



24 October 2024

## MINUTES

### Ordinary Council Meeting

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**Date:** Wednesday 23 October 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

*The recommended decisions in all reports on this agenda are not prohibited decisions as defined in clause 111 of the Election Period Policy.*

## **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 3:00pm by acknowledging the Indigenous Community and by reading out the live streaming statement.

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## 2 APOLOGIES

Nil.

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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.

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## 4 CONFIRMATION OF MINUTES

### **RECOMMENDATION:**

***That the Minutes of the Ordinary Council Meeting held on Wednesday 25 September 2024 at the Council Chamber, 92 Nelson Street Nhill, as circulated to Councillors be taken as read and confirmed.***

### **MOVED: CRS R Gersch/D Nelson**

***That the Minutes of the Ordinary Council Meeting held on Wednesday 25 September 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 CORRESPONDENCE**

Nil.

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**6 ASSEMBLY OF COUNCILLORS RECORDS**

Nil.

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**7 PLANNING PERMITS**

Nil.

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**8 REPORTS REQUIRING A DECISION**

**8.1 PLANNING APPLICATIONS APPROVED UNDER CEO DELEGATION – Q3 2024**

**Responsible Officer:** Director Infrastructure Services

**Introduction:**

This report provides Council with an update on three (3) Planning Permit Applications approved under delegation for the period 01 July 2024 to 30 September 2024. One (1) of these was a VicSmart application.

**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 July 2024 and 30 September 2024.

<b>Permit No.</b>	<b>Address</b>	<b>Proposal</b>	<b>Date Lodged</b>	<b>Trigger (Hindmarsh Planning Scheme)</b>	<b>Date approved</b>	<b>Stat Days (60 day limit)</b>
PA1846-2024	Picnic Bend Road Dimboola VIC 3414 (Dimboola Water Ski Club)	Removal of three (3) pine trees	12 January 2024	<i>Clause 42.01-2 (ESO3 and ESO6) remove, destroy or lop any vegetation, including dead vegetation</i>	16 July 2024	126
PA1853-2024	25-27 Sands Avenue Jeparit VIC 3423	Two lot subdivision (re-subdivision)	12 March 2024	<i>Clause 32.05-5 (Township Zone) Subdivision</i>	16 July 2024	87

The following Vicsmart Planning Permit Applications were approved by the CEO between 01 July 2024 and 30 September 2024.

Permit No.	Address	Proposal	Date Lodged	Trigger	Date approved	Stat Days (10 business day limit)
VS1858-2024	1-19 Fraser Street, 9-11 Davis Avenue and 7 David Avenue, Nhill VIC 3418	Two lot subdivision (re-subdivision)	04 June 2024	Clause 33.01-3 (Industrial Zone) – Subdivide land	8 August 2024	45 (Delayed due to concerns over the adjacent road reserve licence)

**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:**

Strategic Risk Description	Risk Management Discussion
Community Needs	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 February 2025 for Q4 2024.

**RECOMMENDATION:**

*That Council notes Planning Applications approved by the CEO or delegate, for the period 01 July 2024 to 30 September 2024.*

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

*That Council notes Planning Applications approved by the CEO or delegate, for the period 01 July 2024 to 30 September 2024.*

**CARRIED**

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## 8.2 HINDMARSH SHIRE COUNCIL ANNUAL REPORT 2023-2024

**Responsible Officer:** Chief Executive Officer

**Attachment Number:** 2

### **Introduction:**

The purpose of this report is to present the Annual Report 2023/2024 for consideration by Council.

### **Discussion:**

Council has a statutory responsibility under the *Local Government Act 2020* (the Act) to prepare an Annual Report in respect of each financial year, containing a report on its operations, audited performance statement, audited financial statements and any other matter required by the Local Government Planning and Reporting Regulations.

Under section 100 of the *Local Government Act 2020*, Council must consider the annual report within 4 months of the end of the financial year.

The Annual Report for the year ended 30 June 2024 has been prepared, providing a comprehensive overview of Council's activities for the period 1 July 2023 to 30 June 2024. The report includes achievements in respect of a range of projects, services, and assets managed and financial performance for the year ended 30 June 2024, for which the Auditor-General has provided unqualified audit opinions on the financial and performance statements.

The report is intended as a point of reference for Council, staff, residents, shire businesses, community organisations, and government departments.

### **Options:**

It is recommended that Council considers and notes the Annual Report 2023/2024.

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

Strong governance practices: Ensure compliance with the *Local Government Act 2020*.

### **Financial Implications:**

No financial implications

### **Risk Management Implications:**

Strategic Risk Description	Risk Management Discussion
Governance	Management of Council's legislative responsibilities in a timely manner will minimise Council's exposure to adverse impacts, improve effectiveness and generate efficiencies.

**Relevant legislation:**

*Local Government Act 2020*

**Community engagement:**

Public notice of the preparation of the Annual report will be advertised in local newspapers, and in Council's newsletters and social media.

**Gender equality implications:**

No gender impact assessment is required.

**Conflict of Interest:**

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

Author & Officer Responsible – Monica Revell, Chief Executive Officer

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

**Communications Strategy:**

Preparation of the Annual report will be published in local newspapers, and in Council's newsletters and social media.

**Next Steps:**

Copies of the Annual Report 2023/2024 will be available at Council's Customer Service Centres and on Council's website.

**RECOMMENDATION:**

***That Council, having considered the Annual Report for the year ending 30 June 2024, receives the report.***

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

***That Council, having considered the Annual Report for the year ending 30 June 2024, receives the report.***

**CARRIED**

*Attachment Number: 2*

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## 9 COUNCIL COMMITTEES

### 9.1 ADVISORY COMMITTEES

**Responsible Officer:** Chief Executive Officer

**Attachment Number:** 3

**Introduction:**

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

- **Rainbow Township Advisory Committee**  
General meeting on 14 September 2024 (Attachment 3)

A copy of the minutes for this meeting is 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 Rainbow Township Advisory Committee meeting held on 19 August 2024.*

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

*That Council notes the minutes of the Rainbow Township Advisory Committee meeting held on 19 August 2024.*

**CARRIED**

*Attachment Number: 3*

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### 9.2 COMMUNITY ASSET COMMITTEES

Nil.

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**10 LATE REPORTS**

Nil.

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**11 OTHER BUSINESS**

Nil.

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**12 MEETING CLOSE**

Cr B Ireland declared the meeting closed at 3:27pm.

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