



14 March 2018

To Councillor,
"as addressed"

NOTICE is hereby given that an **ORDINARY MEETING** of the Hindmarsh Shire Council will be held at the Health and Fitness Centre, Dimboola on Wednesday 21 March 2018 commencing at **3.00pm**.



Greg Wood
Chief Executive Officer

AGENDA

1. **Acknowledgement of the Indigenous Community and Opening Prayer**

2. **Apologies**

3. **Confirmation of Minutes**

4. **Declaration of Interests**

5. **Public Question Time**

6. **Deputations**

7. **Activity Reports**

8. **Correspondence**

9. Assembly of Councillors

9.1 Record of Assembly

10. Planning Permit Reports

No report

11. Reports Requiring a Decision

11.1 Fire Access Road Subsidy Scheme

11.2 Parks Victoria Land to be excised for Road Reserve including access to Amy Johnson Highway

12. Special Committees

12.1 Nhill Town Committee

13. Late Reports

No report

14. Other Business

No report

15. Confidential Matters

15.1 Business Assistance Grants Round 2

15.2 Community Action Grants Round 3

16. Meeting Close

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Acknowledgement of the Indigenous Community

We acknowledge the Shire's Indigenous community as the first owners of this country. We recognise the important ongoing role that indigenous people have in our community and pay our respects to their elders and people both living and past.

Opening Prayer

*Dear Lord,
We humbly request your blessing upon this Council and welcome your guiding presence among us.*

May our decisions be taken wisely and in good faith, to your glory and the true welfare of the citizens of the Hindmarsh Shire.

2. APOLOGIES

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 7 March 2018 in the Council Chamber, 92 Nelson Street Nhill, as circulated to Councillors be taken as read and confirmed.

Attachment: 1

4. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA.

- Direct; or
- Indirect interest
 - a) by close association;
 - b) that is an indirect financial interest;
 - c) because of conflicting duties;
 - d) because of receipt of an applicable gift;
 - e) as a consequence of becoming an interested party; or
 - f) because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised by Councillors at the commencement of discussion of the specific item.

5. PUBLIC QUESTION TIME

6. DEPUTATIONS

No deputations

7. ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: DECEMBER 2017/JANUARY 2018

Cr ISMAY, Mayor

Attended:

- 02/02/2018 Friday Fiesta, Nhill
- 07/02/2018 Mayor/CEO meeting Nhill
- 07/02/2018 Council meeting Nhill
- 09/02/2018 Friday Fiesta, Nhill
- 16/02/2018 Hindmarsh Landcare AGM, Nhill
- 20/02/2018 Nhill Early Years Centre official opening, Nhill
- 21/02/2018 Mayor/CEO meeting Jeparit
- 21/02/2018 Council meeting Jeparit
- 21/02/2018 Boat tour of weir pool Jeparit
- 21/02/2018 Meeting with Andrew Broad MP/Greg Hunt MP, Horsham
- 23/02/2018 Northwest Municipalities Association meeting, Warracknabeal
- 26/02/2018 Travel to Canberra
- 27/02/2018 Meetings with various politicians, Canberra
- 28/02/2018 Meetings with various politicians, Canberra

Cr LOWE, DEPUTY MAYOR

Attended:

- 07/02/2018 Council Briefing and Meeting, Nhill
- 07/02/2018 Launch 2018 Hindmarsh Youth Council. Nhill
- 09/02/2018 Meet Brad McCabe, "Rowing for a cause," Renmark
- 10/02/2018 Inspect Murrayville Yanac Track, Big Billy Bore, Moonlight Tank
- 14/02/2018 Allambi Restaurant Night, Dimboola
- 15/02/2018 Citizenship Ceremony, Nhill
- 20/02/2018 Nhill Early Years Hub, Official Opening, Nhill
- 20/02/2018 Wimmera Mallee Pioneer Museum Meeting, Jeparit
- 21/02/2018 Council Briefing and Meeting, Jeparit
- 21/02/2018 River Cruise, upstream of boat ramp, Jeparit
- 21/02/2018 Tourism Forum, Rainbow
- 26/02/2018 Tourism Forum, Jeparit
- 28/02/2018 Tourism Forum, Nhill

Cr GERSCH

Attended:

- 07/02/2018 Council briefing and meeting, Nhill
- 07/02/2018 Youth Council launch
- 09/02/2018 RCV board meeting, Melbourne
- 10/02/2018 Parkrun official opening
- 13/02/2018 WDA board meeting
- 20/02/2018 Nhill Early Years Centre official opening

- 21/02/2018 Council briefing and meeting, Jeparit
- 21/02/2018 Wimmera River inspection, Jeparit
- 23/02/2018 NWMA meeting, Warracknabeal
- 28/02/2018 Meeting with Nhill Rotary re time capsule
- 28/02/2018 Tourism meeting, Nhill
- Umpire West Wimmera cricket grand final /last game for association

Cr COLBERT

Attended:

- 13/02/2018 Historical Society monthly meeting
- 19/02/2018 Nhill Town Committee meeting
- 21/02/2018 Council briefing and meeting, Jeparit
- 21/02/2018 NAMPAC meeting
- 28/02/2018 Tourism meeting, Nhill

Cr NELSON

Attended:

- 01/02/2018 Wimmera Southern Mallee LLEN office, Horsham
- 02/02/2018 Friday Fiesta / New Residents event, Nhill
- 07/02/2018 Briefing meeting, Nhill
- 07/02/2018 Council meeting Nhill
- 07/02/2018 Youth Council Launch, Nhill
- 10/02/2018 Official opening Parkrun, Nhill
- 12/02/2018 Riverside Holiday Park Advisory Committee meeting, Dimboola
- 13/02/2018 Fundraiser for Allambi, Dimboola
- 13/02/2018 Wimmera Southern Mallee LLEN Finance Committee meeting, Horsham
- 13/02/2018 Wimmera Development Association meeting, Horsham
- 15/02/2018 Citizenship Ceremony, Nhill
- 19/02/2018 Tourism Forum, Dimboola
- 20/02/2018 Official opening Nhill Early Years Centre, Nhill
- 20/02/2018 Wimmera Southern Mallee LLEN COM meeting, Horsham
- 21/02/2018 Briefing meeting, Jeparit
- 21/02/2018 Council Meeting, Jeparit
- 21/02/2018 Tour of Jeparit weir pool, Jeparit
- 23/02/2018 CWA West Wimmera Group AGM, Dimboola

Cr SCHNEIDER

Attended:

- 05/02/2018 Dimboola Town Committee meeting
- 07/02/2018 Briefing and Council meeting, Nhill
- 07/02/2018 Youth Council launch
- 12/02/2018 Dimboola Riverside Holiday Park Advisory Committee meeting
- 14/02/2018 Allambi Elderly People's Home fundraising dinner, Dimboola
- 16/02/2018 Wimmera Regional Library Corporation Board meeting, Horsham

- 19/02/2018 Dimboola Memorial Secondary College School Council meeting
 - 21/02/2018 Briefing and Council meeting, Jeparit
 - 21/02/2018 Wimmera River inspection tour, Jeparit
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SENIOR MANAGEMENT ACTIVITIES: FEBRUARY 2018

GREG WOOD, Chief Executive Officer:

Attended:

- 01/02/2018 Karen Community Support, Nhill
- 01/02/2018 Volunteer at movies
- 02/02/2018 Opening night of Friday night Fiestas, Nhill
- 07/02/2018 Mayor/CEO meeting Nhill
- 07/02/2018 Council briefing and meeting, Nhill
- 07/02/2018 Hindmarsh Shire Youth Council Launch, Nhill
- 08/02/2018 Wimmera Regional CEO meeting, Horsham
- 08/02/2018 Regional Partnership meeting, Horsham
- 08/02/2018 Volunteer at movies
- 13/02/2018 WDA meeting, Horsham
- 15/02/2018 Citizenship ceremony, Nhill
- 20/02/2018 Nhill Early Years Centre Official opening, Nhill
- 21/02/2018 Mayor/CEO meeting Jeparit
- 21/02/2018 Council briefing and meeting, Jeparit
- 21/02/2018 Wimmera River inspection tour, Jeparit
- 21/02/2018 Federal Minister for Health, The Hon Greg Hunt MP discussion in Horsham and Andrew Broad MP
- 26/02/2018 Travel to Canberra – CEO and Mayor deputations
- 27/02/2018 CEO and Mayor deputations
- 28/02/2018 CEO and Mayor deputations

SHANE POWER, Director Infrastructure Services:

Attended:

- 07/02/2018 Council Briefing, Nhill
- 07/02/2018 Council Meeting, Nhill
- 12/02/2018 Jeparit Township Committee Meeting, Jeparit
- 13/02/2018 Senior Management Team Meeting, Nhill
- 14/02/2018 OHS Committee Meeting, Nhill
- 20/02/2018 Senior Management Team Meeting, Nhill
- 13/02/2018 Official Opening Early Years Centre, Nhill
- 21/02/2018 Council Briefing, Jeparit
- 21/02/2018 Council Meeting, Jeparit
- 23/02/2018 Western Highway Action Committee, Beaufort
- 26/02/2018 2018/2019 Capital Works Planning Day, Shire wide
- 28/02/2018 Barengi Gadjin/State Land Use Agreement, Dimboola

MONICA REVELL, Director Corporate and Community Services:

Attended:

- 01/02/2018 Meeting with Nhill Neighbourhood House re Karen projects
- 06/02/2018 West Wimmera Shire Council Audit Committee Meeting
- 07/02/2018 Council Briefing

- 07/02/2018 Council Meeting
 - 08/02/2018 MAV Teleconference regarding Local Government Act Review
 - 09/02/2018 South West Finance Forum
 - 12/02/2018 Riverside Holiday Park Advisory Committee Meeting
 - 16/02/2018 Wimmera Regional Library Corporation Board Meeting
 - 20/02/2018 Nhill Early Years Centre Official Opening
 - 21/02/2018 MAV Self Insurance Scheme Meeting
 - 21/02/2018 Council Briefing
 - 21/02/2018 Council Meeting
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8. CORRESPONDENCE

8.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Attachment: 2

Introduction:

The following correspondence is tabled for noting by Council:

- Nhill and District Racing Club
 - o Congratulating the club on a successful 2017 Boxing Day races
- Maree Caldow
 - o Thanking her for her contribution as Hindmarsh Shire's 2018 Australia Day Ambassador
- Emma Kealy
 - o Inviting her to attend a Council briefing in April

RECOMMENDATION:

That Council notes the attached correspondence.

Attachment: 2

9. ASSEMBLY OF COUNCILLORS

Responsible Officer: Chief Executive Officer

Attachment: 3

Introduction:

The attached Assembly of Councillors Record is presented as an attachment to the Council agenda for the information of Councillors and recorded at the Council meeting as required under s80A Local Government Act 1989.

RECOMMENDATION:

That Council accepts the Assembly of Councillors Record as presented.

Attachment: 3

10. PLANNING PERMITS

No permits

11. REPORTS REQUIRING A DECISION

11.1 FIRE ACCESS ROAD SUBSIDY SCHEME

Responsible Officer: Director Infrastructure Services

Introduction:

Hindmarsh Shire Council has been successful in obtaining funding through the Fire Access Road Subsidy Scheme, to install water supply infrastructure for firefighting purposes at Rainbow-Nhill Road, Lake Hindmarsh. The funding agreement requires financial contribution from Council. This report seeks Council approval to allocate funds from the 2017/2018 Grant Contribution Fund as required under the Fire Access Road Subsidy Scheme Agreement.

Discussion:

The Fire Access Road Subsidy Scheme (FARSS), is a State Government grant program administered by the Country Fire Authority (CFA) designed to financially assist Councils in providing appropriate road access and water provision for firefighting purposes.

FARSS applications are required to have endorsement from municipal fire planning committees (MFMP). The purpose of these committees is to plan for and provide advice on emergency response, relief and recovery functions specific to fire risks and emergencies resulting from fire within the municipality. Membership of the MFMP comprises representatives from Council, emergency services and state agencies.

The Hindmarsh Shire Council MFMP at its meeting Thursday 15 October 2017, moved to endorse Council's submission to the FARSS for the replacement of two leaking tanks and a faulty pump on the Rainbow-Nhill Road, Lake Hindmarsh. The proposal is to replace the existing tanks with new tanks with a capacity of 67,500 litres to be operated by a new pump.

Council was notified in February 2017 by the CFA, that its application for funding through the FARSS program has been successful.

Options

1. Council approves the allocation of approximately \$6,000 from the 2017/2018 Grant Contributions budget, to meet the funding requirements of the Fire Access Road Subsidy Scheme Agreement.
2. Council refers the required funding contribution of approximately \$6,000 to the 2018/2019 budget process.
3. Council does not proceed with the Fire Access Road Subsidy Scheme Agreement.

Link to Council Plan:

Objective 4.5:

“Support for the community in the areas of emergency preparedness, response and recovery”.

Financial Implications:

The proposed project cost for the installation of two water tanks to the capacity of 67,000 litres and provision of a new pump, is estimated to be approximately \$17,500 (ex GST). The FARSS grant provides Council with \$11,586 (ex GST) requiring a contribution from Council of approximately \$6,000 (ex GST).

The 2017/2018 adopted budget includes \$100,000 for grant contributions required for capital works and can accommodate the funding contribution requirement of the FARSS grant.

Risk Management Implications:

The FARSS grant is not required to be acquitted before 15 April 2019. There is a risk that income may not be received until the 2018/2019 financial year.

Water provision on the Rainbow-Nhill Road at Lake Hindmarsh has been identified by the MFMPC as an important asset for the CFA for fire suppression.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible and Author– Shane Power, Director Infrastructure Services
In providing this advice as the Officer Responsible and Author, I have no disclosable interests in this report.

Communications Strategy:

Member agencies of the MFMPC consult with the community in undertaking emergency planning and preparedness. The MFMPC will be notified when the project is completed.

Next Steps:

Execute the Fire Access Road Subsidy Scheme Agreement with the Country Fire Authority and schedule works to be completed before 30 June 2018.

RECOMMENDATION:

That Council approves the allocation of approximately \$6,000 from the 2017/2018 Grants Contribution budget to meet the funding obligation of the Fire Access Road Subsidy Scheme, for the installation of static water supply and pump on the Rainbow-Nhill Road, Lake Hindmarsh.

**11.2 PARKS VICTORIA LAND TO BE EXCISED FOR ROAD RESERVE
INCLUDING ACCESS TO AMY JOHNSON HIGHWAY**

Responsible Officer: Director Infrastructure Services

Attachment: 4, 5, 6, 7, 8

Introduction:

Council received a request from the landowners of the property known as 0 Amy Johnson Highway Rainbow, to have Amy Johnson Highway designated and upgraded to an all-weather access road.

Council further received an invitation from Parks Victoria to excise Parks Victoria land around Outlet Creek for the purpose of establishing a road reserve for the Amy Johnson Highway and Burma Road extension, to enable the Council to control and manage these roads for the facilitation of future Rainbow Desert Enduro off-road racing events.

This report informs Council of potential implications and available options in the consideration of assuming ongoing management of these roads.

Discussion:

Amy Johnson Highway is located immediately north of Lake Hindmarsh extending north from Rainbow-Nhill Road and terminating at Wedding Road. This road services four properties.

Abutting the Birdcage Nature Conservation Reserve, the management arrangements for Amy Johnson Highway are unusual, with the centre section being managed by Council and northern and southern sections being managed by Parks Victoria. The southern section is approximately 885 meters, the northern section is approximately 2.4 kilometers and the Council managed section is approximately 3.5 kilometers.

Current practice for the subdivision of land usually requires the landowner to construct or upgrade existing infrastructure to ensure appropriate access to properties prior to the release of land. This has not occurred along Amy Johnson Highway.

There is history of Council performing ad hoc maintenance works on the sections managed by Parks Victoria. The approval process for undertaking works on Parks Victoria managed land is subject to consent in accordance with Section 27 of the National Parks Act 1975 and can be a lengthy process time.

Where Council seeks to become the responsible authority for roads managed by Parks Victoria it must apply to the authority and seek approval from both Parks Victoria and the Department of Environment, Land, Water and Planning. If approval is granted, the land in question is require to be surveyed by a registered surveyor and a title transfer completed.

Should Council seek to excise the land managed by Parks Victoria along the southern and northern sections of Amy Johnson Highway its recommended that these sections be included on Councils Public Road Register, classified as 6R (as is the existing section managed by Council) and managed in accordance with the Hindmarsh Shire Council Road Management Plan.

Roads classified as 6R are defined as secondary property access which can be considered appropriate in this instance, given the section required for access to property is minimal as the northern end can be accessed via Wedding Road (for the most part). Classification 6R roads are inspected proactively every three years and following any customer request and are graded once every year.

Should Council seek to excise the land managed by Parks Victoria (as per attachments) in addition to, or independent of Amy Johnson Highway, for the purposes of undertaking works to facilitate the Rainbow Desert Enduro off-road racing event, that these roads not be added to the Public Road Register, and therefore not managed in accordance with the Hindmarsh Shire Council Road Management Plan. It is recommended that these roads be classified as 'reserve' roads, with works only carried out when required for the event in order to reduce risk of potential claims.

Options:

1. Council proceeds to create road reserves by seeking agreement from Parks Victoria to excise from their land the southern and northern sections of Amy Johnson Highway as illustrated in Attachment 5.
2. Council proceeds to create a road reserve by seeking agreement from Parks Victoria to excise from their land the northern section only of Amy Johnson Highway as illustrated in Attachment 5.
3. Council proceeds to create road reserves by seeking agreement from Parks Victoria to excise from their land the southern and northern sections of Amy Johnson Highway and the extensions of Burma and Ross Lake Roads to cater for rural property access and for the Rainbow Desert Enduro off-road event as illustrated in Attachments 6 - 8.
4. Council proceeds to create road reserves by seeking agreement from Parks Victoria to excise from their land the northern section only of Amy Johnson Highway and the extensions of Burma and Ross Lake Roads to cater for rural property access and for the Rainbow Desert Enduro off-road event as illustrated in Attachments 6 - 8.
5. Council proceeds to create road reserves by seeking agreement from Parks Victoria to excise from their land the extensions of Burma and Ross Lake Roads to cater for the Rainbow Desert Enduro off-road event as illustrated in Attachment 6 – 8 only.
6. Council does not seek to alter the existing management arrangements for either the southern or northern sections of Amy Johnson Highway or the extensions of Burma and Ross Lake Roads.

Link to Council Plan:

- 1.1.6 Continue to engage with our farming community on road and road related infrastructure maintenance and improvements.
- 2.1.3 Develop and prioritise detailed plans relating to new infrastructure, infrastructure upgrade and renewal (including roads, bridges, drains, footpaths and buildings) for each town.

Financial Implications:

The average approximate cost for maintenance grading (once plant is mobilized) is \$700 per kilometer. Should Council wish to assume management of the southern and northern sections of Amy Johnson Highway with a classification of 6R, expected annual costs would be approximately \$2,250.

Should additional works be required (such as road formation, compaction and drainage), annual cost to Council would be approximately \$4,500.

Should upgrade to an all-weather road (classification 5R) be sought, the costs of upgrade would be approximately \$115,000.

Costs associated with the preparation of roads associated with the Rainbow Desert Enduro off-road race can be accommodated in the 2018/2019 proposed budget of \$16,000.

There are surveying and legal costs associated with the transfer of title.

Risk Management Implications:

It is a requirement that the Shire provide road access to all properties within its municipal boundaries. Currently the four properties on Amy Johnson Highway are land-locked and do not have road access to their boundaries apart from through Parks Victoria land. There is a risk that by not acting Council is not meeting its obligations to the affected ratepayers and is legally liable for the lack of recognized property access.

Council's Road Management Plan sets out its road management policy and offers protection to Council from potential litigation should compliance with the plan be maintained.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Shane Power, Director Infrastructure Services

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

Author – Mike Coppins, Senior Assets Engineer

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

Communications Strategy:

Council's decision will be communicated to affected property owners directly.

Next Steps:

Should Council endorse the recommendation, officers will commence the land excision process with Parks Victoria and the Department of Environment, Land, Water and Planning.

RECOMMENDATION:

That Council endorses option 3 and proceeds to create road reserves by seeking agreement from Parks Victoria, to excise from their land the following areas:

- ***The southern and northern sections of Amy Johnson Highway***
- ***the extensions of Burma and Ross Lake Roads,***
for the provision of rural property access and for the facilitation of the Rainbow Desert Enduro off-road event as illustrated in Attachments 6 - 8.

Attachments: 4, 5, 6, 7 & 8

12. SPECIAL COMMITTEES

12.1 NHILL TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment: 9

Introduction:

The Nhill Town Committee held its meeting on 19 February 2018. The purpose of this report is to note the minutes from these meetings. A copy of the minutes is included as an attachment for the information of Council.

RECOMMENDATION:

That Council notes the minutes of the Nhill Town Committee Meeting held on 19 February 2018.

Attachment: 9

13. LATE REPORTS

No reports

14. OTHER BUSINESS

15. CONFIDENTIAL REPORTS

In accordance with Section 89 (2) of the *Local Government Act 1989*, Council may close the meeting to the public if items to be discussed are deemed confidential, that is, if the items to be discussed relate to:

- a) Personnel matters;
- b) The personal hardship of any resident or ratepayer;
- c) Industrial matters;
- d) Contractual matters;
- e) Proposed developments;
- f) Legal advice;
- g) Matters affecting the security of Council property;
- h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

RECOMMENDATION:

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, to consider:

15.1 *Business Assistance Grants*

15.2 *Community Action Grants*

16. MEETING CLOSE
