



27 June 2024

MINUTES

Ordinary Council Meeting

Date: Wednesday 26 June 2024

Time: 3:00pm

Venue: Council Chamber
92 Nelson Street, Nhill

Council: Cr Brett Ireland – Mayor
Cr Wendy Bywaters – Deputy Mayor
Cr Melanie Albrecht
Cr Debra Nelson
Cr Robert Gersch
Cr Ron Ismay

Officers: Monica Revell – Chief Executive Officer
Petra Croot – Director Corporate & Community Services
Ram Upadhyaya – Director Infrastructure Services

Acknowledgement of Indigenous Community

Hindmarsh Shire Council acknowledges the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagalk Nations as Traditional Owners of Country.

We recognise the important ongoing role that Indigenous people have in our community and pay our respects to their Elders, past and present.



Public Access

This meeting is open to members of the public and will be livestreamed from Council's Facebook page at www.facebook.com/hindmarshshirecouncil

Live Streaming Statement

This meeting will be streamed live on the internet and the recording of this meeting will be published on Council's website and/or social media pages after the meeting.

Members of the public attending this meeting may be filmed.

By remaining in the public gallery once the meeting commences, members of the public give their consent to being filmed, and for the recording of them to be made publicly available and used by Council.

Information about the broadcasting and publishing recordings of Council meetings is available in the Council's Live Streaming and Publishing Recordings of Council Meetings Policy is available on the Council's website.

TABLE OF CONTENTS

1	ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY & LIVE STREAMING STATEMENT	5
2	APOLOGIES	5
3	DECLARATION OF INTERESTS	5
4	CONFIRMATION OF MINUTES	5
5	PUBLIC QUESTION AND SUBMISSION TIME	6
6	ACTIVITY REPORTS	7
6.1	Cr IRELAND, MAYOR	7
6.2	Cr BYWATERS, DEPUTY MAYOR	8
6.3	Cr GERSCH	9
6.4	Cr NELSON	10
6.5	Cr ALBRECHT	10
6.6	Cr ISMAY	10
7	CORRESPONDENCE	11
8	ASSEMBLY OF COUNCILLORS RECORDS	11
9	PLANNING PERMITS	12
10	REPORTS REQUIRING A DECISION	13
10.1	GOVERNANCE AND COMPLIANCE UPDATE	13
10.2	ADOPTION OF THE 2024/2025 BUDGET (INCORPORATING THE LONG-TERM FINANCIAL PLAN FOR 2024/2025-2033/2034 AND THE REVENUE AND RATING PLAN)	20
10.3	COUNCIL PLAN ACTIONS 2024-2025	28
10.4	REGIONAL TOURISM INVESTMENT FUND APPLICATION	32
10.5	2024 ARB BIG DESERT 480 COMMUNITY EVENT GRANT 2023/24	35
10.6	REQUEST FOR FUNDING AND FEE WAIVER FROM NHILL SES	40
10.7	INTENTION TO ENTER INTO LEASE AT THE PATCH	44
11	COUNCIL COMMITTEES	47

11.1 ADVISORY COMMITTEES	47
11.2 COMMUNITY ASSET COMMITTEES	48

12 LATE REPORTS	49
------------------------	-----------

13 NOTICES OF MOTION	49
-----------------------------	-----------

14 OTHER BUSINESS	49
--------------------------	-----------

15 CONFIDENTIAL REPORTS	49
--------------------------------	-----------

15.1 CONTRACT AWARD 2023-2024-27 DELIVERY OF MUNICIPAL BUILDING SURVEYOR SERVICES	
15.2 NHILL CARAVAN PARK	

16 LATE CONFIDENTIAL REPORTS	51
-------------------------------------	-----------

17 RESUMING INTO PUBLIC SESSION	51
--	-----------

18 MEETING CLOSE	51
-------------------------	-----------

In Attendance:

Councillors:

Cr Brett Ireland (Mayor), Cr Wendy Bywaters (Deputy Mayor), Cr Robert Gersch OAM, Cr Ron Ismay, Cr Debra Nelson and Cr Melanie Albrecht.

Officers:

Ms Monica Revell (Chief Executive Officer), Mr Ram Upadhyaya (Director Infrastructure Services), Ms Petra Croot (Director Corporate and Community Services), Ms Mary-Ann Speakman (Customer Service and Councillor Support Officer) and Ms Shauna Johnson (Executive Assistant).

1 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY & LIVE STREAMING STATEMENT

Cr B Ireland opened the meeting at 3:02pm by acknowledging the Indigenous Community and by reading out the live streaming statement.

2 APOLOGIES

No apologies.

3 DECLARATION OF INTERESTS

A Councillor or Officer 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 and Officers at the commencement of discussion of the specific item.

No conflicts of interest declared.

4 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 29 May 2024 at the Council Chamber, 92 Nelson Street Nhill, as circulated to Councillors be taken as read and confirmed.

MOVED: CRS R Gersch/D Nelson

That the Minutes of the Ordinary Council Meeting held on Wednesday 29 May 2024 at the Council Chamber, 92 Nelson Street Nhill, as circulated to Councillors be taken as read and confirmed.

CARRIED

Attachment Number: 1

5 PUBLIC QUESTION AND SUBMISSION TIME

Community members wishing to ask questions at council meetings may do so, in writing, at least 24 hours prior to the council meeting. Both the question and answer will be read out at the meeting. Questions may be submitted by mail, email info@hindmarsh.vic.gov.au or delivered in person to a council customer centre but are limited to two questions and 100 words including any pre-amble. Offensive, trivial and repetitive questions, questions which have been recently answered, or questions that may contain defamatory comments, 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: 21 May 2024 – 17 June 2024

6.1 Cr IRELAND, MAYOR

Date	Meeting/Event	Location	Comments
21/05/2024	Nhill volunteer breakfast	Goldsworthy Park	Incorporating Nhill streetscape masterplan.
22/05/2024	Jeparit volunteer breakfast	Jeparit Swimming Hole	
22/05/2024	Meeting with CEO regarding upcoming agenda		
22/05/2024	Citizenship ceremony	Nhill Community Centre	
23/05/2024	Rainbow volunteer breakfast	Federal Street Gardens	
23/05/2024	Yurunga homestead meeting		
24/05/2024	Opening of Dimboola art exhibition	Dimboola Hub	
25/05/2024	Dimboola secondary college 100-year celebrations		Consisted of a school tour, a service for the war veterans and afternoon tea. This was attended by over 300 people.
29/05/2024	Council briefing		
29/05/2024	Council meeting		
30/05/2024	Mayoral matters to media		
30/05/2024	Radio interview on ABC		Regarding council meeting.
30/05/2024	MAV Mayor and CEO dinner	Melbourne	
07/06/2024	Tourism radio broadcast promoting the Wimmera		Live in the forecourt in Dimboola hub on 101.3 MIXX FM.
09/06/2024	Nhill Kings birthday weekend golf tournament		A great event attended by around 140 entrants.
10/06/2024	Jeparit town meeting and budget drop in session		

11/06/2024	Nhill town meeting and budget drop in and Nhill streetscape masterplan session		
12/06/2024	Council briefing with Parks Vic and West Wimmera Health Service		
12/06/2024	Mental Health Evening	Nhill Community Centre	Showcasing Men's and Boys mental health week highlighting the movie "Just a Farmer". Once again, very well attended by a broad range of the community and some very informative speakers.
16/06/2024	Dimboola Waterski Club wrap up day to Barefoot Ski Event	Dimboola Bowling Club	Two very worthwhile charities, Wimmera Outreach and The cancer Foundation, we're awarded monies generated from the specific goods and services auction during the event.

6.2 Cr BYWATERS, DEPUTY MAYOR

Date	Meeting/Event	Location	Comments
22/05/2024	Australian Citizenship Ceremony	Nhill Community Centre	
24/05/2024	Chief commissioner's apology for the Victorian Police's role	Live streamed Horsham police station	In the removal of aboriginal children of the stolen generation.
24/05/2024	A playful reimagining of the Wimmer exhibition	Dimboola Library	
27/05/2024	Deputy Mayor meeting with CEO and Director of Corporate Community services		Confidential matter.
29/05/2024	Council briefing session and Council meeting	Nhill	
03/06/2024	Dimboola progress association meeting /Draft Budget /Council Plan	Dimboola Hotel	

	Actions Discussion		
05/06/2024	Nhill Caravan Park, draft Masterplan drop-in session	Goldsworthy Park, Nhill	
07/06/2024	Grampians Wimmera Mallee Tourism and Ace Radio live outside broadcast	Dimboola Library	
12/06/2024	Council briefing session - Parks Victoria and West Wimmera health service	Online	
16/06/2024	Peter Taylor barefoot waters ski memorial sponsors and awards event	Dimboola Bowling Club	A fantastic effort by the award-winning committee. The community raffle was well supported by local businesses and raised enough money to give \$8000 to the Rural Outreach Support program and \$4,906.22 to Wimmera Kid's cancer (WACK). Great effort.

6.3 Cr GERSCH

Date	Meeting/Event	Location	Comments
21/05/2024	Volunteers thanks		
24/05/2024	RCV board meeting...health minister Thomas		
27/05/2024	Meeting with WWHS president		
27/05/2024	Phone calls WWHS CEO		
29/05/2024	Public meeting re tourism group		
29/05/2024	Council briefing		
29/05/2024	Council meeting		
31/05/2024	Wimmera roads meeting	Horsham	
03/06/2024	Tourist info roster		
03/06/2024	Tourist info meeting and social		
12/06/2024	Meeting with Parks Vic		
12/06/2024	Meeting with WWHS President and CEO		

12/06/2024	Movie Just A Farmer		
17/06/2024	Farmers meeting	Yanac	

6.4 Cr NELSON

Date	Meeting/Event	Location	Comments
24/05/2024	Dimboola CWA 90 years celebration		
24/05/2024	Reimagining the Wimmera Art Exhibition opening	Dimboola	
29/05/2024	Council Briefing	Nhill	
29/05/2024	Council meeting	Nhill	
03/06/2024	Gerang Gerung Hall public meeting		
07/06/2024	Ace Radio broadcast	Dimboola	
12/06/2024	Audit Committee meeting	Nhill	
12/06/2024	Meeting with Parks Vic	Nhill	
12/06/2024	Meeting with West Wimmera Health Service	Nhill	
16/06/2024	Dimboola Ski Club presentations		

6.5 Cr ALBRECHT

Date	Meeting/Event	Location	Comments
29/05/2024	Hindmarsh Shire Council Briefing	Nhill	
29/05/2024	Hindmarsh Shire Council Meeting	Nhill	
12/06/2024	Hindmarsh Shire Audit & Risk Committee Meeting	Online	
12/06/2024	Hindmarsh Shire Council Briefing Parks Victoria	Nhill	
12/06/2024	Hindmarsh Shire Council Men's Health Week event 'Just a Farmer' movie	Nhill	

6.6 Cr ISMAY

No report provided.

7 CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Attachment Numbers: 2 – 3

Introduction:

The following correspondence is attached for noting by Council.

Inwards:

No inwards correspondence received.

Outwards:

- 2024/05/31 – Letter to Local Government RE Submission Inquiry into Local Government Sustainability
- 2024/06/03 – Letter to Minister for Small Business RE Melbourne Cup Public Holiday

RECOMMENDATION:

That Council notes the attached correspondence.

MOVED: CRS D Nelson/W Bywaters

That Council notes the attached correspondence and writes two letters of congratulations to:

1. *Lisa Warrick who has recently opened a new business Permanent and Personalised Jewellery in Dimboola; and*
2. *Khin Shwe and Ma Pane who have recently opened a new business K'Nyaw Asian Grocery in Nhill.*

CARRIED

Attachment numbers: 2 – 3

8 ASSEMBLY OF COUNCILLORS RECORDS

Responsible Officer: Chief Executive Officer

Attachment Numbers: 4 – 6

Introduction:

As required under S33(9) of Hindmarsh Shire Council's Governance Rules, the attached Assembly of Councillors Records are presented as attachments to the Council agenda for the information of Councillors.

RECOMMENDATION:

That Council notes the Assembly of Councillor Records as presented.

MOVED: CRS R Ismay/D Nelson

That Council notes the Assembly of Councillor Records as presented.

CARRIED

Attachment Numbers: 4 – 6

9 PLANNING PERMITS

No planning permits.

10 REPORTS REQUIRING A DECISION

10.1 GOVERNANCE AND COMPLIANCE UPDATE

Responsible Officer: Chief Executive Officer

Attachment Numbers: 7 – 10

Introduction:

This report presents the following Policies for consideration by Council:

1. Sports and Recreation Reserve Use, Allocation and Fair Access Policy recommended for Council adoption.
2. Fee Waiver and Reduction Policy recommended for Council adoption.
3. Community Projects Contributions Policy recommended for Council adoption.
4. Councillor Expense Entitlements Policy recommended for endorsement for a period of public consultation from 27 June 2024 to 11 July 2024.

Discussion:

Sports and Recreation Reserves Use, Allocation and Fair Access Policy

The draft Sports and Recreation Reserve Use, Allocation and Fair Access Policy (Policy) was presented to Council on 13 December 2023 and endorsed for a period of community consultation in accordance with Council's Community Engagement Policy. Council officers arranged in-person consultations with sporting clubs from across the Shire in Dimboola, Nhill, Rainbow and Jeparit, with particular emphasis on the Fair Access components of the Policy. These sessions provided Council Officers with the opportunity to provide sporting club representatives with the background and purpose of the Policy and ensure that there is an understanding of ongoing mutual obligations as this Policy is implemented into the future. Additional feedback was provided by the Fair Access Policy team at the Department of Jobs, Skills, Industry and Regions.

Sporting Clubs within the Shire were sent invitations to attend the consultation sessions, with attendance detailed below:

- Dimboola (Monday 8 April) - 10 attendees
- Jeparit (Wednesday 10 April) - 2 people representing at least nine clubs
- Rainbow (Monday 15 April) - 0 attendees
- Nhill (Wednesday 17 April) 2 attendees representing two clubs

There were several common key discussion points at the consultations in response to the Six Fair Access Principles:

Principle 1 – Community sports infrastructure and environments are genuinely welcoming, safe and inclusive.

Principle 2 – Women and girls can fully participate in all aspects of community sport and active recreation, including as a player, coach, administrator, official, volunteer and spectator.

Principle 3 – Women and girls will have equitable access to and use of community sports infrastructure.

- a) Of the highest quality available and most convenient.
- b) At the best and most popular competition and training times and locations.
- c) To support existing and new participation opportunities, and a variety of sports.

Principle 4 – Women and girls should be equitably represented in leadership and governance roles.

Principle 5 – Encourage and support all user groups who access and use community sport infrastructure to understand, adopt and implement gender equitable access and use practices.

Principle 6 – Prioritise access, use and support to all user groups who demonstrate an ongoing commitment to gender equitable access and use of allocated community sport infrastructure.

Discussion Theme/Concern	Officer Response
Who will be responsible for providing funding and how will funding be allocated to construct new, or redevelop existing infrastructure to ensure compliance with Fair Access Principles in the future?	<p>Funding for sports infrastructure comes from a variety of sources, including the State and Commonwealth Government. When talking about the Fair Access Policy requirements as they relate to funding eligibility, this will only apply to State Government funding at this stage.</p> <p>The Policy will require ‘action plans’ that are contextualised to our community and will enable us to measure change and progress. The Policy doesn’t mean that all clubs must immediately make significant changes to existing infrastructure that promotes inclusion for women and girls, rather that they are working towards achievable progress.</p>
With the increase of construction costs, and the limited resources available through existing grant programs, there will be insufficient funds available from Council or clubs to construct new or redevelop existing infrastructure. How will appropriate funds be obtained?	Council will continue to advocate for additional funding and will work to best position ourselves to apply for additional sports infrastructure funding when it becomes available. Council does commit its own funding to key projects, but we are largely dependent on the availability of external funding for this project type.
Local clubs and organisations are struggling to attract new or retain existing volunteers and to have a mandate such as Principle 4, compliance will be very difficult. Clubs and organisations stated that the shortage of volunteers is not due to the lack of effort.	As noted above, it may not be about making immediate and significant changes, but looking at what the Principles look like in the context of each club. For Principle 4, the first step might be looking at why women are not applying for volunteer or leadership positions and then using that information to determine whether the club can address any identified issues.
Clarification was sought in relation to Council’s	Council officers, led by the Coordinator Sports

role and responsibilities and those of the individual club or organisation regarding the implementation of and compliance with the Fair Access Policy.	and Recreation, will work across all clubs (particularly those on Council land) to develop a targeted 'action plan' relevant to our community context. We will provide ongoing support to sporting clubs in ensuring that compliance with the principles is embedded into club activity and culture, but clubs will also need to take ownership over making positive change. The club will need to invest some of its own resources to deliver on some of the initiatives.
--	--

Council has several sporting and recreation reserves and facilities that are available for public use. The existing framework of user agreements and casual hire agreements are formalised through this policy that enables consistent and fair decision-making around use that prioritises the collective interests of the community. It also provides a key framework for the content of any agreement that provides for Council's insurance, risk, safety, and compliance requirements for the use of each facility.

The Fair Access components are reflective of the Fair Access Policy Roadmap, introduced by the Office for Women in Sport and Recreation in 2022. Local Councils are required to have this Policy (or equivalent) in place by 1 July – 1 October 2024 and must also develop an Action Plan to achieve the objectives of the Policy and the Fair Access Policy Roadmap.

As there was limited representation at the scheduled sessions, the Policy was then made available online and promoted via Council's communication platforms. No additional submissions were received.

Fee Waiver and Reduction Policy

The draft Fee Waiver and Reduction Policy (Policy) was presented to Council on 8 May 2024 and endorsed for a period of community consultation in accordance with Council's Community Engagement Policy. The Policy was made available on Have Your Say Hindmarsh and advertised in local newspapers, on Facebook and through Council's newsletters. The Policy was presented to, and endorsed by, the Audit and Risk Committee on 12 June 2024.

The Policy establishes Council's position in relation to requests to partially or fully waive various types of fees and charges. Its purpose is to manage these requests in a consistent, transparent, and equitable manner that is aligned with Council's goals and priorities. This Policy applies to Council-set discretionary fees and charges as defined in the Fees and Charges Schedule of the Annual Budget and should be read in conjunction with that document.

The Policy applies to any not-for-profit organisation, incorporated association, or unincorporated community group that provides a community benefit to the residents of the

Shire and wishes to apply to have a fee and/or charge waived or reduced. Fee waivers and reductions may also be considered at the CEO's discretion in exceptional circumstances, including but not limited to, those experiencing family violence and those impacted by natural disasters and extreme weather events.

No submissions were received in relation to this Policy.

Community Projects Contributions Policy

The Community Projects Contributions Policy (Policy) was presented to Council at the meeting on 8 May 2024 and endorsed for a period of consultation in accordance with Council's Community Engagement Policy. The Policy was published on Have Your Say Hindmarsh and advertised via social media, newspapers and Council's newsletters. No feedback was received.

The Policy provides a framework for when and how community groups may be required to contribute financially to projects managed by Council. Council is committed to planning and delivering community projects across the Shire that benefit local communities. This includes developing and redeveloping Council assets, as well as existing community infrastructure that is owned by the Victorian Government (or one of its entities), where Council is required to be the project coordinator. When seeking funding for projects, partnering with community groups will better position Council to develop and renovate community assets. The expected contributions, depending on the scope of the project, are detailed in the Community Projects Contributions Policy attached to this report.

No submissions were received in relation to this Policy.

Councillor Expense Entitlements Policy

The Councillor Expense Entitlements Policy (Policy) was first developed in November 2009, and last reviewed in August 2020. The draft Policy has been presented to, and endorsed for Council consideration by, the Audit and Risk Committee at the meeting held on 12 June 2024.

Minor updates, clarifications and details have been added to this draft policy, including:

- Clarifying Councillor *allowances* and Councillor *expenses*;
- Strengthening all provision to ensure that they are reflective of the *Local Government Act 2020*;
- Inclusion of a pre-approved expense entitlement for interstate travel involved in representing Council at the National General Assembly of Local Government;
- Clarifying approval requirements for Council and the CEO when Councillors request expenses to be paid for seminars, workshops and professional development.
- Including a limitations note in the insurance section of the Policy;
- Including a reference to s43 of the *Local Government Act 2020* that provides that indemnity would be provided in instances where the Councillor (past and current) has

acted in good faith; and

- Including provisions for entitlements where the Councillor is a carer or where the Councillor has a disability.

It is recommended that this Policy be made available for public submissions in accordance with Council’s Community Engagement Policy for the period 27 June 2024 to 11 July 2024.

Options:

Council can choose to adopt, amend before adopting, or to not adopt some or all of the following policies:

- Draft Fee Waiver and Reduction Policy
- Community Projects Contributions Policy
- Sports and Recreation Reserves Allocation, Use and Fair Access Policy.

Council can choose to endorse the Councillor Expense Entitlements Policy to be made available for public submissions, amend the Policy before endorsing it to be made available for public submissions, or choose to not endorse the Policy, whereby the existing Councillor Expense Entitlements Policy would continue to apply.

Link to Council Plan:

A community well informed and engaged.
Strong governance practices.

Financial Implications:

The Community Projects Contributions Policy supports the sustainability of Council’s projects and budget by creating parameters where third parties that benefit from projects may be required to financially contribute in accordance with the provisions of the document. *The Fee Waiver and Reduction Policy* will result in a loss of the total revenue from fees and charges; however, the Policy is built on the principle that the budgetary impact would be minor and would support the overarching community and economic development principles of Council.

The Councillor Expense Entitlements Policy requires no material variation to the budgeted amount available for Councillor expenses.

The Sports and Recreation Reserves Allocation, Use and Fair Access Policy requires to material variation to the budgeted amount available for sports and recreation activities and the promotion of gender equality.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Governance	The Councillor Expense Entitlement Policy responds to the requirements of the <i>Local Government Act 2020</i> and ensures ongoing compliance with the provisions of the Act. The Fee Waiver and Reduction Policy establishes Council’s

	<p>position in relation to requests to partially or fully waive various types of fees and charges. Its purpose is to manage these requests in a consistent, transparent, and equitable manner that is aligned with Council's goals and priorities. In not managing these decisions through a defined process, Council faces increased risk of fraudulent or corrupt conduct.</p>
<p>Community Needs</p>	<p>The Community Project Contributions Policy will enable Council to better meet community needs through the design and implementation of financially sustainable projects. The Sport and Recreation Reserves Allocation, Use and Fair Access Policy is designed to meet community needs for the use of Council facilities in a fair and equitable way. The principles of Fair Access are built into the policy to support equal participation in all components of community sport for women and girls.</p>

Relevant legislation:

Local Government Act 2020

Gender Equality Act 2020

Community engagement:

The Community Engagement for each Policy is detailed in the report with outcomes based on the engagement detailed in the relevant section.

Gender equality implications:

The Sports and Recreation Reserves Allocation, Use and Fair Access Policy requires that a Gender Impact Assessment be conducted on relevant sporting facilities. These will be conducted in accordance with the policy and any relevant action plan. Officer reviews of the remaining policies contained within this report determined that Gender Impact Assessments were 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.

Officer Responsible – Monica Revell, Chief Executive Officer

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

Author – Petra Croot, Director Corporate and Community Services

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

Communications Strategy:

The Councillor Expense Entitlements Policy will be made available for community consultation in accordance with Council's Community Engagement Policy. If adopted, the remaining policies will be published on Council's website, made available to Councillors via SharePoint and the community will be notified via social media, Have Your Say Hindmarsh and Council's newsletters.

Next Steps:

As above.

RECOMMENDATION:

That Council:

- 1. adopts the Sports and Recreation Reserves Allocation, Use and Fair Access Policy;***
- 2. adopts the Fee Waiver and Reduction Policy;***
- 3. adopts the Community Projects Contributions Policy;***
- 4. endorses the Councillor Expense Entitlements Policy for a period of community consultation from 27 June 2024 – 11 July 2024.***

MOVED: CRS R Ismay/D Nelson

That Council:

- 1. adopts the Sports and Recreation Reserves Allocation, Use and Fair Access Policy;***
- 2. adopts the Fee Waiver and Reduction Policy;***
- 3. adopts the Community Projects Contributions Policy;***
- 4. endorses the Councillor Expense Entitlements Policy for a period of community consultation from 27 June 2024 – 11 July 2024.***

CARRIED

Attachment Numbers: 7 – 10

10.2 ADOPTION OF THE 2024/2025 BUDGET (INCORPORATING THE LONG-TERM FINANCIAL PLAN FOR 2024/2025-2033/2034 AND THE REVENUE AND RATING PLAN)

Responsible Officer: Director Corporate and Community Services

Attachment Number: 11

Introduction:

This report presents the 2024/2025 Annual Budget (incorporating the Long-Term Financial Plan for 2024/2025-2033/2034 and Revenue and Rating Plan) for adoption.

Discussion:

At the Council meeting held on Wednesday 29 May 2024, Council resolved to give notice of the draft 2024/2025 Annual Budget (incorporating the Long-Term Financial Plan and Revenue and Rating Plan) and invite public submissions.

Council is required under Section 94 of the *Local Government Act 2020* to prepare a budget for each financial year and the subsequent 3 financial years by 30 June each year or any other date fixed by the Minister by notice published in the Government Gazette.

The budget has been prepared in accordance with relevant statutory requirements, including the *Local Government Act 2020* (the Act) and *Local Government (Planning and Reporting) Regulations 2014*.

A requirement of the *Local Government Act 2020* is that all Victorian Local Governments adopted a Revenue and Rating Plan by 30 June 2021. The Revenue and Rating Plan was developed and adopted on 23 June 2021 and has been revised in conjunction with preparation of the 2024/2025 Budget. The Revenue and Rating Plan was developed to retain the current differentials for farm and commercial/industrial properties (10 percent discount), recreational properties (50 percent discount) and non-farm vacant land (100 percent penalty).

The 2024/2025 budget has been developed to balance the retention of existing community service levels, maintenance and renewal of assets, as well as new initiatives to improve amenity and make Hindmarsh a better place to live. It replicates the format of the four Key Results Areas used in the 2021-2025 Council Plan, namely:

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

The budget has been prepared based on available information to inform forecasts and assumptions.

Submissions:

Under Council’s Community Engagement Policy and the *Local Government Act 2020*, the draft 2024/2025 budget incorporating the revised Rating and Revenue Plan and the draft Long Term Financial Plan was made available for public inspection and the receiving of submissions for the period Friday 31 May to Friday 21 June 2024.

Several consultation sessions were held, including farmer consultation in Dimboola, Jeparit, Nhill, Rainbow and Yanac; drop-in sessions in Dimboola, Jeparit, Nhill and Rainbow; and attendance at the June meetings of the Dimboola Progress Association, Jeparit Town Committee, Nhill Town Committee and Rainbow Town Committee. Attendees were encouraged to view the draft Budget online and provide submissions via the Have Your Say Hindmarsh page. Within the meetings, there were no requested actions that required a material change in the draft document, with most requests able to be handled as Customer Action Requests or through existing budget allocations.

The draft 2024/2025 budget incorporating the revised Revenue and Rating Plan and draft Long Term Financial Plan was also made available for public inspection at Council’s Customer Service Centres, at Council Libraries and online on Council’s website via the Have Your Say Hindmarsh page.

No submissions were received through the Have Your Say Hindmarsh platform or otherwise at the time of preparing this report. Any submissions received will be provided to Council following the close of submissions on Friday 21 June 2024. Officers will verbally update Council on the in-person drop-in sessions relating to the draft document.

Rates and Charges:

The rates and charges calculated for 2024/2025 are based on revaluation figures as at 1 January 2024. The draft Revenue and Rating Plan includes differentials for farms and commercial/industrial properties (10 percent discount), recreational properties (50 percent discount), and non-farm vacant land (100 percent penalty).

The Victorian State Government rate cap increase for 2024/2025 has been set at 2.75%. The cap, in line with the Essential Services Commission (ESC) calculation method, applies the increase to the average rates payable per assessment.

The total amount to be raised by general rates and charges in 2024/2025 is \$10.043m.

The following table summarises the rates to be determined for the 2024/2025 year. A more detailed analysis of the rates to be raised is contained in the budget document under item 4.1.1 Rates and charges.

Type or Class of Land		Budget	Budget	Change
-----------------------	--	--------	--------	--------

		2023/2024	2024/2025	
		\$	\$	
Residential	Cents/\$ CIV	0.00208960	0.00193870	-7.22%
Farm Land	Cents/\$ CIV	0.00188070	0.00174490	-7.22%
Business, Industrial & Commercial Land	Cents/\$ CIV	0.00188070	0.00174490	-7.22%
Recreational and Cultural Land	Cents/\$ CIV	0.00104480	0.00096940	-7.22%
Urban Vacant Land	Cents/\$ CIV	0.00417920	0.00387750	-7.22%
Municipal charge	\$/ property	\$200.00	\$200.00	0.00%
Kerbside waste / recycling collection charge	\$/ property	\$453.00	\$465.00	2.65%
General waste charge	\$/ property	\$17.00	\$0.00	-100%

Capital Works:

The 2024/2025 draft budget includes capital works expenditure of \$6.335m.

Link to Council Plan:

The 2024/2025 Budget provides the funding for Council to undertake its initiatives and activities proposed in the Council Plan’s four key result areas. Each program in the Budget contains a statement about how the program will contribute to the initiatives and strategies detailed in the Council Plan 2021-2025.

Financial Implications:

The 2024/2025 Budget is consistent with the parameters set out in Councils’ ten-year financial plan.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Governance	The preparation of the Budget is a statutory requirement.
Financial Sustainability	The preparation of a budget that incorporates long-term financial planning is a key pillar of Council’s financial sustainability risk management program.

Relevant legislation:

Local Government Act 2020

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 – Petra Croot, Director Corporate and Community Services

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

Author – Heather Boyd, Manager Finance

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

Communications Strategy:

Council must give notice of the adoption of the Budget 2024/2025 incorporating the Revenue and Rating Plan and Long-Term Financial Plan. A public notice will be inserted in the Dimboola Banner, Rainbow Jeparit Argus, Nhill Free Press and Weekly Advertiser advising of the adoption of the Budget 2024/2025.

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

RECOMMENDATION:

1. That Council:

- 1.1 adopts the 2024/2025 Budget incorporating the Revenue and Rating Plan and the Long-Term Financial Plan pursuant to the Local Government Act 2020;**
- 1.2 gives public notice of this decision to adopt the 2024/2025 Budget incorporating the Revenue and Rating Plan and Long Term Financial Plan, and makes the document available for public inspection on Council’s website and at Council’s Customer Service Centres.**

2. That having considered submissions to the proposed 2024/2025 Budget, Council declare the following rates and charges:

- 2.1 That an amount of \$10,042,615.00 be declared as the amount which Council intends to raise by general rates by the application of differential rates, the annual service charge (kerbside waste / recycling collection charge) municipal charge (all described later in this Recommendation), and Windfarms in lieu of rates, which amount is calculated as follows:**

General rates	\$7,890,125
Municipal charge	\$749,200
Kerbside waste / recycling collection charge	\$1,258,290
Windfarms in lieu of rates	\$145,000
Total	\$10,042,615

- 2.2. That it be further declared pursuant to the Local Government Act 2020 that the general rate be raised by the application of differential rates having regard to the objectives of each differential rate and characteristics of the**

land which are the criteria for declaring each differential rate as set out in Section 4 of the Budget 2024/25;

- 2.3. That it be confirmed that the differential rates for all rateable land within the municipal district be determined by multiplying “Capital Improved Value” of each rateable land by a percentage specified as the percentage of each uniform rate (which percent may be alternatively expressed as cents in the dollar of the Capital Improved Value):**

Type of Rate	Rate in Dollar on Capital Improved Value Cents/\$CIV
Residential Land	0.00193870
Farm Land	0.00174490
Business, Industrial & Commercial Land	0.00174490
Recreational and Cultural Land	0.00096940
Urban Vacant Land	0.00387750

- 2.4. That Council adopts the return of the revaluation of all properties within the Hindmarsh Shire as at 1 January 2024 from the Valuer General.**

3. MUNICIPAL CHARGE

- 3.1. That pursuant the Local Government Act 2020, a Municipal Charge be declared for the period commencing on 1 July 2024 and ending on 30 June 2025;**
- 3.2. The Municipal Charge be declared for the purpose of covering some of the administrative costs of Council;**
- 3.3. The Municipal Charge be in the sum of \$200.00 for each rateable land within the municipal district in respect of which a municipal charge may be levied.**

4. ANNUAL SERVICE CHARGE (KERBSIDE COLLECTION / RECYCLING CHARGE)

- 4.1. That, pursuant to the Local Government Act 2020 an Annual Service Charge be declared for the period commencing on 1 July 2024 and ending on 30 June 2025;**
- 4.2. That the Annual Service Charge be made for the collection and disposal of refuse and that this Charge be referred to as the “Kerbside waste / recycling collection charge”.**
- 4.3. That the Annual Service Charge for “Kerbside waste / recycling collection charge” be the sum of \$465.00 for each rateable land within the municipal district in respect of which service charges may be levied and where the services listed in section 4.2 above are available.**

5. INTEREST ON UNPAID RATES AND CHARGES

That interest at the rate prescribed in the Local Government Act 2020 be payable in respect of any of the aforesaid rates and charges which are not paid by the dates fixed pursuant to the Act by the date specified for their payment.

6. AUTHORISATION TO LEVY AND RECOVER

That the Chief Executive Officer be authorised to levy and recover the aforesaid rates and charges in accordance with the Act.

7. SUBMISSIONS

That having considered all submissions received, Council thanks those who attended recent drop in sessions and farmer consultation sessions to discuss the draft 24/25 Budget.

MOVED: CRS R Gersch/R Ismay

1. That Council:

- 1.1 adopts the 2024/2025 Budget incorporating the Revenue and Rating Plan and the Long-Term Financial Plan pursuant to the Local Government Act 2020;**
- 1.2 gives public notice of this decision to adopt the 2024/2025 Budget incorporating the Revenue and Rating Plan and Long Term Financial Plan, and makes the document available for public inspection on Council's website and at Council's Customer Service Centres.**

2. That having considered submissions to the proposed 2024/2025 Budget, Council declare the following rates and charges:

- 2.1 That an amount of \$10,042,615.00 be declared as the amount which Council intends to raise by general rates by the application of differential rates, the annual service charge (kerbside waste / recycling collection charge) municipal charge (all described later in this Recommendation), and Windfarms in lieu of rates, which amount is calculated as follows:**

General rates	\$7,890,125
Municipal charge	\$749,200
Kerbside waste / recycling collection charge	\$1,258,290
Windfarms in lieu of rates	\$145,000
Total	\$10,042,615

- 2.2. That it be further declared pursuant to the Local Government Act 2020 that the general rate be raised by the application of differential rates having regard to the objectives of each differential rate and characteristics of the land which are the criteria for declaring each differential rate as set out in Section 4 of the Budget 2024/25;**

2.3. That it be confirmed that the differential rates for all rateable land within the municipal district be determined by multiplying “Capital Improved Value” of each rateable land by a percentage specified as the percentage of each uniform rate (which percent may be alternatively expressed as cents in the dollar of the Capital Improved Value):

Type of Rate	Rate in Dollar on Capital Improved Value Cents/\$CIV
Residential Land	0.00193870
Farm Land	0.00174490
Business, Industrial & Commercial Land	0.00174490
Recreational and Cultural Land	0.00096940
Urban Vacant Land	0.00387750

2.4. That Council adopts the return of the revaluation of all properties within the Hindmarsh Shire as at 1 January 2024 from the Valuer General.

3. MUNICIPAL CHARGE

- 3.1. That pursuant the Local Government Act 2020, a Municipal Charge be declared for the period commencing on 1 July 2024 and ending on 30 June 2025;**
- 3.2. The Municipal Charge be declared for the purpose of covering some of the administrative costs of Council;**
- 3.3. The Municipal Charge be in the sum of \$200.00 for each rateable land within the municipal district in respect of which a municipal charge may be levied.**

4. ANNUAL SERVICE CHARGE (KERBSIDE COLLECTION / RECYCLING CHARGE)

- 4.1. That, pursuant to the Local Government Act 2020 an Annual Service Charge be declared for the period commencing on 1 July 2024 and ending on 30 June 2025;**
- 4.2. That the Annual Service Charge be made for the collection and disposal of refuse and that this Charge be referred to as the “Kerbside waste / recycling collection charge”.**
- 4.3. That the Annual Service Charge for “Kerbside waste / recycling collection charge” be the sum of \$465.00 for each rateable land within the municipal district in respect of which service charges may be levied and where the services listed in section 4.2 above are available.**

5. INTEREST ON UNPAID RATES AND CHARGES

That interest at the rate prescribed in the Local Government Act 2020 be payable in respect of any of the aforesaid rates and charges which are not paid by the dates fixed pursuant to the Act by the date specified for their payment.

6. AUTHORISATION TO LEVY AND RECOVER

That the Chief Executive Officer be authorised to levy and recover the aforesaid rates and charges in accordance with the Act.

7. SUBMISSIONS

That having considered all submissions received, Council thanks those who attended recent drop in sessions and farmer consultation sessions to discuss the draft 24/25 Budget.

CARRIED

Attachment Number: 11

10.3 COUNCIL PLAN ACTIONS 2024-2025

Responsible Officer: Director Corporate and Community Services

Attachment Number: 12

Introduction:

This report presents the Council Plan Action Plan 2024-2025, including Public Health and Wellbeing Plan actions, Community Action Plan actions and Economic Development Strategy actions for Council adoption.

Discussion:

At the Council meeting held on Wednesday 22 September 2021 Council resolved to adopt the Council Plan 2021-2025, incorporating the Health and Wellbeing Plan, and Community Vision 2040. At the Council meeting held on 29 May 2024, Council endorsed the Council Plan Action Plan 2024-2025 for a period of community consultation from Thursday 30 May 2024 to Wednesday 19 June 2024.

In developing the Council Plan 2021-2025, it was intended that it be a living document that will be reviewed and updated annually. As a result, the plan contains annual actions, allowing Council to adapt to our changing environment and inform the budget for each financial year. The development of the 2024-2025 Action Plan was informed by the remaining outstanding items from the Council Plan as well as projects and priorities identified by the community throughout the year, including the sessions that drove the development of the Community Action Plan and Economic Development Strategy.

The draft action plan continues to work towards the vision: Working together to be a connected, inclusive and prosperous community. The actions are built around the existing Council Plan priority areas, with some of the key actions listed below:

Theme One: Our Community

- Deliver community safety and education initiatives around Council's Locals Laws as well as Fire Prevention and animal management.
- Develop a Sports and Recreation Strategy to support sports infrastructure, sports organisations and active living in Hindmarsh Shire.
- Facilitate delivery of infrastructure projects in partnership with the Department of Education to provide four-year-old kinder services as of 2025 in Nhill and Dimboola.
- Deliver service and document reviews, events, activities, and statements that promote reconciliation and advance the objectives of Aboriginal and Torres Strait Islander peoples within the community.

Theme Two – Build & Natural Environment

- Commence construction at Davis Park, Nhill, on the AFL compliant changerooms with undercover seating.

- Hold free green waste month in September and encourage residents to tidy their properties prior to the fire season.
- Successful delivery of Council's Capital Works program as contained within the 2024-2025 Hindmarsh Shire Council Budget.
- Seek funding to upgrade Rainbow Public Amenities and install new all-abilities amenities and ramp into MECCA Supper Room.

Theme Three – Competitive and Innovative Economy

- Participate in the Visitor Economy Partnership and commence development of Destination Management Plans and industry development activities.
- Seek funding for continued development of Hindmarsh Shire Caravan Parks and implement upgrades to the Nhill Caravan Park as contained in the Nhill Caravan Park Masterplan.
- Continue delivery of Silo Art project at Llew Schilling Silo in Rainbow.
- Host quarterly business networking sessions in Hindmarsh for businesses to come together, network and learn.

Theme Four – Good Governance and Financial Sustainability

- Deliver proactive activities aimed at encouraging candidature for the 2024 Council elections, including the MAV Stand for Council Program.
- Develop a guide to assist the community and to provide clarity on the process of public Council meetings and how to participate.
- Continue to consider trainee, apprenticeship, and work placement opportunities to providing bringing pathways to employment at Council.

Council Officers will provide quarterly reports to Council on the progress of the Council Plan Action Plan 2024-2025.

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*.

Council can adopt the actions or amend the actions prior to adoption.

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. The annual action plan details action items to be undertaken during the financial year.

Financial Implications:

Actions for 2024/2025 are contained within the annual budget 2024/2025 and long-term financial plan.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Community Needs	Delivery on actions that have been identified by the community ensures that Council is prioritising community needs and delivering on the actions and projects that are important to the community. The development of the annual plan ensures that Council remains responsive to changing priorities, financial contexts and funding opportunities.
Governance	The preparation of the Council Plan, incorporating the Health and Wellbeing Plan and Community Vision is a statutory requirement. Quarterly reporting ensures that Council Officers are accountable to the delivery of the plan and appropriate use of Council resources.

Relevant legislation:

Local Government Act 2020

Public Health and Wellbeing Act 2008

Community engagement:

The development of the 2024/2025 Action Plan was informed through community consultation in the initial development of the plan along with consultation sessions in 2023/2024 around the Community Action Plan and Economic Development Strategy. The draft Action Plan was made available for public submissions in line with Council’s Community Engagement Policy. No submissions were received.

Gender equality implications:

Actions identified in the plan that have a direct and significant impact on the community will be subject to a GIA.

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

Communications Strategy:

Copies of the draft Council Plan Actions 2024/2025 will be available at Council’s Customer Service Centres and on Council’s website.

RECOMMENDATION:

That Council adopts the Council Plan Actions 2024/2025 incorporating the Health and Wellbeing Plan Actions 2024/2025, Community Action Plan Actions, and Economic Development Strategy Actions.

MOVED: CRS W Bywaters/R Ismay

That Council adopts the Council Plan Actions 2024/2025 incorporating the Health and Wellbeing Plan Actions 2024/2025, Community Action Plan Actions, and Economic Development Strategy Actions.

CARRIED

Attachment Number: 12

10.4 REGIONAL TOURISM INVESTMENT FUND APPLICATION

Responsible Officer: Director Corporate and Community Services

Attachment Number: 13

Introduction:

The report requests a Council commitment of \$85,000 as a co-contribution to an application through the Regional Tourism Investment Fund (RTIF) for three one-bedroom studios for the Nhill Caravan Park.

Discussion:

The Regional Tourism Infrastructure Fund supports new and innovative tourism infrastructure projects in regional and rural Victoria that will increase year-round visitation, improve the quality of experiences and increase visitors' length of stay. The Fund is currently open for applications, with submissions closing on 19 July 2024, and requires a 3:1 co-contribution. It is proposed that Council applies for funding of \$255,000 through RTIF, to provide total project funds of \$340,000.

Together with the draft Nhill Caravan Park Masterplan to be presented for adoption in July-August 2024, this funding provides Council with the opportunity to invest in the improvement of the facility and provide high-quality accommodation for travelling professionals, regional workers and other visitors to the Shire. Regional areas strongly rely on transient and visiting professionals to provide key services. Ensuring that there is adequate and appropriate accommodation supports critical local access to skilled professionals and contractors.

Over the past 10 years, Council has delivered 17 cabins at Council-operated Caravan Parks in Dimboola (10), Rainbow (3) and Jeparit (4). 2 cabins were installed in Nhill in this period and have high occupancy rates.

Nhill Caravan Park has been identified as a priority investment area for promoting and enabling tourism within the Shire (see Nhill Caravan Park Masterplan and Economic Development Strategy). Should Council be successful in this application, this development supports Council's strategic direction as communicated to our community and capitalises on a critical funding opportunity for tourism infrastructure.

Options:

1. Council can approve the commitment of \$85,000 as a co-contribution to the application through the Regional Tourism Infrastructure Fund 2024.
2. Council can approve a commitment of an alternative amount and request that Officer's re-scope the project accordingly for the application through the Regional Tourism Infrastructure Fund 2024;
3. Council can choose to not approve any co-contribution to the Regional Tourism Infrastructure Fund 2024, and not submit an application.

Link to Council Plan:

A range of effective and accessible services to support the health and wellbeing of our community.

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

Attractive streetscapes.

Develop and promote local tourism opportunities that attract visitation.

Financial Implications:

Should Hindmarsh Shire Council apply for \$255,000 to enable the purchase and installation of three one-bedroom studios at the Nhill Caravan Park, a co-contribution of \$85,000 would be required to meet the funding requirements.

This \$85,000 has not been directly budgeted, but would be sourced from the following existing budget allocations:

\$65,000 - 2023-24 Contribution to Grant funded projects balance

\$20,000 - 2024-25 Contribution to Grant funded projects (\$50,000 allocated 24/25)

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Asset Management	<p>It is important that Council develops and maintains fit-for-purpose and sustainability infrastructure that serves our core purpose. The application for new cabins ensures that ageing infrastructure is replaced in a timely manner and asset maintenance resources can be allocated to assets that support Council’s strategic priorities.</p> <p>Cabins would be included in the Council Asset Register and Asset Management Plan and ongoing maintenance would be included in the annual maintenance budget to ensure ongoing sustainability and renewal schedules.</p>
Project Management and Strategic Execution	<p>Ensuring that Council applies for key funding enables the delivery of key projects that align with Council’s strategic plans.</p> <p>Over the past ten years, the Hindmarsh Shire Council projects team has successfully delivered seventeen cabins across the Shire, including six in the recent Cabins across the Wimmera project. This has demonstrated Council’s ability to deliver like projects on time and within budget.</p>
Community Needs	<p>Several recent studies including the Silo Art Trail Gap Analysis 2016, Wimmera Mallee Tourism Destination Management Plan 2017, and the WSM Housing Study 2020 have highlighted the shortfall in accommodation for both the tourism and visiting workforce markets.</p> <p>This project also addresses demonstrates the councils acting on community needs in a strategic manner, including those needs identified within the Economic Development Strategy, Council Plan and Community</p>

Action Plan.

Relevant legislation:

Local Government Act 2020

Community engagement:

The Masterplan for the Nhill Caravan Park has been made available for public comment following Council endorsement, and feedback will be presented to Council for consideration at a future Council meeting.

Gender equality implications:

A Gender Impact Assessment for this project will be undertaken in accordance with the *Gender Equality Act 2020*.

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 – Petra Croot, Director Corporate and Community Services

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

Author – Mark Fletcher, Manager Economic Development and Tourism

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

Next Steps:

Should Council approve the commitment of the co-contribution, Council officers will finalise and submit the application.

RECOMMENDATION:

That Council approves the commitment of \$85,000 as a co-contribution to the application through the Regional Tourism Infrastructure Fund 2024 for three one-bedroom studios for the Nhill Caravan Park.

MOVED: CRS R Gersch/ W Bywaters

That Council approves the commitment of \$85,000 as a co-contribution to the application through the Regional Tourism Infrastructure Fund 2024 for three one-bedroom studios for the Nhill Caravan Park.

CARRIED

Attachment Number: 13

10.5 2024 ARB BIG DESERT 480 COMMUNITY EVENT GRANT 2023/24

Responsible Officer: Director Corporate and Community Services

Attachment Numbers: 14 – 19 (16-19 are confidential attachments)

Introduction:

This report seeks Council review of the eligibility of the Rainbow Rises Events Association for receipt of payment of \$4,000 and Council's in-kind contribution through the 2023/2024 Regional Community Events grants program.

Discussion:

At the Council meeting held on Wednesday 31 August 2023, Hindmarsh Shire Council approved the Rainbow Rises Events Association's (the **Association**) application (Confidential attachment 16) for the Regional Community Events Grant in support of the 2024 ARB Big Desert 480 on 22-24 March 2024. Council allocated a grant of \$7,500 for the event (\$4,000 cash and \$3,500 in-kind with the final ratio to be determined after the event). It was noted that any in-kind expenditure above \$3,500 will need to be invoiced to the grant recipient. As per grant guidelines 20% of funds were to be distributed on signing of the grant acceptance, 60% of funds are to be distributed after providing proof of all approvals and permits granted, with a further 20% after completion of grant acquittal. Council has not paid the Association the cash component of their allocation, due to receiving the grant acceptance on 21 February 2024 and has received a request from the Association in relation to this payment (Attachment 15). The Association has noted that they do not receive any of the entry fees for the event, the only way they are able to recover costs is through spectator entry fees, the canteen and any merchandise.

The purpose of the funding is to support community events which celebrate culture, heritage and community wellbeing, boost the economy and increase visitation to Hindmarsh Shire. The 2024 ARB Big Desert 480 has been a valuable community event, attracting significant tourism and economic benefit to the Rainbow region. Council has commended the Association's volunteer contributions through past events and has been committed to providing support to ensure event sustainability.

Attachment 14 provides Council with the grant guidelines, including eligibility criteria that states that the recipient is responsible for "following and obtaining any relevant permits processes, and complying with all relevant regulations and council requirements."

The 2024 ARB Big Desert 480 route utilised areas of Parks Victoria managed Crown Land, Native Title land, and areas of Environmental and Cultural Significance. Permits, permissions and/or support from Parks Victoria and Barengi Gadjin Lands Council were a requirement of both a Planning Permit as part of the referral process, and a Council Local Laws Event Permit, as these require all periphery permits to be in place prior to this being issued.

Confidential attachment 19 – Parks Victoria Permit – details the conditions that were required to be complied with by the Committee for the permit to apply.

In consideration of the eligibility criteria as contained in the Grant Guidelines, Rainbow Rises Events Association failed to:

- Obtain the required Council Planning Permit;
- Fulfil requirements under the Parks Victoria Event Permit conditions;
 - Obtain Support from Barengi Gadjin Lands Council (a requirement under the Parks Victoria permit and Planning Permit); and
- Obtain a Council Events Permit (for which the above were required).

Council's in-kind contribution was made in good faith prior to the event taking place. \$4,010 has been expended as in-kind against the event for preparation work done by Council staff. These expenses consist of wages and advertising relating to development and implementation of the Traffic Management Plan along with the Planning Permit Application fees.

Issues regarding to compliance and enforcement relating to this matter are being considered by Council Officers and are not the subject of this report.

Based on the discussion above and the attachments to this report that provide further context to the matter, it is Council Officer's recommendation that considering the eligibility criteria for the Regional Community Events Grants Program, Council deems the Association ineligible for the funding and therefore does not pay the \$4,000 cash component and invoices the Association for the already-incurred in-kind contribution of \$4,100.00.

Options:

Council can choose to pay the Rainbow Rises Events Association the Regional Community Events Grant in part, in full, or none.

Link to Council Plan:

Strong governance practices

Ensure responsible risk management principles

Develop and promote local tourism opportunities that attract visitation: Support community initiatives such as markets, pop up shops and appropriate events / activities

Financial Implications:

Council has allocated \$7,500 from the Regional Community Events grants for the 2024 ARB Big Desert 480 event. Council had incurred \$4,010 of in-kind contributions prior to the event being held.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Governance	<p>Event guidelines were prepared to ensure the funding is awarded based on evaluation criteria that is consistent for all applications.</p> <p>Sound events management practices, permit requirements, risk management and occupational health and safety requirements needed to be demonstrated by all successful applicants.</p> <p>Ensuring consistency and compliance in this process protects Council from reputational and legal risks and supports key Council values of accountability and transparency.</p>

Relevant legislation:

Local Government Act 2020

Planning and Environment Act 1987

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 – Petra Croot, Director Corporate and Community Services.

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

Author – Jeff Woodward, Tourism and Economic Development Officer.

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

Communications Strategy:

The Rainbow Rises Events Association will be notified of Council’s decision in writing.

Next Steps:

Next steps will be subject to Council’s decision and will be actioned in accordance with the motion.

RECOMMENDATION:

That Council:

- 1. in review of the eligibility criteria, determine that Rainbow Rises Events Association is not eligible to receive the \$4,000 cash component of their allocation; and***

- 2. authorises Council officers to invoice the Rainbow Rises Events Association for the \$4,010 in-kind contribution for expenses incurred by Council.**

MOVED: CRS D Nelson/W Bywaters

That council suspends standing orders.

CARRIED

MOVED: CRS D Nelson/W Bywaters

That council resumes standing orders.

CARRIED

MOVED: CRS D Nelson/W Bywaters

That Council:

- 1. in review of the eligibility criteria, determine that Rainbow Rises Events Association is not eligible to receive the \$4,000 cash component of their allocation; and***
- 2. authorises Council officers to invoice the Rainbow Rises Events Association for the \$4,010 in-kind contribution for expenses incurred by Council.***

MOTION DEFEATED

Cr Bywaters called for a division of Council

For the motion:

Cr Nelson

Cr Bywaters

Against the motion:

Cr Ismay

Cr Gersch

Cr Ireland

Cr Albrecht abstained from voting due to lack of additional information provided.

MOVED: CRS R Gersch/R Ismay

That the executive meets with relevant parties for further information and bring a report to the July meeting.

CARRIED

Cr Bywaters called for a division of Council

For the motion:

Cr Ismay

Cr Gersch

Cr Bywaters

Cr Ireland

Against the motion:

Cr Nelson

Cr Albrecht abstained from voting due to lack of additional information provided.

Attachment Numbers: 14 – 19

The requested contribution amount (\$50,000 excl GST) has not been included in the 2023/2024 budget or the draft 2024/2025 budget. Should Council resolve to contribute the requested \$50,000 (excl GST), the funding allocation would be required in the 2024/2025 budget which might lead to cuts in already identified and advertised projects within the draft 2024/2025 budget. The provision of this support will impact budgets in an already financially constrained environment.

SES has also reached out to the local unit for any available contribution but were unsuccessful. In the event that the Council is unable to provide this contribution, SES will have to split their project into 2 sections and delay the car park construction works until funding opportunity arises through VIC SES. This delay will not be precluded by the planning permit and would be a suitable alternate.

Options:

Council can:

1. Reject the financial contribution request from SES but provide transfer station fee waiver.
2. Provide the SES with the requested financial contribution and transfer station fee waiver, noting that a project will need to be removed from the advertised draft 2024/2025 budget.
3. Provide the SES with a smaller financial contribution and transfer station fee waiver.
4. Advise that Council is not in a position to provide any of the requested financial and fee waiver support.

Link to Council Plan:

Strong governance practices – Work collaboratively with, and support appropriate community organisations, to plan community initiatives and mitigate community issues.

Financial Implications:

There is currently no budget allocation for the contribution of \$50,000 (excl GST) plus transfer station fees waived for the concrete and spoil disposal, estimated to be approximately \$2,000. The contribution of \$50,000 might lead to cuts in some of the projects that are already identified and advertised to the community for the draft 2024/2025 annual budget.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Community Needs	The building is a community asset, utilised by volunteers.
Financial Sustainability	Council does not have a budget allocated to this project and therefor be put under financial stress.

Relevant legislation:

Planning and Environment Act 1987

Community engagement:

The planning permit for the SES site at 94 Nelson Street was advertised several years ago incorporating plans and designs for the carpark, access and drainage.

Gender equality implications:

N/A.

Confidential Declaration:

This Council report does not consider confidential information as defined by section 3 (1) of the *Local Government Act 2020*.

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 – Ram Upadhyaya, Director Infrastructure Services

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

Author – Mick Henderson, Manager Assets & Facilities

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

Communications Strategy:

The SES will be notified of the council's decision.

Next Steps:

Notify SES of council's decision.

RECOMMENDATION:

That Council having considered the request from Nhill SES

- 1. notifies the Nhill SES that they are not in a position to provide a financial contribution towards the car park development; and***
- 2. approves the fee waiver request for disposal of commercial waste at the Transfer Station for the disposal of commercial waste from the existing carpark.***

MOVED: CRS W Bywaters/R Gersch

That Council having considered the request from Nhill SES

- 1. notifies the Nhill SES that they are not in a position to provide a financial contribution towards the car park development; and***

- 2. *approves the fee waiver request for disposal of commercial waste at the Transfer Station from the existing carpark to the value of \$2,000.***

CARRIED

10.7 INTENTION TO ENTER INTO LEASE AT THE PATCH

Responsible Officer: Director Infrastructure Services

Introduction:

This report seeks approval from the Council to advertise its intention to enter into a new lease at “The Patch” located at 9 Clarence Street, Nhill with the Nhill Neighbourhood House and Learning Centre for the term of 5 years with the option to extend by further two five-year terms.

Discussion:

The existing lease for 9 Clarence Street, Nhill (The Patch) has reached its end, with no further extensions available. This site is currently leased by the Nhill Neighbourhood House Learning Centre (NNHLC), who have indicated that they wish to continue this arrangement.

The draft lease agreement clearly outlines the roles and responsibilities of the Council and the tenant. It also has a provision for NNHLC to sub-lease a part of its space to other community groups or organisations that provide community benefits in consultation with Council officers. The initial term for this agreement is set for 5 years and has a provision for a further two five-year terms.

Even though NNHLC has been utilising this facility for a long period of time, it is important to provide opportunities for other community groups to lease or share this community facility. Hence it is prudent that the Council seeks feedback from the community before finalising the lease agreement. To achieve this, public submission will be sought for the period of 27 June 2024 to 10 July 2024.

Options:

Council can:

1. Advertise its intention to enter into a new lease at “The Patch” located at 9 Clarence Street, Nhill for the period of 5 years with the option to extend by a further two five-year terms, and receives submissions in relation to its intention to enter into the lease for the period of 27 June 2024 to 10 July 2024; or
2. Open up applications to the public for the lease of 9 Clarence Street and determine the lease period based on any submissions received.

Link to Council Plan:

- A community well informed and engaged.
- A range of effective and accessible service to support the health and wellbeing of the community.
- Support healthy living and provide services and activities for people of all ages and abilities.
- Facilitating and supporting economic development.

- Strong governance practices.

Financial Implications:

The revenue received from the lease of this property will have no substantial impact on Council budgets.

All associated operating/maintenance costs will be accommodated within the 2024/2025 (and future) operating budgets.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Community Needs	This facility is currently utilised by a not-for-profit organisation which offers numerous community programs.
Organisational Culture and Capability	Leasing this facility aligns with several items with the 2021-2025 Council Plan, especially as the facility is currently leased to a local not-for-profit organisation. If the facility is not leased to an organisation that offers similar services to the community, we will be negatively impacting on our ability to adhere to our Council Plan.

Relevant legislation:

Local Government Act 2020

Community engagement:

The Council’s intention to enter into a lease agreement will be advertised to the community for public submissions in accordance with Council’s Community Engagement Policy. Council will utilise our new EHQ platform to enable community members to provide feedback.

Gender equality implications:

The service provided is considered to be non-gender specific.

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: Ram Upadhyaya, Director Infrastructure Services

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

Author: Laura Sonnberger, Contracts and Procurement Officer

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

Communications Strategy:

As per Community Engagement plan noted above.

Next Steps:

As noted in the community engagement section.

RECOMMENDATION:

That Council

- 1. advertises its intention to enter into a new lease at “The Patch” located at 9 Clarence Street, Nhill with the Nhill Neighbourhood House and Learning Centre for the period of 5 years with the option to extend by a further two five-year terms;***
- 2. receives submissions in relation to its intention to enter into a new lease for the period of 27 June 2024 to 10 July 2024 to seek public feedback; and***
- 3. authorises the CEO to negotiate and execute the lease agreement if no objections are received.***

MOVED: CRS R Ismay/W Bywaters

That Council

- 1. advertises its intention to enter into a new lease at “The Patch” located at 9 Clarence Street, Nhill with the Nhill Neighbourhood House and Learning Centre for the period of 5 years with the option to extend by a further two five-year terms;***
- 2. receives submissions in relation to its intention to enter into a new lease for the period of 27 June 2024 to 10 July 2024 to seek public feedback; and***
- 3. authorises the CEO to negotiate and execute the lease agreement if no objections are received.***

CARRIED

11 COUNCIL COMMITTEES

11.1 ADVISORY COMMITTEES

Responsible Officer: Chief Executive Officer

Attachment Numbers: 20 – 22

Introduction:

The following Hindmarsh Shire Council Advisory Committee held a meeting on the following date:

- **Nhill Township Advisory Committee**
General meeting on 12 May 2024 (*Attachment 20*)
- **Rainbow Township Advisory Committee**
General meeting on 20 May 2024 (*Attachment 21*)
- **Hindmarsh Shire Audit and Risk Committee**
General meeting on 12 June 2024 (*Attachment 22*)

A copy of the minutes for each meeting are included as an attachment for the information of Council.

Next steps:

Advisory Committee Minutes will be published on Council's website.

RECOMMENDATION:

That Council:

- 1. notes the minutes of the Nhill Township Advisory Committee meeting held on 12 May 2024;***
- 2. notes the minutes of the Rainbow Township Advisory Committee meeting held on 20 May 2024; and***
- 3. notes the minutes of the Hindmarsh Shire Audit and Risk Committee meeting held on 12 June 2024.***

MOVED: CRS R Ismay/D Nelson

That Council:

- 1. notes the minutes of the Nhill Township Advisory Committee meeting held on 12 May 2024;***
- 2. notes the minutes of the Rainbow Township Advisory Committee meeting held on 20 May 2024; and***
- 3. notes the minutes of the Hindmarsh Shire Audit and Risk Committee meeting held on 12 June 2024.***

CARRIED

Attachment Numbers: 20 – 22

11.2 COMMUNITY ASSET COMMITTEES

Responsible Officer: Chief Executive Officer

Attachment Number: 23

Introduction:

The following Hindmarsh Shire Council Community Asset Committees held meetings on the following dates:

- **Yurunga Homestead Community Asset Committee**
General meeting on 23 May 2024

A copy of the minutes for each meeting are included as an attachment for the information of Council.

RECOMMENDATION:

That Council notes the minutes of the Yurunga Homestead Community Asset Committee meeting held on 23 May 2024.

MOVED: CRS W Bywaters/R Ismay

That Council notes the minutes of the Yurunga Homestead Community Asset Committee meeting held on 23 May 2024.

CARRIED

Attachment Number: 23

12 LATE REPORTS

No late reports.

13 NOTICES OF MOTION

No notices of motions.

14 OTHER BUSINESS

MOVED: CRS R Ismay/R Gersch

That Council write a letter to the local member for Lowan and the relevant Minister in the Labour Government regarding the recent legislation on wild dogs and its impact to farmers across Victoria.

CARRIED

Cr R Gersch declared a material conflict of interest as a family member is a builder and left the room at 4:13pm.

Cr R Gersch returned to the room at 4:15pm.

15 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 part IV of the *Freedom of Information Act 1982*, and 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, and/or Part IV of the Freedom of Information Act 1982:

15.1 CONTRACT AWARD 2023-2024-27 DELIVERY OF MUNICIPAL BUILDING SURVEYOR SERVICES – 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; and

15.2 NHILL CARAVAN PARK – 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, and/or Part IV of the Freedom of Information Act 1982:

15.1 CONTRACT AWARD 2023-2024-27 DELIVERY OF MUNICIPAL BUILDING SURVEYOR SERVICES – 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; and

15.2 NHILL CARAVAN PARK – 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

16 LATE CONFIDENTIAL REPORTS

No late confidential reports.

17 RESUMING INTO PUBLIC SESSION

18 MEETING CLOSE

There being no further business, Cr B Ireland declared the meeting closed at 4:44pm.
