



03 March 2025

AGENDA

Notice of Ordinary Council Meeting

Date: Wednesday 05 March 2025

Time: Commencing at 3:00pm

Venue: Council Chamber
92 Nelson Street, Nhill

Council: Cr Ron Ismay – Mayor
Cr Chan Uoy – Deputy Mayor
Cr Roger Aitken
Cr Rosie Barker
Cr James Barry
Cr Tony Clark

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

Acknowledgement of Indigenous Community

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

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



Public Access

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

Live Streaming Statement

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

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

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

Statement of Values

Our commitment is to come prepared to every meeting, fostering a respectful and inclusive environment where accountability and approachability are at the core of our actions. We value and encourage innovation, collaboration, and open communication, always keeping in mind the well-being and needs of our community. Together, we stand united as one, working towards shared goals with mutual respect and consideration.

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1 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY, LIVE STREAMING STATEMENT AND STATEMENT OF VALUES

Acknowledgement of the Indigenous Community

Hindmarsh Shire Council acknowledges that this meeting is being held on the lands of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagalk Nations and we acknowledge them 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.

Live Streaming Statement

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As a visitor in the public gallery, you may be filmed. By remaining in the public gallery, you consent to being filmed and for the recording of you to be made publicly available by the Council.

A copy of the Council's Live Streaming and Recording of Council Meetings Policy is available at the back of this room and on the Council's website. Please speak with one of our staff members if you have any questions.

Statement of Values

Our commitment is to come prepared to every meeting, fostering a respectful and inclusive environment where accountability and approachability are at the core of our actions. We value and encourage innovation, collaboration, and open communication, always keeping in mind the well-being and needs of our community. Together, we stand united as one, working towards shared goals with mutual respect and consideration.

2 APOLOGIES

3 DECLARATION OF INTERESTS

A Councillor or Officer with a conflict of interest in an item on the Agenda must indicate that they have a conflict of interest by clearly stating:

- the item for which they have a conflict of interest;
- whether their conflict is **general** or **material**; and
- the circumstances that give rise to the conflict of interest.

Declaration of material or general conflict of interest must also be advised by Councillors and Officers at the commencement of discussion of the specific item.

4 CONFIRMATION OF MINUTES AND BUSINESS ARISING

4.1 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 5 February 2025 at the Council Chamber, 92 Nelson Street Nhill, as circulated to Councillors be taken as read and confirmed.

Attachment Number: 2

4.2 BUSINESS ARISING FROM PREVIOUS MINUTES

Council Meeting	Recommendation Action	Action Taken	Complete / In Progress / Delayed
18 December 2024	That Council approves \$50,000 excl GST to undertake various works at the New Kindergarten site.	Works completed at Nhill College Kindergarten.	Complete
18 December 2024	That Council submits a funding application to undertake upgrades for Dimboola Swimming Pool and refers \$275,000 to the draft 2025/2026 budget.	Council is progressing the application, including demonstrating and documenting community support. Drop-in sessions were held in Dimboola at both the library and swimming pool.	In Progress
5 February 2025	That Council issues a Notice of Decision to Grant a planning permit for PA1863-2024.	Notice of Decision issued.	Complete
5 February 2025	That Council supports the development and submission of a funding application through the Community Sports Infrastructure Fund 2025 for the establishment of master plans for the Dimboola Recreation Reserve, Jeparit Tennis Club and Caravan Park Precinct and Davis Park, Nhill and refer Council's co-contribution of \$45,000 to the 2025 / 2026 annual budget.	Application due 17 March 2025.	In Progress
5 February 2025	That Council adopts the Nhill Caravan Park Masterplan and publish to website.	Masterplan published to website and community advised via Media Release.	Complete
5 February	That Council supports the	Notice of motion submitted	Complete

2025	motion to the Australian Local Government Association's National General Assembly 2025 as follows: "This National General Assembly calls on the Australian Government to establish a funding stream targeting small towns (up to 2,500 residents) in regional Australia, focused on innovative renewal for a sustainable future."	to the Australian Local Government Association.	
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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, by email at 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.

6 ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: 28 January 2025 – 24 February 2025

6.1 Cr ISMAY, MAYOR

Date	Meeting/Event	Location	Comments
31/01/2025	Western Highway Action Group Meeting	Kaniva	
05/02/2025	Council Briefing	Nhill	
05/02/2025	Council Meeting	Nhill	
17/02/2025	Rainbow Town Committee Meeting	Rainbow	
18/02/2025	Council Listening Session	Jeparit	
19/02/2025	Meeting with Deputy Mayor and CEO	Nhill	
19/02/2025	Council Briefing Session	Nhill	
19/02/2025	Council Listening Session	Nhill	
21/02/2025	Regional Development Australia Wimmera Forum	Ararat	
24/02/2025	Council Listening Session	Dimboola	

6.2 Cr UOY, DEPUTY MAYOR

Date	Meeting/Event	Location	Comments
28/01/2025	Fire Relief Centre	Horsham	Post Fire Evacuation
29/01/2025	Community Meeting re: Little Desert Fire	Dimboola Library	Updates from emergency departments
06/02/2025	Community Meeting Preparing for Emergencies	Dimboola Library	Supporting vulnerable residents
12/02/2025	Official Opening of the Dimboola	Dimboola	Officially opened the Dimboola Primary School Kindergarten with Jacinta

Date	Meeting/Event	Location	Comments
	Primary School Kindergarten		Ermacora MP
12/02/2025	Official Opening of the Nhill College Kindergarten	Nhill	Official opened the Nhill College Kindergarten with Jacinta Ermacora MP
12/02/2025	Meeting the Minister	Council Chambers	Meeting with Jacinta Ermacora to discuss local issues and key priorities
12/02/2025	Council Listening Session	Yanac Hall	
14/02/2025	Wimmera Southern Mallee Development (WSMD) Board Meeting	Federation University	
18/02/2025	By Five Paediatricians Visit	Dimboola Library	By Five funding finishes at 30 June 2025. This will have a significant effect on our community and we strongly encourage the government to ensure this program provided with ongoing funding.
19/02/2025	Mayor & Deputy Mayor Meeting with CEO	Nhill	
19/02/2025	Council Briefing	Nhill Council Chambers	
19/02/2025	Listening Session	Nhill Council Chambers	
21/02/2025	Grampians Regional Development Australia (RDA) Forum	Ararat Town Hall	
24/02/2025	Listening Session	Dimboola Library	

6.3 Cr AITKEN

Date	Meeting/Event	Location	Comments
29/01/2025	Fire Community Meeting Dimboola	Dimboola	
30/01/2025	Meeting Jeparit	Jeparit	

Date	Meeting/Event	Location	Comments
	Town Hall		
05/02/2025	Briefing and Council Meeting	Council Chamber, Nhill	
11/02/2025	Council Listening Session	Rainbow	
12/02/2025	Early Learning Centre Opening	Nhill	
12/02/2025	Meeting with Jacinta Ermacora	Council Chambers, Nhill	
12/02/2025	Council Listening Session	Yanac Hall	
17/02/2025	Rainbow Town Committee Meeting	Rainbow	
18/02/2025	Pioneer Museum Meeting	Jeparit	
18/02/2025	Council Listening Session	Jeparit	
19/02/2025	Council Briefing	Council Chambers, Nhill	
20/02/2025	SSAA AGM Meeting	Nhill	

6.4 Cr BARKER

Date	Meeting/Event	Location	Comments
29/01-2025	Building the Future with your Community	Online by Regional Australia Institute	Informative and useful session inviting different perspective on reflecting progressive ideas with the community.
01/02/2025	Prominent Women of Nhill: Lindsay Russell, A notorious novelist, presented by Craige Proctor	Nhill Historical Society	Informative presentation about a novelist from Nhill and her many controversial books presented by an equally amazing historian Craige Proctor. Great turn out from the Nhill Community. HSC could consider engaging with Craige Proctor for more evenings at the Library.
05/02/2025	Meeting with CEO	HSC	Discussion regarding council planning

Date	Meeting/Event	Location	Comments
		Building	and procedures.
05/02/2025	Council Briefing	HSC Chambers	Presentation by NBN regarding the current availability and updates of the network in HSC. CEO discussed the recent Little Desert National Park Bushfire and reviewed the Council's Emergency Response.
05/02/2025	Council Meeting	HSC Chambers	The State Government Emergency Services and Volunteers Fund fee collection will make a major impact on rate payers this year. HSC has joined with other Councils to request the State collect this fee directly.
11/02/2025	Rainbow Listening Session	Rainbow Mecca Hall	Concerns were raised about various roads across the HSC. Positive reflection on free pool access was also notable and welcomed.
06/02/2025	CFA HSC Community Information Session	HSC Dimboola Library	Comprehensive presentation by all Emergency Services regarding the current status of the bushfire and future bushfire planning.
09/02/2025	Nhill Aviation Heritage Centre Volunteer's Day	Nhill Aviation Heritage Centre	Spoke to organisers and volunteers about the valuable asset the centre, committee and volunteers create for our region, including their expansion plans and the 2024 Airshow.
12/02/2025	Dimboola Kindergarten on School Site opening	Dimboola Kindergarten	New facility opened by Jacinta Ermacora MP and the CEO of Emerge who are operating the kindergarten. Seeing the staff and children in action enjoying the new facility.
12/02/2025	Nhill Kindergarten on School Site Opening	Nhill Kindergarten	New facility opened by Jacinta Ermacora MP and the CEO of Emerge. Great to meet the staff and the two children who returned to kinder for cutting the ribbon.
12/02/2025	Meet with Minister Jacinta Ermacora MP	HSC Chambers	Meet with Minister to advocate for funding requirements across our Shire.
12/02/2025	Listening Session Yanac	Yanac Hall	Discussion about HSC roads, Dingo permits, and rabbit challenges.

Date	Meeting/Event	Location	Comments
18/02/2025	Listening Session Jeparit	Jeparit Hall	Discussions about HSC roads, rabbit challenges, and Weir deterioration.
19/02/2025	Listening Session Nhill	Nhill HSC Chambers	Discussions were about unkept homes in Nhill, Residences in commercial properties in Nhill main street, Road signs that do not comply with VICROADS requirements, and Community engagement.
19/02/2025	Council Briefing	Nhill HSC Chambers	Presentation by Telstra regarding Mobile network challenges from 3G to 6G in the region and Planning Scheme review.
20/02/2025	Cindy Bunt Author at Nhill Library	Nhill Library	Presentation by Cindy Bunt to a well attended event at the Library. Very engaging and informative presentation.
21/02/2025	Regional Development Australia Wimmera Forum	Ararat Town Hall	Well attended event discussion the implications both positive and challenging regarding renewables in our region with positive solutions presented by Queensland Council that had extensive experience in the development of processes that creates good outcomes for our communities.
24/02/2025	Dimboola Listening Session	HSC Dimboola Library	Discussion on roads, housing options, art installations and the Council's participation in the recent Bushfire response.

6.5 Cr BARRY

Date	Meeting/Event	Location	Comments
05/02/2025	Council Briefing	Nhill Council Chambers	
05/02/2025	Council Meeting	Nhill Council Chambers	
12/02/2025	Kinder On School Site Official Opening	Dimboola Primary School	Good to see a quick project 18 months.
12/02/2025	Kinder On School Site Official	Nhill P-12 College	Good to see a quick project 18 months.

Date	Meeting/Event	Location	Comments
	Opening		
12/02/2025	Jacinta Ermacora MP Visit	Nhill Council Chambers	Recent fire & funding for bigger projects.
19/02/2025	Council Briefing	Nhill Council Chambers	
21/02/2025	Regional Development Australia Wimmera Forum	Ararat Town Hall	Discussions from varies speakers about the future development for our area.

6.6 Cr CLARK

Date	Meeting/Event	Location	Comments
15/01/2025	Rainbow Lions	Oasis, Rainbow	
23/01/2025	Yurunga Homestead Committee Meeting	Rainbow	
26/01/2025	Australia Day Event	Rainbow	
05/02/2025	Council Briefing and Council Meeting	Council Chambers Nhill	
11/02/2025	Council Listening Session	Rainbow	
12/02/2025	Council Listening Session	Yanac Hall	
18/02/2025	Council Listening Session	Jeparit	
19/02/2025	Council Briefing	Council Chambers Nhill	

7 CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Attachment Numbers: 3 - 5

The following correspondence is attached for noting by Council.

Inwards:

- 2025/02/07 – Ross Johns to CEO re Renewables (Attachment 3)

Outwards:

- 2025/02/05 – HSC to Jan Bollard re Letter of Congratulations (Attachment 4)
- 2025/02/20 – CEO to Ross Johns re Renewables (Attachment 5)

RECOMMENDATION:

That Council notes the attached correspondence.

Attachment Numbers: 3 – 5

8 ASSEMBLY OF COUNCILLORS RECORDS

Responsible Officer: Chief Executive Officer

Attachment Numbers: 6 – 7

Introduction:

As required under Section 33(9) of Hindmarsh Shire Council's Governance Rules, the attached Assembly of Councillors Records are presented as attachments to the Council Agenda.

RECOMMENDATION:

That Council notes the Assembly of Councillors as presented.

Attachment Numbers: 6 – 7

9 PLANNING PERMITS

No planning permits.

10 REPORTS REQUIRING A DECISION

10.1 DELEGATIONS UPDATE – S5 AND S11A

Responsible Officer: Director Corporate and Community Services

Attachment Numbers: 8 – 9

Executive Summary:

The *Local Government Act 2020* allows Council to delegate their powers by resolution to ensure the many decisions required to be made are done so in an efficient way, allowing Council meetings to remain focused on strategic matters and community leadership.

This report presents the S11A Instrument of Delegation under the *Planning and Environment Act 1987* and the S5 Instrument of Delegation to the Chief Executive Officer for Council consideration.

The S11A will enable a Council officer who has recently attained a formal Town Planning qualification to undertake additional responsibilities within Council's development team.

The S5 Instrument to the CEO removes two sections that are otherwise accounted for in the Hindmarsh Shire Council Procurement Policy.

Discussion:

S11A Instrument of Appointment and Authorisation – *Planning and Environment Act 1987*

The purpose of the *Planning and Environment Act 1987* is to establish a framework for planning the use, development and protection of land in Victoria.

The Act sets out procedures for preparing and amending the Victoria Planning Provisions and planning schemes. It also sets out the process for obtaining permits under schemes, settling disputes, enforcing compliance with planning schemes and permits, and other administrative procedures.

Council's responsibility under the Act is to be a planning authority and responsible authority, responsible for preparing and administering planning schemes. This instrument is used by Council to authorise officers to enforce the *Planning and Environment Act 1987* and institute proceedings on behalf of the Council or represent Council.

This S11A will enable a Council officer who has recently attained a formal Town Planning qualification to undertake additional responsibilities within Council's development team.

S5 Instrument of Delegation

This document is used by Council to delegate powers pursuant to Section 11(1)(b) of the *Local Government Act 2020* to its Chief Executive Officer (CEO). Several conditions and

limitations to what can be delegated to them are provided for in S11(2) of the Act and are clearly articulated in this document.

A minor change has been made to the financial delegation with the removal of reference to short-term investments/term deposits and expenditure required under legislation or otherwise accounted for in the Procurement Policy.

Link to Council Plan:

Strong governance practices.

Financial Implications:

Not applicable.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Organisational Culture and Capability Governance	Failure to update the Instruments of Delegation on a regular basis to accommodate required changes to legislation, organisational structure and position tchanges may result in operational inefficiency and lead to decisions becoming invalid. The delegations have been reviewed by the Director Corporate and Community Services in consultation with implicated staff to ensure that all parties are cognisant of the responsibilities and obligations prescribed within the Instruments. The use of these documents ensures Council has compliant appointments, authorisations and delegations to relevant Council staff in place that meet the requirements of the Acts and regulations contained therein.

Relevant Legislation:

Local Government Act 2020

Local Government Act 1989

Planning and Environment Act 1987

Community Engagement:

Not applicable.

Gender Equality Implications:

A gender impact assessment was not required as the amendments to these Instruments of Delegation and Authorisation have no direct and significant impact on 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:

All relevant delegations will be available for the public to access in accordance with the *Local Government Act 1989* and the *Local Government Act 2020*.

Next Steps:

Should they be adopted, the Instruments will be published on Council's website and provided to relevant officers. Where required, ID cards will be produced, and internal control systems updated relevant to listed authorities, powers and responsibilities.

RECOMMENDATION:

In the exercise of the powers conferred by the legislation referred to in the attached S11A Instrument of Delegation under the Planning and Environment Act 1987 and S5 Instrument of Delegation from Council to the Chief Executive Officer, Council resolves that –

- 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instruments of Delegation to members of Council staff, the powers, duties and functions set out in each Instrument, subject to the conditions and limitations specified in that Instrument;***
- 2. The S11A Instrument of Delegation under the Planning and Environment Act 1987 comes into force immediately when the common seal of Council is affixed to the Instrument;***
- 3. The S5 Instrument of Delegation from Council to the Chief Executive Officer comes into force immediately upon the resolution being passed and having been signed by the Chief Executive Officer;***
- 4. On the coming into force of the Instruments all previous delegations to members of Council staff (other than the Chief Executive Officer) pertaining to the same legislated powers, duties and functions are revoked;***
- 5. The duties and functions set out in the instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***

Attachment Numbers: 8 – 9

10.2 GOVERNANCE REPORT – POLICY UPDATES

Responsible Officer: Director Corporate and Community Services

Attachment Numbers: 10 – 11

Executive Summary:

This report presents the Councillor Expense Entitlement Policy and Fee Waiver and Reduction Policy for Council adoption. Both policies have undergone review, with minor amendments proposed.

Councillor Expense Entitlements Policy

Following the changes to the *Local Government (Governance and Integrity) Amendment Regulations 2024* (the Amendment Act) and the provisions within, which came into effect from 24 October 2024, officers have undertaken a review of the Councillor Expense Entitlements Policy. Changes have been made to reflect the additional legislative requirements of Council to undertake mandatory annual training and are administrative in nature, not fundamentally changing the Policy's intent or application.

Fee Waiver and Reduction Policy

The Fee Waiver and Reduction Policy was adopted in June 2024 and establishes Council's position in relation to requests to partially or fully waive various types of fees and charges. After a period of implementation of this Policy, there are minor amendments proposed that would improve the efficiency of administering waiver and reduction requests. The proposed amendments mean that Managers and Directors could approve requests within their service area up to the amount they would previously have recommended for approval to the CEO. This approval value is well within both Manager and Director financial delegation and the discretion aligns with existing expectations regarding prudent budget management.

Discussion:

Councillor Expense Entitlements Policy

This Policy was first developed in November 2009, and last reviewed in July 2024. In accordance with best practice guidance, following the changes to the Amendment Act which came into effect from 24 October 2024, officers have undertaken a review of the Councillor Expense Entitlements Policy. The changed provisions include additional requirements for ongoing mandatory training on Mayors and Councillors.

Changes to the Councillor Expense Entitlement Policy have been made to reflect the requirement to attend mandatory training both initially and as an ongoing annual commitment. The following are now addressed in the Policy:

- The requirement of signing a declaration upon completion of mandatory training;
- The withholding of allowances until prescribed training has been undertaken and this written declaration has been made;
- Ensuring completion of training by Councillors elected to fill an extraordinary vacancy

- The limitation of extension of time to complete training following a leave of absence

Other additions include the requirement to report on training expenditure in quarterly budget and annual reports. All other conditions within the policy remain unchanged.

Fee Waiver and Reduction Policy

The Fee Waiver and Reduction Policy was adopted in June 2024 and establishes Council’s position in relation to requests to partially or fully waive various types of fees and charges. Its purpose is to manage these requests in a consistent, transparent, and equitable manner that is aligned with Council's goals and priorities. This Policy applies to Council-set discretionary fees and charges as defined in the Fees and Charges Schedule of the Annual Budget and should be read in conjunction with that document.

After a period of implementation of this Policy, there are minor amendments proposed that would improve the efficiency of administering waiver and reduction requests. Currently, all requests must be approved by the Chief Executive Officer, meaning minor requests require the dedicated time of executive staff when they have minimal impact on overall budget. The proposed amendments mean that Managers and Directors could approve requests up to the amount they would previously have recommended for approval – i.e. Managers would be able to approve amounts up to \$500, where previously they would recommend amounts up to this value for approval to the CEO. This approval value in well within both Manager and Director financial delegation and the discretion aligns with existing expectations regarding prudent budget management.

Link to Council Plan:

Good Governance and Financial Sustainability.

Financial Implications:

Reasonable expenses incurred by Mayor and Councillors for mandatory and some discretionary training are accounted for in the annual Council Budget as adopted.

The intention of the Fee Waiver and Reduction Policy is that there would be a negligible impact on revenue forecasts in the adopted Council budget and that it would be applied infrequently. The financial impact of this Policy also extends to lost revenue where services or facilities with discretionary fees are not utilised due to financial barriers.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Governance	The Councillor Expense Entitlement Policy responds to the requirements of the <i>Local Government (Governance and Integrity) Amendment Regulations 2024</i> and ensures ongoing compliance with the regulations of the <i>Local Government Act 2020</i> .

Strategic Risk Description	Risk Management Discussion
Community Needs	The Fee Waiver and Reduction Policy supports projects, events and activities that are in the community interest by decreasing barriers to accessing services and facilities contained within Council's discretionary cost-recovery fees and charges model.

Relevant Legislation:

Local Government Act 2020

Local Government (Governance and Integrity) Amendment Regulations 2024

Community Engagement:

As the proposed amendments only impact the administration of the Policies operationally, there is no impact on the community and additional engagement is not required. The original policies underwent a period of consultation with feedback considered at the time of adoption.

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 Gender Impact Assessment 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.

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 – Janelle Reichelt, Manager People and Performance

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

Communications Strategy:

If adopted, the Councillor Expense Entitlements Policy and Fee Waiver and Reduction Policy will be published on Council's website, made available to Councillors via SharePoint and the community will be notified via social media and Council's newsletters.

Next Steps:

As above.

RECOMMENDATION:

That Council:

- 1. adopts the Councillor Expense Entitlements Policy; and***
- 2. adopts the Fee Waiver and Reduction Policy.***

Attachment Numbers: 10 – 11

10.3 BY FIVE WIMMERA SOUTHERN MALLEE EARLY YEARS INITIATIVE ONGOING FUNDING ADVOCACY

Responsible Officer: Chief Executive Officer
Attachment Number: 12

Executive Summary:

This report seeks support from Council for an advocacy campaign regarding phase 2 (2025 – 2029) of the By Five Program.

By Five represents five Local Government Areas (Hindmarsh, Horsham Rural City, Northern Grampians, West Wimmera and Yarriambiack), working together to improve outcomes across five developmental domains measured at school entry through the Australian Early Development Census. For over four years, the Paediatric Telehealth service has been delivered in partnership with the Royal Children’s Hospital, funded jointly through the By Five Initiative and VMST funding (supporting a training Paediatrician). However, this funding is only secured until June 30, 2025.

Loss of this funding will have a significant impact on our young people. To build on the success of the initial government investment, an additional \$3.5 million in Victorian Government funding is essential for Phase 2 (2025-2029).

Discussion:

The By Five Wimmera Southern Mallee (WSM) Early Years Initiative is a place-based community collaboration with the vision that ‘Every WSM child succeeds in learning and life’. By Five are committed to ensuring that every child and family has access to consistent, quality early years services in the quantity required for children to thrive in a supportive community environment.

By Five represents five Local Government Areas (Hindmarsh, Horsham Rural City, Northern Grampians, West Wimmera and Yarriambiack), working together to improve outcomes across five developmental domains measured at school entry through the Australian Early Development Census.

Children in our region face poor learning and health outcomes due to limited access to early childhood education and paediatric services, resulting in 40% higher rates of developmental vulnerability than the Victorian average. This gap creates long-term economic, healthcare, welfare, and justice burdens.

Geographical isolation, extensive waiting times for localised health and education support and poor access to specialist health care were identified as key drivers of these developmental issues and broader lower socio-economic outcomes, however By Five have successfully trialled and tested solutions to address these issues.

For over four years, the Paediatric Telehealth service has been delivered in partnership with the Royal Children’s Hospital, funded jointly through the By Five Initiative and VMST funding (supporting a training Paediatrician). However, this funding is only secured until June 30, 2025. Without a guarantee of ongoing funding, By Five are now working to manage the children currently in their care and transition them as effectively as possible, especially given that public paediatric wait times now exceed four years.

While By Five has demonstrated the power of systemic interventions to "change the odds" rather than simply helping families beat them, continued progress requires sustained investment. The initiative is now seeking a renewed four-year commitment from the Victorian Government. This would ensure that the proven service models can be scaled and integrated into the broader system, solidifying their impact for the long term.

To build on the success of the initial government investment, an additional \$3.5 million in Victorian Government funding is essential for Phase 2 of the By Five program. This funding, covering program delivery from 2025 to 2029, will:

- Improve the lives of a further 1000 children through targeted health and education services.
- Support 200 rural professionals to deliver localised services.
- Deliver allied health services directly to 5 rural and remote public schools.
- Support 8 new antenatal access locations across WSM.
- Integrate 8 existing kindergartens and long day care centres.
- Establish 8 new long day care services in small rural communities.
- Document and evaluate rural service access models to spread and scale.

This program is vitally important to change the outcomes of our young people. It is imperative that By Five continues to be funded until 2029.

Link to Council Plan:

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

Financial Implications:

Not applicable.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Community Needs	This decision enables Council to advocate on behalf of the community for critical services that ensure best possible access to paediatric services.

Relevant Legislation:

Not applicable.

Community Engagement:

Not applicable.

Gender Equality Implications:

This report calls for advocacy, therefore the decision itself does not have a direct and significant impact on the community and a Gender Impact Assessment is not required. The *National Strategy to Achieve Gender Equality Discussion Paper* (Australian Government, Department of Prime Minister and Cabinet, 2023) contains pertinent information on women bearing the burden of care for infants and young children.

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:

Subject to Council's decision, a letter will be prepared and sent to the Hon. Lizzie Blandthorn, Minister for Children, and communications will be prepared for publishing on Council's communication platforms that creates awareness around the potential and importance of this funding.

Next Steps:

As above.

RECOMMENDATION:

That Council:

- 1. advocate to the Victorian State Government, the Hon. Lizzie Blandthorn, Minister for Children, to fund Phase 2 of By Five, covering program delivery from 2025-2029; and**
- 2. raise awareness, via all forms of media, of the importance of this funding and its value to the Hindmarsh and broader Wimmera community.**

Attachment Number: 12

10.4 LITTLE DESERT BUSHFIRE – PRELIMINARY BUSINESS IMPACT REPORT

Responsible Officer: Director Corporate and Community Services

Executive Summary:

This report provides Council with a preliminary update on both qualitative and quantitative impacts to business across Hindmarsh Shire because of the Little Desert Bushfire, including the Western Highway closure.

Council has conducted a survey of local businesses (ongoing) to gain an understanding of the immediate and ongoing impacts, including revenue loss, business disruption and ongoing reduction in visitor and tourism based economic input. Identified areas of significant impact include cash flow, customer attraction, ineligibility for business disruption insurance, cancelled bookings and paying wages while the business is closed and unable to generate revenue.

Based on the findings to date, Council's Economic Development and Tourism team have identified several strategies for long-term recovery that are detailed in the report. Further information will be gathered and will inform a comprehensive economic impact assessment what will be presented to Council at a later date.

Discussion:

Emergencies, like natural disasters or major disruptions, can significantly impact businesses by causing damage to physical property, interrupting operations, impacting supply chains, leading to lost revenue, employee disruption, and potential damage to reputation, often requiring significant recovery efforts and financial costs to resume normal operations.

The bushfire in the Little Desert National commenced on Monday 27 January 2025, resulting in the evacuation of Dimboola, the temporary closure of the Western Highway, and temporary restricted access and travel around Dimboola and the Little Desert National Park.

Given the reliance on road networks for agricultural economy and on the visitor economy for many retail, trade and hospitality businesses, it was clear that there would be considerable detrimental impacts on local businesses.

Summary of Key Findings (to date)

This section provides an overview of the initial responses to Council's Economic Impact Survey. To date we have received ten responses, with face-to-face visits and an email to businesses planned to encourage additional engagement.

- 50% of respondents were based in Dimboola.
- Responses were received from Retail (2), Accommodation and Food (4), Professional Services, Education & Training, Agriculture and Other (1).

- 60% of respondents recognised themselves as businesses servicing the visitor economy, and all incurred a loss in operations during the bushfire event from 5 to 18 days impact. Five respondents answered that they have experienced a loss in revenue for their business ranging from \$5,000 to \$35,000.
- 20% of respondents would like to provide feedback on government support and understand what support is available. Most avenues of support are focused on individuals rather than business operators. Three respondents have accessed support for their business through rural Financial Counselling Service.
- All respondents have business insurance; however, six businesses have not been covered for losses and two are still unsure of the outcome.

Areas of impact include cash flow, customer attraction, ineligibility for business disruption insurance, cancelled bookings and paying wages while the business is closed and unable to generate revenue.

Based on the findings to date, Council's Economic Development and Tourism team have identified several strategies for long-term recovery, including:

- Communicating that we are 'business as usual.' This will be supported through a Grampians Wimmera Mallee Tourism campaign with additional funding being sought to increase reach in Victorian and South Australian markets.
- Increasing desirability for visitors and investors through town beautification.
- Financial support for small businesses and assistance in developing existing businesses.
- Promotion of, and support with, applications through State and Federal government funding streams.

Small Business Bus Visit

The Small Business Bus (SBB) visited Dimboola and Nhill on 13 February 2025.

The SBB team would normally see 5 businesses in a day. During their visit they met with 9 businesses for appointments and spoke with another 6 informally.

In Dimboola they spoke about a range of recovery ideas/supports. Businesses wanted to know what supports are available due to lack of trade and reported being up to 35% down in trade compared to same period last year. One business was asking about how to promote their business post-fire via social media

In Nhill, they spoke with two operators looking at starting a new business. Hindmarsh Shire Council staff are looking to connect with these parties to seek further information and determine what support can be provided.

Disaster Recovery Allowance

Hindmarsh has been included in a list of Local Government Areas where residents are eligible to apply for support under the Disaster Recovery Allowance for loss of income as a direct result of bushfires in Western Victoria. This funding can be provided for a maximum of 13 weeks and has additional eligibility criteria that must be met.

Future Action

Council is collaborating with partner agencies, including Emergency Recovery Victoria, Regional Development Victoria, and Parks Victoria, to understand these challenges and guide recovery efforts. Once a comprehensive assessment on economic impacts is completed, this will be provided to Council for noting.

Link to Council Plan:

Communities that feel safe and are resilient
Facilitating and supporting economic development

Financial Implications:

Not applicable.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Community Needs	This report provides Council with information that will inform advocacy and recovery efforts for community businesses impacted by the Little Desert Bushfire. Supporting businesses through this challenging time ensures that Hindmarsh's economic recovery is informed by both qualitative and quantitative information provided by the community.

Relevant Legislation:

None.

Community Engagement:

This report is based on community submissions from the Hindmarsh Economic Impact Survey.

Gender Equality Implications:

This report provides information only and the decision does not have a direct and significant impact on the community, therefore, a Gender Impact Assessment is not required.

Conflict of Interest:

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

Officer Responsible – Petra Croot, Director Corporate and Community Services.

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

Author – Mark Fletcher, Manager Economic Development and Tourism.

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

Next Steps:

Council officers will continue to engage with impacted businesses and other stakeholder agencies to assess and respond to business impacts.

RECOMMENDATION:

That Council notes the Little Desert Bushfire preliminary business impact report.

10.5 HEAVY TRANSPORT AND FREIGHT VEHICLE WORKING GROUP

Responsible Officer: Director Infrastructure Services

Attachment Number: 13

Executive Summary:

This report presents the draft Terms of Reference for the Heavy Transport and Freight Vehicle Working Group for Council adoption.

The Hindmarsh Heavy Transport and Freight Working Group was established to strengthen the voice of the Heavy Transport and Freight community by providing advice to ensure Council's broader policy issues and Council Plan and programs reflect the interests of the Heavy Transport and Freight community.

The Terms of Reference have been reviewed, with the primary change being transitioning from an Advisory Committee to a Working Group as this better suits the remit and function of the meetings.

Discussion:

The Hindmarsh Heavy Transport and Freight Working Group was established to strengthen the voice of the Heavy Transport and Freight community by providing advice to ensure Council's broader policy issues, Council Plan and programs reflect the interests of the Heavy Transport and Freight community.

The key objectives of the Group are to:

- Provide a representative sample of independent and authentic voices of people from the Heavy Transport and Freight community with an ability to advise on current and emerging issues and priorities.
- Provide feedback and advice to Council on broader policy issues.
- Assist Council to promote the benefits and enhance understanding about the barriers for Heavy Transport and Freight users.

Link to Council Plan:

Develop and implement strategic road strategy to support agriculture and communities.

Financial Implications:

Not applicable.

Risk Management Implications:

Strategic Risk Description	Risk Management Discussion
Community Needs	Failure to identify strategic agriculture routes for future improvement puts Council in a vulnerable position when applying for future funding and is also likely to reduce

Strategic Risk Description	Risk Management Discussion
	agricultural productivity. This group, with appropriate Terms of Reference, will assist in identifying priority agricultural routes for improvement and access. This will be seen favourably in future funding applications. Opening various sections of road for heavy vehicle access is likely to improve agricultural productivity.
Asset Management	The group, once functional, will start to provide input in shaping the future direction for strategic road upgrades. This will guide the development of asset management practices for the Hindmarsh Shire road network.

Relevant Legislation:

Local Government 2020

Community Engagement:

Not applicable.

Gender Equality Implications:

Not applicable.

Conflict of Interest:

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

Author and Officer Responsible – Ram Upadhyaya, Director Infrastructure Service

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

Communications Strategy:

If approved by Council, current members will be contacted and provided copies of the updated Terms of Reference and will have the opportunity to submit Agenda items, with meetings to be scheduled on a quarterly basis.

Next Steps:

The Terms of Reference will be updated in Council’s EDRMS and published on Council’s website. The next meeting date will be scheduled, and the agenda will be developed in accordance with the Terms of Reference.

RECOMMENDATION:

That Council adopts the Heavy Transport and Freight Vehicle Working Group Terms of Reference.

Attachment Number: 13

10.6 HINDMARSH PLANNING SCHEME REVIEW

Responsible Officer: Director Infrastructure Services

Attachment Number: 14

Executive Summary:

This report presents the Hindmarsh Planning Scheme Review 2024 for Council adoption. Council is required to undertake this review every four years to evaluate the Scheme's effectiveness in meeting its legislative objectives, identify areas for improvement, and outline strategic priorities to guide future development.

The review found that the administration of the Scheme is generally effective, though resourcing challenges persist, particularly in attracting and retaining qualified planners. In terms of strategic direction, the review identified several policy gaps, including the need for improved protection of the Wimmera River, more detailed structure plans for urban settlements, and strategies for industrial land, rural land use, and housing.

The review encourages Council to consider which strategic planning projects should be prioritised and resourced in this Council term.

Discussion:

Under Section 12B of the *Planning and Environment Act 1987 (the Act)*, Council must review its planning scheme to ensure its relevance and efficiency. Council is required to undertake its review every 4 years, and no later than one year after each date by which it is required to approve a Council Plan.

The Act provides that upon completion of a review, the planning authority must report the findings of the review to the Minister.

This review was supported by funding from the Regional Planning Hub Program and undertaken by Transect Planning Pty Ltd. The final review was provided to Council on 23 August 2024.

The review seeks to evaluate the planning scheme to ensure that it is consistent in form and content with the directions or guidelines issued by the Minister under Section 7 of the Act, which sets out the policy objectives for use and development of land and makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

The review identifies that Council has not undertaken its review since 2008, and that many of the last reviews' findings are no longer relevant. The review therefore reflects the first substantive 'health check' of the Hindmarsh Planning Scheme in 17 years.

The review has broken down its findings into 2 key areas:

Administrative

The review finds that the administration of the Scheme is largely effective. Planning Scheme Amendments c17hind and c19hind translated the Scheme into the Planning Policy Framework format, and included reviews of zone and overlay schedules. The key issue in administration of the Scheme relates to the operation of the Environmental Significance Overlay – Schedule 6 (**ESO6**), which is discussed in greater detail within the review.

The review highlights feedback from both Council's planners and permit applicants that resourcing continues to pose challenges in the application of both statutory (planning applications) and strategic (planning controls) planning functions. However, the review also highlights that:

The main challenge for Hindmarsh and the other rural councils is resourcing of the statutory planning function. Rural and regional councils face a significant challenge attracting and retaining qualified and experienced planners. Currently, Hindmarsh employs one student planner (who can only work part time during the academic year) and two consultant planners (both work approximately one day per week).

Even if Council could attract additional planners, funding needs to be found from Council's budget to pay the planners a competitive salary.

Since the review was completed in August 2024, Council has taken steps to address resourcing issues by hiring a full-time Planning Officer, a Manager of Planning and Environment (to replace the Manager of Regulatory Services), and expanding the use of external planning consultants. While these additions have already provided some improvements to the planning department, it is anticipated that resourcing challenges will persist moving forward.

The review also highlights the decision-making process of Council, finding that:

Councillors considered a relatively large proportion of applications between 2020 and 2023 compared to other councils. It is understood that there is no instrument of delegation that provides criteria to determine when a matter is referred to Council for decision and that Council's executive team decide when it is appropriate for a matter to be reported to Council for decision.

Further, a relatively large number of applications (aside from the VicSmart applications which must be decided by the CEO) have been decided by the CEO under delegation over the past few years. It is understood that few councils apply this model.

The review does not recommend specific changes to the manner in which Council assesses and processes applications but highlights the above matters for Council to consider in delivering its planning services, which will require ongoing monitoring and review.

Strategic Direction

The review finds that the Scheme retains many 'policy gaps', which have not been addressed since the last review in 2008. These include:

- Protecting the Wimmera River environment.
- The need for more detailed structure plans and urban design guidelines for the urban settlements, particularly Nhill, Dimboola, Rainbow and Jeparit.
- The need for analysis on the supply and demand for industrial land.
- The need for a rural land use strategy.
- The need for a housing strategy to ensure that Hindmarsh is an attractive place to live and meets different housing needs, including opportunities for rural living and greater housing diversity in townships.

A recommended list of strategic work has been provided in Appendix 3 to the review, setting out a roadmap on strategic planning priorities.

Key Recommendations

The review identifies the following recommendations, which officers have been broken down into short, medium and long term projects based on the nature of the recommendations proposed:

Short Term

- Undertake a 'policy neutral' Planning Scheme Amendment to update the policies, zones and overlay schedules in the Scheme as recommended in the review.
- Monitor permit activity in the Shire to ensure that adequate resources are allocated to the statutory planning department to process applications.
- Identify opportunities for streamlining of planning scheme controls to remove permit applications for minor buildings and works.

Medium Term

- Initiate a Planning Scheme Amendment to:
 - Implement the Lower Wimmera Flood Study (LWFS) through updated maps to the Flood Overlay (FO) and Land Subject to Inundation overlay (LSIO)
 - Review the extent of the FO and LSIO in areas where updated flood modelling indicates no flood risk
 - Review the FO and LSIO schedules to increase the number of exemptions from minor buildings and works.
- Undertake a Planning Scheme Amendment to update the policies, zones and overlay schedules in the Scheme as recommended in the review that are not 'policy neutral' and therefore require full exhibition.

Long Term

- Establishment of a protocol between First Nations peoples and Council to help facilitate the protection, enhancement and celebration of cultural heritage;
- Prepare a rural land use strategy to support established rural industries, promote emerging opportunities and recognise and protect important environmental and landscape values.
- Prepare a housing strategy to identify the future housing needs of the municipality, including opportunities for rural living and housing diversity in townships.
- Prepare detailed structure plans for Nhill, Dimboola, Rainbow and Jeparit to guide the future development of these townships.
- Undertake a Heritage Gap Study to identify places of local heritage significance that have not been previously identified in the Planning Scheme.
- Undertake an analysis of the supply and demand of industrial land to ensure there is sufficient land to support local industries.

The review further recommends that *Upon the election of the new Council in late 2024 that a discussion be held with councillors on the funding, resourcing and prioritisation of the following strategic planning projects between 2025-2029*. Council will need to determine through the budget and strategic processes how and when it gives effect to these recommendations.

Options:

1. Adopt the planning scheme review and forward it to the Minister for Planning.
2. Defer adoption, requesting further amendments or clarification.

Link to Council Plan:

Objective – A community well informed and engaged

Objective – Communities that feel safe and are resilient

Financial Implications:

There are no financial implications to adopting the Planning Scheme review. The implementation of the reviews' findings will be considered through the ordinary budgeting process.

Risk Management Implications:

If Council does not adopt the review, it will not have met its requirements under Section 12B of the *Planning and Environment Act 1987* until such time as the review has been adopted and forwarded to the Minister for Planning.

Relevant Legislation:

This review satisfies the requirements of Section 12B of the *Planning and Environment Act 1987* and has taken into consideration Section 9(2)(c) of the *Local Government Act 2020*.

Community Engagement:

Stakeholder workshops, internal surveys, and consultations with state agencies and regular permit applicants have informed the review. Further community engagement will occur during the planning scheme amendment process.

Gender Equality Implications:

The Planning Scheme Review relates to the administration and 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, the review will be forwarded to the Minister for Planning as required by Section 12B(5) of the Act.

Council will then consider the timing of implementation of the review. This will result in planning scheme amendments being initiated as required, which will include community consultation and statutory processes in accordance with the Act.

RECOMMENDATION:

That Council:

- 1. adopts the Hindmarsh Planning Scheme Review (August 2024); and**
- 2. forwards the Report to the Minister for Planning in accordance with Section 12B of the Planning and Environment Act 1987.**

Attachment Number: 14

11 COUNCIL COMMITTEES

11.1 ADVISORY COMMITTEE

Responsible Officer: Chief Executive Officer

Attachment Number: 15

Introduction:

One (1) Hindmarsh Shire Council Advisory Committee held a meeting on the following date:

- **Jeparit Township Advisory Committee**
General Meeting on 10 February 2025

A copy of the minutes for the Jeparit Township Advisory Committee meeting held on 10 February 2025 are included as an attachment for the information of Council.

Next Steps:

A copy of the minutes will be published on Council's website.

RECOMMENDATION:

That Council notes the minutes of the Jeparit Township Advisory Committee meeting held on 10 February 2025.

Attachment Number: 15

11.2 COMMUNITY ASSET COMMITTEE

Responsible Officer: Chief Executive Officer

Attachment Numbers: 16 – 17

Introduction:

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

- **Wimmera Mallee Pioneer Museum Community Asset Committee**
General meeting on 17 December 2024 (Attachment 16)
- **Yurunga Homestead Community Asset Committee**
General meeting on 23 January 2025 (Attachment 17)

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

RECOMMENDATION:

That Council notes the minutes of the following Community Asset Committees:

- 1. Wimmera Mallee Pioneer Museum meeting held on 17 December 2024; and***
- 2. Yurunga Homestead meeting held on 23 January 2025.***

Attachment Numbers: 16 – 17

12 LATE REPORTS

13 NOTICES OF MOTION

14 OTHER BUSINESS

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 OFFER TO PURCHASE DIMBOOLA TOWER PARK – this Council report considers confidential information as defined by Section 3(1) of the Local Government Act 2020

as it 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/or part IV of the Freedom of Information Act 1982.

16.1 AUDIT & RISK COMMITTEE EXTERNAL MEMBER EXPRESSION OF INTEREST - this Council report considers confidential information as defined by Section 3(1) of the Local Government Act 2020 as it 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 personal matters, and/or part IV of the Freedom of Information Act 1982.

16 LATE CONFIDENTIAL REPORTS

17 MEETING CLOSE
