025 CoRE Strategy marks the evolution of CoRE and sets the scene for growth and more advanced actions over the next four years.

I congratulate CoRE members for their commitment and actions to achieve gender equality, and encourage all those who support our vision to become involved. Through collective efforts and perseverance, we can create 'communities of respect and equality'.

Marianne Hendron

CEO, Women's Health Grampians
Chair, CoRE Leadership Group

.....
Women's Health Grampians uses an inclusive definition of 'women' that includes all people who identify as women. We acknowledge the high rates of violence against trans women and gender diverse people and the many ways that gendered norms, stereotypes and discrimination contribute to inequality and oppression. The term 'gender-based violence' refers to violence that is specifically directed towards women because of their gender.

WHAT IS CoRE?

CoRE is an alliance of organisations, businesses, clubs and groups that are committed to creating safe, equal and respectful communities in the Grampians region: an area in western Victoria spanning more than 48,000 square kilometres with a population of around 240,000.

CoRE is based on the belief that the reach and influence across society of its wide and diverse partnership will help to drive cultural change, reduce barriers to gender equality and re-frame cultural norms and acceptable behaviour – important steps in preventing violence against women and children.

Members of CoRE commit to this, the *CoRE Strategy for preventing violence against women and their children*. By following the guiding principles and undertaking meaningful actions to promote gender equality, they work individually and collectively to prevent gender-based violence. Recognising that members will be at varying stages of readiness and with different levels of capacity to engage in prevention work, CoRE is flexible and supports members to identify their best contributions.

Within CoRE's first four years, from 2016-2020, 120 diverse members joined the CoRE Alliance.

Violence against women is any act of gender-based violence that causes or could cause physical, sexual or psychological harm or suffering to women, including threats of harm or coercion, in public or in private life.

UN Declaration ¹⁸

GOVERNANCE

Oversight of CoRE is provided by the CoRE Leadership Group: a representative group of members who guide the initiative, particularly in relation to its growth, quality, sustainability and relevance.

The day-to-day management and support of CoRE is provided by Women's Health Grampians (WHG). WHG's Regional Consultants support and build the capacity of CoRE members to implement sustainable changes to encourage gender equality within their organisations and across their spheres of influence.

THE FACTS ABOUT GENDER-BASED VIOLENCE

Gender-based violence takes a profound and long-term toll on women's health and wellbeing, on families and communities, and on society as a whole.

- Approximately 1 in 4 women has experienced violence by an intimate partner. ¹
- On average, one woman a week in Australia is killed by an intimate partner. ²
- 1 in 5 Australian women has experienced sexual violence since the age of 15. ¹
- Almost 10 women a day are hospitalised for assault injuries perpetrated by an intimate partner. ³
- Australian women are nearly three times more likely than men to experience violence from an intimate partner. ¹
- 1 in 4 Australian women has experienced emotional abuse by a current or former partner. ¹
- Children exposed to violence are more likely to have a range of health, developmental and social problems, both during childhood and later in life. ⁴
- Based on 2015 analysis, gender-based violence is costing Australia \$21.7 billion each year. ⁵

The Grampians region experiences high rates of family violence. In more than half the Local Government Areas in the Grampians region, the family violence incidence rates are above the state average. ⁶

Women living in rural areas are more likely than those in urban areas to experience family violence, and they face additional barriers to reporting and escaping abuse ⁷, including: geographic isolation; limited access to services; a lack of anonymity; community members with conservative attitudes; higher levels of gun and weapon ownership; and the experience of natural disasters (e.g. floods, bushfires etc.) which can increase the risk of family violence. ⁸

Some women in our community face additional risk of violence and disadvantage.

- In comparison with other women, Aboriginal women are 32 times more likely to be hospitalised from family violence and almost 11 times more likely to be killed as a result of violent assault. ^{9, 10}
- 1 in 5 Aboriginal and Torres Strait Islander women aged 15 and over has experienced physical violence in a 12-month period. ¹¹
- 3 in 5 Aboriginal and Torres Strait Islander women have experienced physical or sexual violence by a male intimate partner. ¹²
- Although limited, existing data and research suggests that rates of violence experienced by LGBTIQA people are at least comparable to that experienced by the wider female population. ^{13, 3, 14}
- Although the types and impact of intimate partner violence have been found to be similar for same-gender relationships and heterosexual relationships, different forms of violence are sometimes used within this community. ¹⁵
- Some studies suggest high prevalence rates of violence against women from migrant and refugee backgrounds, and specific issues of complexity. ¹⁶
- Women with disabilities are more likely to experience violence than those without disability. ¹ The difference is greatest for violence by a cohabiting partner (physical and/or sexual), where women with disabilities are twice as likely to experience violence as women without disability. ¹⁷

Whilst we recognise that men are also the victims of violence and believe that no level of violence is acceptable, CoRE is firmly focussed on preventing violence against women and their children. This is because the data tells us that the overwhelming majority of perpetrators of family violence are men and the majority of victim-survivors are women and children. ⁹

PREVENTING GENDER-BASED VIOLENCE

We now have a good understanding of why gender-based violence occurs and how it can be prevented.

The national framework *'Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia'*¹⁹ provides an evidence-based approach and conceptual model for action for the primary prevention of violence against women (PVAW).

Primary prevention describes an upstream, population approach to addressing the underlying causes and drivers of violence, so that it doesn't happen in the first place. It is different to tertiary prevention – or response work – which supports survivors and holds perpetrators to account after violence has occurred. PVAW seeks to change the social norms, practices and structures that allow violence to take place.

The pursuit of gender equality lies at the heart of PVAW, as gender inequality is the main driver of violence against women and children.¹⁶

Informed by *Change the Story*, CoRE acknowledges that the underlying drivers of violence against women are gendered, culturally-embedded and complex. They include beliefs and behaviours reflecting disrespect for women, low support for gender equality, and an adherence to rigid gender roles

and identities. Addressing these drivers and encouraging transformative change requires a long-term, population-level approach that includes addressing the structures, policies and practices that support such behaviours and beliefs.

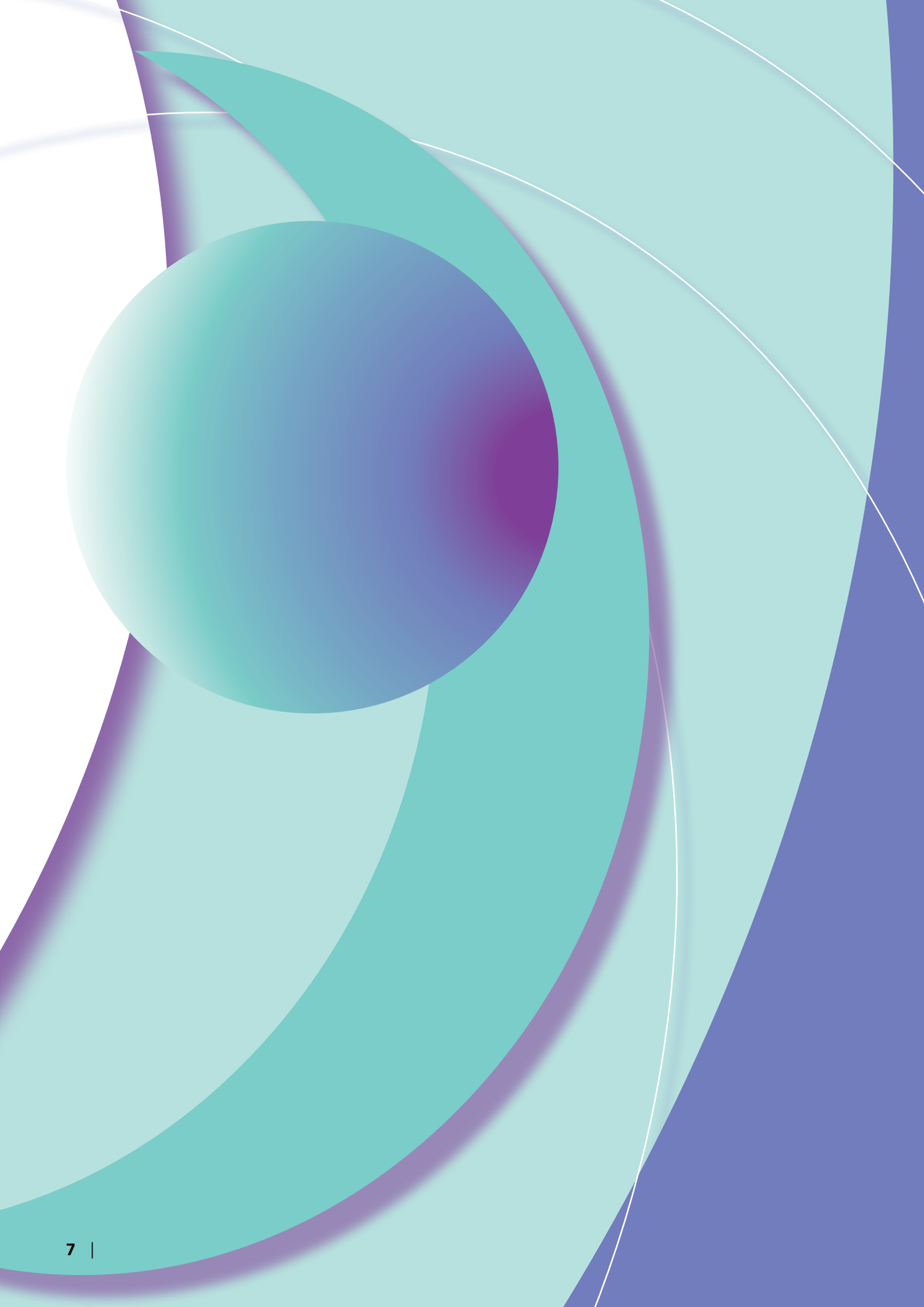
The prevention of gender-based violence has been enhanced in recent years by a deepening understanding of intersectionality and its impact on gender equality and gender-based violence. Intersectionality acknowledges the complex interconnectedness of different forms of disadvantage and discrimination. To break that down, it essentially means that discrimination doesn't exist in a bubble – different kinds of prejudice can be amplified in different ways when put together. *Changing the Picture*¹², Our Watch's national resource for the prevention of violence against Aboriginal and Torres Strait Islander women and children, highlights the impacts of colonisation intersecting with gendered factors as the main drivers of violence against Aboriginal women.

Gender stereotypes can have negative consequences for men and women. Research shows that the pressure on men to follow outdated stereotypes of masculinity is contributing to their mental health and to their use of violence against women, and other men.²⁰ Everyone will benefit if men can break free from harmful gender stereotypes.

Creating a community where women and children live free from violence, abuse and discrimination will require all of us, working deliberately to achieve gender equality. Only together can we change the attitudes, stereotypes and inequality that allow violence to thrive.

"There is no doubt that violence against women is deeply rooted in power imbalances that are reinforced by what we consider 'normal' or 'expect' regarding roles and behaviour for men versus women."

The Victorian Royal Commission
into Family Violence Report
(2016)²¹



CoRE supports its members to address the five essential actions to reduce violence against women that are outlined in *Change the Story*:¹⁸

1.

CHALLENGE THE CONDONING OF VIOLENCE: reduce the tolerance for attitudes, beliefs, practices that justify, excuse or downplay violence against women and their children, or that shift the blame from victim to perpetrator

2.

PROMOTE WOMEN'S INDEPENDENCE IN DECISION-MAKING IN PUBLIC LIFE AND RELATIONSHIPS: the independence of women to make decisions and exercise control is not curtailed

3.

CHALLENGE RIGID GENDER STEREOTYPES AND ROLES: stereotyped constructions of masculinity and femininity are left behind, not perpetuated

4.

STRENGTHEN EQUAL AND RESPECTFUL RELATIONSHIPS between women and men, boys and girls and people of all genders

5.

PROMOTE AND NORMALISE GENDER EQUALITY in public and private life

THE STRATEGY

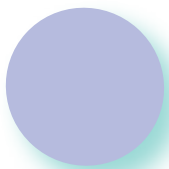
The CoRE Strategy provides a framework for more detailed, regular planning by CoRE members, the CoRE Leadership Group and Women's Health Grampians.

VISION

A safe, equal and respectful society for everyone- where women and their children live free from gender-based violence and every person is valued, heard, respected and empowered.

PURPOSE

CoRE's purpose is to motivate and support organisations in the Grampians region to prioritise and take action to promote gender equality as the means by which gender-based violence will be prevented.



STRATEGIC DIRECTIONS, GOALS AND OBJECTIVES

1. CULTURAL CHANGE

Goal - Challenge attitudes and beliefs around violence and inequality

- 1.1** Challenge thinking and build knowledge and capacity to address the drivers of gender inequality and violence and promote cultural change
- 1.2** Address the intersectional nature of discrimination
- 1.3** Support Aboriginal-led prevention strategies in collaboration with the Grampians Dhelk Dja Partnership Forum

2. SYSTEMS CHANGE

Goal - Improve practices, policies and systems to eliminate gender inequality

- 2.1** Take and support meaningful, sustainable action aligned with the Change the Story and Changing the Picture frameworks
- 2.2** Support CoRE members with obligations under the Gender Equality Act

3. COLLECTIVE IMPACT

Goal - Support collaboration and grow CoRE across the region

- 3.1** Grow the reach and impact of CoRE
- 3.2** Foster collaboration within and amongst CoRE members

4. KNOWLEDGE TRANSFER

Goal - Promote, adopt and contribute to the knowledge base of best-practice in gender equality

- 4.1** Monitor and regularly review plans, strategies and outcomes, undertaking evaluations appropriate
- 4.2** Share information about what works and what doesn't work
- 4.3** Monitor and respond to emerging issues impacting on gender equality and discrimination

GUIDING PRINCIPLES

CoRE and its members are guided by the following principles:

Primary Prevention	<p>Gender-based violence is preventable.</p> <p>We commit to actions that promote gender equality as the means by which gender-based violence will be prevented over time.</p>
Gender equity and gender transformative practice	<p>Socially and historically, there has been an imbalance in the opportunities available to women and men – we don't operate on a level playing field.</p> <p>To achieve fairness, we commit to redressing the imbalance with strategies that help compensate for the disadvantages that women have faced.</p> <p>By striving for gender-transformative practice, we will think deeply about the impacts of gender and seek new, innovative solutions to achieving gender equality.</p>
Intersectionality	<p>Intersectionality acknowledges that gender inequality is compounded by the overlapping effects of other forms of disadvantage or discrimination that a person may experience due to characteristics such as: race; Aboriginality; religion; ethnicity; disability; age; sexual orientation; rurality and/or; gender identity.</p> <p>We commit to applying an intersectional approach to promoting gender equality and to tailored and responsive strategies for specific groups of people who may be at greater risk of discrimination</p>
Cultural safety	<p>Cultural safety is more than just being aware of, and respecting other cultures.</p> <p>We commit to creating and supporting environments and practices that are spiritually, socially and emotionally safe – where there is no assault, challenge or denial of identity or culture. We recognise that cultural safety is particularly important for Aboriginal and Torres Strait Islander people.</p>
Collaboration for collective impact	<p>Gender-based violence is a complex social problem that requires a collective effort.</p> <p>We will collaborate, share knowledge and resources, find solutions together and form partnerships to leverage expertise and avoid duplication.</p>
Evidence-informed practice	<p>We will ensure our work is informed by evidence, expert opinion and by the views of diverse women with lived-experiences of discrimination and violence.</p>
Sustainability	<p>Transforming the deeply entrenched structures, norms, practices and attitudes that perpetuate gender-based violence requires long-term, sustained efforts.</p> <p>By building knowledge and capacity, challenging attitudes and norms and supporting systems change, we will work to change our society forever.</p>
Accountability	<p>We are committed to accountability and continual improvement. We will monitor and evaluate our work, share the results and use our findings to improve our effectiveness.</p>

WHAT'S NEW IN THIS STRATEGY?

With the conclusion of the first CoRE Strategy in 2020, this refreshed Strategy builds on the success of CoRE. The foundations remain the same but new initiatives, focus areas and emerging priorities will be incorporated across the next four years.

RECOMMITMENT

As we launch the 2021-2025 Strategy, CoRE members will be asked to recommit to CoRE as a sign of their ongoing commitment to our shared vision.

MINIMUM EXPECTATIONS OF MEMBERS

To ensure the integrity, consistency and influence of CoRE, a short set of minimum expectations of all members will be introduced. Members will be supported by WHG to meet these expectations.

INCREASED FOCUS ON INTERSECTIONALITY

CoRE members will be encouraged and supported to pay additional attention to the intersectional nature of discrimination. By giving voice to those with lived experience of discrimination, WHG will support CoRE members to apply an intersectional lens to their systems and programs. We will also support Aboriginal-led family violence prevention strategies in partnership with local Aboriginal Controlled networks and organisations.

CORE FRIENDS NETWORK

To extend the influence of CoRE, we will introduce a CoRE Friends Network. Individuals within CoRE member organisations who are interested in broadening their knowledge and promoting gender equality will receive regular communications and access to resources.

THE VICTORIAN GENDER EQUALITY ACT 2020

The Victorian Gender Equality Act 2020 requires the Victorian public sector, local councils and universities (known as defined entities) to take positive action towards achieving workplace gender equality. Many of our CoRE members are defined entities and there are significant overlaps between their contributions to CoRE and their requirements under the Act. We will support these members to achieve their obligations, whilst aligning our broader work with the intent of the Gender Equality Act.

SECTOR DEVELOPMENTS AND EMERGING ISSUES


Across this four-year strategy we expect there to be significant changes in the social and political environment in respect to gender equality and the prevention of gender-based violence. A revised Change the Story Framework will be released in 2021 and new sector developments are likely. The COVID-19 pandemic will undoubtedly have ongoing effects, both in its impact on women and in how it influences the way businesses and organisations communicate and work.

We will keep a watching-brief on change and ensure CoRE considers and responds to emerging issues, policy change and new evidence on how to prevent gender-based violence.

MONITORING AND EVALUATION

Ever-evolving, CoRE is responsive and flexible. With a commitment to action research, WHG regularly reflects on how the model could be adapted to better meet the needs of its members and to strengthen actions to promote gender equality.

A detailed Evaluation Plan supports the monitoring and evaluation of CoRE over time. It sets a framework for the regular collection of data from a variety of sources and for assessing the impact of the initiative over time.



“We need to be aware that all the groups are in the room with us. It’s not about the people who look different or express themselves differently. Intersectionality is about unpacking inclusive practice.”

Consultation Participant

“We’ve seen improved behaviour and respect within the organisation.”

CoRE Member

BEING A CoRE MEMBER

Being a CoRE member is about committing to taking action.

With the support of WHG, members review, plan and take steps to promote gender equality within their organisations and through their spheres of influence.

Members agree to:

- Integrate and resource relevant activities;
- Make changes to their organisation’s planning, policies and operations;
- Work collaboratively with other members to share knowledge, resources and ideas; and
- Communicate on progress, insights and challenges that will help monitor and build the capacity of the CoRE Alliance.

All CoRE members are expected to:

- Secure leadership support (CEO or equivalent, and leadership team);
- Have an organisation-wide CoRE action plan which evolves over time;
- Appoint a CoRE liaison person (CoRE coordinator or champion); and
- Report on progress annually.

Support is provided through:

- One-on-one consultations with WHG’s Regional Consultants who provide expertise and tailored advice;
- Leadership briefings to increase knowledge and organisational commitment;
- Training programs on a variety of topics, including: gender equity, prevention of violence against women, active bystanders, and intersectionality;
- Organisation-wide programs such as Act@Work;
- Community of Practice events to build members’ capacity to implement change and provide a forum for members to share knowledge and insights; and
- An extensive suite of practical resources to assist organisations to take action.

CoRE membership is open to any organisation, business, partnership, network or group within the Grampians region that is willing to commit to the vision, principles and goals outlined in the CoRE Strategy.

For more information on CoRE, visit <https://whg.org.au/our-work/prevention-violence-women/core/>

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- ¹ Australian Bureau of Statistics (ABS). *Personal Safety Survey*. Canberra, ACT: 2017. ABS cat. no. 4906.0.
- ² Cussen T, Bryant W. *Domestic/family homicide in Australia (Research in practice, no. 38)*. Canberra, ACT: Australian Institute of Criminology; 2015.
- ³ Australian Institute of Health and Welfare (AIHW). *Family, domestic and sexual violence in Australia: Continuing the national story*. Canberra, ACT: 2019. AIHW. Cat. no FDV 3.
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HINDMARSH SHIRE COUNCIL LONG TERM FINANCIAL PLAN



2021/2022 – 2030/2031



Hindmarsh
Shire Council

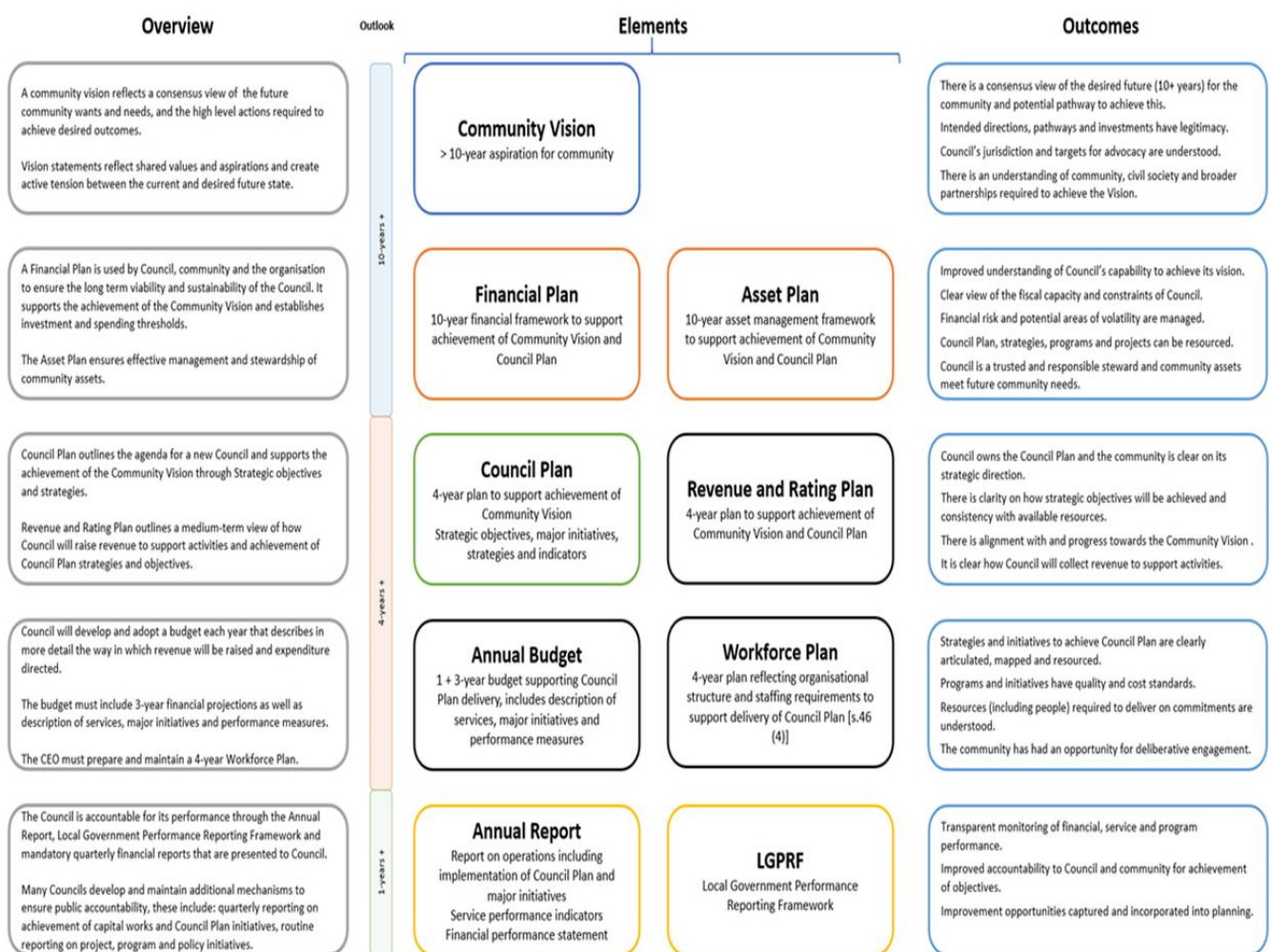
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1. Legislative Requirements

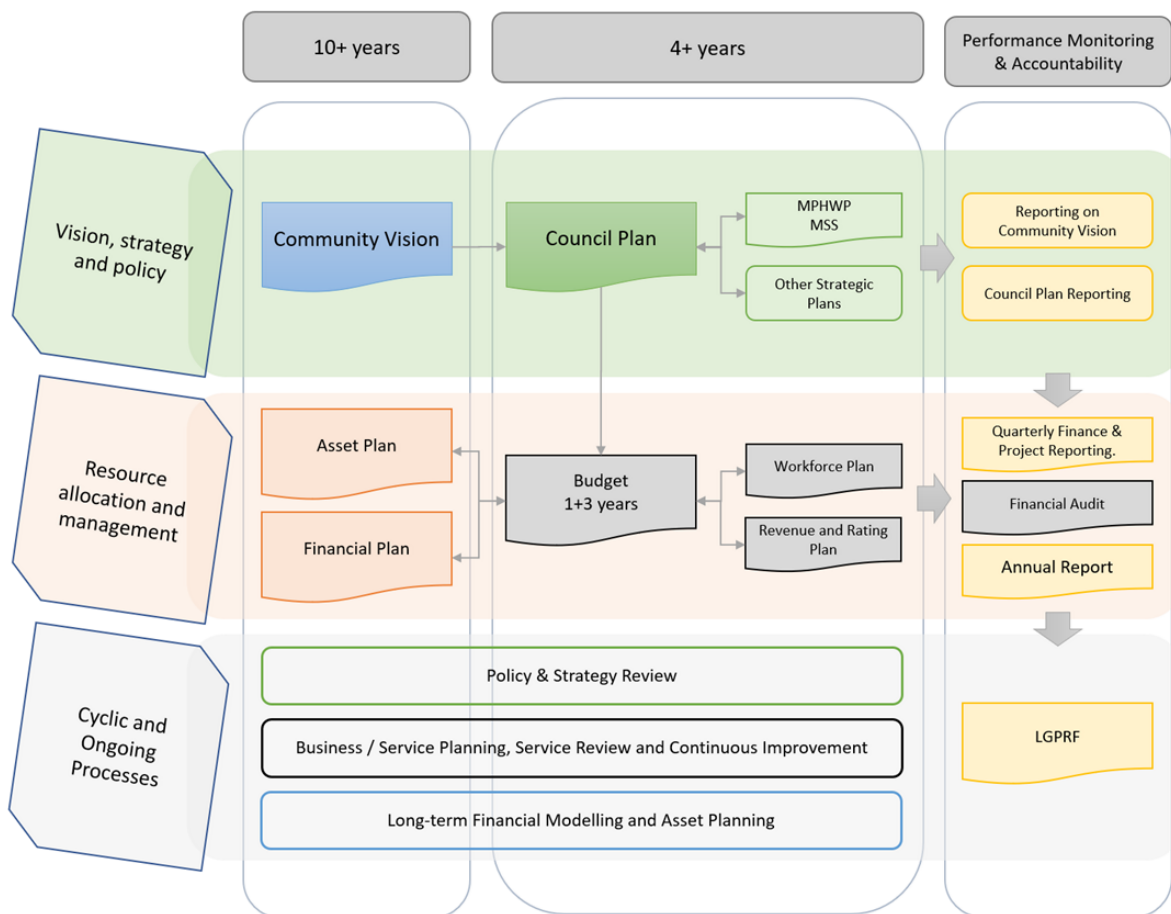
This section describes how the Financial Plan links to the achievement of the Community Vision and the Council Plan within the Integrated Strategic Planning & Reporting framework. This framework guides the Council in identifying community needs and aspirations over the long term (Community Vision), medium term (Council Plan) and short term (Annual Budget) and then holding itself accountable (Annual Report).

The following diagram provides an overview of the core legislated elements of an integrated strategic planning and reporting framework and outcomes.



Source: Department of Jobs, Precincts and Regions

The following figure demonstrates how each element might inform or be informed by other parts of the integrated framework.



1.1 Strategic Planning Principles

The Financial Plan provides a 10 year financially sustainable projection regarding how the actions of the Council Plan may be funded to achieve the Community Vision. The Financial Plan is developed in the context of the following strategic planning principles:

- Council has an integrated approach to planning, monitoring and performance reporting.
- Council's financial plan addresses the Community Vision by funding the aspirations of the Council Plan. The Council Plan aspirations and actions are formulated in the context of the Community Vision.
- The Financial Plan statements articulate the 10-year financial resources necessary to implement the goals and aspirations of the Council Plan to achieve the Community Vision based on the best available information at the time of preparation.
- Council's strategic planning principles identify and address the risks to effective implementation of the Financial Plan. The financial risks are included at section 1.2.2 below.

1.2 Financial Management Principles

The Financial Plan demonstrates the following financial management principles:

- 1.2.1 Revenue, expenses, assets, liabilities, investments and financial transactions are managed in accordance with Council's financial policies and strategic plans.
- 1.2.2 Management of the following financial risks:
 - a) the financial viability of the Council, and
 - b) the management of current and future liabilities of the Council. The estimated 10 year-liabilities are disclosed in section 3.2 Balance Sheet projections.
- 1.2.3 Financial policies and strategic plans are designed to provide financial stability and predictability to the community.
- 1.2.4 Council maintains accounts and records that explain its financial operations and financial position (refer section 3 Financial Statements)

1.3 Engagement Principles

Council developed and adopted a comprehensive community engagement framework. The following consultation process will be undertaken to ensure due consideration and feedback is received from relevant stakeholders.

- a) Draft Financial Plan prepared by management in conjunction with Council;
- b) Draft Financial Plan placed on public exhibition following 8 September 2021 Council meeting for the period 9 September to 1 October 2021 and calling for public submissions;
- c) Community engagement is conducted using local news outlets and social media;
- d) Hearing of public submissions to the Financial Plan at the 6 October 2021 Council meeting;
- e) Draft Financial Plan, including any revisions, presented to 6 October 2021 Council meeting for adoption.

1.4 Service Performance Principles

Council services are designed to be for a purpose, targeted to community needs and value for money. The service performance principles are listed below:

- a) Services are provided in an equitable manner and are responsive to the diverse needs of the community. The Council Plan is designed to identify the key services and projects to be delivered to the community. The Financial Plan provides the mechanism to demonstrate how the service aspirations within the Council Plan may be funded.
- b) Services are accessible to the relevant users within the community.
- c) Council provides quality services that provide value for money to the community. The Local Government Performance Reporting Framework (LGPRF) is designed to communicate council's performance regarding the provision of quality and efficient services.

1.5 Asset Plan Integration

Integration to the Asset Plan is a key principle of the Council's strategic financial planning principles. The purpose of this integration is to ensure that future funding is allocated in a manner that supports service delivery in terms of the plans and the effective management of Council's assets into the future.

The Asset Plan identifies the operational and strategic practices which will ensure that Council manages assets across their life cycle in a financially sustainable manner. The Asset Plan, and associated asset management policies, provide council with a sound base to understand the risk associated with managing its assets for the community's benefit.

The Asset Plan is designed to inform the Financial Plan by identifying the amount of capital renewal, backlog and maintenance funding that is required over the life of each asset category. The level of funding will incorporate knowledge of asset condition, the risk assessment issues as well as the impact of reviewing and setting intervention and service levels for each asset class.

In addition to identifying the operational and strategic practices that ensure that Council manages assets across their life cycle in a financially sustainable manner, the Asset Plan quantifies the asset portfolio and the financial implications of those practices. Together the Financial Plan and Asset Plan seek to balance projected investment requirements against projected budgets.

Council is currently reviewing and updating its Asset Plan in accordance with the legislative requirements of the Local Government Act 2020 and will be presenting the plan to Council in 2022.

2. Financial Plan Context and Challenges

This section describes the context and external/internal environment and consideration in determining the 10-year financial projections and assumptions.

2.1 Overview

Hindmarsh Shire Council is located halfway between Melbourne and Adelaide and comprises 7,500 square kilometres and 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.

2.2 Our Challenges

Hindmarsh Shire Council continues to face the following challenges that impact the financial environment in which we operate:

- a) The Victorian State Government introduced a cap on rates from 2016/2017. The cap for 2021/2022 has been set at 1.5%.
- b) Local Government provides services to the community on behalf of the State and Federal Government. Over time the funds Council receives to deliver these services do not increase in line with real cost increases resulting in significant cost shifting onto Council.
- c) Hindmarsh Shire Council has a small rate base and is heavily reliant on external grant funding to deliver services and capital works projects throughout the Shire.
- d) Council faces challenges associated with the provision and renewal of the significant road network, paths and community and recreation facilities.
- e) Isolation and large distances increase transport costs when compared to most other shires. This is not just an issue for residents but also for the cost of Council's works as transport costs make up a large portion of the Council Budget.

2.3 Strategic Actions

Council has identified the following strategic actions that will support the aspirations of the Council Plan.

- Maintain service levels to the community to support our vision of well-maintained roads, building and other assets that service our community needs.
- Prioritise renewal of existing assets and advocate for increased funding to support the maintenance and upgrades of Council's extensive road network and infrastructure.
- Develop and promote local tourism opportunities that will attract visitation.

- Advocate for increases to recurrent grants to enable Council to maintain services and undertake asset renewal.
- Maintain minimum cash reserve of \$2.1m to ensure Council can meet its financial obligations at any time. This is only possible if non-recurrent capital grants are received or there is a reduction in capital works expenditure. Where additional grants are received, capital works renewal will be prioritised.

2.4 Assumptions to the financial plan statements

This section presents the assumptions to the Comprehensive Income Statement for the 10 years from 2021/22 to 2030/31. The assumptions are based on the best available information at the time of preparation and will be updated each year as necessary.

Escalation Factors % movement	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
CPI	1.5%	2.0%	2.0%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Growth	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Rates & Charges	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Statutory fees & fines	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
User fees	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Grants - Operating	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Grants - Capital*	1.5%	0.0%	0.0%	0.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Contributions - monetary	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Contributions - non-mometary	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Other income	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Employee costs	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Materials & Services	2.0%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Depreciation	2.0%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Other expenses	2.0%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%

*increases are applied on known recurrent capital grants

3. Financial Plan Statements

This section presents information regarding the Financial Plan Statements for the 10 years from 2021/22 to 2030/31.

- Comprehensive Income Statement
- Balance Sheet
- Statement of Changes in Equity
- Statement of Cash Flows
- Statement of Capital Works
- Statement of Human Resources

3.1 Comprehensive Income Statement

For the ten years ending 30 June 2031

	Forecast	Budget	Projections								
	Actual		2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	2020/21	2021/22	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's
	\$	\$									
Income											
Rates and charges	9,089,318	9,213,701	9,261	9,438	9,627	9,820	10,016	10,216	10,421	10,629	10,842
Statutory fees and fines	142,700	145,500	147	149	152	155	158	161	165	168	171
User fees	1,292,375	1,275,390	1,294	1,314	1,333	1,360	1,387	1,415	1,443	1,472	1,501
Grants - Operating	4,146,617	5,895,771	6,004	6,153	6,305	6,431	6,560	6,691	6,825	6,961	7,100
Grants - Capital*	4,842,001	8,422,879	1,581	1,259	1,259	1,284	1,310	1,336	1,363	1,390	1,418
Contributions - monetary	83,609	12,000	25	25	25	25	25	25	25	25	25
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	545,000	571,000	150	150	150	150	150	150	150	150	150
Other income	1,206,607	1,097,986	1,061	1,077	1,096	1,118	1,140	1,163	1,186	1,210	1,234
Total income	21,348,227	26,634,227	19,523	19,565	19,947	20,342	20,746	21,157	21,577	22,005	22,441
Expenses											
Employee costs	8,201,411	7,747,893	8,048	8,246	8,451	8,662	8,879	9,101	9,328	9,562	9,801
Materials and services	5,358,224	4,559,492	4,755	4,923	5,097	5,224	5,355	5,489	5,626	5,767	5,911
Depreciation	5,754,549	5,674,928	5,214	5,217	5,330	5,463	5,600	5,740	5,883	6,030	6,181
Other expenses	1,895,543	1,935,396	1,975	2,004	2,033	2,084	2,136	2,189	2,244	2,300	2,358
Total expenses	21,209,727	19,917,709	19,992	20,390	20,911	21,434	21,970	22,519	23,082	23,659	24,250
Surplus/(deficit) for the year	138,500	6,716,518	(469)	(825)	(964)	(1,091)	(1,224)	(1,362)	(1,505)	(1,654)	(1,809)
Total comprehensive result	138,500	6,716,518	(469)	(825)	(964)	(1,091)	(1,224)	(1,362)	(1,505)	(1,654)	(1,809)

*2023/24 onwards - only recurrent capital grants are factored into this line

3.2 Balance Sheet

For the ten years ending 30 June 2031

	Forecast	Budget	Projections								
	Actual		2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	2020/21	2021/22	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's
Assets											
Current assets											
Cash and cash equivalents*	2,520,406	2,021,165	1,448	549	57	985	1,834	2,194	2,246	2,190	2,252
Trade and other receivables	921,415	919,415	751	835	854	1,025	1,061	1,097	1,134	1,172	1,209
Inventories	329,972	331,972	332	332	332	339	347	356	365	374	383
Other assets	219,299	254,299	254	254	254	257	263	272	278	285	292
Total current assets	3,991,092	3,526,851	2,785	1,970	1,497	2,605	3,505	3,918	4,024	4,021	4,136
Non-current assets											
Trade and other receivables	-	-	-	-	-	-	-	-	-	-	-
Investments in associates, joint arrangement and subsidiaries	26,176	26,176	26	26	26	26	26	26	26	26	26
Property, infrastructure, plant & equipment	171,162,882	178,290,199	179,350	179,550	179,473	177,454	175,381	173,659	172,102	170,505	168,634
Total non-current assets	171,189,058	178,316,375	179,376	179,576	179,499	177,480	175,407	173,685	172,128	170,531	168,660
Total assets	175,180,150	181,843,226	182,161	181,546	180,996	180,085	178,912	177,604	176,152	174,551	172,796
Liabilities											
Current liabilities											
Trade and other payables	741,019	632,775	970	1,030	1,123	1,145	1,157	1,168	1,180	1,192	1,204
Trust funds and deposits	88,330	88,130	88	88	88	88	88	88	88	88	88
Provisions	2,145,617	2,301,215	2,515	2,649	2,955	3,103	3,134	3,165	3,197	3,229	3,261
Total current liabilities	2,974,966	3,022,120	3,573	3,767	4,166	4,336	4,379	4,422	4,465	4,509	4,553
Non-current liabilities											
Provisions	278,924	178,326	415	431	447	456	465	474	484	494	503
Total non-current liabilities	278,924	178,326	415	431	447	456	465	474	484	494	503
Total liabilities	3,253,890	3,200,446	3,988	4,198	4,613	4,792	4,844	4,896	4,949	5,002	5,056
Net assets	171,926,260	178,642,780	178,173	177,348	176,383	175,293	174,069	172,708	171,203	169,549	167,740
Equity											
Accumulated surplus	69,273,937	75,990,457	75,521	74,696	73,732	72,641	71,417	70,056	68,551	66,897	65,088
Reserves	102,652,323	102,652,323	102,652	102,652	102,652	102,652	102,652	102,652	102,652	102,652	102,652
Total equity	171,926,260	178,642,780	178,173	177,348	176,384	175,293	174,069	172,708	171,203	169,549	167,740

*This is only possible if non-recurrent capital grants are received, or capital works projected is reduced.

3.3 Statement of Changes in Equity

For the ten years ending 30 June 2031

	Total	Accumulated Surplus	Revaluation Reserve	Other Reserves
2021 Forecast Actual				
Balance at beginning of the financial year	171,787,760	69,135,437	102,652,323	-
Impact of adoption of new accounting standards	-	-	-	-
Adjusted opening balance	171,787,760	69,135,437	102,652,323	-
Surplus/(deficit) for the year	138,500	138,500	-	-
Balance at end of the financial year	171,926,260	69,273,937	102,652,323	-
2022 Budget				
Balance at beginning of the financial year	171,926,260	69,273,937	102,652,323	-
Surplus/(deficit) for the year	6,716,518	6,716,518	-	-
Balance at end of the financial year	178,642,780	75,990,457	102,652,323	-
2023				
Balance at beginning of the financial year	178,643	75,990	102,652	-
Surplus/(deficit) for the year	(469)	(469)	-	-
Balance at end of the financial year	178,173	75,521	102,652	-
2024				
Balance at beginning of the financial year	178,173	75,521	102,652	-
Surplus/(deficit) for the year	(825)	(825)	-	-
Balance at end of the financial year	177,348	74,696	102,652	-
2025				
Balance at beginning of the financial year	177,348	74,696	102,652	-
Surplus/(deficit) for the year	(964)	(964)	-	-
Balance at end of the financial year	176,384	73,732	102,652	-
2026				
Balance at beginning of the financial year	176,384	73,732	102,652	-
Surplus/(deficit) for the year	(1,091)	(1,091)	-	-
Balance at end of the financial year	175,292	72,641	102,652	-
2027				
Balance at beginning of the financial year	175,292	72,641	102,652	-
Surplus/(deficit) for the year	(1,224)	(1,224)	-	-
Balance at end of the financial year	174,069	71,417	102,652	-
2028				
Balance at beginning of the financial year	174,069	71,417	102,652	-
Surplus/(deficit) for the year	(1,361)	(1,362)	-	-
Balance at end of the financial year	172,708	70,056	102,652	-
2029				
Balance at beginning of the financial year	172,708	70,056	102,652	-
Surplus/(deficit) for the year	(1,505)	(1,505)	-	-
Balance at end of the financial year	171,203	68,551	102,652	-
2030				
Balance at beginning of the financial year	171,203	68,551	102,652	-
Surplus/(deficit) for the year	(1,654)	(1,654)	-	-
Balance at end of the financial year	169,549	66,897	102,652	-
2031				
Balance at beginning of the financial year	169,549	66,897	102,652	-
Surplus/(deficit) for the year	(1,809)	(1,809)	-	-
Balance at end of the financial year	167,740	65,088	102,652	-

3.4 Statement of Cash Flows

For the ten years ending 30 June 2031

	Forecast	Budget	Projections								
	Actual		2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	2020/21	2021/22	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's
	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)
Cash flows from operating activities											
Rates and charges	9,069,318	9,228,701	9,261	9,438	9,627	9,820	10,016	10,216	10,421	10,629	10,842
Statutory fees and fines	34,200	132,500	147	149	152	155	158	161	165	168	171
User fees	1,510,875	1,275,390	1,294	1,314	1,333	1,360	1,387	1,415	1,443	1,472	1,501
Grants - Recurrent	4,331,425	6,881,830	6,004	6,153	6,305	6,431	6,560	6,691	6,825	6,961	7,100
Grants -Non Recurrent	4,657,193	7,436,820	1,581	1,259	1,259	1,284	1,310	1,336	1,363	1,390	1,418
Contributions - monetary	83,609	12,000	25	25	25	25	25	25	25	25	25
Interest received	70,000	80,000	150	150	150	150	150	150	150	150	150
Other receipts	1,136,607	1,017,986	1,142	1,068	1,196	1,118	1,140	1,163	1,186	1,210	1,234
Net GST refund / payment	-	-	-	-	-	-	-	-	-	-	-
Employee costs	(8,155,411)	(7,709,893)	(8,048)	(8,128)	(8,451)	(8,662)	(8,879)	(9,101)	(9,328)	(9,562)	(9,801)
Materials and services	(7,912,767)	(6,623,132)	(5,297)	(5,403)	(4,997)	(5,224)	(5,355)	(5,489)	(5,626)	(5,767)	(5,911)
Trust funds and deposits repaid	(200)	(200)	-	-	-	-	-	-	-	-	-
Other payments	-	-	(2,033)	(1,968)	(2,033)	(2,084)	(2,136)	(2,189)	(2,244)	(2,300)	(2,358)
Net cash provided by/(used in) operating activities	4,824,849	11,732,002	4,226	4,057	4,566	4,372	4,376	4,378	4,378	4,376	4,372
Cash flows from investing activities											
Payments for property, infrastructure, plant and equipment	(13,882,351)	(12,802,243)	(4,969)	(5,106)	(5,208)	(3,594)	(3,678)	(4,168)	(4,476)	(4,583)	(4,460)
Proceeds from sale of property, infrastructure, plant and equipment	545,000	571,000	170	150	150	150	150	150	150	150	150
Net cash provided by/ (used in) investing activities	(13,337,351)	(12,231,243)	(4,799)	(4,956)	(5,058)	(3,444)	(3,528)	(4,018)	(4,326)	(4,433)	(4,310)
Net increase/(decrease) in cash & cash equivalents	(8,512,502)	(499,241)	(573)	(899)	(492)	928	848	360	53	(57)	62
Cash and cash equivalents at the beginning of the financial year	11,032,908	2,520,406	2,021	1,448	549	57	985	1,834	2,194	2,246	2,190
Cash and cash equivalents at the end of the financial year	2,520,406	2,021,165	1,448	549	57	985	1,834	2,194	2,246	2,190	2,252

3.5 Statement of Capital Works

For the ten years ending 30 June 2031

	Forecast	Budget	Projections								
	Actual		2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	2020/21	2021/22	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's
Property											
Land	-	-	-	-	-	-	-	-	-	-	-
Total land	-	-	-	-	-	-	-	-	-	-	-
Buildings	1,832,007	1,192,840	250	130	130	130	130	130	130	130	130
Total buildings	1,832,007	1,192,840	250	130	130	130	130	130	130	130	130
Total property	1,832,007	1,192,840	250	130	130	130	130	130	130	130	130
Plant and equipment											
Plant, machinery and equipment	3,082,384	1,937,500	1,514	1,614	2,030	1,540	1,599	1,640	1,673	1,732	1,719
Fixtures, fittings and furniture	129,841	55,000	50	50	50	50	52	50	50	50	54
Computers and telecommunications	-	82,000	-	-	-	50	40	40	40	40	40
Library books	-	45,000	-	-	-	20	20	20	22	22	22
Total plant and equipment	3,212,225	2,119,500	1,564	1,664	2,080	1,660	1,711	1,750	1,785	1,844	1,835
Infrastructure											
Roads	6,724,160	3,169,010	2,741	2,940	2,520	2,583	2,648	3,114	3,350	3,434	3,365
Bridges	1,396,694	3,500,000	-	-	-	50	-	-	50	-	-
Footpaths and cycleways	1,461,989	203,209	154	154	130	155	155	158	163	166	170
Drainage	163,460	33,684	190	88	268	145	169	173	177	182	186
Recreational, leisure and community facilities	-	-	-	70	70	93	95	98	100	103	105
Other infrastructure	928,346	2,694,000	70	60	60	62	81	81	83	115	87
Total infrastructure	10,674,649	9,599,903	3,155	3,312	3,048	3,088	3,147	3,623	3,923	3,999	3,913
Total capital works expenditure	15,718,881	12,912,243	4,969	5,106	5,258	4,878	4,988	5,504	5,839	5,973	5,878
Represented by:											
New asset expenditure	2,899,085	2,385,000	130	130	130	135	135	135	135	135	135
Asset renewal expenditure	10,350,833	8,745,609	3,755	4,022	4,373	4,592	4,821	5,062	5,315	5,581	5,721
Asset expansion expenditure	-	-	-	-	-	-	-	-	-	-	-
Asset upgrade expenditure	2,468,963	1,671,634	1,084	954	705	151	31	307	388	257	22
Total capital works expenditure	15,718,881	12,802,243	4,969	5,106	5,208	4,878	4,988	5,504	5,839	5,973	5,878
Funding sources represented by:											
Grants	4,842,001	8,120,567	1,245	1,580	1,081	1,284	1,310	1,336	1,363	1,390	1,418
Council cash	10,876,880	4,681,676	3,724	3,526	4,127	3,594	3,678	4,168	4,476	4,583	4,460
Total capital works expenditure	15,718,881	12,802,243	4,969	5,106	5,208	4,878	4,988	5,504	5,839	5,973	5,878

3.6 Statement of Human Resources

For the ten years ending 30 June 2031

	2021/2022	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE
Civic & Governance										
Permanent - Full time	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Female	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Male	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Total Civic & Governance	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Corporate & Community Services										
Permanent - Full time	22.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0
Female	14.0	14.0	14.0	14.0	14.0	14.0	14.0	14.0	14.0	14.0
Male	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0
Permanent - Part time	10.6	10.6	10.6	10.6	10.6	10.6	10.6	10.6	10.6	10.6
Female	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0
Male	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Total Corporate & Community Services	32.6	32.6	32.6	32.6	32.6	32.6	32.6	32.6	32.6	32.6
Infrastructure										
Permanent - Full time	42.0	42.0	42.0	42.0	42.0	42.0	42.0	42.0	42.0	42.0
Female	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Male	38.0	38.0	38.0	38.0	38.0	38.0	38.0	38.0	38.0	38.0
Permanent - Part time	5.3	5.3	5.3	5.3	5.3	5.3	5.3	5.3	5.3	5.3
Female	2.8	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5
Male	2.5	1.8	1.8	1.8	1.8	1.8	1.8	1.8	1.8	1.8
Total	47.3	47.3	47.3	47.3	47.3	47.3	47.3	47.3	47.3	47.3
Casuals and temporary staff	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8
Capitalised labour	14.0	14.0	14.0	14.0	14.0	14.0	14.0	14.0	14.0	14.0
Total staff numbers	98.6	98.6	98.6	98.6	98.6	98.6	98.6	98.6	98.6	98.6

3.6 Statement of Human Resources cont

For the ten years ending 30 June 2031

	2021/2022	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
		\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's	\$,000's
Civic Governance										
Permanent - Full time	282,914	286	302	312	319	327	335	344	352	361
Female	65,912	69	70	72	74	75	77	79	81	83
Male	217,002	226	233	240	246	252	258	265	271	278
Total Civic & Governance	282,914	286	302	312	319	327	335	344	352	361
Corporate & Community Services										
Permanent - Full time	2,233,228	2,322	2,345	2,374	2,433	2,494	2,556	2,620	2,686	2,753
Female	1,416,668	1,473	1,484	1,499	1,536	1,575	1,614	1,654	1,696	1,738
Male	816,560	849	861	875	897	919	942	966	990	1,015
Permanent - Part time	815,999	896	923	956	980	1,004	1,029	1,055	1,081	1,108
Female	783,453	852	878	909	932	955	979	1,003	1,028	1,054
Male	32,546	44	45	47	48	49	50	52	53	54
Total Corporate & Community Services	3,049,227	3,218	3,268	3,330	3,413	3,498	3,586	3,675	3,767	3,861
Infrastructure										
Permanent - Full time	3,636,259	3,782	3,895	4,012	4,113	4,215	4,321	4,429	4,540	4,653
Female	421,136	438	451	465	476	488	500	513	526	539
Male	3,215,123	3,344	3,444	3,548	3,636	3,727	3,820	3,916	4,014	4,114
Permanent - Part time	434,543	590	602	615	630	646	662	679	696	713
Female	264,557	349	356	364	373	382	392	402	412	422
Male	169,986	241	246	251	257	263	270	277	284	291
Total Infrastructure	4,070,802	4,372	4,497	4,627	4,743	4,861	4,983	5,107	5,235	5,366
Casuals, temporary and other expenditure	344,950	172	178	183	188	192	197	202	207	212
Capitalised labour costs	994,274	1,009	1,028	1,042	1,068	1,095	1,122	1,150	1,179	1,208
Total staff expenditure	8,742,167	9,057	9,274	9,493	9,730	9,974	10,223	10,479	10,741	11,009

4. Financial Performance Indicators

The following table highlights Council's projected performance across a range of key financial performance indicators. These indicators provide an analysis of Council's 10-year financial projections and should be interpreted in the context of the organisation's objectives and financial management principles.

For the ten years ending 30 June 2031

Indicator	Measure	Actual	Forecast	Budget	Projections										Trend
		2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	+/-	
Operating position															
Adjusted underlying result	Adjusted underlying surplus (deficit) / Adjusted underlying revenue	4.13%	-32.88%	-6.05%	5.94%	2.78%	2%	2%	1%	1%	0%	0%	-1%	+	
Liquidity															
Working Capital	Current assets / current liabilities	347.74%	134.15%	116.71%	77.95%	52.30%	35.93%	60.08%	80.04%	88.60%	90.12%	89.18%	90.84%	o	
Unrestricted cash	Unrestricted cash / current liabilities	304.27	84.71	66.88	40.53	14.57	1.37	22.72	41.88	49.62	50.3	48.57	48.46	o	
Obligations															
Asset renewal	Asset renewal and upgrade expense / Asset depreciation	155.21%	179.86%	183.58%	92.81	95.38	95.27	86.82	86.64	93.53	96.94	96.82	92.91	-	
Stability															
Rates concentration	Rate revenue / adjusted underlying revenue	36.55%	56.95%	49.06	43.57	45	45.08	45.1	45.1	45.12	45.13	45.14	45.16	-	
Rates effort	Rate revenue / CIV of rateable properties in the municipality	0.57	0.55	0.45	0.44	0.45	0.44	0.44	0.44	0.44	0.44	0.44	0.44	o	
Efficiency															
Expenditure level	Total expenses/ no. of property assessments	\$4,275	\$4,134	\$3,882	\$3,896	\$3,974	\$4,075	\$4,177	\$4,282	\$4,389	\$4,499	\$4,611	\$4,726	+	
Revenue level	Total rate revenue / no. of property assessments	\$654	\$617	\$580	\$591	\$591	\$603	\$615	\$627	\$640	\$653	\$666	\$679	+	
Workforce turnover	Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year	11.5%	14.8%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	+	

FLUORIDE SUBMISSIONS

NO.	DATE	SUBMISSION COMMENTS	DOC ID	FOR
1	21/05/2021	I don't believe that fluoride in the water will improve the health of teeth. There is research to say that having it in the water does not help teeth and ingesting it in the water has a detrimental affect on other systems in the body	Doc ID 325656	NO
2	21/05/2021	The fluoride addition is an excellent idea.	Doc ID 325657	YES
3	21/05/2021	No thank you	Doc ID 325658	NO
4	22/05/2021	Today's diet is what causes dental problems, fluoride undermines the thyroid gland. More problematic	Doc ID 325702	NO
5	23/05/2021	Over my 30 years as a dental assistant I have seen the benefits of fluoride in preventing tooth decay with topical applications,mouth rinses & fluoride toothpaste especially in vulnerable children - these applications can be expensive so it makes total sense to fluoridate our water where possible. Tank water will still be a problem on farms but @ least the community will have access to fluoridated water in the towns for schools,drinking taps,etc The amount of decay in rural areas can definitely be reduced if our water supplies are fluoridated & thus being proactive for such a serious health problem. Our oral health effects our whole body not just our mouths - heart health & diabetes. Please fluoridate our water!	Doc ID 325709	YES
6	24/05/2021	Fully support the council advocating for fluoridated water.	Doc ID 325874	YES
7	24/05/2021	Hi. I am very disappointed you are wanting to add Fluoride to our drinking water. Please do not do it. Keep our Shire Fluoride Free. Many nations and cities are not having fluoride in their water anymore. It is toxic. Much of Europe has it banned. Landmark lawsuits being won in the USA against Fluoride in water supplies. Why is our Shire wanting to add it now when the trend is to remove it? Fluoride is the only chemical added to treat people who consume the water, rather than the water itself. Fluoridating water supplies can thus fairly be described as a form of mass medication, which is why most European countries have rejected the practice. Not good for your health. Not good for the soil when watering the garden. Kills plants and makes the soil toxic. You can not buy filters for your shower or garden to remove it. Did you know water fluoridation started in Nazi Germany ghettos and death camps to pacify the Jews? Dumb them down. Please do not do this to our Shire.	Doc ID 326074	NO

FLUORIDE SUBMISSIONS

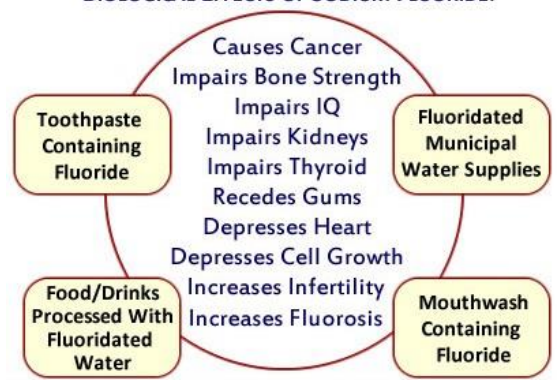
Why not spend money on toothbrushes, toothpaste and floss for those in need. Dental health education is much better than a toxic substance added into our drinking, bath/shower water and gardens.
Sincerely,
Lisa Barry
(4 x attachments below)

You may already be familiar with some neurotoxins like mercury or lead, but there's one neurotoxin that sneaks into your body system more than any other: **fluoride**.

Most developed nations, including all of Japan and 97% of western Europe DO NOT Fluoridate

Fluoride

BIOLOGICAL EFFECTS OF SODIUM FLUORIDE:

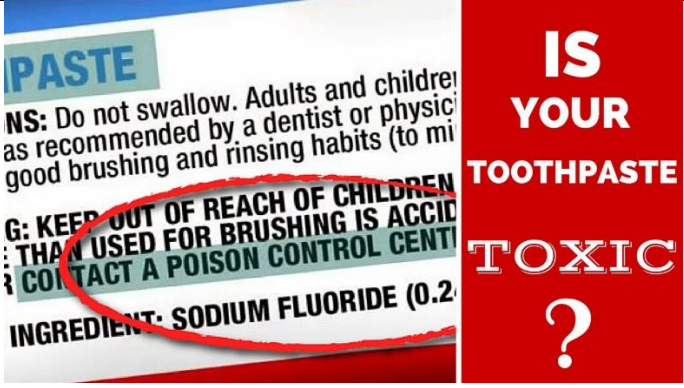


www.preventdisease.com/fluoride

FLUORIDE SIDE EFFECTS

- Cancer
- Brain Damage in Unborn Fetus
- Bone Weakness
- Dental Fluorosis
- Low Estrogen & Testosterone Levels
- Damages Stomach
- Joint Problems
- Skeletal Fluorosis
- Osteoarthritis & Accelerates Osteoporosis
- Lowers I.Q.
- Memory Loss
- Lack of Motivation
- Apathy & Passivity
- Inhibits Melatonin Production
- Impairs Immune System
- Attacks your Pineal Gland
- Kidney Stones & Kidney Failure
- Interferes with White Blood Cell Production
- Kills Brain Cells
- Makes you Dumb
- Lowers Sex Drive
- Infertility
- Sedative
- Accelerates the Aging Process
- Attacks Thyroid
- Attacks Hypothalamus
- Shortens Lifespan
- Promotes Mental Disturbances
- Receding Gums
- Affects Heart Circulation
- Makes you Docile & Obesant
- Autism
- DNA Damage
- Alzheimer's Disease

FLUORIDE SUBMISSIONS

				
8	24/05/2021	I do not want fluoride added to the town water. What a waste of money. We have enough problems with toxic chemicals now and you are thinking of adding to the list?	Doc ID 325876	NO
9	25/05/2021	No to fluoride in water please	Doc ID 325878	NO
10	25/05/2021	No I do not give consent on fluoride being put into our waters. There are more strong proof of fluoride being bad for you causing all kinds of illnesses for example Alzheimer's and dementia where it has been linked to greatly. Fluoride for teeth was only ever for using on the outside of teeth to help make strong, never to be consumed or over saturated as that can cause weakness of the actual tooth.... So washing in and cooking in over time will cause decay of the bones as well as other neurological problems will the shire compensate people once they link the two together?	Doc ID 326006	NO
11	26/05/2021	I support the concept of adding fluoride to the town water. The dental health benefits are proven and well documented. Wish it was in water when I was a kid. The naysayers might claim fluoride is toxic, blah blah blah, but so is chlorine, and weve been treating potable water with it for ages. Please fluoridate our town water.	Doc ID 326159	YES
12	26/05/2021	To the Hindmarsh Shire Council Comity. I will NOT be supporting the introduction of florid into our drinking water. The long term effects that I have read about and the how it destroys the healthy bacteria in the ground ,vegetables, the trees and even my own health. I believe you will be held accountable for destroying you grand children's teeth and lives, if you make the decision to inject this toxic stuff into the public water without you fully looking into all the ways it harms people, animals and the surrounding environment. I am sure the main motive for doing this will be money and how some of you will individually benefit financially from doing so rather than having any thought for the publics safety and wellbeing. I would suggest you read the Food Revolution Networks report for starters and there are many more report of how florid causes harm to us. I	Doc ID 326268	NO



FLUORIDE SUBMISSIONS

		strongly advise against this being to the water i drink and use on my garden and as a rate payer I say NO, DON'T DO IT. This is my thoughts on the matter. Regards Wayne Donnell.		
13	02/06/2021	I am very cautious about the adding of fluoride to our water supply. Do we really need to have more chemicals added to our bodies. A lot of people have and use rain water tanks so are not going to be obtaining the so-called dental benefits. What is the effect on gardens, hot water systems, etc. Toothpastes already have fluoride to help with dental health. Toothpastes are rinsed out and not consumed into the whole body. This is a better option. Thank you for listening.	Doc ID 326827	NO
14	09/06/2021	<p>Firstly I would like to acknowledge the work of our predecessors who got together and cooperated on a large scale engineering scheme to bring a reliable, clean and convenient water supply to as many households in our respective towns as possible. We inherit the benefits of that forward community thinking and attitude.</p> <p>I am against forced fluoridation of household water supplies for the following reasons</p> <ul style="list-style-type: none"> - Unlike filtration and chlorination, fluoridation is not necessary for a safe water supply. It is very difficult to remove from the incoming water once it has been added. Many people rely on town water for convenience, time constraints, economic constrains or simply because of the variable nature of the rainfall in this area. Many others rely on it at various times of the year. This effectively leaves them with no choice but to use fluoridated water. Whether they want to or not. - Much of the research used to recommend the practice relies on different forms of fluoride salts than what is actually used, hence this leaves us with guesses as to the efficacy and the safety of the mass medication project. - The water is used not only for human consumption and use, but for animal consumption. Many people in the area have animals for eggs and meat production, it is one of the attractions of living in this area as opposed to the city. The cumulative effects on animals from ingesting the specific fluoride salts through water have not been well studied, again leaving us with guesses. - Fourthly, whilst certain forms of fluoride are beneficial for tooth formation and longevity, taking fluoride routinely through daily tap water use affects the whole body, not just the teeth. The form used in toothpaste is different from that used in water 	Doc ID 327385	NO

FLUORIDE SUBMISSIONS

		<p>fluoridation projects, and also has other contaminants.</p> <p>I strongly urge the council to listen to the voices of those who have paid for this service, it is their service. Though the work of our predecessors brought about this large scale engineering scheme, we pay for the upkeep and improvement and so rightly call it ours. As such it remains the property of the people, not a company or small group of representatives, they are there to do what we ask for and pay for.</p>		
	14/06/2021	<p>Nobody has contacted me concerning my first submission. WHY? I know many people who are concerned.</p> <p>I do not want this in our water supply. And I pray you are not covering yourselves and have already put this toxin in the supply.</p> <p>Over 97% of all of Europe has removed it from water supplies. Japan does not have it nor Israel. The global trend is to remove it not add it.</p> <p>It kills plants. It kills people. It causes neurological issues.</p> <p>Nazi Germany used it on the Jews.</p> <p>Most people drink rain water.</p> <p>I do not want to breathe in the fumes when I shower or absorb it through my skin. I do not want to water my plants with this.</p> <p>There are no filters to remove this since the molecule is so small.</p> <p>Please do not do this.</p> <p>Sincerely. Lisa Barry</p>	Doc ID 327657	SEE #7
15	19/06/2021	<p>No. I do not believe Hindmarsh Water supply should be fluoridated.</p> <ul style="list-style-type: none"> - One of the reasons I live in a small town is that I get to avoid fluoridation in my water supply. I do not like the taste and it is not naturally there so why put it in. - While I know fluoride has dental benefits I note that we are told not to swallow fluoride toothpaste. That is because there are risks involved with consuming too much. In particular I am concerned at some of the science showing how it can be absorbed and affect the brain. I understand in other countries fluoridation has been stopped for this reason. I am certain some one will send you this information. - it is my experience that calcium tablets, not fluoride, provide the healthiest and strongest teeth, and in fact dentists agree with that and recommend it. - Being a country area, we have poultry and I am concerned about the build up effect of fluoride in their bodies. - we have a vegetable garden and I am also concerned with both the effects on the soil, and the fluoride absorption of vegetables grown. 	Doc ID 328214	NO

FLUORIDE SUBMISSIONS

		<p>- my mother was told to take fluoride tablets when she was pregnant with me. My teeth formed with very weak enamel. It was directly attributed to those fluoride tablets. They stopped advising people to do that.</p> <p>- Lastly with dentist approved fluoride treatments available behind the counter from the pharmacy (with strict instructions not to swallow) no one should need to have a council in the role of their personal care. It does not stop cavities. Brushing and flossing your teeth does.</p> <p>Thank you for reading my submission.</p>		
16	21/06/2021	<p>Please find attached letter of support for the water fluoridation program</p>  <p>16th June 2021</p> <p>To Whom it may concern,</p> <p>We, the dentists of Horsham Dental Group, commend Hindmarsh Council's decision to consider advocating on behalf of Hindmarsh residents for the implementation of a water fluoridation program to add fluoride into the community drinking water to improve dental health, in the town supplies of Dimboola, Rainbow, Jeparit and Mhill. This will dramatically improve the dental health of your citizens.</p> <p>The older dentists amongst us can remember the time before Horsham was fluoridated. Back then we used to have to organise to treat, under general anaesthetic at Wimmera Base Hospital, two or three young children each and every month. Not long after the water was fluoridated, this reduced to only a handful per year, most of whom lived outside of Horsham.</p> <p>The benefits of water fluoridation were highlighted in 1999 by the United States' Centres for Disease Control & Prevention. The fluoridation of public drinking water was included in their list of "Ten Great Public Health Achievements 1900-1999".</p> <p>Yours Sincerely,</p> 	Doc ID 328286	YES – NOT IN HINDMARSH SHIRE
17	27/06/2021	<p>I do not support the addition of fluoride to the water supplies in the Hindmarsh shire. I believe the addition of an unnaturally derived flouride or any additive is against our best health interests. I strongly disagree with the addition of flouride to our water supplies. If the council decision supports this change I believe there will be many more ppl buying drinking water or filtering drinking water. Natural balanced amounts of flouride may assist dental health, but the over consumption of flouride as in unregulated quantities in drinking water causes known problems in well documented studies.</p>	Doc ID 328967 and 328980	NO

FLUORIDE SUBMISSIONS

		Do not fluoridate our water supply.		
18	27/06/2021	<p>We are in favour of adding fluoride to the town water. Community water fluoridation is so effective at preventing tooth decay.</p> <p>Fluoride in water is the most efficient way to prevent one of the most common childhood diseases – tooth decay. We live in Nhill and there are many young children from diverse backgrounds that will benefit from Fluoride in the town water.</p>	Doc ID 328968 and 328987	YES
19	27/06/2021	<p>putting flouride in the water supply gives residents no choice but to consume the flouride - whether they want to or not. Flouride is now in mouthwash and commonly in toothpaste which wasn't the case in the 70's when flouridated water supplies were introduced. Those who wish to ingest flouride can do so. I'm not convinced that the risks of extra toxins to the brain and other organs is outweighed by the benefits to dental health. Supervised brushing and using the flouridated toothpastes are two ways we can all look after our teeth without the need to introduce another toxin to our bodies.</p>	Doc ID 328973	NO
20	29/06/2021	<p>Dear Sir or Madam,</p> <p>We formally object to the addition of fluoride to our water supply. Please see attached letter detailing our objection with citations.</p> <p>Dear Sir or Madam,</p> <p>We are writing to formally object to the proposed fluoridation of the town water supply of all towns within the Hindmarsh Council generally. We understand that Council is looking out for its constituents and has limited resources, please do not view any of this objection as an attack on Council or anyone working for it.</p> <p>We believe there are serious risks to fluoridation and that the purported benefits are correlations rather than causative factors. We have reviewed the documents supplied by Council “Hindmarsh Shire Oral Health Profile” and “Water Fluoridation What’s It All About” and will raise our objections below.</p> <p>Hindmarsh Shire Oral Health Profile</p> <p>There are 6 bar graphs presented in this document. The first 5 compare Hindmarsh Shire to the Victorian average, given the size of Victoria, is breadth of climates, supply chain distributions, wealth distribution and health care services, we don’t find this data to be particularly useful. Even with this in mind, in Graph 3 Hindmarsh has fared better for</p>	Doc ID 329319	NO

FLUORIDE SUBMISSIONS

		<p>dental health in children ages 6 and up. If fluoridation is generally better for everyone's dental health, why do our older children have better than average tooth health? This figure alone should give pause to whether fluoridation is useful at all.</p> <p>Graph 6 is the most telling for us as it shows the data for each Council in the state. Hindmarsh is a relatively low income area, with poor access to fresh fruit and vegetables as well as observably high rates of obesity. We also have very high rates of herbicide use amongst farmers and people in the towns. Hindmarsh population has 18% daily smokers, 19% excess alcohol consumption, 58% are not eating enough fruits and vegetables and 15% daily consumption of sugar sweetened soft drinks. Bayside Council is one of the wealthiest area's of the state and it has 3% daily smokers, 21% excess alcohol consumption (higher than Hindmarsh), 46% are not eating enough fruits and vegetables and 7% daily consumption of sugar sweetened soft drinks.</p> <p>While all aspects of health are important and related, we contend that the latter two of these data points are the most important by far. The over-consumption of all forms of sugar, whether it be in soft drinks, processed foods, fruit or carbohydrates is a huge factor in tooth decay. A study in Japan showed that even in areas with water fluoridation and high use of fluoridated toothpaste, total sugar consumption was the driving factor in tooth decay. People who consume more than 3% of daily calories from sugar where shown to have increased tooth decay despite water fluoridation.</p> <p>The consumption of fresh fruits and vegetables, combined with meat and dairy gives us the nutrients needed to build healthy bones and teeth. Hindmarsh Shire, despite being a farming region has almost zero local suppliers of meat, dairy and especially fruit and vegetables with fresh vegetables being the scarcest among this list. One of the key nutrients for reducing tooth decay is Vitamin K2. Vitamin K2 is found in meat, organ meats especially liver, egg yolks, cheese and fermented vegetables such as sauerkraut. Green leafy vegetables are a great source of Vitamin K1 which can also be converted into K2 by the bacteria in our digestive systems. Sadly all animal products derived from animals that are fed or finished on grains rather than living outside on pasture diminishes Vitamin K2 levels, Hindmarsh Shire has near zero access to Grass-Finished meat products or fermented foods. We advocate that Council encourage farmers in the region to return to local food production rather than only supplying meat and grain as commodities. This alone would dramatically increase the health outcomes of our Shire.</p>		
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Water Fluoridation What's It All About

There are many declarative statements made in this document, none of which are backed up with citations. We will address the most concerning below. Again we stress that we understand the limited resources of Council and that researching health topics is time consuming.

“There is no scientific evidence that water fluoridation is associated with thyroid disease, kidney disease, allergies or cancer”

1. A [British study](#) found fluoridation leads to 30% increase in hypothyroidism
2. [Data on fluoridation causing kidney disease](#) in not conclusive but those already with kidney disease are at further risk.
3. [Denitsts across the world](#) acknowledge that many people have allergic reactions to fluoride. Many of which are never diagnosed.
4. This [study](#) shows an increase in cancer in rats due to sodium fluoride.

“Adding fluoride to drinking water is a fair and economical way of delivering these benefits to all members of the community regardless of age, education or financial status.”

The universal medication of an entire population is not without risk or consequence. As we have shown above and further below there is scientific debate over the safety of water fluoridation.

Further recognised effects of fluoride include but are not limited to:

1. [Decrease in IQ](#) of children consuming fluoridated water and/or formula containing fluoride
2. [Accumulation in the Pineal Gland](#) in place of Iodine
3. [Arthritis](#)

Conclusion

We are firmly opposed to the addition of fluoride to our water supply. Dental health issues are far more related to access to a nutrient rich diet and personal habits than the lack of a proven harmful chemical being added to everyone's water. I grew up in a town with no fluoride in the water and I have never had a filling or any dental issues whatsoever, Jill grew up in a family that ate way too much sugar and has been plagued with cavities her entire life until we met and changed her diet, she has had no cavities since.

FLUORIDE SUBMISSIONS

		<p>If Council insists on the addition of fluoride we will be forced to purchase a very expensive water filter to remove it again, an expense that is currently unnecessary. Council would be better served encouraging local food production, education about the dangers of all forms of sugars - including carbohydrates – and increasing consumption of foods containing Vitamin K2. We personally are doing so by creating an Organic Market Garden as well as teaching and encouraging others to make and consume fermented foods.</p> <p>Hindmarsh Shire does not have to fall into line with everywhere else in Victoria, many of us that moved here because it is different, please keep it so.</p> <p>Regards,</p>		
21	29/06/2021	Adding Fluoride to the water would give all people the chance of protecting their teeth. We currently travel to Bendigo for dental work, including fluoride treatments.	Doc ID 329324	YES
22	29/06/2021	Adding fluoride to town water would be a waste of time and money. Most people do not drink town water, preferring rain water (as it tastes much better), bottled water or other bottled drinks. Those that are most in need of additional support to improve their dental health are the least likely to drink town water, and much more likely to be consuming sugary drinks instead.	Doc ID 329393	No
23	29/06/2021	I oppose adding fluoride to the town water supply of Rainbow, Nhill, Jeparit & Dimboola	Doc ID 329389	NO
24	30/06/2021	Trial it in Jeparit fist before putting more chemicals in the Nhill water supply.	Doc ID 329390	YES
25	30/06/2021	I 100% support adding fluoride to our drinking water. I'm actually really surprised we don't have it here. Fluoride has been shown to improve dental health, and I really can't see any downsides.	Doc ID 329443	YES
26	30/06/2021	I have a question where is the science and data for the safety for this it says not to swallow toothpaste as fluoride is a neurotoxin children under 6 should not have it so who's idea and why has there not been any mail outs are you trying to medicate people with out there consent where was the consultation with the people	Doc ID 329444	NO

From: Cr Wendy Bywaters
Sent: Wednesday, 18 August 2021 1:52 PM
To: Greg Wood
Cc: Shauna Johnson; Councillors
Subject:

Good afternoon Greg,

As you requested, I am writing to outline why I wish to participate in the MAV Online workshops offered to Councillor's, in the email dated 11th August, to be included on the agenda for the next Council meeting.

Two workshops are complimentary, and one is unavailable, and all four remaining sessions combined come to a total of \$1,485 inc. GST. Noting again, that I am prepared to pay myself for any amount not covered in MAV Council Credit Points, or the Council training budget.

Most of these sessions are prior to our next Council meeting on the Sept 8, and I understand if not approved at the Council meeting, I will be required to re-imburse Council.

My motivation and justification.

- my willingness to use my learning to support the community
- my interest in continuous learning
- the fact that the training is run by MAV and it is cost effective compared to any other course
- my willingness to share the learnings with any other Councillor.
- my willingness to have a professional and collaborative working relationship with the CEO and senior officers
- my willingness to commit the 26 hours required to attend the online workshops, and the time to read and prepare for the courses.

Also, if council cannot support all workshops, may I ask Council to consider supporting as many courses as possible please?

Thanks, Wendy

Councillor Wendy Bywaters



17th August 2021

To Committee Members,
"as addressed"

NOTICE is hereby given that a Nhill Town Committee Meeting of the Hindmarsh Shire Council will be held via Zoom on Monday 16th August 2021 commencing at 7.30 pm.

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

- Committee Future (affiliation with council or independence)
- Shire Nhill Visitor Guide
- The Water Tower
- September Lions Market
- Nhill Christmas Carols
- Eisteddfod Concert
- Draft Council Plan Nhill Drop In Session
- Welcome to Nhill Information
- Nhill Dog Park
- A&P Society Water Bill
- Youth Events (bare foot bowls, trivia, karaoke)
- Truck Stop Project

9. Urgent business

10. Meeting Closed

DRAFT

Present:

Committee members: Catherine Bates, Emily Graham, Pauline McCracken, Leith Dean

Council officer: Daniel Griffith

Councillor in attendance: Cr Melanie Albrecht

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Chairperson opened the meeting at 7.35 pm by acknowledging the Indigenous Community.

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

Committee members: Darrell Hall

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Nhill Town Committee Meeting held on 21st June at the Nhill Community Centre as circulated to Committee Members be taken as read and confirmed.

Moved: Catherine Bates

Seconded: Pauline McCracken

4. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA.

No conflicts declared.

5. FINANCE REPORT

Distributed before the meeting, content presented by Daniel. No changes since last presented.

6. DECISIONS TO BE MADE

Combined with general business for this meeting.

7. CORRESPONDENCE

In:

- Request for feedback on the Shire's Nhill Brochure
- Email from GWM Water regarding painting the water tower
- Email from Helen Thomson including drafts of "Advisory Committee Policy" and "Terms of Reference" documents.

Out:

- Feedback for the Shire's Nhill Brochure

8. GENERAL BUSINESS AS NOTIFIED TO THE CHAIR

- Committee Future (affiliation with council or independence)
 - Please see the draft "Advisory Committee Policy" and "Terms of Reference" documents Catherine distributed before the meeting.
 - We don't have a deadline to decide, e.g., we can stay affiliated with the council and decide to go independent in six months' time.
 - Fundraising and sponsorship can be done under the draft framework with rules and regulations in place.
 - If we go independent, we will need a minimum of five members and the issue of meeting a quorum (half members plus one) to achieve an official meeting would become more prominent. Melanie is currently counted towards our quorum, this would not be the case as an independent committee, however she would be able to come as an attendee.
 - Covid makes recruiting difficult, but we can aim to bring in more members as we are able to do more events (e.g., September Lions Market, Trivia Night, Christmas Carols etc.)
 - If we are independent, we would have greater control over our finances. We would need to introduce a treasurer position. We would need to pay for our insurance, for rules (model rules are cheaper, to bring our own is more expensive, but the model rules are fine), and we may be audited.
 - We would likely still be able to use Council locations at no cost if we were independent, e.g., the community centre for our meetings.
 - For comparison, Rainbow Town Committee hasn't reached Council yet, and Dimboola Town Committee are progressing.
 - At the moment we can request funding for over \$2000 for one off, non-budgetable events, e.g., Dimboola's upcoming Steampunk event.
 - Only large upcoming cost is Christmas carols.
 - We would have greater independence but also greater responsibility.
 - A vote on this matter will be held at the next meeting on the 20th of September.
- Shire Nhill Visitor Guide
 - We were contacted to provide feedback about the text for the new brochure.
 - Feedback given by members that it was not focussed enough on Nhill, that a hybrid format linked to electronic information may be beneficial, and that broader Nhill attractions could be included.
 - Emily will send an additional email on behalf of members expressing that the committee believes the brochure have revised contents and a better focus on the town of Nhill itself.
- The Water Tower
 - Mayor Ron Ismay has contact GWM Water about the possibility of painting

- the Water Tower in honour of Lucy Stephan. GWM Water looped us in because of our ongoing project.
- Strong agreement that community support of any design to be taken forward is important.
- Catherine will follow up with GWM Water and Mayor Ismay to indicate that we are still interested in the project and see how things go from there, with the possibility of a joint project with strong community engagement.
- September Lions Market
 - 19th of September, day before next NTC meeting. Volunteers needed to man the stall.
- Nhill Christmas Carols
 - Saturday 11th of December
 - Catherine will take the lead on things, likely to be similar to the event two years ago, band and choirs changing in and out. Marty Leiske for sound again. Costing is set to be similar to cover sound, printing and some sundry costs.
 - **Majority of committee approved proposed spending of approximately \$1000 for the event (~\$850 for sound and ~\$150 for printing costs).**
 - Pauline will be doing a Christmas window in the building adjacent to the pharmacy. Rotunda tree will need volunteers to set up. Catherine will liaise with the Shire to get the street Christmas shapes put up and taken down.
- Eisteddfod Concert
 - Wimmera Eisteddfod was cancelled and replaced by an online event, however some students wanted to perform in front of a live audience.
 - Hold an event so students can play, and family members and the public can come and enjoy the live music. Likely in the afternoon at the soundshell.
 - No cost involved, Catherine will handle equipment etc.
- Draft Council Plan Nhill Drop In Session
 - Drop-in session on Tuesday the 31st of August at the Community Centre, 5pm-6pm.
 - “Council will consider submissions and adoption of the Council Plan 2021-2025 (incorporating health and wellbeing plan) and Community Vision 2040 at the Council Meeting at 3:00pm on Wednesday 22 September 2021 at the Nhill Memorial Community Centre. Drop-in sessions will be held (subject to COVID-19 restrictions) as follows for community members to ask questions on the draft Council Plan 2021-2025 (incorporating health and wellbeing plan) and Community Vision 2040.”
 - Please encourage people to go along and ask questions.
- Welcome to Nhill Information
 - **Majority of committee approved spending to place advertisement of post card competition in Nhill Free Press, to run alongside Facebook post.** It will also be sent out for inclusion in school newsletter.
 - Example merchandise pricing (approximates, may not include some shipping costs):
 - Postcards: 14-30 cents depending on the size of the order, minimum 50.
 - Magnets (business card size): 32 cents each
 - Magnets (postcard size): \$2 each

- Flyers: \$22 for 100, \$38 for 250
- Keychain (bottle opener style): \$0.91-\$1.38 each depending on quantity.
- Stubby holder: \$2.61-\$4.15 depending on quantity (96 units vs 480).
- Emily will send an email out asking for more suggestions/for everyone to pick their favourites.
- Still aiming for a launch date around Nhill Show despite cancellation, may run a BBQ.

- Nhill Dog Park
 - Emily will email to ask for additional submissions, put together a draft, run it by the committee and then follow up distribution once a document is approved.

- A&P Society Water Bill
 - Waiting on water bills, Emily will follow up.

- Youth Events (bare foot bowls, trivia, karaoke)
 - Just waiting until covid allows these to go ahead.
 - Grant for the trivia night was being held because covid prevented it being spent before the end of the financial year as stipulated. It may or may not be there once we are able to do the event.

- Truck Stop Project
 - Onto last section acquiring more bark chips. Lots of trucks stopping there at the moment.

9. URGENT BUSINESS

N/A

10. MEETING CLOSE

There being no further business, the Chair declared the meeting closed at 9.16 pm.

The next meeting will be held on Monday the 20th of September at 7.30 pm at the Nhill Community Centre.

Yurunga Committee of Management

General Meeting, Thursday, June 17, 2021, via Zoom, 7.30pm

Minutes

Welcome and Opening

Members present: Jenny Solly (Chair), Peter Solly (Secretary), Col Drendel.

Visitors: Jeff Woodward (Hindmarsh Shire), Cr Brett Ireland (Hindmarsh Shire)

Apologies: Sam Smith (Treasurer), Debbie Funke, Helen Fisher

The meeting went ahead despite the low attendance.

Moved: Col Drendel, Peter Solly- That the apologies be accepted – c/d

Additional items for General Business (to be accepted at Chairperson's discretion)

- Change of date for July meeting. Eric Bogle concert has been cancelled this month and rescheduled to July 22nd.
- Reopening: Do we reopen this weekend?
- Opportunity to promote Yurunga Saturday 4th September at a street party in Dimboola (Chan from Imaginarium)

Declaration by a Councillor, Officer or Committee Member of any direct or indirect interest in any item on the agenda.

Nil

Minutes of the previous meeting (April) as circulated

Moved: Peter Solly, Col Drendel - That the minutes of the April 22nd meeting be confirmed as a true and accurate record c/d

Business Arising:

- Our May meeting was cancelled due to the number of apologies and the impending COVID lockdown
- May 24: Shauna Johnson, Council CEO Greg Wood's assistant, advised that Greg has approved our two new Committee members. Congratulations Debbie Funcke and Colin Drendel!
- May 25: Booking received for lunch & tour on Saturday, June 12 (long weekend), Renault car club, 24ppl. Contact : Kaye Balcourt 0413 651 210 This was cancelled due to COVID closure. Encouraged to rebook later
- June 3: Booking for Warracknabeal Men's Probus on June 10 was cancelled due to COVID restrictions

- June 3: We were notified by Jeff Woodward that Yurunga must remain closed in spite of the easing of COVID restrictions in rural Victoria
- June 8: I rang Mal Drendel about pruning the 4 rose arches. He will do all the roses in a fortnight or so
- June 8: Alison Ey advertised the visit of tree pruner Brian Matotek from Ouyen. I booked him to prune the orchard. This could happen after the long weekend (June 15-18), or when he returns in July. He is paid cash

*We get little notice of his arrival. It is up to us to drag the prunings out and dispose of them. There may be a mad ring around for helpers on the day!

- Belinda is hoping to make a start on our mural project next week. An extension was granted by Regional Arts Victoria. The new completion date is August 31, 2021. Work will be done in Robinson's shed on Sleep's old property just south of Rainbow.
- No-one was opposed to having our June meeting a week early (on June 17) due to the planned Eric Bogle concert at the Oasis on June 24

Correspondence In (Emails)

- May 24: x2 Jeff Woodward re meeting apology
- May 24: Shauna Johnson, CEO's assistant re April Minutes & new members are approved
- May 24: Cr Brett Ireland re meeting apology & report
- June 2: Jeff Woodward re extension has been approved for mural project. New date is August 31, 2021
- June 3: Jeff re Yurunga is to remain closed until further notice

Correspondence Out (Emails)

- May 24: Peter to Jeff re meeting apology
- May 25: Peter to Cr Brett re thanks
- May 25: Peter to Shauna Johnson re thanks
- June 2: Peter to Jeff re thanks; May & June meetings
- June 3: Peter to Jeff re thanks

Late Correspondence (emails)

- June 16: x2 Peter to Jeff about reopening.
- June 16 Jeff to Peter about reopening.
- Jeff/Monica to Peter about reopening.

Moved: Col Drendel, Peter Solly – That the incoming correspondence be received and the outgoing endorsed. c/d

Reports

~Financial (March, April & May)

March	Opening Balance			10,387.19
	Plus Income	Door Takings	30.00	
		Donations	27.20	
		Merchandise		
		Produce	19.20	
		Trade Travel	315.00	
				391.40
	Less Expenses	Rainbow Learning Group	24.75	
				24.75
	Closing Balance			10,753.84

10,753.84

April	Opening Balance			10,753.84
	Plus Income	Door Takings	560.00	
		Donations	120.00	
		Merchandise	23.50	
		Produce	106.00	
		Trade Travel	427.50	
				1,237.00
	Less Expenses	TM Ismay-Potting Mix	48.50	
		Bow Bakery	16.80	
		P.Solly Alarm Battery	34.95	
		Origin	159.68	
				259.93
	Closing Balance			11,730.91

11,730.91

May	Opening Balance			11,730.91
	Plus Income	Door Takings	165.00	
		Donations	8.30	
		Merchandise	11.00	
		Produce		
	MG Car Club	795.00		

	Spirit Tours	95.00	
			1,074.30
Less	J.Solly-Curtain		
Expenses	Fabric	228.45	
	Bow Bakery	21.30	
	IGA	10.49	
			260.24
Closing			
Balance			12,544.97

12,544.97

An Account for \$377.19 for work to move and reinstall the lamp and replace the faulty floodlamp has just arrived from Heather Davidson.

Moved: Peter Solly, Col Drendel - That the financial for report for March, April and May be received as a true and accurate records- c/d

~Jeff Woodward, Hindmarsh Shire

The Albacutya silo is complete. Traffic numbers are up.
 Dimboola caravan park had best Queen's Birthday weekend ever.
 It is probably ok to open again this weekend.
 Jeff showed the video publicity clip that has been produced.
 The Arkona silo art project is likely to go ahead.

~Cr Brett Ireland, Hindmarsh Shire

Rainbow did well at the last council meeting:
 Council will be acquiring the site for the VORRA events from DELWP.
 Work on caravan park will happen.
 Llew's silo project money is available, the project is ready to go but an engineer needs to be found.
 Brett attended the recent rural summit. Some highlights reported:
 Hindmarsh is very religious with 68% indicating some connection. It also had the highest number of new ABNs.
 21 points for sustainable country towns were highlighted. Rainbow ticked 11 boxes. The most important is having a united community.

Moved Col Drendel, Peter Solly - that the shire reports be received. c/d

General Business

- Ownership of the small round tin containing gold coins? A small tin containing several current coins recently appeared. Does anyone know where they came from?

- Catering for the Enduro on Friday night, August 27, 2021, in Federal street? (We have sold soup in the past.) Do we want to be involved again? We have had an exposed position away from the action in the past and made little profit.
- Curtain making. Jenny will keep in touch with Debbie Funcke.

Additional items:

- Change of date for July meeting? Eric Bogle concert has been cancelled this month and rescheduled to July 22nd, our normal meeting date. We will follow up with other committee re moving our meeting to July 15th.
- Reopening: Eased restrictions allow us to open.
- Opportunity to promote Yurunga Saturday 4th September at a street party in Dimboola (Chan from Imaginarium). Other Committee members need to be consulted.

Booking

Monday, October 25, 2021, Trade Travel, 20 ppl for lunch & tour, 12pm arrival
Contact: Mobile:

Saturday June 4th 2022, the Roll family would like us to be open on the Saturday on the weekend before the Queens Birthday weekend. They are having a family reunion.

Next Meeting: Thursday, July 15, 2021

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 8:30pm