



26 September 2018

To Councillor,  
"as addressed"

NOTICE is hereby given that an **ORDINARY MEETING** of the Hindmarsh Shire Council will be held at the Supper Room, MECCA, Rainbow on Wednesday 3 October 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. **Correspondence**
- 8. **Assembly of Councillors**
  - 8.1 Record of Assembly
- 9. **Planning Permit Reports**

No report

**10. Reports Requiring a Decision**

- 10.1 Audit Committee
- 10.2 Urgent Works – Propodollah Netherby Road
- 10.3 Rail Freight Alliance

**11. Special Committees**

- 11.1 Yurunga Homestead Committee
- 11.2 Nhill Town Committee

**12. Late Reports**

No report

**13. Other Business**

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**14. Confidential Matters**

No report

**15. Meeting Close**

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**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 Special Council Meeting held on Wednesday  
19 September 2018 at the Council Chambers, 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.

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**5. PUBLIC QUESTION TIME**

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**6. DEPUTATIONS**

No deputations

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**7. CORRESPONDENCE**

**7.1 GENERAL CORRESPONDENCE**

**Responsible Officer:** Chief Executive Officer

No correspondence.

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**8. ASSEMBLY OF COUNCILLORS**

**Responsible Officer:** Chief Executive Officer

**Attachment:** 2

**Introduction:**

The attached Assembly of Councillors Records are 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.

**Options:**

1. That Council accepts the Assembly of Councillors Records as presented.

***RECOMMENDATION:***

***That Council accepts the Assembly of Councillors Records as presented.***

*Attachment: 2*

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**9. PLANNING PERMITS**

No report

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**10. REPORTS REQUIRING A DECISION**

**10.1 HINDMARSH SHIRE COUNCIL AUDIT COMMITTEE**

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

**Attachment:** 3

**Introduction:**

The Hindmarsh Shire Council Audit Committee held its general meeting on 13 September 2018. The purpose of this report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

**RECOMMENDATION:**

***That Council notes the minutes of the Hindmarsh Shire Council Audit Committee general meeting held on 13 September 2018.***

*Attachment: 3*

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## 10.2 URGENT WORKS – PROPODOLLAH-NETHERBY ROAD

**Responsible Officer:** Director Infrastructure Services

**Attachment:** 4

### **Introduction:**

This report seeks Council approval to carry forward \$37,700 from the 2017/2018 budget for Major Culverts to replace the failed guardrail safety system on the Propodollah-Netherby Road culvert.

### **Discussion:**

Recent inspections of Council's bridges and major culverts has revealed that the guardrail safety system on the Propodollah-Netherby Road culvert has failed and urgently needs to be replaced to ensure the safety of road users.

The culvert is located on the on the Propodollah-Netherby Road approximately 125m north of Dry Dam Road. Propodollah-Netherby Road primarily services local farming properties with vehicle activity increasing during harvest, including truck movements. With a trafficable width of approximately five metres, the guardrail is designed to protect motorists from exiting the road into the dry creek bed approximately three meters below.

The majority of the timber posts have split or are rotted and are no longer effective, rendering the guardrail beyond repair. Sections of the guardrail barrier beams are also damaged from vehicle impact, and the height of the barrier and the end terminals also do not meet standards.

Officers have received a number of quotations with the lowest price being \$37,700 (GST inclusive) for the replacement of the guardrail with a system compliant with current standards.

Council's 2017/2018 budget for Major Culverts was underspent by \$40,000. This report recommends carrying forward \$37,700 from this budget to fund the replacement of the guardrail on the Propodollah-Netherby Road culvert.

### **Options**

Council can choose to:

1. Carry forward \$37,700 from the 2017/2018 budget for Major Culverts (ledger 20251) to replace the failed guardrail on the Propodollah-Netherby Road culvert; or
2. Not carry forward \$37,700 from the 2017/2018 budget for Major Culverts (ledger 20251) to replace the failed guardrail on the Propodollah-Netherby Road culvert.

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

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



**Financial Implications:**

This report seeks approval to carry forward \$37,700 from the 2017/2018 budget for Major Culverts (ledger 20251), it is unlikely that these works will have any impact on the 2018/2019 budget if approved.

**Risk Management Implications:**

The condition of the guardrail on the Propodollah-Netherby Road culvert poses an unacceptable risk to motorists at present. Works staff have placed warning signs and webbing to highlight the hazard to motorists until a permanent repair occurs.

**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:**

The community will be informed of pending works via Councils Facebook page.

**Next Steps:**

Officers will confirm award of works to the contractor who submitted the lowest quote and schedule works to occur as soon as practicable.

**RECOMMENDATION:**

***That Council approves the expenditure of \$37,700 for urgent works required for the installation of a replacement guardrail on the Propodollah-Netherby Road culvert, funded from the 2017/18 carry forward from ledger 20251.***

*Attachment: 4*

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### 10.3 RAIL FREIGHT ALLIANCE

**Responsible Officer:** Director Infrastructure Services

#### **Introduction:**

The Rail Freight Alliance is an advocacy body for investment in rail infrastructure throughout Victoria. This report discusses the role of the Rail Freight Alliance for Council's consideration in whether to maintain its membership with the alliance.

#### **Discussion:**

The Rail Freight Alliance (the Alliance) recently presented to Council at a briefing, prompting Councillors to request a report for their consideration in whether or not to continue its membership with the Alliance. Council did not include an amount for membership of the RFA in its 2018/19 budget and wrote to the RFA on 20 April 2018, notifying them that Council would be withdrawing from membership from 1 July 2018.

Established in 1997, the Alliance has a membership comprising 24 councils from across Victoria including rural, regional and metropolitan councils. The Alliance's remit is to advocate for:

- Rail standardization of all key rail lines in Victoria
- Upgrading and connecting to a National Rail Freight Network
- A competitive, independent and open access rail freight system
- Seamless freight logistics that will facilitate efficient rail freight movement

The Alliance has published a number of reports and submissions including:

- Murray Basin Region Freight Transport Project Position Paper
- Submission to the Port of Melbourne Lease Transaction Bill
- Submission State Budget
- Submission to Infrastructure Victoria Draft Strategy
- Submission to Infrastructure Victoria - Second Container Port Advice
- Rail Freight Alliance Policy Statement 2018

The Alliance does not appear to advocate for passenger rail or other modes of transport.

It is widely recognised that heavy vehicles associated with the transport of grain and minerals from the Wimmera Mallee is severely impacting the performance and safety of local roads, especially 'c class' roads managed by the State. The Alliance (and other groups) advocate for investment in rail freight projects including rail gauge standardization, multi modal schemes and freight terminals to accommodate greater freight on rail. It is difficult however to measure the level of influence the Alliance (and other advocacy bodies) has on State and Federal investment in rail freight infrastructure.

In addition to the Alliance, Hindmarsh Shire Council is a member of many regional advocacy and planning groups related to transport including:

- Western Highway Action Committee;
- Wimmera Southern Mallee Regional Transport Group; and (more broadly) with
- Wimmera Development Association and the Wimmera Southern Mallee Regional Assembly; and
- Western Rail

In July 2018, the State Government released the Victorian Freight Plan, *Delivering the Goods*, which identifies a number of priorities for freight infrastructure investment. The State Government has also established 'Freight Victoria, a dedicated, specialist freight division of Transport for Victoria to coordinate the development of an efficient freight and logistics system for Victoria' (transport.vic.gov.au).

With the establishment of Freight Victoria and through existing advocacy groups, effective advocacy for investment in freight related infrastructure for the benefit of the Hindmarsh Shire farming community and road users can be achieved without the Rail Freight Alliance. It is therefore recommended that Council not renew its membership with the Rail Freight Alliance.

**Options:**

Council can:

1. Renew its membership with the Rail Freight Alliance; or
2. Not renew its membership with the Rail Freight Alliance.

**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 Well maintained physical assets and infrastructure to meet community and organisational needs.
- 3.4 Transport solutions that support the needs of our communities and businesses.
- 4.1 Long term financial sustainability.

**Financial Implications:**

Membership to the Rail Freight Alliance has increased this year to \$3,000 per annum plus GST (\$2,000 plus GST in 2017/18). Council did not include funding for the RFA in its 2018/19 Budget.

**Risk Management Implications:**

Should Council decide to not continue its membership to the Alliance, there is a low risk that investment in freight infrastructure for the benefit of Hindmarsh Shire farmers and road users will be jeopardised.

**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, I have no disclosable interests in this report.

**Communications Strategy:**

Officers will inform Rail Freight Alliance of Council's decision.

**Next Steps:**

Councillors and officers continue to advocate for investment in freight related infrastructure for the region.

***RECOMMENDATION:***

***That Council not renew its membership with the Rail Freight Alliance.***

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## 11. SPECIAL COMMITTEES

### 11.1 YURUNGA HOMESTEAD COMMITTEE

**Responsible Officer:** Director Corporate and Community Services  
**Attachment:** 5

**Introduction:**

The Yurunga Homestead Committee held its meeting on 16 August 2018. The purpose of this report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

**RECOMMENDATION:**

***That Council notes the minutes of the Yurunga Homestead Committee meeting held on 16 August 2018.***

*Attachment: 5*

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### 11.2 NHILL TOWN COMMITTEE

**Responsible Officer:** Director Corporate and Community Services  
**Attachment:** 6

**Introduction:**

The Nhill Town Committee's scheduled meeting for 20 August 2018 was cancelled due to lack of quorum. The purpose of this report is to note the formal letter received from the Nhill Town Committee with a list of motions. A copy of the letter is included as an attachment for the information of Council.

**RECOMMENDATION:**

***That Council notes the formal letter from the Nhill Town Committee.***

*Attachment: 6*

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**12. LATE REPORTS**

No report

**13. OTHER BUSINESS**

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**14. 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.

No confidential reports.

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**15. MEETING CLOSE**

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