



25 July 2024

## MINUTES

### Ordinary Council Meeting

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**Date:** Wednesday 24 July 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](http://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.

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## 1 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY & LIVE STREAMING STATEMENT

Cr B Ireland opened the meeting at 3:01pm by acknowledging the Indigenous Community and by reading out the live streaming statement.

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## 2 APOLOGIES

No apologies.

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## 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.

**Cr D Nelson declared a general conflict of interest in item 10.10 because it relates to items being distributed to the Dimboola Historical Society where she is the Treasurer.**

**Cr R Gersch declared a general conflict of interest in item 15.2 as he is a life member of the Nhill and District Sporting Club.**

**Cr M Albrecht declared a general conflict of interest in item 15.2 as her family are members of the Nhill and District Sporting Club.**

**Ms P Croot declared a general conflict of interest in item 15.2 as her partner volunteers for the Nhill and District Sporting Club.**

**Ms M Revell declared a material conflict of interest in item 15.3 as it relates to her employment.**

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#### 4 CONFIRMATION OF MINUTES

**RECOMMENDATION:**

***That the Minutes of the Ordinary Council Meeting held on Wednesday 26 June 2024 at the Council Chamber, 92 Nelson Street Nhill, as circulated to Councillors be taken as read and confirmed.***

**MOVED: CRS M Albrecht/W Bywaters**

***That the Minutes of the Ordinary Council Meeting held on Wednesday 26 June 2024 at the Council Chamber, 92 Nelson Street Nhill, as circulated to Councillors be taken as read and confirmed.***

**CARRIED**

Attachment Number: 1

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#### 5 PUBLIC QUESTION AND SUBMISSION TIME

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

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**6 ACTIVITY REPORTS**

**COUNCILLOR ACTIVITIES: 18 June 2024 – 15 July 2024**

**6.1 Cr IRELAND, MAYOR**

<b>Date</b>	<b>Meeting/Event</b>	<b>Location</b>	<b>Comments</b>
18/09/2024	Wimmera Mallee Pioneer Museum Meeting		
26/06/2024	Council briefing		
26/06/2024	Council meeting		
26/06/2024	Rainbow Lions Club Changeover Dinner		
27/06/2024	Yurunga homestead meeting		
27/06/2024	Mayoral matters to media		
28/06/2024	Dimboola Secondary College Debutantes Ball		
02/07/2024	Regional Forum – Cross borders breakfast, NGA cocktail party and MAV launch of MAVLAB product	Canberra	
02/07/2024	Zoom Meeting with Maddocks	Melbourne	
03/07/2024	NGA Conference – meeting with Anne Webster MP Parliament House and NGA dinner	Canberra	
04/07/2024	NGA conference – Federal Government dinner	Parliament House, Canberra	
05/07/2024	Federal Government Conference	Canberra	
07/07/2024	NAIDOC Art Exhibition Opening	Dimboola	
08/07/2024	Jeparit Town Advisory Committee Meeting		
10/07/2024	Briefing meeting		

**6.2 Cr BYWATERS, DEPUTY MAYOR**

<b>Date</b>	<b>Meeting/Event</b>	<b>Location</b>	<b>Comments</b>
18/06/2024	Drop In Community Consultations and Draft Annual Budget Information Session	Nhill	
20/06/2024	Farmer Consultations	Dimboola	
22/06/2024	Grampians Wimmera Mallee Tourism Event	Stawell	
24/06/2024	Drop In Community Consultations and Draft Annual Budget Information Session	Dimboola	
26/06/2024	Gallery Central Visit	Nhill	
26/06/2024	Council Briefing		
26/06/2024	Council Meeting		
05/07/2024	Rainbow Scout Group Presentation Night	Rainbow	<p>I had the opportunity to step in for the mayor and attend the Rainbow Scout group awards, reports, and presentation night.</p> <p>The Cubs, Scouts, and leaders were all magnificent, what wonderful young people we have in our Shire. The Scout group is looking for a scout leader so if you, or anyone you or anyone you know is interested please get in touch. If this night is anything to go by, you will have a fabulous time. Everybody was welcoming, and friendly. The dinner was delicious. I really enjoyed the Scouts damper, the tasty casseroles, finished off with yummy cake, and a cup of tea. Well done to everyone involved. I will wear my friendship knot with pride when I attend scouting events, and on 1 August for World Scout scarf day.</p>
10/07/2024	Council Briefing Meeting		
11/07/2024	Two Cousins One Chat, formerly Either Side of Nhill –	Online	



	podcast interview		
11/07/2024	Dimboola Football and Netball Club Council Sponsored Barbecue	Dimboola	Survey on sports and community recreation in Dimboola and Hindmarsh.

### 6.3 Cr GERSCH

Date	Meeting/Event	Location	Comments
20/06/2024	Farmer's Consultation	Nhill	
20/06/2024	Council Budget Meeting	Nhill	
20/06/2024	Elsie Eltringham 102 Birthday		
01/07/2024	Tourism Information Roster		
05/07/2024	RCV Board Meeting	Zoom	
07/07/2024	Nhill Rotary Changeover		
07/07/2024	Nhill Lions Changeover		
10/07/2024	Council Briefing		

### 6.4 Cr NELSON

Date	Meeting/Event	Location	Comments
18/06/2024	WSM Development Directors Meeting	Horsham	
18/06/2024	WSM Development Meeting	Horsham	
24/06/2024	Farmer Consultations	Dimboola	
24/06/2024	Draft 2024/2025 Budget Drop In Session	Dimboola	
24/06/2024	Council Briefing	Nhill	
24/06/2024	Council Meeting	Nhill	
28/06/2024	Western Highway Action Committee Meeting		
01/07/2024	Dimboola Progress Association Meeting		
03/07/2024	Tiny Goats School Holiday Program		
07/07/2024	NAIDOC Week Art Exhibition Opening	Dimboola	

10/07/2024	Council Briefing	Nhill	
11/07/2024	DFNC Consultation	Dimboola	

**6.5 Cr ALBRECHT**

Date	Meeting/Event	Location	Comments
26/06/2024	Hindmarsh Shire Council Briefing	Nhill	
26/06/2024	Hindmarsh Shire Council Meeting	Nhill	
7/07/2024	NAIDOC Week Art Exhibition Opening	Dimboola	Congratulations to the first nations artists for the beautiful exhibition.
10/07/2024	Commonwealth Bank Australia Council Briefing	Nhill	
10/07/2024	Wimmera Southern Mallee Development Council Briefing	Nhill	

**6.6 Cr ISMAY**

Date	Meeting/Event	Location	Comments
26/06/2024	Council Briefing	Nhill	
26/06/2024	Council Meeting	Nhill	
10/07/2024	Council Briefing	Nhill	

## 7 CORRESPONDENCE

**Responsible Officer:** Chief Executive Officer

**Attachment Numbers:** 2 – 5

**Introduction:**

The following correspondence is attached for noting by Council.

**Inwards:**

No inwards correspondence received.

**Outwards:**

- 2024/07/16 – Letter of Congratulations to K’Nyaw Asian Grocery in Nhill
- 2024/07/16 – Letter of Congratulations to Permanent and Personalised Jewellery in Dimboola
- 2024/07/17 – Letter to Minister of Agriculture re Dingoes Management
- 2024/07/17 – Letter to Minister of Environment re Dingoes Management

**RECOMMENDATION:**

*That Council notes the attached correspondence.*

**MOVED: CRS R Gersch/R Ismay**

*That Council notes the attached correspondence.*

**CARRIED**

*Attachment numbers: 2 – 5*

## 8 ASSEMBLY OF COUNCILLORS RECORDS

**Responsible Officer:** Chief Executive Officer

**Attachment Numbers:** 6 – 7

**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 D Nelson/R Ismay***

***That Council notes the Assembly of Councillor Records as presented.***

***CARRIED***

***Attachment Numbers: 6 – 7***

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**9 PLANNING PERMITS**

**9.1 PLANNING APPLICATIONS APPROVED UNDER CEO DELEGATION (Q2 2024)**

**Responsible Officer:** Director Infrastructure Services

**Introduction:**

This report provides Council with an update on nine (9) Planning Permit Applications, including one (1) VicSmart application, approved under delegation for the period 01 April 2024 to 30 June 2024.

**Discussion:**

All planning permit applications undergo a rigorous assessment against the Hindmarsh Planning Scheme. Delegations set by the Council allow the CEO to approve planning permits that are straightforward and uncontroversial. Complex and controversial planning permits are presented to the Council for decision making.

When eligible, some simple planning permit applications are assessed through the statutory VicSmart pathway, which aims to streamline and accelerate the assessment process.

The following standard Planning Permit Applications were approved by the CEO between 01 April 2024 to 30 June 2024.

Permit No.	Address	Proposal	Date Lodged	Trigger (Hindmarsh Planning Scheme)	Date approved	Stat Days (60 day limit)
PA1781-2022-A1	77-79 Leahy Street, Nhill	Minor change to floor plans. Changes to plan of subdivision. Modification of engineering requirements.	04/10/2023	- Clause 42.01 (ESO6) – vegetation removal - Clause 32.08 (GRZ) – staged subdivision and creation of common property	04/04/2024	71
PA1848-2024	78 Woorak-Ni-Ni-Lorquon Road, Nhill	Removal of native vegetation	15/02/2024	- Clause 52.17-1 - native vegetation removal	06/05/2024	48
PA1840-2023	273 Salisbury-Woorak Road, Kiata	Three (3) lot subdivision (re-subdivision of two lots)	19/10/2023	- Clause 35.07-3 Subdivision - Clause 42.01-2 Subdivision	09/05/2024	92
PA1803-2023-A1	13 Bow Street, Rainbow	Amending the application and amended plans to revise the design for an External Viewing Platform, Elevator and Stairway Building and deletion of Public Toilet and Cleaners Store for 'Use and development of a Place of Assembly (Silo Art Trail Viewing Platform, Elevator	09/02/2024	- Clause 32.05-2 (TZ) – Use - Clause 32.05-10 (TZ) – Buildings and works	28/05/2024	77

Permit No.	Address	Proposal	Date Lodged	Trigger (Hindmarsh Planning Scheme)	Date approved	Stat Days (60 day limit)
		and Stairway Building and Car Park)				
PA1852-2024	51 Upper Regions Street, Dimboola	Construct and put up for display a major promotional sign.	08/03/2024	- Clause 52.05-2 – Construct or display a sign	06/06/2024	26
PA1851-2024	2 Station Street, Nhill	Use of land for informal outdoor recreation (dog park)	22/02/2024	- Clause 36.01-1 (PUZ) – Use for informal outdoor recreation and associated development	06/06/2024	84
PA1850-2024	2-6 Wimmera Street, Lloyd Street and 43 Lloyd Street, Dimboola	Removal of vegetation and removal of native vegetation	01/03/2024	- Clause 42.01-2 (ESO6) – Vegetation removal - Clause 43.01-1 (HO) – Tree removal	06/06/2024	17
PA1854-2024	Horseshoe Bend Road Dimboola (CA2002)	Installation of a directional bored pipeline connecting the Ranch Billabong to the Wimmera River	19/04/2024	- 36.03-2 (PCRZ) – Construct or carry out works - 35.07-1 (FZ) - Use the land for a Utility Installation - 35.07-4 (FZ) - Construct a building or to construct or carry out works for a Utility Installation - 44.03-2 (FO) - Construct a building or to construct or carry out works - 44.04-2 (LSIO) - Construct a building or to construct or carry out works	28/06/2024	3

The following VicSmart Planning Permit Applications were approved by the CEO between 01 April 2024 to 30 June 2024.

Permit No.	Address	Proposal	Date Lodged	Trigger	Date approved	Stat Days
VS1856-2024	6 Rockley Street, Nhill	Removal of one tree	22/04/2024	- Clause 42.01-2 (ESO6) – Vegetation removal	06/06/2024	29

**Options:**

N/A

**Link to Council Plan:**

Facilitating and supporting economic development.

**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 assessment process during approval of all planning applications including VicSmart. Complicated planning permits with higher levels of risk are presented to the council for decision.

**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 – Mikayla Mackley, Planning Officer

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

Officer Responsible – Ram Upadhyaya, Director Infrastructure Services

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

**Communications Strategy:**

Nil

**Next Steps:**

Next Report to be provided in October for Q3 2024.

**RECOMMENDATION:**

*That Council notes Planning Applications approved under delegation by the CEO or delegate, for the period 1 April 2024 to 30 June 2024.*

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

*That Council notes Planning Applications approved under delegation by the CEO or delegate, for the period 1 April 2024 to 30 June 2024.*

**CARRIED**

## 10 REPORTS REQUIRING A DECISION

### 10.1 GOVERNANCE UPDATE

**Responsible Officer:** Chief Executive Officer

**Attachment Numbers:** 8 – 9

#### **Introduction:**

This report presents the Councillor Expense Entitlements Policy, recommending Council adoption, and the Councillor Complaints Handling Policy and Procedure, recommending the policy and procedure be made available for a period of community engagement from 25 July 2025 to 5pm on 15 August 2024.

#### **Discussion:**

##### Councillor Expense Entitlement Policy

This 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 and was endorsed by Council on 26 June 2024 for a period of community engagement from 27 June 2024 to 11 July 2024.

Minor updates, clarifications and details were 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.

Since presented to Council in June, one additional change has been made to the Remote Travel Allowance section. The Policy no longer contains exact allowance figures, rather, it now refers to the Victorian Independent Remuneration Tribunal who determine and publish the figures annually. While 15 people engaged with the Have Your Say Hindmarsh – Councillor Expense Entitlements Policy page, no submissions were received.

##### Councillor Complaints Handling Policy



Hindmarsh Shire Council recognises that members of the public have the right to complain about the behaviour of their elected representatives and is committed to a Councillor complaint handling system that reflects the needs, expectations and rights of the community.

This Policy informs:

- how a member of the public can submit a complaint against a Councillor.
- where a Councillor is the subject of a complaint against Council, how it is to be investigated.
- roles and responsibilities in the management of complaints regarding Councillors.

This policy and procedure provide a model approach to complaints handling and outline the essential features of Council's system to deal with complaints about Councillors. The material in this policy and procedure is based on best practice advice from the Victorian Ombudsman's Office.

This Policy does not apply in the case of complaints which must legally be addressed in some other manner such as:

- a Protected Disclosure in relation to Councillors under the *Public Interest Disclosures Act 2012*; or
- the Councillor Code of Conduct; or
- the Councillor Code of Conduct provisions under the Act.

It is recommended that the Councillor Complaints Handling Policy and Procedure be made available for a period of community engagement from 25 July 2025 to 5pm on 15 August 2024.

**Options:**

1. Council can choose to adopt, amend before adopting, or to not adopt the Councillor Expense Entitlements Policy.
2. Council can choose to endorse, amend before endorsing, or to not endorse the Councillor Complaints Handling Policy and Procedure for a period of community engagement.

**Link to Council Plan:**

A community well informed and engaged.  
Strong governance practices.

**Financial Implications:**

Councillor expenses are accounted for in the annual Council Budget as adopted.

**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 Councillor Complaints Handling Policy and Procedure ensures consistent and transparent handling of Councillor complaints, increases complaints touchpoints and the accessibility of mechanisms by which a person can make a complaint.
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**Relevant legislation:**

*Local Government Act 2020*

*Public Interest Disclosures Act 2012*

**Community engagement:**

Council undertook engagement activities in line with the Community Engagement Policy for the Councillor Expense Entitlements Policy and will undertake commensurate engagement for the Councillor Complaints Handling Policy and Procedure.

**Gender equality implications:**

These policies have an indirect impact on the public and the impact has been determined to not be significant enough to warrant a GIA under the *Gender Equality Act 2020*. The primary focus of both of these policies is Council and Councillors rather than the public.

**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 Complaints Handling Policy and Procedure will be made available for community consultation in accordance with Council’s Community Engagement Policy. This includes on the Have Your Say Hindmarsh page, advertisements in local newspapers and publishing of the information on Council’s Social Media pages. If adopted, the Councillor Expense Entitlements Policy 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 Councillor Expense Entitlements Policy; and***
- 2. endorses the Councillor Complaints Handling Policy and Procedure for a period of community engagement from 25 July 2024 to 5pm on 15 August 2024.***

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

***That Council:***

- 1. adopts the Councillor Expense Entitlements Policy; and***
- 2. endorses the Councillor Complaints Handling Policy and Procedure for a period of community engagement from 25 July 2024 to 5pm on 15 August 2024.***

**CARRIED**

*Attachment Numbers: 8 – 9*

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**10.2 COUNCIL PLAN ACTION PLAN 2023/2024 Q4 UPDATE**

**Responsible Officer:** Chief Executive Officer

**Introduction:**

This report provides Council with a final update on the Council Plan Action Plan 2023/2024.

**Discussion:**

Council’s main strategic document, the Council Plan 2021-2025, was developed and adopted on 22 September 2021. The document contains strategic objectives under four Themes - Our Community; Built and Natural Environment; Competitive and Innovative Economy; and Good Governance & Financial Sustainability.

Annually, Council adopts an Action Plan that aids in the achievement of the objectives within the Council Plan 2021-2025.

The final update on the delivery of on the 2023/2024 actions against the Council Plan are included below:

**Theme One – Our Community**

Action Item	Apr – June Update	Status
Promotion and marketing of Council information including the monthly hardcopy newsletters available at customer service centres and libraries, and fortnightly e-newsletters distributed through emails and available on Council’s website	Council delivered quarterly newsletters in April 2024 and has another planned distribution in July 2024 for the August – October edition.	<b>Delivered</b>
Support our ageing community through hosting inclusive seniors concert and social connection activities including movie matinees and morning teas, with a focus on diversity (refugee background, migrants, Aboriginal and Torres Strait Islanders, all abilities and LGBTIQ+)	Digital Literacy for Seniors sessions were delivered in May to all 4 Hindmarsh Shire Libraries in partnership with NNHLC. Cuppa Connections and Classic Movies continue to be well attended and received by the broader shire community with a range of organisations now using Classic Movies as an outing for their patrons. Planning is advancing for the Seniors Week and Council has received additional funding to support vulnerable men, veterans and men’s shed patrons	<b>Delivered</b>

Action Item	Apr – June Update	Status
	through a range of activities.	
Continue to support early years services including the roll out of up to 30 hours of four-year old kindergarten in Hindmarsh	The new modular Kindergartens have been manufactured and recently installed at the Dimboola and Nhill (school) sites. Contractors are progressing quickly with fit out at each Centre. Landscaping will follow once builds are complete. Council will work with Emerge EY Services to compile a list of required items for the furnishings and hopefully, learning resources.	<b>In Progress</b>
Continue to advocate for after school care and an increase in childcare in Hindmarsh Shire	As above. Emerge Early Years Service has recently published dates for information sessions for 2025 kindergarten and childcare.	<b>Ongoing</b>
Continue to implement the Hindmarsh Shire Youth Strategy	Ongoing – includes delivery of Youth Council program and facilitation of events responsive to youth-identified needs.	<b>Ongoing</b>
Support and host youth events that are accessible to all Hindmarsh Shire youth.	Youth Councillors organised and held one “90s Disco” in Dimboola with 120 attendances from across the shire. Youth Councillors have successfully recorded another two 2 episodes of podcast, “How to cope with Bullying” and “What to do when your friend is not okay”.	<b>Delivered</b>
Work with various agencies to host and promote school holiday activities throughout the Shire	The 2024 April School Holiday Program was packed with fun programs including Crafty Arts, Cooking, STEAM, CJ Puppet show, Level-up gaming, and our most popular – Kung Fu Panda 4 with 189 people in attendance. An extensive and exciting school holiday program has been planned for the July school holidays that will provide a broad range of activities for young people across the shire. Initial discussions have also been held in relation to the September school holiday program.	<b>Delivered</b>
Host outdoor music sessions in Dimboola, Jeparit, Nhill and	Following the concert for the opening of the Jeparit swimming hole	<b>Delivered</b>

Action Item	Apr – June Update	Status
Rainbow	<p>redevelopment, the Jeparit Town Advisory Committee have booked a band for a New Years Eve concert to be held on the new deck.</p> <p>As a result, all cabins at the Jeparit Caravan Park are booked out and bookings for powered sites are being made.</p> <p>Additional funding received through FRRR will also enable Council to host music sessions in each town in the coming year.</p>	
Work with various agencies to facilitate and host information sessions to inform multicultural community members on Council services and services of public and private agencies and organisations	Council unsuccessfully advertised for a Karen Liaison Officer when this position became vacant. A Plain English guide to Hindmarsh Shire Council has been prepared and translated into S'gaw Karen for distribution.	<b>Ongoing</b>
Key documents translated into Karen	As above.	<b>Ongoing</b>
Consider community garden opportunities in Dimboola	<p>Contracts and Procurement Officer has undertaken initial investigations of Council considerations for community groups who wish to deliver community gardens.</p> <p>Further action will be taken by Landcare Facilitator (to be employed).</p>	<b>Ongoing</b>
Support and coordinate the volunteer taxi service in Nhill	Council continues to deliver this service.	<b>Ongoing</b>
Commence implementation of the recommendations from the Cultural Audit	Implementation has commenced with all actions allocated to responsible officers. In this reporting period, a Plain English Guide to Hindmarsh Shire Council has been developed and translated into S'gaw Karen.	<b>In Progress</b>
Celebrate volunteers week, International Day of People with Disability and Harmony day	Volunteer breakfasts were held in all 4 towns, Nhill, Dimboola, Rainbow, and Jeparit. Harmony Day was celebrated in March 2024 and International Day of People with Disability in December 2023.	<b>Ongoing</b>

Action Item	Apr – June Update	Status
	Plans have commenced for an event in December 2024.	
Support culturally significant days including for first peoples	Council CEO working with BGLC to plan for an effective partnership moving forward. A RAP is currently under consideration to be presented to the new Council for endorsement for a period of community consultation prior to adoption. The NAIDOC Week exhibition opening is planned for 7 July 2024.	<b>Delivered</b>
Provide community action grants to support Hindmarsh community groups and organisations	Council advertised two rounds of Community Action Grants during 2023/2024, with funding successfully allocated. Round 1 of the 2024 / 2025 CAGs program will be advertised at the start of the new financial year in early July 2024.	<b>Delivered</b>
Advocate for and host a range of learning and skill development opportunities for all ages throughout Hindmarsh	Digital Literacy for Seniors sessions delivered in May 2024, Supported Playground continues to operate with self-referrals identified as a priority area, school holidays activities scheduled in June/July feature active and fun learning opportunities.	<b>Delivered</b>

**Theme Two – Built & Natural Environment**

Action Item	Apr – Jun Update	Status
Continue to advocate for funding for Davis Park upgrades including undercover seating	Design complete, project advertised for tender in mid-May, closing 4 July. Building permit to be issued once contractor appointment made. Targeting mid-September construction start, post finals season. Powercor application in progress for required power upgrade.	<b>In Progress</b>
Facilitate Hindmarsh Heavy Transport and Freight Working Group		<b>Ongoing</b>
Seek funding for shade structure over Jeparit recreation reserve playground	Awaiting Suitable funding opportunity. Needs to be justified following the merger with Rainbow and Hopetoun.	<b>Not yet Commenced</b>
Install recycling and glass	Installation underway.	<b>In Progress</b>

Action Item	Apr – Jun Update	Status
collection bins in main street in Dimboola, Jeparit, Nhill and Rainbow		
Sealed road construction works on Dimboola Minyip Road (subject to funding)	HVSPP grant application for Dimboola Minyip Rd was unsuccessful. As part of the application, we had to commit to contributing \$210,304. Council officers are now working through how to best utilise the funds on the road to fix the worst part, however full repair will not be possible with only our contribution.	<b>Ongoing</b>
Hold free green waste month in September and encourage residents to tidy their properties prior to the fire season	Delivered in September/October 2023 and planned for October 2024.	<b>Delivered</b>
Continue implementation of the Nhill Streetscape Plan	Construction work for the Nhill Lake Walking Track has been completed with lights and light poles been ordered and to be installed as soon as the poles are available. Discussion was held with the Nhill Town Advisory Committee regarding stage 2 and further discussions will be held at their July meeting.	<b>In Progress</b>
Refurbishment and repairs of Dimboola toddler swimming pool	Unfortunately the grant application submitted was not successful.	<b>Not yet commenced</b>
Commence implementation of the Hindmarsh playground strategy	Hindmarsh Playground Strategy still under development.	<b>Underway</b>
Advocate for funding for a new weir at Jeparit	To be included in the Hindmarsh Shire Council draft Advocacy Strategy.	<b>Ongoing</b>
Facilitate designs for the Rainbow Football Changerooms	On hold until full season is complete with the new teams that have merged.	<b>Delayed</b>
Seek funding to undertake a solar assessment on Council buildings and halls	Awaiting quotes and designs for funding application.	<b>In Progress</b>
Construction of shade structure at Rainbow Skatepark	This project has been completed with the shade structure installed.	<b>Delivered</b>



Action Item	Apr – Jun Update	Status
Consider opportunities and seek funding for lighting in public areas	Awaiting appropriate funding opportunity.	<b>Not yet commenced</b>
Ensure Council representation on Western Highway Action Committee, Wimmera Regional Transport Group and Hindmarsh Landcare Network	Council continues to be represented on the WHAC, WRTG, and HLN.	<b>Delivered</b>
Work closely with conservation partners including the Wimmera CMA to educate the community on land management and conservation strategies.	Landcare Facilitator position confirmed for delivery in-house through Hindmarsh Shire Council, with the recruitment underway.  Staff have worked with Wetland Revival Trust, WCMA, Parks and DEECA with agreement for council to install Eltham Copper Butterfly awareness signs at locations where habitat is present, to be funded by Wetland Revival Trust and WCMA.	<b>Delivered</b>
Work with Hindmarsh Landcare Network in addressing pest and weed problems throughout Hindmarsh including Gazania and Fleabane which is spreading along roadside verges	Landcare Facilitator position confirmed for delivery in-house through Hindmarsh Shire Council, with the recruitment underway.	<b>In Progress</b>
Seek funding for BMX dirt tracks, pocket parks, dog parks	Funding has been received for the Nhill Dog Park and the Project Management Office is now responsible for implementing the project. Monitoring of funding opportunities for other initiatives is continuing.	<b>In Progress</b>
Seek funding for permanent Caneball and Volleyball courts in Nhill	Caneball court project delivered in 23/24.	<b>Delivered</b>
Commence construction of new Mechanics workshop at Jeparit Depot and upgrades to Dimboola Depot	Ground works for Jeparit Workshop commenced 12/3/24. Pit and Slab poured on 17/5/24.	<b>In Progress</b>

**Theme 3: Competitive and Innovative Economy**

Action Item	April – June Update	Status
Installation of cabins at Dimboola, Jeparit and Rainbow caravan parks	Completed in the Council term. Additional opportunities for funding cabins project are being investigated.	<b>Delivered</b>
Provide the Business Assistance Grants program	2024/25 Business Assistance grants scheduled to open 9 July and close 9 August to be assessed for granting prior to Caretaker period.	<b>Delivered</b>
Promote Hindmarsh as a tourism destination to stop, play and stay	<p>Stop Play Stay FB campaign was run over the Summer School Holiday period. Images and video content development and usage ongoing. Hindmarsh promotional tourism images slideshow now showing on Nhill Dine Inn TV.</p> <p>Leveraging from initial discussions in 2019, Hindmarsh (and WMT) have now formed the Grampians and Wimmera Mallee Visitor Economic Partnership. This presents a ‘game changer’ in industry support and marketing resources for Hindmarsh and the WMT region. Development of a Destination Management Plan and Local Government Area Action Plans is underway.</p> <p>GWMTourism Destination Management Plan and Local Area Action Plans to be completed August '24. Will guide HSC tourism marketing and activities.</p>	<b>Delivered</b>
Host quarterly business networking sessions in Hindmarsh for businesses to come together, network and learn	<p>Networking session to be held in Dimboola in August 2024.</p> <p>Info from Donald Mineral Sands, Grampians Wimmera Mallee tourism and Hindmarsh Shire Eco Dev &amp; Tourism team.</p>	<b>In Progress</b>
Undertake a review of the Hindmarsh Planning Scheme	Planning scheme review underway. Funded through Regional Planning Hub.	<b>In Progress</b>
Seek funding for continued development of Hindmarsh Shire Caravan Parks including master plan for Nhill Caravan Park	<p>The draft masterplan for the Nhill Caravan Park has been presented to Council at the June Briefing for discussion.</p> <p>Changes will be provided to the</p>	<b>In Progress</b>

Action Item	April – June Update	Status
	Landscape Architect for amending on the plan.	
Adopt and Commence implementation of Council’s Economic Development Strategy 2023-2028	The Economic Development Strategy (EDS) has been adopted and will be implemented by the Manager Economic Development and Tourism. Actions from the EDS have been included in the adopted 24/25 Council Plan Action Plan. Initially rebuilding contact lists for business, tourism businesses, groups, attractions, trades and professional services.	<b>Delivered</b>
Support and seek funding and implement components of the Wimmera Mallee Pioneer Museum Masterplan	Work is continuing on a 2 <sup>nd</sup> round of interpretive signage. Reiteration of Councils commitment to the Masterplan will be strongly communicated to the new committee and support for implementation of this will continue.	<b>In Progress</b>
Support Wimmera Development Association housing strategy through identification of suitable land and advocacy for funding additional housing in Hindmarsh	Funding and collaborative support provided to Wimmera Regional Development Association.	<b>In Progress</b>
Continue construction of Silo Art project at Llew Schilling Silo in Rainbow	Variation approval for time extension approved mid-April. Contract has been signed with Builder and building and planning permits both obtained. The builder has indicated that steel fabrication shop drawings will be issued in July with manufacture from August to September. The modular build will commence onsite in early October. Overall construction completion date is scheduled for March 2025. Art Activation procurement will ramp up from September 2024 for delivery in March/April 2025.	<b>In Progress</b>
Installation of new amenities at Rainbow Caravan Park that include access for all abilities	Building complete, awaiting occupancy certificate.	<b>In Progress</b>

Action Item	April – June Update	Status
Provide funding to support local community events that attract visitation to Hindmarsh Shire	All events are now completed. Awaiting final reports from organisers, anecdotally all events were a great success. 2024/25 Grants program to open on 1 July and will close on 31 July. Guidelines have introduced a tiered funding model for guidance which uses expected attendance as a support for increased funds. To be assessed for granting prior to caretaker period.	<b>Delivered</b>
Actively seek funding to upgrade key freight routes for our agricultural economy	HVSP grant applications were unsuccessful for the Lorquon Netherby Rd and Dimboola Minyip Rd. Officers will remain on alert for any further grant opportunities.	<b>Ongoing</b>

**Theme 4: Good Governance and Financial Sustainability**

Action Item	Jan – March update	Status
Continue implementation of strategies identified in the Workforce Plan	Workforce Plan review scheduled for 24/25 as per Council Plan Action Plan.	<b>In Progress</b>
Host information sessions on a Councillor role in the lead up to the 2024 Council elections	Sessions have been scheduled for August 2024 through the MAV Stand for Council Program. CEO is running drop-in sessions as well, targeting people who may wish to speak to her about running for Council.	<b>In Progress</b>
Online streaming of Council meetings through Council's Facebook page that include closed captions with meetings available to view through a link on Council's website	Continued live streaming procedures to ensure accessibility of Council meetings.	<b>Delivered</b>
Consideration for employing a trainee, or apprentice when vacancies arise throughout the year	Trainee Parks and Gardens position appointed, continued consideration of opportunities in line with organisational need.	<b>Delivered</b>
Community conversation sessions held annually in our four main towns	Community engagement held in this quarter includes Farmer Consultations, Draft Budget Drop-in Sessions & CEO Drop In Sessions.	<b>Delivered</b>
Drop-in sessions held allowing	As above, annual consultation sessions	<b>Delivered</b>

Action Item	Jan – March update	Status
for community input on key documents or projects	summary to be included in the Annual Report.	
Update Long Term Financial Plan	The long-term financial plan was developed in conjunction with the 24/25 budget. The draft budget including the LTFP was adopted by Council on 26 June 2024.	<b>Delivered</b>
Implement recommendations from LGPro Inclusive Employment Pathways forum	Ongoing implementation of recommendations, including provision of questions ahead of time.	<b>Ongoing</b>
Continue implementation of gender equality action plan	Exit Interview Data presented to SMT, trainings identified in the GEAP have been scheduled for mid-late 2024.	<b>Delivered</b>
Continue to collaborate with Horsham Rural City Council and Loddon Shire Council to implement the Rural Council Transformation Project	Hindmarsh successfully went live with Civica Altitude in November 2023. Staff are currently looking to transitioning to online leave forms and timesheets with the expected go-live by the end of July 2024.	<b>Delivered</b>

**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 annual actions to achieve the plan under the four key themes.

**Financial Implications:**

Initiatives in the annual action plan are accounted for in the Annual Budget as adopted.

**Risk Management Implications:**

Strategic Risk Description	Risk Management Discussion
Governance	The preparation of the Council Plan, incorporating the Health and Wellbeing Plan, and Community Vision is a statutory requirement.
Community Needs	The actions contained within the Annual Action plan represent and allow progress on projects, events and services relevant to the community. This ensures that Council is expending resources efficiently and in line with community needs.

**Relevant legislation:**

The Council Plan was developed under the *Local Government Act 2020* and *Public Health and Wellbeing Act 2008*.

**Community engagement:**

Community engagement was undertaken as part of the development and adoption of the Council Plan 2021-2025, additional engagement is undertaken in the development of the Annual Action Plans. Annual Action Plans are also informed by ongoing engagement programs and the development of other Council strategies and plans, including Community Action Plans and the Economic Development Strategy.

**Gender equality implications:**

A gender impact assessment was not required as the update has no direct and significant impact on the community. Actions within the Plan are subject to GIA in accordance with the requirements of 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 – 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.

**RECOMMENDATION:**

***That Council receives the Council Plan Action Plan 2023/2024 fourth quarter update.***

**MOVED: CRS R Gersch/W Bywaters**

***That Council receives the Council Plan Action Plan 2023/2024 fourth quarter update.***

**CARRIED**

### 10.3 INTERIM FINANCIAL REPORT FOR THE PERIOD ENDING 30 JUNE 2024

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

**Attachment Number:** 10

**Introduction:**

The financial report for the fourth quarter of the 2023/24 financial year has been prepared, including explanations of variances where applicable, and is presented for the information of Council. This report is subject to year-end adjustments and audit by Councils external auditors.

**Relevant legislation:**

Section 14, *Local Government (Planning and Reporting) Regulations 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.

**RECOMMENDATION:**

***That Council notes the Interim Financial Report for the period ending 30 June 2024 as presented.***

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

***That Council notes the Interim Financial Report for the period ending 30 June 2024 as presented.***

**CARRIED**

*Attachment Number: 10*

## 10.4 FAIR ACCESS POLICY ACTION PLAN

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

**Attachment Number:** 11

### **Introduction:**

This report presents the Draft Fair Access Policy Action Plan, recommending the plan be endorsed for the period of community engagement in accordance with Council's Community Engagement Policy from 25 July 2024 to 5pm on 15 August 2024.

### **Discussion:**

The Sports and Recreation Reserves Allocation, Use and Fair Access Policy (the Policy) was adopted by Council on 26 June 2024. The Fair Access components are reflective of the Fair Access Policy Roadmap, introduced by the Office for Women in Sport and Recreation in 2022. The Fair Access Policy Roadmap aims to develop a statewide foundation to improve the access to, and use of, community sports infrastructure for women and girls. Local Councils were 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. The Action Plan is built around the Fair Access Principles and is designed to meet the context of our sports and recreation clubs, opportunities and facilities.

The Fair Access Principles are:

**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.

Based on the consultation sessions held as part of the Policy development, as well as directives and guidance material from the Officer for Women in Sport and Recreation, Council officers have developed a draft Fair Access Policy Action Plan, intended to be further developed in the recommended consultation period. Council has BBQs scheduled at all major sporting clubs in the Shire and will present this Action Plan there for consideration. For those clubs who have already held BBQs, separate contact will be made.

**Options:**

Council can choose to endorse the Fair Access Policy Action Plan as per the recommendation, amend the Action Plan prior to endorsement or not endorse the Fair Access Policy Action Plan.

**Link to Council Plan:**

A community well-informed and engaged  
Support healthy living and provide services and activities for people of all ages and abilities  
Gender equity, respect and leadership.

**Financial Implications:**

NIL

**Risk Management Implications:**

Strategic Risk Description	Risk Management Discussion
Community Needs	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 and action plan to support equal participation in all components of community sport for women and girls.

**Relevant legislation:**

*Gender Equality Act 2020*

**Community engagement:**

Council undertook engagement activities in line with the Community Engagement Policy for the Sports and Recreation Reserves Allocation, Use and Fair Access Policy and will undertake commensurate engagement for the Fair Access Policy Action Plan.

**Gender equality implications:**

A Gender Impact Assessment was undertaken for the Sports and Recreation Reserves Allocation, Use and Fair Access Policy and ongoing GIAs are required as part of the Policy and proposed Action Plan.

**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 – Phil King, Manager Community Wellbeing

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

**Communications Strategy:**

The draft Fair Access Policy Action Plan will be made available for community consultation in accordance with Council's Community Engagement Policy. This includes on the Have Your Say Hindmarsh page, advertisements in local newspapers and publishing of the information on Council's Social Media pages.

**Next Steps:**

As above.

**RECOMMENDATION:**

*That Council endorses the Fair Access Policy Action Plan for a period of community engagement from 25 July 2024 to 5pm on 15 August 2024.*

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

*That Council endorses the Fair Access Policy Action Plan for a period of community engagement from 25 July 2024 to 5pm on 15 August 2024.*

**CARRIED**

Attachment Number: 11

## 10.5 RISK MANAGEMENT

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

**Attachment Numbers:** 12 - 14

### **Introduction:**

This report presents the Risk Management Framework, Risk Management Policy and Risk Appetite and Tolerance Statement, and recommends they be made available for a period of community engagement from 25 July 2024 to 5pm on 15 August 2024.

### **Discussion:**

#### *Background*

Risk management is an essential part of a council's management and internal control framework. It looks at what risks the council may face and the best way to address these risks. Assessment and management of risk is central to determining internal audit activities.

Key governance influences require Council and the executive to work towards:

- **Accountability** by reporting, explaining and being answerable for the consequences of decisions it has made on behalf of the community it represents.
- **Transparency** by providing avenues for people to follow and understand the decision-making process.
- **Following the rule of law** by ensuring decisions are consistent with relevant legislation or common law and are within the powers of council.
- **Responsiveness** by servicing the needs of the community while balancing competing interests in a timely, appropriate, and responsive manner.
- **Equity and inclusion** whereby members of the community feel their interests have been considered by Council in the decision-making process.

Council (comprising elected Councillors) is responsible for the following risk management areas:

- Being satisfied that strategic risks are identified, controlled, and treated appropriately to achieve Council's strategic objectives.
- Appointing and resourcing the Audit and Risk Committee.
- Providing adequate budgetary provision for the financing of risk management including approved risk mitigation activities.
- Receiving reports from the Audit Committee to ensure that strategic risks are being adequately managed.

Council officers must include consideration of strategic risks in Council reports requiring a decision so that risk management is built in strategic decision-making and can inform Council's deliberation.

The three documents presented in this report were presented to, and endorsed by, the Audit and Risk Committee on 12 June 2024.

#### Risk Appetite and Tolerance Statement

Council Officers have developed a Risk Appetite and Tolerance Statement (the Statement) that describes how much risk Council is willing to accept in pursuit of our Strategic goals. The Statement has been developed in consideration of risk appetites adopted by organisations within the Local Government sector and has been contextualised to Council's unique risk, financial and resource landscape. Officers have recommended that Council adopt an overarching 'cautious' approach to risk tolerance, as this reflects the requirement for prudent and conservative planning in an environment where key variables are outside Council's control, in balance with the need to utilise risk as an opportunity to explore innovative and progressive change to the benefit of our organisation and community. If adopted, Council officers will need to review and update our risk matrix to align with the Statement and well as create additional operational processes to ensure that the tolerance limits are reflected in service delivery, corporate governance the broader operational environment.

#### Draft Risk Management Policy

The purpose of the Risk Management Policy is to clearly document Hindmarsh Shire Council's approach to establishing and maintaining effective risk management culture across the organisation in accordance with the *Local Government Act 2020* and the principles and Guidelines set out in the International Risk Management Standard AS ISO 31000:2018.

Council officers have reviewed and updated Councils Risk Management Policy. Key proposed changes to the Risk Management Policy include:

- Introducing and embedding the three lines of defence model;
- Updating the wording of the definition of 'Risk' to improve clarity;
- Minimising the inclusion of large bodies of text that are directly copied from a relevant source of truth (i.e. legislation or ISO);
- Defining clear responsibilities.

#### Risk Management Framework

The purpose of this Risk Management Framework (Framework) is to outline how Council will implement the process for incorporating organisational risk into Council's overall governance, strategy and planning, management, reporting processes, policies, values and culture. The Framework also expresses Council's overall commitment to developing and maintaining and effective risk management strategies.

The framework can be used throughout the life of the organisation and can be applied to any activity, including decision-making at all levels.

Key proposed changes to the Risk Management Framework include:

- Inclusion of the three lines of defence model;
- Updated responsibilities in line with policy and framework requirements;
- Reference to new Risk Appetite and Tolerance Statement;
- Updated response requirements for risk rating levels;
- Inclusion of reporting schedules;
- Inclusion of risk management maturity model;
- Inclusion of training requirements.

It is recommended that three documents be made available to the public for a period of consultation in line with Council’s Community Engagement Policy.

**Options:**

Council can choose to endorse, amend before endorsement, or to not endorse the following documents for a period of community engagement:

- Risk Management Policy
- Risk Management Framework
- Risk Appetite and Tolerance Statement

**Link to Council Plan:**

Strong governance practices.

**Financial Implications:**

Council is responsible for ensuring that adequate budget is allocated to deliver on risk management obligations and activities. The addition of training requirements will mean that costs are drawn from the existing 24/25 staff training budget allocation which will continue to be reviewed each financial year.

**Risk Management Implications:**

Strategic Risk Description	Risk Management Discussion
Governance	Strong risk management policies and procedures ensures effective management and mitigation of Council’s risk environment. These documents ensure that Council is meeting its risk management obligations as a government entity, but also that it is best position to deliver on Council plans, strategies and services by reducing potential liabilities and adverse outcomes.

**Relevant legislation:**

*Local Government Act 2020*

**Community engagement:**

Council will undertake engagement activities in line with the *Local Government Act 2020* and the Community Engagement Policy for the documents contained within this report.

**Gender equality implications:**

These policies have an indirect impact on the public and the impact has been determined to not be significant enough to would warrant a GIA under the *Gender Equality Act 2020*. The primary focus of these policies is Council and Councillors rather than the public.

**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 – 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:**

The documents will be made available for community consultation in accordance with Council's Community Engagement Policy. This includes on the Have Your Say Hindmarsh page, advertisements in local newspapers and publishing the information on Council's Social Media pages.

**Next Steps:**

As above.

**RECOMMENDATION:**

***That Council endorses the Risk Management Policy, Risk Management Framework, and Risk Appetite and Tolerance Statement for a period of community engagement from 25 July 2024 to 5pm on 15 August 2024.***

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

***That Council endorses the following documents:***

- 1. Risk Management Policy;***
  - 2. Risk Management Framework; and***
  - 3. Risk Appetite and Tolerance Statement;***
- for a period of community engagement from 25 July 2024 to 5pm on 15 August 2024.***

**CARRIED**

*Attachment Numbers: 12 – 14*

## 10.6 DRAFT CLIMATE ADAPTION STRATEGY

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

**Attachment Numbers:** 15 – 16

### **Introduction:**

This report presents the draft Climate Adaption Strategy, recommending endorsement for a period of community engagement in accordance with Council's Community Engagement Policy for the period 25 July 2024 to 5pm on 15 August 2024.

### **Discussion:**

#### *Background*

Hindmarsh Shire's economy and its rural communities are strongly affected by changes in climate. Climate determines the health of broadacre agriculture and agribusiness supply chains and liveability in the Shire's towns, but we are also aware that the impacts of climate change can exacerbate existing inequalities and disadvantage.

The first Hindmarsh Shire Climate Adaption Strategy, prepared in 2012, warned that the future climate is predicted to be hotter and drier than it is today. Since that time, the climate in the Shire has been more favourable than either averages or climate change expectations would have predicted, albeit with some destructive weather events (such as intense periods of spring and summer rainfall impacting on transport infrastructure).

As the initial strategy was no longer current, Council commissioned Street Ryan to develop a revised and contextualised Climate Adaption Strategy to guide Council's mitigation and resilience initiatives for a 12-year period.

This document presents a refresh of Hindmarsh Shire's Climate Adaption Strategy by summarising recent and long-term climate trends and the accepted outlook for future climatic changes. It presents practical strategies and actions for which Council can make a meaningful contribution in offsetting potential adverse impacts from climate change and severe climate events.

#### *Content & Development*

The draft Climate Adaption Strategy considers climate trends and future climate predictions and a discussion on the risks and impacts to key sectors, services and industries. After the completion of the Gender Impact Assessment, the Strategy was broadened to include provisions that address the gendered impacts of climate change and disaster. Based on the indicators and trends, the Strategy then considers 5 key strategies, and 35 actions, that Council can undertake to address climate risk.

The document that has been presented today has been reviewed by Council staff with minor amendments made. It is the recommendation of this report that Council endorses the

Strategy for a period of community consultation so that key community stakeholders can contribute to the further review and development of the plan, providing key experiential and practical knowledge. Community engagement plans are outlined in the relevant section below.

**Options:**

1. Council can endorse the draft Climate Adaption Strategy for a period of community engagement from 25 July 2024 to 5pm on 15 August 2024.
2. Council can choose to made amendments to the draft Climate Adaption Strategy prior to endorsement as per Option 1.
3. Council can choose to not endorse the draft Climate Adaption Strategy for a period of community engagement as detailed in Option 1.

**Link to Council Plan:**

Environmentally sustainable practices

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

**Financial Implications:**

The upfront cost for the development of the Climate Adaption Strategy was taken from existing Council operational budget allocations. Actions within the plan that require both personnel and financial resources have been assigned to Managers and will be delivered either with existing staffing and budget allocations or will be prioritised for future budget submissions and external funding opportunities.

**Risk Management Implications:**

Strategic Risk Description	Risk Management Discussion
Environmental Sustainability	The Strategy provides Council with a key guidance document to respond to our highest rated strategic risk. The impacts of climate change pose a significant threat to environmental sustainability and therefore one of the key sectors that drives our economy. The prosperity of Hindmarsh Shire’s economy is highly dependent on climate. Broadacre agriculture and agribusiness supply chains are the dominant contributors to the Shire’s estimated \$¾ billion annual economic output. The strategies within the document respond to the key risks and forward practical and achievable actions that promote climate change mitigation and community and infrastructure resilience.
Community Needs	The report identifies the risk that climate impacts pose to key community services, including community health, access to recreation and other facilities and overall



Strategic Risk Description	Risk Management Discussion
	business continuity. The strategies within the document respond to the key risks and forward practical and achievable actions that promote climate change mitigation and community and infrastructure resilience.

**Relevant legislation:**

*Local Government Act 2020*

**Community engagement:**

This report recommends that the draft Climate Adaption Strategy be made available for a period of community consultation from 25 July 2024 to 5pm on 15 August 2024. While it will be made available on Have Your Say Hindmarsh and at Customer Service Centres, due to the nature of the document and the impact on our community, targeted engagement is planned for;

- Hindmarsh Shire Youth Council
- Schools
- Women’s Health Grampians
- Local Landcare Networks
- West Wimmera Health Services

This will ensure that any actions are reflective of key stakeholder concerns and that Council can address any questions and concerns from these groups, using that feedback to inform decision-making. Drop in sessions are also scheduled for Nhill, Jeparit, Rainbow and Dimboola.

**Gender equality implications:**

A Gender Impact Assessment has been completed and is attached to this report.

**Conflict of Interest:**

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

Author 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:**

The draft Climate Adaption Strategy will be published on the Have Your Say Hindmarsh page and made available at Customer Service Centres and Libraries. The consultation period will be publicised on Facebook, via Council’s e-news and newsletter.

Draft letters have been prepared for the stakeholder groups as listed above – these will be distributed via post/email as appropriate.

**Next Steps:**

Following the consultation period, a final version of the Climate Adaption Strategy will be presented to Council for adoption in August 2024.

**RECOMMENDATION:**

*That Council endorses the draft Climate Adaption Strategy for a period of community engagement from 25 July 2024 to 5pm on 15 August 2024.*

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

*That Council endorses the draft Climate Adaption Strategy for a period of community engagement from 25 July 2024 to 5pm on 15 August 2024.*

**CARRIED**

Attachment Numbers: 15 – 16

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## 10.7 HINDMARSH PLANNING SCHEME AMENDMENT AUTHORISATION REQUEST – LOWER WIMMERA FLOOD STUDY

**Responsible Officer:** Director Infrastructure Services  
**Attachment Number:** 17

### **Introduction:**

This report seeks Council adoption of the Lower Wimmera Regional Flood Mapping Study (Wimmera Catchment Management Authority [WCMA] and Water Technology, 2017) (**Flood Study**), and upon adoption, seeks authorisation from the Minister for Planning for a Planning Scheme Amendment to give effect to the findings of the Flood Study, by amending the extents of the Floodway Overlay and Land Subject to Inundation Overlay within the Hindmarsh Planning Scheme.

### **Background:**

This amendment seeks to implement the findings of the Lower Wimmera Regional Flood Mapping Study (Wimmera Catchment Management Authority [WCMA] and Water Technology, 2017) (**Flood Study**). The Flood Study reflects the most recent flood data for the Wimmera River between the municipal boundary with Horsham Rural City Council south of Dimboola and Lake Hindmarsh. The Flood Study also encompasses the areas previously covered by the Dimboola Flood Study (Water Technology, 2003) and Jeparit Flood Study (Water Technology, 2008).

The Wimmera CMA is the floodplain management authority for the Wimmera region covering the local government areas of Hindmarsh, Yarriambiack, Northern Grampians, West Wimmera, Horsham, as well as parts of Ararat, Buloke, and Pyrenees Council's. Given that flood extent mapping has been undertaken by the Wimmera CMA as the relevant floodplain management authority, Council has a statutory responsibility to ensure that available flood extent mapping is translated into planning controls and applied in a transparent manner. The Victorian Floodplain Management Strategy (2016) at Policy 11a identifies draft Planning Scheme Amendments as a required output for all flood studies, unless there are compelling reasons to the contrary.

[Planning Practice Note 12](#) - Applying the flood provisions in planning schemes (DELWP, June 2015) states the following:

*“Flooding is a natural hazard but, unlike most other natural hazards, floods are to a great degree predictable in terms of their location, depth and extent. This means that appropriate measures can be developed to reduce flood damage. Land use planning is recognised as being the best means of avoiding future flooding problems. Through careful planning, flood risks to life, property and community infrastructure can be minimised and the environmental significance of our floodplains protected.*”

*Section 6(2)(e) of the Planning and Environment Act 1987 enables planning schemes to 'regulate or prohibit any use or development in hazardous areas, or areas likely to become hazardous'. As a result, planning schemes contain State planning policy for floodplain management requiring, among other things, that flood risk be considered in the preparation of planning schemes and in land use decisions.*

*The statutory authorities responsible for the collection of flood information and for land use planning in flood-affected areas are councils and floodplain management authorities (i.e. Melbourne Water and Catchment Management Authorities)."*

The Amendment will ensure that Council can appropriately regulate proposed development on flood prone land and ensure that flooding is not worsened on other properties by inappropriate development.

### **Discussion:**

#### Adoption of Flood Study:

The Hindmarsh Planning Scheme (**Scheme**) currently includes flood controls that were introduced as a result of Planning Scheme Amendment C7, gazetted 21 April 2016. This amendment introduced flood controls to Dimboola and Jeparit consistent with the findings of the Dimboola Flood Study (Water Technology, 2003) and Jeparit Flood Study (Water Technology, 2008).

Since the gazettal of Amendment C7, new flood investigations have been undertaken by the WCMA, which further refine the known extent of flooding along the Wimmera River environs between the municipal boundary with Horsham Rural City Council to the south, and Lake Hindmarsh to the north. The study area includes the townships of Dimboola and Jeparit, as well as the localities of Antwerp and Tarranyurk and the rural areas in between.

This report firstly recommends that Council formally adopt the Flood Study, recognising the study as the most contemporary assessment of flood risk on the Wimmera River between the municipal boundary and Lake Hindmarsh. Adoption of the study will allow Council to proceed with applications for funding to assist in the implementation of the study via the Department of Transport and Planning Regional Planning Hub (**Regional Hub**), as well as allowing Council to proceed with a Planning Scheme Amendment to give effect to the study.

#### Planning Scheme Amendment:

Once adopted, it is appropriate to implement the findings of the Flood Study into the Scheme, by amending the existing Floodway Overlay (**FO**) and Land Subject to Inundation Overlay (**LSIO**) maps to reflect the flood risk identified in the Flood Study.

The probability of flood occurring within a year, called the Annual Exceedance Probability (AEP) is an industry standard. The FO is where the depth of flooding in a 1% AEP exceeds

0.5 meters. The FO generally has a 10% AEP, i.e. each year the flood level has a 10% chance of occurring. The LSIO has a 1% AEP, which means each year the flood level has a 1% chance of occurring (previously referred to as a 1 in-100-year flood).

The main purpose of the FO is to:

- To identify waterways, major flood paths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.
- To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

The Land Subject to Inundation Overlay (LSIO) has a similar purpose:

- To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To minimise the potential flood risk to life, health and safety associated with development.

The LSIO is applied to land affected by flooding associated with waterways and open drainage systems. The FO is applied to land at a higher risk of flooding than LSIO land. It is normally where mainstream flooding occurs, where flooding is likely to be deep and flooding occurs most frequently. The FO applies to areas that become an active floodway where the water is deep or the flow is fast. The FO applies in both rural and urban settings or where development is anticipated. The LSIO applies where water is of a lower risk (pooling, rather than flowing). It applies in both rural and urban zoned areas or where development is anticipated. It has also been applied to rural zoned land which is subject to higher flood frequency, depth and velocity but where less development is planned.

Both the FO and LSIO trigger a permit for buildings and works. Exemptions from a permit can be included in the schedule to the FO and LSIO.

In accordance with Clause 66.03 (Referral of Permit Applications), any application for a planning permit for development on flood prone land will need to be referred to the Wimmera CMA for consideration as a recommending referral authority.

The proposed application of the FO and LSIO is consistent with Planning Practice Note 12 - Applying the flood provisions in planning schemes (DELWP, June 2015). These overlays are appropriate planning tools for identifying flood risk and have been applied in the majority of other Victorian planning schemes, including by Horsham Rural City Council through its recent c81hors Planning Scheme Amendment. The flood controls do not address the cause

of flooding, but the way future land development will impact on the flooding problem or be impacted itself by flooding.

Planning Scheme Amendment Process:

The planning scheme amendment process includes the following steps:

- Preparation of planning scheme amendment documentation
- Council decision to seek authorisation and exhibition
- Exhibition of Amendment (direct notice to directly impacted owners/occupiers)
- Receipt of submissions
- Council decision to request a Panel (if submissions received objecting to amendment)
- Panel hearing
- Council decision (Adopt, amend or reject Panel recommendations)
- Minister decision to approve or reject or amend

In addition to the above steps, an important part of the process will be to discuss the submissions with any submitters and seek to clarify or resolve many issues as possible.

The Wimmera CMA has provided Council with a supporting letter in seeking funding to implement the Flood Study and has also advised that it will support Council during the Amendment by reviewing supporting material and assisting with consultation and resolution with the community, including queries and objections to flood extent mapping (FO and LSIO).

Council is required to seek authorisation for the Planning Scheme amendment from the Minister for Planning prior to the formal exhibition process.

Following exhibition of the proposed amendment, submissions will be considered before consideration of a planning panel hearing or adoption of the amendment occurs.

**Options:**

1. Council resolves to adopt the Flood Study and proceeds with a Planning Scheme Amendment to implement the Flood Study by seeking authorisation from the Minister for Planning.
2. Council resolves not to adopt the Flood Study and does not proceed with the Planning Scheme Amendment.

Option 2 is not recommended, as Council as the Planning Authority is required to regularly review the provisions of the planning scheme for which it is a planning authority and prepare amendments to a planning scheme for which it is a planning authority (Section 12 of the *Planning and Environment Act 1987*). Further, Council may be exposed to civil risk if it knows of flood risks to properties and fails to reflect this in its planning mapping.

**Link to Council Plan:**

A community well informed and engaged

**Financial Implications:**

The amendment will be subject to statutory fees payable to the Department of Transport and Planning as prescribed by the *Planning and Environment (Fees) Regulations 2016*. These costs will be managed as part of Development Services operating budget.

The Regional Hub are currently accepting applications for funding to assist with the implementation of flood studies into planning scheme controls. This report recommends making application to the Regional Hub for funding to assist with the Planning Scheme Amendment process, to assist with the costs that would otherwise be incurred by Council.

The amendment will likely have a neutral effect on the number of planning permit applications, as some properties will become subject to flood controls while others will be removed from flood controls. The amendment is therefore not expected to have any significant impact upon the resources and administrative costs of Council.

**Risk Management Implications:**

Strategic Risk Description	Risk Management Discussion
Environmental Sustainability	If Council does not proceed with the amendment, the flood mapping contained within the Hindmarsh Planning Scheme will not reflect the most current known flood data. This may result in development occurring in areas of flood risk without planning consideration, which may result in disorderly planning outcomes for those owners and the broader community, as well as potential financial risks to Council.

**Relevant legislation:**

This report seeks authorisation from the Minister for Planning under section 8A of the *Planning and Environment Act 1987*.

**Communications Strategy:**

In accordance with Section 19 of the *Planning and Environment Act 1987*, notice of the amendment will be required to be given to all affected property owners and occupiers, and will have the opportunity to make submissions relating to the amendment. Exhibition of the amendment will include letters to affected properties directly, as well as newspaper publication and publication on Councils website.

**Gender equality implications:**

The proposed changes relate to the implementation of the Hindmarsh Planning Scheme which is a gender-neutral document.

**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 interests to disclose.

Author: Tim Berger, Consultant Town Planner, on behalf of Ram Upadhyaya, Director Infrastructure Services.

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

**Next Steps:**

If Council endorses the officer recommendation, officers will seek funding from the Regional Hub to support the project and will prepare amendment documents to be lodged with the Minister for Planning for authorisation.

**RECOMMENDATION:**

***That Council:***

- 1. adopts the Lower Wimmera Regional Flood Mapping Study (Wimmera Catchment Management Authority [WCMA] and Water Technology, 2017).***
- 2. makes application to the Regional Planning Hub 'Regional flood-related amendments program' for funding to support the implementation of the Lower Wimmera Regional Flood Mapping Study.***
- 3. prepares a Planning Scheme Amendment to implement the Lower Wimmera Regional Flood Mapping Study in consultation with the WCMA, by:***
  - a. applying the Floodway Overlay to areas comprising high-hazard portions of the flood plain (being areas of deeper flow and/or higher velocities) within the 1% AEP extent, as informed by the Lower Wimmera Regional Flood Mapping Study;***
  - b. applying the Land Subject to Inundation Overlay to all other areas that would be inundated in a 1% AEP event as informed by the Lower Wimmera Regional Flood Mapping Study;***
  - c. deleting the existing Floodway Overlay and Land Subject to Inundation Overlay from properties identified as being outside of the 1% AEP flood extent;***



- d. update references in Clause 13.03-1L – Policy Documents to reflect the Lower Wimmera Regional Flood Mapping Study (Wimmera Catchment Management Authority [WCMA] and Water Technology, 2017);*
  - e. amend the Schedule to Clause 72.03 ‘What does this Planning Scheme Consist of’ to reflect mapping changes resulting from the amendment; and*
  - f. amend the Schedule to Clause 72.08 ‘Background Documents’ to include reference to the Lower Wimmera Regional Flood Mapping Study (Wimmera Catchment Management Authority [WCMA] and Water Technology, 2017), and delete references to the Dimboola Flood Study (2003) and Jeparit Flood Study (2008).*
- 4. requests that the Minister for Planning grant authorisation under Section 8A of the Planning and Environment Act 1987 to prepare and exhibit a Planning Scheme Amendment to give effect to the flood mapping contained above.*
  - 5. upon receiving Authorisation of the Amendment, undertakes exhibition of the Amendment as directed by the Minister.*
  - 6. receives a further report on the Amendment at the conclusion of the exhibition period, considering all submissions received in accordance with Section 22 of the Planning and Environment Act 1987.*
  - 7. authorises the Director Infrastructure Services to make minor editorial and administrative changes to the amendment documents if required.*

**MOVED: CRS M Albrecht/W Bywaters**

**That Council:**

- 1. adopts the Lower Wimmera Regional Flood Mapping Study (Wimmera Catchment Management Authority [WCMA] and Water Technology, 2017).*
- 2. makes application to the Regional Planning Hub ‘Regional flood-related amendments program’ for funding to support the implementation of the Lower Wimmera Regional Flood Mapping Study.*
- 3. prepares a Planning Scheme Amendment to implement the Lower Wimmera Regional Flood Mapping Study in consultation with the WCMA, by:*
  - a. applying the Floodway Overlay to areas comprising high-hazard portions of the flood plain (being areas of deeper flow and/or higher velocities) within the 1% AEP extent, as informed by the Lower Wimmera Regional Flood Mapping Study;*
  - b. applying the Land Subject to Inundation Overlay to all other areas that would be inundated in a 1% AEP event as informed by the Lower Wimmera Regional Flood Mapping Study;*
  - c. deleting the existing Floodway Overlay and Land Subject to Inundation Overlay from properties identified as being outside of the 1% AEP flood extent;*

- d. update references in Clause 13.03-1L – Policy Documents to reflect the Lower Wimmera Regional Flood Mapping Study (Wimmera Catchment Management Authority [WCMA] and Water Technology, 2017);*
  - e. amend the Schedule to Clause 72.03 ‘What does this Planning Scheme Consist of’ to reflect mapping changes resulting from the amendment; and*
  - f. amend the Schedule to Clause 72.08 ‘Background Documents’ to include reference to the Lower Wimmera Regional Flood Mapping Study (Wimmera Catchment Management Authority [WCMA] and Water Technology, 2017), and delete references to the Dimboola Flood Study (2003) and Jeparit Flood Study (2008).*
- 4. requests that the Minister for Planning grant authorisation under Section 8A of the Planning and Environment Act 1987 to prepare and exhibit a Planning Scheme Amendment to give effect to the flood mapping contained above.*
  - 5. upon receiving Authorisation of the Amendment, undertakes exhibition of the Amendment as directed by the Minister.*
  - 6. receives a further report on the Amendment at the conclusion of the exhibition period, considering all submissions received in accordance with Section 22 of the Planning and Environment Act 1987.*
  - 7. authorises the Director Infrastructure Services to make minor editorial and administrative changes to the amendment documents if required.*

**CARRIED**

Attachment Number: 17

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## 10.8 RAINBOW RISES EVENTS ASSOCIATION MEETING REPORT

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

**Attachment Number:** 18 (*Confidential Attachment*)

### **Introduction:**

This report presents information for Council noting following the following motion carried at the Council meeting held on 26 June 2024:

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

### **Discussion:**

On Wednesday 3 July 2024 at 10am, Hindmarsh Shire Council staff and contracted consultants (*Director Infrastructure Services, Director Corporate and Community Services, Manager Economic Development and Tourism, Tourism and Economic Development Officer, Planning Assistant & Consultant Town Planner*) met with representatives from VORRA, the Rainbow Rises Events Association (RREA) and Barengi Gadjin Land Council (BGLC). The meeting covered the planned August 2024 and March 2025 events, and also enabled a discussion between Council’s Executive Management and RREA regarding the March 2024 event.

The following points were made by the Committee regarding the split of responsibilities for components of the event:

- RREA provide the venue and VORRA host the event, though there is a double-up of representatives on both committees.
- Regarding the Planning Permit application and fee, it is a combined effort, VORRA submits the application, but RREA provides them with the application fee, and they work together on consolidating the required paperwork.
- Council’s Director Corporate & Community Services sought further clarification on responsibility/awareness of the 3 required permits (Parks, Planning Permit and Hindmarsh Shire Council Events Permit), with RREA noting that it was VORRA that received the call from the representative at Parks Victoria notifying that permit has been withdrawn. This information was not confirmed in writing. RREA representatives believe that Council should have granted a Planning Permit and Events Permit.
- RREA did not directly answer when asked who had the authority/responsibility to make the decision to run the event without the permits.
- RREA also noted that Rainbow Town Committee participates in some components of the event management.

RREA noted that they felt there had been a lack of communication from Council in relation to past events. The intention of the meeting, and what was reiterated to all parties, was to identify a way to work together to ensure that all compliance requirements are met and that future events can run successfully.

The acquittal documentation provided by RREA in relation to the 2024 ARB Big Desert 480 Community Event Grant 2023/24 has also been provided as an attachment to this report for Council information.

**Options:**

Council can choose to note the report as per the recommendation or to move an alternative motion.

**Link to Council Plan:**

Strong governance practices

Ensure responsible risk management principles

Develop and promote local tourism opportunities that attract visitation

**Financial Implications:**

NIL

**Risk Management Implications:**

Strategic Risk Description	Risk Management Discussion
Governance	Event guidelines were prepared to ensure the funding is awarded based on evaluation criteria that is consistent for all applications. Sound events management practices, permit requirements, risk management and occupational health and safety requirements needed to be demonstrated by all successful applicants. Having a consistent and compliant approach to this process ensures that Council is protecting itself against adverse outcomes in terms of safety, injury, legislative requirements and reputational damage. It also supports the key Council values of accountability and transparency.

**Relevant legislation:**

*Local Government Act 2020*

*Planning and Environment Act 1987*

**Gender equality implications:**

This decision has no direct or significant impact on the community, therefore a Gender Impact Assessment is not required under 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.

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.

**RECOMMENDATION:**

***That Council:***

- 1. notes the meeting held between Council Executives and the Rainbow Rises Events Association; and***
- 2. notes the additional information provided relating to the 2024 ARB Big Desert 480 Community Event Grant 2023/2024.***

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

***That Council:***

- 1. notes the meeting held between Council Executives and the Rainbow Rises Events Association; and***
- 2. notes the additional information provided relating to the 2024 ARB Big Desert 480 Community Event Grant 2023/2024.***

**CARRIED**

*Attachment Number: 18 (Confidential Attachment)*

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**10.9 REQUEST TO NAME AN UNNAMED ROAD AND CHANGE OF ROAD NAME – RAILWAY DAM ROAD**

**Responsible Officer:** Director Infrastructure Services

**Introduction:**

This report outlines a request for a proposal to name an Unnamed Road to Railway Dam Road in Diapur (see below map) for the Council’s consideration and seeks in-principle approval to proceed ahead to seek public submission on the proposal for the period of 28 days between 25 July 2024 to 23 August 2024.

**Discussion:**

On the 07 December 2022, Council received a request from residents to name an Unnamed Road to Railway Dam Road located in Diapur. The request got delayed due to staffing changes. The request was brought up again at one of the recent farmer consultation sessions and been subsequently follow up. The naming was requested to identify the road in the case of emergency service access to the area.



Asset Id	Road Name	Segment Length	Current Condition	Hierarchy
3066	Unnamed Road	Chainage 4630-5150	Unsealed	5R
3065	Unnamed Road	Chainage 5150-5815	Unsealed	5R
1339	Unnamed Road	Chainage 5815-6815	Unsealed	5R

The Unnamed Road has 3 segments and is classified as 5R - Primary Access Road in Council’s Road register. Council’s Road Management Plan make a provision of all-weather access to all primary access roads.

Procedures and principles for naming, renaming, and adjusting the boundaries of geographic features, localities and roads are set out in the Guidelines for Geographic Names, 2010 Version 2 (in accordance with Part 2 of the *Geographic Place Names Act 1998*). The Guidelines for Geographic Names, 2010 Version 2 is available on the following link: [Draft Outline of \(vgls.vic.gov.au\)](https://www.vgls.vic.gov.au)

In naming a road, Council must act in accordance with these guidelines and ensure the proposal conforms to its various naming principles and procedures. Importantly, road authorities must seek the Registrar’s approval for the proposed road name prior to publishing a gazette notice.

The Guideline sets out a series of principles within which the naming of the road, features or locality must be considered. The principles are listed below:

<b>Geographical Name requirement</b>	<b>Officer Response</b>
Language	Proposal meets the requirement it is in the plain English, easy to pronounce and meets all other requirement under this criterion
Recognising the public interest	Proposal meets the requirement as changing the name from Unnamed Road to Railway Dam Road will provide ease of locating the address.
Ensuring public safety	The proposal does not impact public safety, naming the un-named road increases public safety.
Ensuring names are not duplicated	Meets the requirement as there are no other roads with similar names within 30 kilometers.
Directional names to be avoided	Meets the requirement.
Assigning extent to a feature, locality or road	The extent of the proposal is clearly defined and hence meets the requirement.
Linking the name to the place	The road leads to old Railway Dam and hence the name was proposed.
Using commemorative names	Meets requirement.
Using commercial and business names	Meets the requirement under this principle as road is not names after a business or trades name.
Names must not be discriminatory	Meets the requirement.
Recognition and use of Indigenous Australian names	Registered Aboriginal Party (BGLC) will be consulted during the consultation period for their feedback.
Dual names	Complies with the requirement.
Consulting with the public	This will be done during the consultation period.
Lodging, considering and addressing objections	This will be done during the consultation period.
Notification of a naming decision	This will be done following the consultation

	period.
Signage	Signage will be erected after the naming decision has been approved.

**Options:**

Council can choose to:

1. Agree in principle to the request to formally change the name of the Unnamed Road (between Nhill-Diapur Road and Rogers Road) to Railway Dam Road.
2. Leave the existing road name unchanged.
3. Name the roads another name/s in accordance with the guidelines.

**Link to Council Plan:**

Built and Natural Environment:

Maintain the condition of our existing local road network prioritising capital works investment into renewal on roads and road related infrastructure.

Regularly review Council’s asset management plans, and update the assets register.

**Good Governance & Financial Sustainability:**

Provide a range of engagement and communication methods to ensure open, easily available and transparent communication between Council and the community.

**Financial Implications:**

Minor costs associated with advertising and signage can be met within the 2024/2025 adopted budget.

**Risk Management Implications:**

Strategic Risk Description	Risk Management Discussion
Community Needs	Unnamed roads present a risk to the community during emergency situations. By ensuring Council roads are named during emergency situations emergency services are able to respond without delays requesting further information on location.

**Relevant legislation:**

*Local Government Act 2020*

*Local Government Act 1989*

*Road Management Act 2004*

*Geographic Place Names Act 1998*

**Community engagement:**

Community Engagement will be conducted as per the Procedures and principles for naming, renaming and adjusting the boundaries of geographic features, localities and roads.



**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 – Joe Scimone, Development Engineer

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

**Communications Strategy:**

The community will be informed about the proposal through an advertisement in the Nhill Free Press and by way of letters sent to affected property owners within the immediate vicinity of the roads.

**Next Steps:**

Officers will consult the community on the proposal by way of advertising in local papers. Following the consultation period, gazettal of the road name will be sought.

**RECOMMENDATION:**

***That Council:***

- 1. provides in-principle support to rename Un-named Road (between Nhill-Diapur Road and Rogers Road) to that of “Railway Dam Road”; and***
- 2. follow due process of the Geographic Name Guidelines and advertise to seek public feedback on the proposal between 25 July 2024 to 23 August 2024.***

**MOVED: CRS W Bywaters/R Ismay**

***That Council:***

- 1. provides in-principle support to rename Un-named Road (between Nhill-Diapur Road and Rogers Road) to that of “Railway Dam Road”; and***
- 2. follow due process of the Geographic Name Guidelines and advertise to seek public feedback on the proposal between 25 July 2024 to 23 August 2024.***

***CARRIED***

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Cr D Nelson declared a conflict of interest and left the room at 3:54pm.

**10.10 ASSET DISPOSAL SALE – CROWN ALLOTMENTS 1, 1A, 2, 3 & 4 SECTION 7 GERANG GLENLEE ROAD, GERANG GERUNG (KNOWN AS THE GERANG GERUNG HALL)**

**Responsible Officer:** Director Infrastructure Services

**Attachment Number:** 19 (Confidential Attachment)

**Introduction:**

This report seeks approval from Council to commence the process to dispose of the asset currently known as the Gerang Gerung Hall, located at Gerang Glenlee Road, Gerang Gerung through sale of the property. The recommendation is made following the recent community consultation session in Gerang Gerung and through the Council’s community engagement page, and associated feedback.

**Discussion:**

Council has a number of buildings across the Shire that are approaching end of life or are already at end of life. This report discusses an option to reduce the number of buildings by selling assets that are surplus to Council’s needs and becoming ongoing liability.

At a Council meeting on Wednesday 08 May 2024, Council endorsed its intention to sell Gerang Hall and requested officers seek community feedback on the proposal. The feedback was sought via council’s “Have your say” page for the period of 28 days. A community drop-in session was held at the Gerang Memorial Hall on 21 May 2024 to seek direct feedback from the community. The majority of the attendees were in support of the proposal due to lack of use and understanding of Council situation and made suggestions on disposal/distribution of contents within the hall. Attendees also discussed holding a community meeting for those unable to attend the drop-in session to discuss the future of the hall. All attendees were encouraged to provide a written submission on the proposal.

At the close of the consultation period, four submissions were received. None of submitters wished to be heard publicly at the future council meeting. Submissions are summarised in the table below:

Submission ID	Details of Submission	Officer Response
1	I have been a member of the Gerang Hall committee for the past 45 years. During the past 10 to 15 years the number of people attending hall functions has declined with every event. The last function only a handful of people attended, 4 of those people live in Nhill. Due to the decline in the	Agree with the submissions which is in line with the proposal.

Submission ID	Details of Submission	Officer Response
	<p>population at Gerang, we have a lot of groups close due to lack of numbers. The school, Church, tennis club, Gerang Kiata Football Club. The most positive solution to the Hall moving forward is to sell the Hall.</p>	
2	<p>The amount the hall has been used in the last 10 years; the hall has hardly been used. I have a 21st b'day Key in a frame in the cabinet which was donated to my mother [name redacted] that I would like back.</p>	<p>The submission suggests that the Hall has not been utilised for a long period and hence selling would be the best option.</p> <p>Officers will work with the submitter to resolve the issue with the 21<sup>st</sup> Birthday Key.</p>
3	<p>Very poor on the previous committee that they did not hold a public meeting before money was distributed. Also, no minutes seem to be available to know where the money went as there are now thousands of dollars not accounted for. The hall should have been better looked after to start with but can't change that now. It should be ensured that it is looked after and fixed up in the future. The council will need to be open to if someone purchases it to make into a home that they assist in this happening not hinder, including re-zoning if needed. I would also like to know where the 3 items have gone out of the memorabilia cabinet in the 2 weeks between the drop-in meeting and the public meeting. I am not happy that already someone is having access to take items that do not belong to them. I would like to be contacted as to where these items went. The council should be open to spending some monies of the sale to erecting some historical plaques in the area. As for the items in the hall such as tables and chairs and kitchenware, I believe that local should be looked after first such as the Gerang CFA should have tables and chairs donated to them as they will now need tables and chairs to hold their meetings in the</p>	<p>The submission is generally in support of the proposal.</p> <p>The purchaser can turn this property into a home as the subject land is zoned Township.</p> <p>The items missing from the memorabilia cabinet was removed by the member of staff and relocated to more secure location.</p> <p>Officers will discuss with members of public to work out the distribution of contents into the hall and preparing a sign detailing the history of the hall.</p>

Submission ID	Details of Submission	Officer Response
	<p>shed now they do not have the hall, and then from there the items should be donated to other community groups. And not to the places that ended up with the hall's money already. I very much support the Kaniva gun club in getting some tables and chairs and kitchenware as their items are very old and broken down. As a lieutenant in the CFA, I would like to be contacted and a part of the donation of chairs and tables to them. Please ensure I am contacted. War memorabilia I would like to see placed at the RSL or high school in Dimboola as I know they would be open to this stuff. And the football club memorabilia should go to the Dimboola historical society as I know they are open to making space for those items. Again, I want to be contacted in regard to this.</p>	
4	<p>If we lose the hall, it's the last nail in the coffin for the community and outlying communities. If this goes, we don't have any community facilities to meet at as there aren't any facilities at Kiata so we will go to Gerang. Previously it's been used for meetings of the people of the area, CFA meetings, training and community get-together nights which help with cohesion and building resilient communities. It stores the beloved GK memorabilia for all to see. Please don't sell it but maintain it.</p>	<p>The hall has not been utilised for the last 5 years and hence it is not likely to be used any time soon.</p> <p>To make the hall suitable for use, Council will need to make a significant investment in repairs of the hall. In the current financial situation, Council is unlikely to make such an investment in the next 3 to 5 years for such small use.</p>

Officers have obtained the valuation of this property from a registered valuer in accordance with s114(2) of the *Local Government Act 2020*. The value could not be disclosed due to confidentiality but will be utilised as the reserve for the property sale.

**Options:**

1. Council approves the disposal of the asset through a public sale process.

2. Council defer the disposal of the asset through a public sale process, noting that the hall will further deteriorate.

**Link to Council Plan:**

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

**Financial Implications:**

Council will incur selling and legal fees for the sale of the property. Upon the sale of the property rates and charges may be able to be levied. Council will no longer be responsible for the Fire Services Levy and maintenance on the property. Costs will be re-couped through any ultimate sale of the property.

There are significant financial implications from the current needs of the buildings that Council is responsible for. Many of these buildings are non-revenue generating and are approaching or are at the end of life. There are minimal grants available for many of these buildings and Council buildings all have condition audits and valuations undertaken on them every four years with the next audit to take place in the 24/25 financial year.

**Risk Management Implications:**

Strategic Risk Description	Risk Management Discussion
Asset Management	It is critical that Council and the community understand the principles around Asset Lifecycle and the financial implications of the cycle for Council. The appropriate planning for the buildings includes asking the community what they need for the future. This can sometimes be a difficult discussion if we are attempting to be aspirational but dealing with demographic change and needs.
Financial Sustainability	The costs involved in maintaining or repairing the building for no known use are prohibitive.

**Relevant legislation:**

Under Section 114 of the *Local Government Act 2020* (Act) Restriction on power to sell or exchange land (2) Before selling or exchanging the land, the Council must—

- (a) at least 4 weeks prior to selling or exchanging the land, publish notice of intention to do so—
  - (i) on the Council's Internet site; and
  - (ii) in any other manner prescribed by the regulations for the purposes of this subsection; and
- (b) undertake a community engagement process in accordance with its community engagement policy; and 39
- (c) 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 the land which is made not more than 6 months prior to the sale or exchange

**Community engagement:**

Council advertised its intention to dispose of the asset in the locally circulating newspaper and on the internet for four weeks. As a result, four submissions were received.

A community drop-in sessions was held on Tuesday 21 May 2024 and approximately 14 people attended with a follow up town meeting being held on Monday 3 June 2024, the consensus being to move to the disposal of the asset.

**Gender equality implications:**

The building was not being used by any clubs or groups.

**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 – Mick Henderson, Manager Assets & Facilities

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

Officer Responsible – Ram Upadhyaya, Director Infrastructure Services

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

**Communications Strategy:**

Following the Council resolution – the potential disposal of the asset will be communicated to the Gerang Gerung and wider community through the locally circulating newspaper and the internet.

**Next Steps:**

If Council resolves to dispose of Crown Allotments 1,1A,2,3 & 4 Section 7 Gerang Glenlee Road, Gerang Gerung, a real estate agent will be appointed to undertake the sale of the property.

**RECOMMENDATION:**

***That Council:***

- 1. approves the disposal of Gerang Gerung Hall, Gerang Glenlee Road, Gerang Gerung;***
- 2. authorises the CEO to undertake the sale process and sign all necessary documents for the sale of land and the building located at Crown Allotments 1,1A,2,3 & 4 Section 7 Gerang Glenlee Road, Gerang Gerung; and***
- 3. disposes of internal memorabilia as per the community requests.***

***MOVED: CRS R Ismay/W Bywaters***

***That Council:***

- 1. approves the disposal of Gerang Gerung Hall, Gerang Glenlee Road, Gerang Gerung;***
- 2. authorises the CEO to undertake the sale process and sign all necessary documents for the sale of land and the building located at Crown Allotments 1,1A,2,3 & 4 Section 7 Gerang Glenlee Road, Gerang Gerung; and***
- 3. disposes of internal memorabilia as per the community requests.***

***CARRIED***

*Attachment Number: 19*

Cr D Nelson returned to the room at 4:00pm.

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## 10.11 ONSITE WASTEWATER MANAGEMENT PLAN

**Responsible Officer:** Director Infrastructure Services

**Attachment Number:** 20

### **Introduction:**

This report seeks Council's endorsement of Draft Onsite Wastewater Management Plan (OWMP) 2024-2029 to be made available for public comment for a period of 2 weeks from 25 July 2024 to 15 August 2024, in accordance with council's Community Engagement Policy.

### **Discussion:**

Council's current OWMP which was adopted in 2006 is due for review and redevelopment. Following the funding approval from the Department of Energy, Environment and Climate Action (DEECA), a consultant was engaged in development of Onsite Wastewater Management Plan (OWMP). It is a planning and management document that focuses on the Council's understanding of the cumulative risks that Onsite Wastewater Management System (OWMS) presents in our municipality and shapes the Council's activities in managing those risks now and into the future. The document also clearly outlines the roles and responsibilities of various parties involved in the management of OWMS.

The identification and assessment of risks identified in this OWMP supports the development and implementation of actions to protect human health and the environment. This plan was developed with input from relevant stakeholders and will help developers and regulators better appreciate the risks and steps Hindmarsh Shire Council is taking to protect human health and the environment.

Hindmarsh Shire Council actively promotes responsible environmental management practices. By preparing and adopting the OWMP, Hindmarsh demonstrates its commitment to improving the management of domestic wastewater within the Shire.

Following the endorsement from Council, community feedback will be sought on the plan for a period from 25 July 2024 to 15 August 2024. Any feedback received will be incorporated before presenting the report to the council for adoption.

### **Options:**

The council can choose to endorse, amend before endorsing, or to not endorse the draft Onsite Wastewater Management Plan 2024-2029 for public comment from 25 July 2024 to 15 August 2024.

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

Built and Natural Environment - Implement a range of environmentally sustainable practices throughout the shire.

**Financial Implications:**

The actions in the draft OWMP will require resources for implementation. Most of the items will be delivered using internally available resources. Where possible, external funding will be sought for the implementation of this plan.

**Risk Management Implications:**

Strategic Risk Description	Risk Management Discussion
Environmental Sustainability	Adoption of the Onsite Wastewater Management Plan assists in preventing potential adverse off-site impacts on the environment.
Project Management and Strategic Execution	Failure to review and achieve yearly targets presents potential operational, legal, financial and reputational risks to Council.

**Relevant legislation:**

*Local Government Act 2020*

*Environment Protection Act 2017*

*Water Act 1989*

*Catchment and Land Protection Act 1994*

*Safe Drinking Water Act 2003 and Regulations 2015*

*Planning and Environment Act 1987 (P&E Act)*

*Subdivisions Act 1988.*

**Community engagement:**

The public submission for this plan will be sought via council’s Engagement HQ for the period of 25 July 2024 to 15 August 2024. Where possible, the feedback received will be incorporated into the final version of the plan before presenting it to the council for adoption in the next available Council Meeting.

**Gender equality implications:**

No 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 – Ram Upadhyaya, Director Infrastructure Services

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

Author – Michelle Stewart

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

**Communications Strategy:**

The Draft Onsite Wastewater Management Plan 2024-2029 will be made available to the community for submission for the period of 25 July 2024 to 15 August 2024 in accordance with the Council's Community Engagement Policy.

**Next Steps:**

As above.

**RECOMMENDATION:**

***That Council endorse the Draft Onsite Wastewater Management Plan 2024 – 2029 for a period of community consultation from 25 July 2024 to 5pm on 15 August 2024.***

**MOVED: CRS D Nelson/R Ismay**

***That Council endorse the Draft Onsite Wastewater Management Plan 2024 – 2029 for a period of community consultation from 25 July 2024 to 5pm on 15 August 2024.***

**CARRIED**

Attachment Number: 20

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## 11 COUNCIL COMMITTEES

### 11.1 ADVISORY COMMITTEES

**Responsible Officer:** Chief Executive Officer

**Attachment Numbers:** 21 – 23

#### **Introduction:**

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

- **Jeparit Township Advisory Committee**  
General meeting on 11 June 2024 (Attachment 21)
- **Nhill Township Advisory Committee**  
General meeting on 11 June 2024 (Attachment 22)
- **Rainbow Township Advisory Committee**  
General meeting on 17 June 2024 (Attachment 23)

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 notes the minutes of the following Advisory Committees:***

- 1. Jeparit Township meeting held on 11 June 2024;***
- 2. Nhill Township meeting held on 11 June 2024; and***
- 3. Rainbow Township meeting held on 17 June 2024.***

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

***That Council notes the minutes of the following Advisory Committees:***

- 1. Jeparit Township meeting held on 11 June 2024;***
- 2. Nhill Township meeting held on 11 June 2024; and***
- 3. Rainbow Township meeting held on 17 June 2024.***

**CARRIED**

***Attachment Numbers: 21 - 23***

## 11.2 COMMUNITY ASSET COMMITTEES

**Responsible Officer:** Chief Executive Officer

**Attachment Number:** 24

### **Introduction:**

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

- **Wimmera Mallee Pioneer Museum Community Asset Committee**  
General meeting on 21 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 Wimmera Mallee Pioneer Museum Asset Committee meeting held on 21 May 2024.***

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

***That council notes the minutes of Wimmera Mallee Pioneer Museum Asset Committee meeting held on 21 May 2024.***

### **CARRIED**

*Attachment Numbers: 24*

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## 12 LATE REPORTS

No late reports.

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## 13 NOTICES OF MOTION

No notices of motions.

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## 14 OTHER BUSINESS

No other business.

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## 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 2023-2024-23 BITUMINOUS SURFACING PROGRAM – *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;***
- 15.2 CONTRACT 2023-2035-26 CONSTRUCTION OF A GRANDSTAND AND CHANGE ROOM FACILITY AT DAVIS PARK, NHILL – *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***
- 15.3 CEO PROFESSIONAL DEVELOPMENT REQUEST – *this report contains “personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs” insofar as it pertains to CEO contractual arrangements and “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” insofar as it contains quotations provided in confidence.***

**MOVED: CRS R Gersch/R Ismay**

***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 2023-2024-23 BITUMINOUS SURFACING PROGRAM – *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;*

**15.2 CONTRACT 2023-2035-26 CONSTRUCTION OF A GRANDSTAND AND CHANGE ROOM FACILITY AT DAVIS PARK, NHILL – 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**

**15.3 CEO PROFESSIONAL DEVELOPMENT REQUEST – this report contains “personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs” insofar as it pertains to CEO contractual arrangements and “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” insofar as it contains quotations provided in confidence.**

**CARRIED**

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**16 LATE CONFIDENTIAL REPORTS**

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**17 RESUMING INTO PUBLIC SESSION**

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**18 MEETING CLOSE**

There being no further business, Cr B Ireland declared the meeting closed at 4:42pm.

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