

# AGENDA

ORDINARY MEETING OF THE  
**HORSHAM RURAL CITY COUNCIL**

on

**18 December 2017**

**5.30pm**

at

Civic Centre

HORSHAM

**COUNCILLORS are respectfully requested to attend the Ordinary Meeting of the Horsham Rural City Council to be held in the Municipal Chambers, Civic Centre, Horsham at 5.30pm on 18 December 2017.**

### Order of Business

1.	READING OF PRAYER AND THE ACKNOWLEDGEMENT OF COUNTRY STATEMENT .....	4
2.	WELCOME TO DISTINGUISHED GUESTS OR PERSONS IN THE PUBLIC GALLERY .....	4
3.	APOLOGIES AND REQUEST FOR LEAVE OF ABSENCE.....	4
4.	CONFIRMATION OF MINUTES AND SIGNING THEREOF.....	4
5.	DISCLOSURE OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST.....	4
6.	PUBLIC QUESTION TIME .....	6
7.	OTHER BUSINESS .....	7
7.1	RESUMPTION OF DEBATE ON THE MOTIONS FROM PREVIOUS MEETING.....	7
7.2	RECEPTION AND READING OF PETITIONS, MEMORIALS, JOINT LETTERS AND DEPUTATIONS .....	7
7.3	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	7
7.3.1	<i>NOTICE OF MOTION NO. 164</i> .....	7
7.4	COUNCILLORS QUESTIONS WITH NOTICE.....	7
7.5	ORDERS OF THE DAY .....	7
8.	OTHER REPORTS .....	8
8.1	ASSEMBLY OF COUNCILLORS – RECORD OF MEETINGS.....	8
8.2	SEALING OF DOCUMENTS.....	8
8.3	INWARD CORRESPONDENCE .....	8
8.4	COUNCIL COMMITTEE MINUTES.....	9
8.4.1	<i>Horsham Aerodrome Advisory Committee meeting held on Tuesday 12 December, 2017 at 5.30pm at the Horsham Aero Club .....</i>	9
8.4.2	<i>Wimmera Southern Mallee Regional Transport Group (WSM RTG) meeting held on Friday 1 December, 2017 at 12.00pm in the Reception Room, Municipal Offices, Horsham .....</i>	9
8.4.3	<i>RoadSafe Wimmera Inc meeting held on Monday 11 December, 2017 at 7.00pm at the Horsham Sports and Community Club, Baillie Street, Horsham .....</i>	9
9.	COUNCILLORS' REPORTS.....	10
10.	OFFICERS REPORTS .....	11
10.1	CHIEF EXECUTIVE.....	11
10.1.1	<i>MOTOCROSS .....</i>	11
10.1.2	<i>OUTSTANDING COUNCIL RESOLUTIONS .....</i>	14
10.1.3	<i>APPOINTMENT OF THE PRINCIPAL CONDUCT OFFICER .....</i>	15
10.2	DIRECTOR OF CORPORATE SERVICES.....	17
10.2.1	<i>PIMPINIO SPECIAL COMMUNITY GRANTS ROUND 2017/2018.....</i>	17
10.2.2	<i>LOAN BORROWING POLICY.....</i>	18
10.2.3	<i>AUDIT COMMITTEE MEETING - NOVEMBER 2017.....</i>	20
10.2.4	<i>REVIEW OF THE LOCAL GOVERNMENT ACT.....</i>	22

10.3	DIRECTOR OF PLANNING AND ECONOMIC.....	25
10.3.1	BUILDING PERMIT REPORT .....	25
10.3.2	AMENDING A SECTION 173 AGREEMENT – 650 RIVERSIDE EAST ROAD, RIVERSIDE – A AND S RELOUW.....	26
10.4	DIRECTOR OF COMMUNITY SERVICES .....	30
10.4.1	WIMMERA DRUG ACTION TASKFORCE .....	30
10.4.2	MEALS CONTRACT.....	31
10.4.3	MEALS CONTRACT.....	33
10.5	DIRECTOR OF TECHNICAL SERVICES .....	34
10.5.1	ANZAC CENTENARY PEDESTRIAN BRIDGE – CONSTRUCTION REVIEW.....	34
10.5.2	VARIOUS ROAD CONSTRUCTION CONTRACTS .....	36
10.5.3	CONTRACT 16/005 – EXTENSION OF RECYCLING COLLECTION CONTRACT .....	41
11.	URGENT BUSINESS.....	42

CLOSE



PETER F BROWN  
Chief Executive

1. **READING OF PRAYER AND THE ACKNOWLEDGEMENT OF COUNTRY STATEMENT**
2. **WELCOME TO DISTINGUISHED GUESTS OR PERSONS IN THE PUBLIC GALLERY**
3. **APOLOGIES AND REQUEST FOR LEAVE OF ABSENCE**
4. **CONFIRMATION OF MINUTES AND SIGNING THEREOF**  
MINUTES OF AN ORDINARY MEETING OF THE HORSHAM RURAL CITY COUNCIL HELD IN THE MUNICIPAL CHAMBERS, CIVIC CENTRE, HORSHAM AT 5.30PM ON 4 December 2017
5. **DISCLOSURE OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST**

A Councillor who has a conflict of interest and is attending the Council meeting must make a full disclosure of that interest.

(a) by either –

- (i) advising the Council at the meeting of the details required under paragraphs (b) and (c) immediately before the matter is considered at the meeting; or
- (ii) advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and

(b) classifying the type of interest that has given rise to the conflict as either –

- (i) a direct interest under 77B; or
- (ii) an indirect interest and specifying the particular kind of indirect interest under:

Section 78 – close association  
Section 78A – financial interest  
Section 78B – conflicting duties  
Section 78C – receipt of an applicable gift  
Section 78D – consequence of becoming an interested party  
Section 78E – impact on residential amenity; and

(c) describing the nature of the interest; and

- (d) if the Councillor advised the Chief Executive Officer of the details under paragraph (a)(ii), the Councillor must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

Members of Staff

Under Section 80C of the Local Government Act 1989, officers or people engaged under contract to the Council providing a report or advice to Council must disclose any conflicts of interests in the matter, including the type of interest.

**6. PUBLIC QUESTION TIME**

**7. OTHER BUSINESS**

**7.1 RESUMPTION OF DEBATE ON THE MOTIONS FROM PREVIOUS MEETING**

NIL

**7.2 RECEPTION AND READING OF PETITIONS, MEMORIALS, JOINT LETTERS AND DEPUTATIONS**

NIL

**7.3 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**7.3.1 NOTICE OF MOTION NO. 164**

Given by Cr David Grimble

TAKE NOTICE that it is my intention to move the following motion at the Ordinary Meeting of the Horsham Rural City Council, to be held at the Civic Centre, Roberts Avenue, Horsham on Monday 18 December, 2017.

“That the following motion passed by Council on Monday 4 December, 2017 -

*Moved Cr Radford, Seconded Cr Koenig that Council approve the proposed allocations from the 2016-17 Financial Year Final Cash Surplus.*

**CARRIED**

Be and is hereby RESCINDED.”

---

Cr David Grimble

CIVIC CENTRE  
HORSHAM 3400  
13 December, 2017

**7.4 COUNCILLORS QUESTIONS WITH NOTICE**

NIL

**7.5 ORDERS OF THE DAY**

NIL

## **8. OTHER REPORTS**

### **8.1 ASSEMBLY OF COUNCILLORS – RECORD OF MEETINGS**

Meeting of Councillors held on Wednesday 6 December, 2017 at 7.30am in the Council Chamber.

Council Briefing meeting held on Monday 11 December, 2017 at 5.00pm in the Reception Room.

Refer to **Appendix “8.1A”**.

### **8.2 SEALING OF DOCUMENTS**

#### **Documents Signed and Sealed by Council under Delegation**

Local Government Funding Vehicle Program Change of Trustee.

#### **Recommendation**

That -

1. Council note the Assembly of Councillors’ – Record of Meetings,
2. The documents as listed be signed and sealed by Council.

### **8.3 INWARD CORRESPONDENCE**

NIL



#### **8.4 COUNCIL COMMITTEE MINUTES**

**8.4.1 Horsham Aerodrome Advisory Committee meeting held on Tuesday 12 December, 2017 at 5.30pm at the Horsham Aero Club**

**8.4.2 Wimmera Southern Mallee Regional Transport Group (WSM RTG) meeting held on Friday 1 December, 2017 at 12.00pm in the Reception Room, Municipal Offices, Horsham**

**8.4.3 RoadSafe Wimmera Inc meeting held on Monday 11 December, 2017 at 7.00pm at the Horsham Sports and Community Club, Baillie Street, Horsham**

Refer to **Appendix "8.4A"**.

## 9. COUNCILLORS' REPORTS

## 10. OFFICERS REPORTS

### 10.1 CHIEF EXECUTIVE

#### 10.1.1 MOTOCROSS

PF Brown / John Martin / Susan Surridge File Ref: F20/A02

#### Purpose

This report advises Council in relation to critical infrastructure improvements required at the Dooen Motocross Track and funding which Council has been seeking.

#### Background

For the past 18 months, Horsham Rural City Council has been working with the Horsham Motorcycle Club and Regional Development Victoria to secure funding for a critical infrastructure upgrade at the Dooen Motocross Track.

On the advice of Regional Development Victoria, Council applied unsuccessfully to Tourism Victoria for infrastructure funding in late 2016. An application was then lodged to Regional Development Victoria on 31 May 2017 for a \$300,000 grant towards a planned infrastructure upgrade for the 2018 World Junior Motocross Championships. During August-September 2017, Council became aware that the success of this application was unlikely and on 7 November 2017, we were advised that it was unsuccessful. Attached as **Appendix "10.1A"** is a letter from the Mayor to The Hon Jaala Pulford, MLC, Minister for Regional Development on 19 October, 2017 and the response from Ms Pulford on 15 November 2017.

Since then, Council has been in discussions with the Horsham Motorcycle Club in relation to critical infrastructure requirements for the World Championships to ensure that the club can safely and effectively cater for the world event next August. A successful world junior motocross event will assist bids to host future world senior events and future rounds of Australian motocross championships. These events attract large numbers of entrants and visitors to our region, providing significant economic benefit.

#### Issues

##### **1. Critical Racing Infrastructure**

In preparation for the 2017 Australian Junior Motocross Championships, the club completed the following essential works:

Infrastructure Item	Amount \$ (ex GST)
Additional wash bays	20,000
Start line upgrade	4,000
Start line gantry	52,530
Gantry signage (Horsham/Australia)	1,730
<b>Total club commitment as at 14/11/17</b>	<b>78,260</b>

Note: \$10,000 funding from 2017-2018 and \$10,000 from 2016-2017 Horsham Rural City Council Community Grants Program and \$10,000 from 2016-2017 TEFFA funding form part of the club's cash contribution towards installation of critical racing infrastructure

Representatives of FIM (Federation Internationale de Motocyclisme) and Youthstream visited Horsham and the Motocross facilities on 8 and 9 December. Resulting from this meeting and track inspection is a final list of critical racing infrastructure required for the World Championships as follows:

Infrastructure Item	Amount \$ (ex GST)
1. Security lighting and switchboard upgrade	31,882
2. Timing system upgrade and installation	12,000
3. Extension of pit-board area to cover 11 additional monitors	3,000
4. Safety fencing (250 metres north and south ends)	20,661
<b>Total funding request to Council</b>	<b>67,543</b>

Notes on requirements:

1. Switchboard upgrade includes additional power capacity and installation of circuit breakers to isolate key requirements of the event. i.e. timing system.
2. Timing system – the initially proposed second timing system to the half-way point of track is now not required. Timing connection to the pit board area is crucial and requires hard wiring to support the eleven additional monitors required for the event.
3. Extension of the pit-board area is required to create the physical space for 11 additional monitors
4. FIM are very happy with standard of safety fencing to date and have requested the completion of the north and south ends, but noted that the whole reserve does not need to be fenced.

## **2. Grandstand**

The Horsham Motorcycle Club has advised that following Regional Development Victoria's rejection of the grant application, they have purchased two portable grandstands from the Horsham A&P Society which they intend to relocate and refurbish at their own cost to provide some additional trackside seating.

### 3. Road Infrastructure

The Regional Development Victoria funding application noted the safety issues relating to traffic exiting the Henty Highway at the Horsham Pistol Club entrance, where there is no turning lane. During an event, there are many large trailers and vans using this access road. The Horsham Motorcycle Club also noted the need for all-weather parking on the sides of the access road if there is wet weather during the event. The cost of sealing the access road from River Heights Road to Dooen Recreation Reserve is \$210,000. The sealing of the access road will provide safety benefits to the motorcycle club and other users of the reserve.

<b>Total cost of sealing access road from River Heights Road to Dooen Recreation Reserve</b>	<b>\$210,000</b>
<b>Funding:</b>	
DEDJTR Department of Transport Grant (confirmed)	\$50,000
Horsham Rural City Council 2017-2018 Roads Budget Allocation	\$90,000
<b>Additional funding required from Council to complete road project</b>	<b>\$70,000</b>

*Notes:*

- 1. If the Road Infrastructure is not completed, Council will return the DEDJTR confirmed funding of \$50,000*
- 2. The motocross track has been used on average 78 days per year over the past three years, including many national and state level events.*

### Event Safety

Safety for competitors and spectators has been a key element of planning for the 2018 event. Key stakeholders, Ambulance Victoria and Wimmera Health Care Group, have commenced a partnership-based approach with Council and the Motocross Club for medical services planning of the 2018 event.

At the initial meeting of this group, held on 6 December, all parties expressed a commitment to help deliver a safe and successful event in 2018. The Motocross Club has already committed to engaging the company Race Safe to provide on-track medical services for this event - the Ambulance Victoria representative at the meeting confirming the level of professionalism of this company.

Further details of medical support arrangements will be developed through the partnership in early-2018.

Track safety was also a focus of the FIM Race Director, who attended the inspection on 8-9 December. The Race Director indicated that the track is "a very safe track".

## **Financial**

At the meeting on 20 November 2017, Council considered a number of matters in relation to finance, including a cash surplus from the 2016-2017 financial year. It was the intention that part of the resolution before Council to place some of that surplus into a major capital works reserve was to provide funds to assist with the critical infrastructure requirements of the Horsham Motorcycle Club.

## **Links To Council Plans, Strategies, Policies**

2017-2021 Council Plan:

2.3.4 Explore opportunities from the 2017-2018 Australian and International Motocross Events

## **Recommendation**

1. That Council provides \$67,543 to the Horsham Motorcycle Club to assist with critical infrastructure at the Dooen Motocross Track, conditional upon the Motocross Club agreeing to participate in regular monthly meetings with Council and other stakeholders to maximise the economic benefit of the event to the region to be funded from the capital works reserve.
2. That Council allocates a further \$70,000 to complete access road upgrades at the Dooen Motocross Track, provide all weather access and to improve safety at the track to be funded from the capital works reserve.

### **10.1.2 OUTSTANDING COUNCIL RESOLUTIONS**

PF Brown/SG Frankham File Ref: F19/A11/000001

#### **Purpose**

To provide an update on the Outstanding Council Resolutions Action List and the Completed Council Resolutions Action List.

#### **Background**

Horsham Rural City Council has a procedure in place to ensure that all resolutions passed by Council are closely monitored and actioned within the required timeframe. Resolutions are placed on the Outstanding Council Resolutions Action List after each Council meeting and updated by the responsible officer once their action is completed.

At the start of each month, the Outstanding Council Resolutions Action List is reviewed by the Executive Management Group and circulated to Councillors, where there is an opportunity to seek clarification on any of the actions contained in the list. Completed actions are then transferred to a Completed Council Resolutions Action List. The Outstanding Council Resolutions Action List and Completed Council Resolutions Action List is presented to Council annually for information.

Attached as **Appendix “10.1B”** is the Outstanding Council Resolutions Action List and **Appendix “10.1C”** the Completed Council Resolutions Action List as at 30 November 2017 for the information of Council.

### **Consultation/Communication**

The Outstanding Council Resolutions Action List is reviewed by the Executive Management Group and circulated to Councillors at the start of each month. This provides the opportunity for Councillors to seek clarification on any of the items contained in the Action List.

### **Links To Council Plans, Strategies, Policies**

2017-2021 Council Plan

- Goal 4 – Governance and Business Excellence
- Horsham Rural City Council Procedure No P04/003 – Council Resolutions

**Provided for information of Council.**

## **10.1.3 APPOINTMENT OF THE PRINCIPAL CONDUCT OFFICER**

Graeme Harrison

File Ref:

### **Purpose**

To appoint a person to perform the function of the Principal Conduct Officer, (PCO) under Section 81Y of the Local Government Act 1989 (the Act).

### **Background**

Section 81Y of the Act requires the Chief Executive officer to appoint in writing a PCO. The PCO must be a senior officer of council (Director) or a person that is suitably qualified to perform the function (but cannot be the CEO themselves). If the person is to not be a Senior Officer then they must be appointed by resolution of Council.

The role of the PCO is to administer the dispute resolution processes as defined in both the Act and in the Councillor's Code of Conduct, and to assist in related administrative processes.

The current PCO is Mr Graeme Harrison, Director Corporate Services, who has been appointed as Acting CEO for the period from 2 Jan 2018 to, at this stage, the 31 March 2018 or earlier if a new CEO commences before then.

As a result a replacement PCO for this period will need to be appointed.

### **Issues**

On consideration of relevant matters and circumstances following the CEO's departure it is recommended that Lauren Coman Regulatory Services Manager be appointed as the PCO. Lauren Coman has a Bachelor of Arts / Law degree and prior to being employed at council was an associate to a Supreme Court Justice, practiced as a solicitor for two years and practiced at the Queensland Bar as a barrister for nine years.

Lauren is well versed in legal processes and is suitably qualified to perform this role.

### **Consultation/Communication**

The appointment has been discussed with the Director of Corporate Services and Lauren's supervisor the Director of Planning & Economic.

### **Financial**

There are no costs associated with the appointment of the PCO.

### **Links To Council Plans, Strategies, Policies**

Council Plan Goal 4 – Governance and Business Excellence

### **Recommendation**

That Council appoint Lauren Coman, Manager Regulatory Services as the Principal Conduct Officer until such time as the Graeme Harrison, Director of Corporate Services ceases in the Acting role as Chief Executive Officer, whereupon he will resume the role of Principal Conduct Officer.

**PETER F. BROWN**  
**Chief Executive**



## 10.2 DIRECTOR OF CORPORATE SERVICES

### 10.2.1 PIMPINIO SPECIAL COMMUNITY GRANTS ROUND 2017/2018

S Surridge

File Ref: F20/A01/000006

#### Purpose

To present for adoption Council's proposed Pimpinio Special Community Grants allocation for 2017/2018 with funding of \$34,320 derived from the sale of the old school site in Pimpinio.

#### Background

At the meeting held on 18 September 2017, Council agreed to:

- distribute \$34,320 back to the Pimpinio community from the sale of the old school site;
- conduct a special round of Council's community grants program in 2017 with the final allocations to be made by resolution of Council

Council also noted that if the full amount of funds should not be allocated through the community grants program, the funds would be utilised within existing Council programs for the betterment of the broader Pimpinio community.

Applications for the Pimpinio Community Grants Program opened on 27 October 2017 and closed on 24 November 2017.

The program guidelines and application form were forwarded to the following identified groups in Pimpinio and advertised in Council's public notices:

- Pimpinio Sports and Community Club
- Pimpinio Golf Club
- Pimpinio Uniting Church
- Pimpinio Cemetery Trust

A total of five applications were received. Grant requests totalled \$60,760, and proposed allocations of \$34,320 have been made (**Appendix "10.2A"**).

#### Consultation/Communication

Applications have been considered by the Executive Management Group prior to presentation to Council for its consideration. Announcement of these funding allocations will be made following resolution of Council.

#### Officer Declaration of Interest

All those involved with the assessment and decisions on funding are requested to declare any conflict of interest and to not discuss or vote on any particular applications where there may be a real or perceived conflict of interest. There were no conflicts of interest declared.

## Financial

The proposed allocation of \$34,320 will fully expend the funds available.

## Links To Council Plans, Strategies, Policies

The Pimpinio Special Community Grants Program Guidelines links to the key priorities of the Council Plan and Health and Well-being Plan.

## Recommendation

1. To approve the allocations to the various grant recipients as detailed in **Appendix "10.2A"**.
2. To immediately advise all successful and unsuccessful grant applicants of the outcome of their submissions.

### 10.2.2 LOAN BORROWING POLICY

G Harrison

File Ref: F18/A10/000001

#### Purpose

To adopt a revised Loan Borrowing Policy.

#### Background

The current Loan Borrowing Policy was last reviewed and adopted on 3 December 2012. The attached policy (**Appendix "10.2B"**) has been reviewed and adapted to Council's current policy template.

The Loan Borrowing Policy is an important document that sets parameters around the level of borrowings that Council is prepared to undertake and the types of expenditure that Council may borrow for.

Key principles of the policy have remained unchanged as follows:

- Borrowing of funds only for the purposes of funding new infrastructure, renewal of existing infrastructure and in special circumstances operational expenditure (eg Unfunded Superannuation contributions)
- Council must approve all borrowings
- All borrowings will be considered as part of Council's Long Term Financial planning using sound financial management principles and fall within the defined borrowing ratios
- Council reserves the right to borrow funds from appropriate lending institutions as it sees fit

- The tenure of a loan will not be greater than the expected useful life of the asset being funded by the loan

### **Issues**

Some additions/changes have been made to the policy as follows:

- When borrowing via an interest only loan council will establish a cash funded reserve to set aside the final principal due at the end of the borrowing term.
- Borrowings shall not be undertaken if the effect of such borrowings is projected to result in borrowing ratios greater than the maximum levels indicated:

<b>Borrowing Ratio</b>	<b>Note</b>	<b>New Target</b>	<b>Previous Target</b>
Debt Commitment Ratio	1	< 10%	N/A
Debt Service Ratio	2	N/A	< 5%
Borrowing Rates Ratio	3	<60%	<60%
Liquidity Ratio	4	>120%	>120%

Note (1) The Debt Commitment Ratio is a ratio of total interest and principal payments for the year divided by rate revenue. This is a measure that is calculated as part of the Local Government Performance Reporting Framework (LGPRF) and is reported across the state for all councils via the “Know Your Council” website.

Note (2) the Debt Service Ratio is a ratio of Interest payments divided by total revenue. This is a measure that is no longer widely used by either the Victorian Auditor General or the LGPRF.

Note (3) the Borrowing Rates Ratio is total interest bearing loans and borrowings divided by rate revenue.

Note (4) the Liquidity Ratio is current assets divided by current liabilities.

The change from the Debt Service Ratio to the Debt Commitment Ratio provides Council with an easier method of comparison across all other councils and is arguably a better measure of the appropriate level of debt in comparison to the size and nature of Council’s activities.

In order to understand and compare the targets for each of these ratios, the current calculations as per the 2017-18 Budget are:

Debt Commitment Ratio	2.9%
Debt Service Ratio	0.6%
Borrowing Rates Ratio	25.9%
Liquidity Ratio	209.5%

### Consultation/Communication

The issue of appropriate debt levels was discussed with Council at the Budget Planning meeting on 6 December 2017.

### Financial

Loan borrowings are an important source of funding for Council. This policy provides a structured and disciplined approach to the borrowing of funds.

### Links To Council Plans, Strategies, Policies

Council Plan Goal 4 – Governance and Business Excellence.

Local Government Act 1989 Section 144(1): ‘Subject to the principles of sound financial management, a Council may borrow money to enable the Council to perform the functions and exercise the power conferred on the Council under this Act or any other Act.’

### Recommendation

That Council adopt the revised Loan Borrowing Policy (**Appendix “10.2B”**).

## 10.2.3 AUDIT COMMITTEE MEETING - NOVEMBER 2017

D McDonald

File Ref: F18/A13/000001

### Purpose

To report outcomes of the Audit Committee meeting of 30 November 2017, and to table the Audit Committee Charter and Annual Plan 2018, and to recommend the annual appointment of the Chair.

### Background

The Horsham Rural City Council (HRCC) Audit Committee is an advisory committee of Council, whose objective is to provide appropriate advice and recommendations to Council on matters as listed in its Charter, in order to facilitate decision making by Council in relation to the discharge of its accountability requirements.

A copy of the minutes from the recent meeting of 30 November 2017, are attached as **Appendix “10.2C”**.

Also the Audit Committee Charter and Annual Plan 2018 are attached as **Appendix “10.2D”**.

Topics covered in the meeting were:

- Finance and Performance Committee – Final Cash Result
- Municipal Association of Victoria (MAV) WorkCare Self Insurance Scheme update
- A report on the progress against audit actions from past audits
- Draft Strategic Internal Audit Plan 2017/18
- Local Law Meeting Procedure
- Victorian Auditor-General's Office (VAGO) Roads to Recovery Audit
- Financial Report (September 2017)
- Budget Development Guidelines
- Strategic Risk Register report
- Insurance claims overview
- Audit Committee Charter and Annual Plan review
- Audit Committee Chair appointment
- CEO Recruitment
- A range of compliance matters

### **Issues**

A detailed internal report from the Director of Corporate Services, was tabled reviewing the issues from the Local Government Inspectorates report re the dismissal of the Central Goldfields Council. The report looked at all aspects that were listed by the Inspectorate to identify how Horsham Rural City Council was addressing these issues and concluded that Horsham Rural City Council is largely compliant with respect to each of the matters. Some minor actions were identified that will be monitored and managed alongside other internal audit actions.

The Audit Committee Charter and Annual Plan 2018 sets out the Audit Committee's objectives, authority and responsibilities, and is reviewed annually. This year's review was minor and consisted of one position title change and also appropriate date changes to the document, and has been endorsed by the Audit Committee at the meeting of 30 November 2017.

### **Links To Council Plans, Strategies, Policies**

Council Plan Goal 4 – Governance and Business Excellence  
Four-year outcomes – 4.2 Manage risk to the organisation and 4.4 Achieve high standards of organisational performance

### **Recommendation**

1. Council adopts the revised Audit Committee Charter and Annual Plan 2017-18.
2. That Council appoints Mr Geoff Price as the Independent Chair of the committee for an additional one year term.

## **10.2.4 REVIEW OF THE LOCAL GOVERNMENT ACT**

G Harrison

File Ref: F19/A15/000001

### **Purpose**

To provide Council with information on the release of an Exposure Draft for the new proposed Local Government Act, and the opportunity for all interested parties to make submissions to the process until 23 February 2018.

### **Background**

The current state government announced that it would be undertaking a review of the Local Government Act 1989 (the Act) during its current term of office. It was cited that there have been significant economic, demographic, and technology changes since the Act came in to effect in 1989. Local Government functions have evolved to meet some of these changes, but things can be done better thereby achieving further efficiencies.

Since the Act was created there have been over 90 amending Acts which resulted in hundreds of amendments, thereby causing the Act to become poorly structured and unclear and even at times contradictory. It also contains some historic and redundant clauses which obscure meaning and can be an obstacle to efficient administration of council.

The State Government also hopes that in the process of the review, the relationship between State and Local Government will be modernised to better reflect the roles and responsibilities of both parties, giving councils the authority to engage, challenge, innovate and deliver.

The stated purpose for the review as per the terms of reference are: "...to revise the current legislation governing local government in Victoria to create a more contemporary, accessible, plain English Act, that meets current and future needs of the community and local government sector".

The reforms to the Local Government Act will help:

- Victorians better understand and value councils' role as democratically elected bodies;
- Councils be more autonomous and embrace innovation and collaboration; and
- The Act become a living document that tells people clearly what councils do and how to get involved.

## Issues

On 12 December 2017, the Government released an Exposure Draft of the Local Government Bill for public comment. The explanatory document accompanying the Bill – A New Local Government Act for Victoria - explains the rationale for the review, its aims and engagement process and sets out the structure of the Bill, highlighting major differences in provisions comparing the 1989 Act and the 2018 Bill.

This explanatory document has been prepared to assist councils and members of the public navigate the new draft Bill and understand its intent and impact. This can be found on the website: [www.yourcouncilyourcommunity.vic.gov.au](http://www.yourcouncilyourcommunity.vic.gov.au)

Should the revised Bill receive royal assent in the first half of 2018, commencement of provisions will be staged between July 2018 and October 2020. The Exposure Draft Bill does not include commencement and transitional provisions. Accordingly, the explanatory document spells out the timing of its proposed four stages of implementation and what would be required of councils at each stage.

A summary document **Appendix “10.2E”** gives a quick overview of the new Act and changes. At this stage officers have not had the opportunity to review the document in detail but the change in relation to the Rating of the Mining Sector that Council made submissions on and worked with the North West Municipalities Association on, has been included in the Exposure Draft.

## Consultation/Communication

Councils and their communities are invited to have their say on the Exposure Draft Bill and contribute any suggestions for improvement before the Bill enters the Parliament. This will mark the fourth and final stage of extensive engagement with councils, ratepayers and the wider community on shaping a new Act.

The Exposure Draft is open for comment until Friday, 23 February 2018.

Submissions can be made in three ways:

- Online by uploading submissions to the [www.yourcouncilyourcommunity.vic.gov.au](http://www.yourcouncilyourcommunity.vic.gov.au)
- Emailing submissions to [local.government@delwp.vic.gov.au](mailto:local.government@delwp.vic.gov.au)
- Posting submissions to:

Local Government Act Review Secretariat  
C/o Local Government Victoria,  
PO Box 500, Melbourne VIC 3002

## Financial

A review of the Act will potentially have some financial implications for council both in officer’s time contributing to the process but also in resultant changes within the Act.

**Links to Council Plans, Strategies, Policies**

Goal 4 – Governance and Business Excellence.

**Provided for information of Council.**

**GRAEME HARRISON**  
**Director Corporate Services**



## **10.3 DIRECTOR OF PLANNING AND ECONOMIC**

### **10.3.1 BUILDING PERMIT REPORT**

A Murphy

File Ref: F05/A17/000001

#### **Purpose**

To inform Council on the number of building permits issued within the Horsham Rural City municipal area, and the value of the works associated with those permits.

#### **Background**

Council, through its Municipal Building Surveyor, plays a critical role under the Building Act 1993 to ensure the effective and efficient operation of the Building Permit system which impacts on the quality of building practices. Council's involvement in the building permit approval system also provides Council with the ability to support development in the municipality

#### **Issues**

The figures attached at **Appendix "10.3A"** outline the number and value of building permits issued within the Horsham Rural City municipal area. A comparison is provided between the 2013/14 financial year through to the 2016/17 financial year.

The figures show that Council is currently administering 41% of building permits in the municipal area. In terms of the value of work, these figures show that during the 2016/17 financial year, Council serviced only 31% of the building permit market in Horsham. This would illustrate that Council is receiving more low value building permits than Private Building Surveyors.

#### **Financial**

The net cost of providing the building approvals service is \$337,340.

#### **Consultation/communication**

Council is required to report building activity to the Victorian Building Authority.

#### **Links to Council Plan**

- 2.2 Cultivate opportunities for the municipality prosper and pursue possibilities of new development.

#### **Provided for information of Council.**

**10.3.2 AMENDING A SECTION 173 AGREEMENT – 650 RIVERSIDE EAST ROAD,  
RIVERSIDE – A AND S RELOUW**

N Carey

File Ref: 99/01/14423A

**Purpose**

This report is seeking a decision from Council acting as the Responsible Authority whether or not it agrees to the amending of a Section 173 agreement (the Agreement).. It is recommended that Council agree to amend the Agreement (AF285865C) as proposed.

**Background**

At the Ordinary Meeting of the Horsham Rural City Council held on 6 November 2017 it was resolved to provide 'in principle' support to amend the Agreement that applies to Lots 1 and 2 PS601509K so as to remove Lot 2 from the Agreement.

The Agreement (AF285865C) is registered as an encumbrance on the Title between Council and the owners of Lot 2 PS601509K. The registering of the Agreement on the Title was required as a condition of Planning Permit 06-135 to allow for a two lot subdivision (dwelling excision).

The amending of the Agreement is requested by the landowner to facilitate the further subdivision of Lot 2 to allow for the creation of a smaller lot around the existing dwelling.

A locality plan is provided as **Appendix "10.3B"**.

A copy of the application documents is attached as **Appendix "10.3C"**.

**Issues**

**Planning controls**

The subject land is located in the Farming Zone. 86.2% of the land is affected by the Land Subject to Inundation Overlay although the dwelling and the immediate area around the dwelling is not affected.

The land has an area of 29 hectares and is located within the 60 hectare minimum lot size area of the Farming Zone. Exceptions apply whereby smaller lots can be created if the subdivision is the resubdivision of lots where no additional lots are created and house lot excisions.

### Legislative requirements

Changes to the *Planning and Environment Act 1987* in 2013 established a process for ending or amending an Agreement. Section 178B of *Planning and Environment Act 1987* states that in considering a proposal under section 178A to amend an Agreement, the responsible authority must consider—

- (a) *the purpose of the agreement; and*
- (b) *the purpose of the amendment; and*
- (c) *whether any change in circumstances necessitates the amendment; and*
- (d) *whether the amendment would disadvantage any person, whether or not a party to the agreement; and*
- (e) *the reasons why the responsible authority entered into the agreement; and*
- (f) *if the amendment is to remove land from the application of the agreement, whether the land is subject to any further liability under the agreement; and*
- (g) *any relevant permit or other requirements the land is subject to under the **Subdivision Act 1988**; and*
- (h) *any other prescribed matter.*

### Purpose of the Agreement

The requirement to enter in to the Agreement was a condition of Planning Permit 06-135 to excise the dwelling that existed on the lot at the time the application for subdivision was made. The planning permit was granted on the 14 August 2006.

At the time the decision was made in 2006 the Horsham Planning Scheme did not require the applicant to enter in to a Section 173 Agreement for a house lot excision. The relevant Clause of the Planning Scheme at the time stated:

*A permit may be granted to create smaller lots if any of the following apply:*

*The subdivision is to create a lot for an existing dwelling. Only one additional lot which does not contain a dwelling may be created in the subdivision. Each lot must be at least 0.4 hectare.*

Although it is not possible to determine the reasons why the Agreement was considered appropriate at the time a planning permit was granted, one of the reasons could be to prevent further applications for subdivision of farming land into smaller lots which could lead to fragmentation and loss of viable farmland.

### The purpose of the amendment

The purpose of the amendment is to enable an application to be made to subdivide the land to allow for a house lot excision. The applicant has identified that the Agreement needs to be amended to remove Lot 2 from the Agreement so as to allow the excision of the existing dwelling, with the balance of the lot being retained for farming. Maintenance of the property is also identified by the applicant as a factor as

---

to why the Agreement should be removed from Lot 2 so as to allow further subdivision.

Although the Agreement prevents further subdivision of the land, by amending the Agreement and therefore allowing an application to be made for subdivision, it does not imply that a permit will be granted. There have been no changes to the Horsham Planning Scheme which would support a house lot excision even if the Agreement were to be amended to allow for further subdivision of the land. Of note is the fact that there was no requirement to enter into an Agreement at the time of the original house lot excision.

#### **Whether any change in circumstances necessitates the amendment**

The most significant change is that the Planning Scheme no longer requires the entering into an Agreement for subdivision of land in the Farming Zone. Between the time the permit was granted and up until 2013 it was a requirement to enter into a Sec 173 Agreement to prevent further subdivision where land was either a resubdivision or created a lot smaller than the prescribed 69 hectares.

#### **Whether the amendment would disadvantage any person, whether or not a party to the Agreement**

No person will be disadvantaged should the Agreement be amended.

#### **The reasons why the responsible authority entered into the Agreement**

Although no documentation exists so as to establish why the responsible authority entered in to the Agreement, as discussed previously in this report it is likely that the Agreement was entered into to prevent further fragmentation of the land.

#### **If the amendment is to remove land from the application of the Agreement, whether the land is subject to any further liability under the Agreement**

By removing Lot 2 from the Agreement there will be no further liability under the Agreement.

#### **Any relevant permit or other requirements the land is subject to under the Subdivision Act 1988**

The following permits have been granted:

- 06-135 Subdivision (house lot excision)
- 08-090 Use and development of a dwelling and shed

In the case of a permit allowing the subdivision of land, it has generally been accepted in Victoria that once the subdivision has been given effect to and new titles have issued, the permit is no longer relevant.

Neither of these permits have any relevance to the amending of the Agreement apart from the fact that it is the intention of the applicants to excise the dwelling which currently is prevented by the terms of the Agreement.

**Any other prescribed matter**

There are no other prescribed matters in the consideration of the proposal to amend the Agreement.

Although there is no certainty that should an application be made to excise the house from the land, the current consideration is whether the proposal meets the requirements of Sec 178B of the *Planning and Environment Act 1987* and accordingly allows for the Agreement to be amended as proposed. Having considered those requirements and taking into account the circumstances at the time that resulted in the Agreement being required it is considered that the Agreement should be amended.

**Consultation/Communication**

No notification was given on the basis that the only lots affected by the Agreement are held in the same ownership. If it is resolved to amend the Agreement and an application is made to subdivide the land, then notification of that proposal will be undertaken in accordance with Sec 52 of the *Planning and Environment Act 1987*.

**Links To Council Plans, Strategies, Policies**

Council Plan

2.2 Cultivate opportunities for the municipality to prosper and pursue possibilities for new development.

**Recommendation**

1. That Council acting as the Responsible Authority and after considering the matters in section 178B of the *Planning and Environment Act 1987*, amend the Section 173 Agreement (AF285865C) in accordance with the proposal so as to remove Lot 2 PS601509K from the Agreement.
2. The owner pay the reasonable costs of the preparation, execution and registration of the amended section 173 Agreement.

**ANGELA MURPHY**  
Director Planning and Economic

## **10.4 DIRECTOR OF COMMUNITY SERVICES**

### **10.4.1 WIMMERA DRUG ACTION TASKFORCE**

A Donovan

File Ref:

#### **Purpose**

To provide an update on the Wimmera Drug Action Taskforce (WDAT).

#### **Background**

The WDAT is a partnership group comprising representatives of Wimmera-wide agency and community representatives whose aim is to reduce the harms caused by alcohol and other drugs in our communities.

WDAT is facilitated by a co-ordinator and auspiced by Grampians Community Health. Horsham Rural City Council is represented on the taskforce by Councillor Mark Radford, Community Development Manager and the Alcohol Cultural Change Project Officer.

#### **Discussion**

WDAT have been working on a range of harm reduction projects.

**Appendix "10.4A"** provides an overview of these. In summary they are:

- Professional development
- Media articles
- Television appearances
- Specialist consultancy services
- Social media Campaign
- Behaviour change campaigns
- Community education
- Education in schools and other educational settings

WDAT was a key driver in working with Council to secure the VicHealth funded Alcohol Culture Change Program Stage 2 (YCAN) and is an ongoing partner with Council in delivering this important and innovative project.

#### **Consultation/Communication**

WDAT information is widely circulated through Council.

Council will continue to be an active partner on WDAT and work collaboratively to reduce the harms of alcohol and other drugs on the Horsham and wider Wimmera community.

## **Financial**

There are no financial implications to Council as participation and support of WDAT is part of current council staff commitments.

## **Links To Council Plans, Strategies, Policies**

Participation in WDAT aligns with the following Council Strategies:

*Council Plan (2017-2021)* Goal 1: Develop Horsham and the municipality as a diverse, inclusive and vibrant community.

- 1.2 Develop a safe, active and healthy community, encouraging participation

*Health and Wellbeing Plan (2017-2021)*

- Partner with programs to promote a family friendly culture at events
- Create new and renew license agreement with a focus on a positive alcohol culture
- Advocate for an alcohol and drug rehabilitation clinic in Horsham.

**Provided for information of Council.**

### **10.4.2 MEALS CONTRACT**

M A Duke / M Stewart / K O'Brien

File Ref: F13/A01/000003

#### **Purpose**

- To report to Council the results of the Meals on Wheels Survey conducted recently in response to a recent council resolution.
- To advise Council of additional funding received from the Commonwealth Government for Meals on Wheels.
- To recommend that there is no increase in meals fees this financial year due to increased funding and that Council consider an increase of 50 cents in the 2018/19 financial year.

#### **Background**

The extension of the contract for Meals on Wheels with Wimmera Health Care Group and West Wimmera Health Service to 30 June 2019 resulted in a significant price increase to Council, which prompted a review of pricing. At 21 August 2017 Ordinary meeting, Council resolved not to increase the cost of a meal but to survey recipients of the service to gain an understanding of their ability to absorb a price rise.

A survey was sent to all meals on wheels recipients in October. 42 responses were received in response to the mail-out to 65 clients' homes.

In October, the Commonwealth Government sent a letter, which provided for an increase in its meal cost subsidy.

### **Discussion**

#### *Outcome of the survey*

The majority of the clients surveyed have received meals for between one to five years. However, we have at least two clients who have received meals for more than five years and two who have received meals for more than ten years.

The questions asked were around the appearance, quantity, quality and size of the meals. Majority have responded favourably to these questions.

The most common reason for receiving Meals on Wheels is due to some form of mobility issue. Many have reduced ability to cook and/or go shopping.

A majority of clients have stated that Meals on Wheels has assisted them to maintain their independence and remain living at home.

We asked specific questions about ability to pay for Meals on Wheels: (Would you have difficulty paying for the meal if the price increased as follows: \$1 Increase, a \$1.50 increase or a \$2.00 increase?)

The majority of the people have stated that they would not have difficulty paying if the fee is increased by \$1.00 (30 out of 37); when increased by \$1.50 approximately 50% of respondents indicated this would not create a difficulty (19 out of 37). If the fee increased by \$2.00, the majority would find the price rise difficult (25 out of 37).

#### *Notification of additional funding*

In October, the Commonwealth Government increased our unit price to subsidise meals in 2017/18 and 2018/19 financial years to \$4.70 per meal this is a \$1.23 increase on the previous subsidy. This has resulted in an increase of \$15,233.00 per annum of funding.

### **Consultation/Communication**

Meals recipients were surveyed in November. 65 clients were surveyed, there were 42 responses received.

### **Financial**

14,151 meals were supplied to clients in Horsham Rural City in the 2016/17 financial year – 13,298 meals (Horsham) and 853 meals (Natimuk).



The price rises put forward by Wimmera Health Care Group and West Wimmera Health Service are approximately 10% for the 2017/18 financial year then 5% for the 2018/19 year. These costs do not include the cost of staff and volunteer time and on-costs, which Council covers. The price increases were to add a further \$16,531.00 to Council's contribution to Meals on Wheels if we make no increase to fees. However, the Commonwealth Government have increased our unit price to subsidise meals in the 2017/18 and 2018/2019 financial years to \$4.70 per meal, this is a \$1.23 increase on the previous subsidy. This has resulted in an increase of funding of \$15,233.00 per annum. This comes close to offsetting the increase in contract fees in the 2017/18 financial year being \$16,531.00.

This financial year the cost to Council to run the Meals on Wheels Service after reimbursements and grant is budgeted to be \$71,588. The cost to Council is around \$5.05 per meal delivered.

It is recommended that Council consider an increase the 2018/19 budget. This will maintain its subsidy at approximately \$5.00; the increase should be 50 cents.

#### **Links To Council Plans, Strategies, Policies**

##### *Council Plan 2017-2021*

1.4 Develop the municipality as a desirable place to live, work and enjoy for people of all ages and abilities.

#### **Recommendation**

1. That no changes be made to the current meals fee in this financial year.
2. That Council consider increasing its charge for meals in the 2018/19 financial year by 50 cents to offset the meals contractor increase in the 2018/19 financial year.

#### **10.4.3 MEALS CONTRACT**

M A Duke / M Stewart / K O'Brien

File Ref: F13/A01/000003

#### **Recommendation**

That Council refer this item to the confidential briefing part of the meeting to consider the report from the Director Community Services in accordance with Section 89(2) (d) contractual matters of the Local Government Act, 1989.

**KEVIN O'BRIEN**  
**Director Community Services**

## **10.5 DIRECTOR OF TECHNICAL SERVICES**

### **10.5.1 ANZAC CENTENARY PEDESTRIAN BRIDGE – CONSTRUCTION REVIEW**

John Martin/Martin Duke

File Ref: F02/A01

#### **Purpose**

To present a report on the final cost of the Anzac Centenary Bridge.

#### **Background**

This report supplements a report to Council in August 2017.

The total cost to Council of the project was \$1,623,013. This significantly exceeds the project budget of \$1.2 million.

When the contractor went into administration, and issues of non-payment of local sub-contractors arose, it became evident that the project budget would be exceeded.

Earlier advice to Council indicated that \$240,000 additional funding had been provided from the 2016-17 cash surplus, to fund the project. Works were still underway when those estimates were prepared and all accounts had not been presented.

The final wrap-up of the project has shown that this additional funding would still leave a shortfall of \$106,937 for the project. This includes allowance for the \$76,076 security deposit which has been retained by Council and became funds to the project.

#### **Issues**

As indicated in the August briefing report, slow progress, reports of non-payment of some sub-contractors and persistent poor communication by the contractor led to a series of visits to the contractor's base, in Wangaratta from October 2016.

This resulted in a number of changes in Council's management of the project, including that all payments to sub-contractors were made directly by Council, rather than through the contractor as is normally the case. As a result of these changes, work on the bridge progressed, both with fabrication at Wangaratta and commencement of erection works at Horsham. The extensive foundation works had been largely completed.

The key areas where the increased costs were incurred were:

- Additional costs to Council's own consultants to review the contractors design, especially in the early phase of the project to ensure that the bridge complied with standards, and to minimise movement in the bridge.

- The scope of completion of the job after the contractor folded was much larger than anticipated.
- The contractor had not provided a methodology for the assembly phase of the works, and some of the component fabrication was found to not be consistent with the designs – although the quality control on site had indicated the workmanship to be good.
- Significant work was required to rectify defects in the fabricated components, and to resource specialist sub-contractors for parts of the final assembly/erection phase of works.

### **Discussion**

The high cost to complete the project after the contractor left the site is of particular note. The contractor went into voluntary administration just after the key structural elements of the bridge had been assembled on site, but before further labour intensive costs were incurred.

It appears that the contractor significantly under-estimated the cost to complete the bridge in its tender submission.

When the contractor and hence the project were identified as being at risk, the following key actions were initiated:

- Securing all fabricated component, either by delivery to Horsham, or by obtaining statements confirming ownership of these in Council's name.
- Direct payment of sub-contractors and suppliers by Council.

With essentially all of the bridge components fabricated, and the key structural elements (the towers, suspension cables, deck frames) assembled, there was no practical alternative but to complete the bridge.

Significant assistance was required to support Council staff in the final assembly works.

### **Financial**

The additional funding required for the project is proposed to be allocated from unbudgeted additional funding received from the Grants Commission for 2017-18, which totalled \$275,000.

### **Conclusions**

Clearly the project was significantly over budget.

This needs to be considered with the following:

- The contractor went into administration during the project.
- The bridge has been successfully completed to a high standard.
- There are no outstanding payments to local sub-contractors on the works.

### **Recommendation**

The amount of \$106,937 be allocated to the pedestrian bridge from the Grants Commission additional allocation received in 2017-18.

## **10.5.2 VARIOUS ROAD CONSTRUCTION CONTRACTS**

Lyndon White File Ref: F13/A02

### **Purpose**

To recommend the award of contracts for two road reconstruction projects as follows:

- Kooyong Street, Horsham – to MF & JL Willmore Pty Ltd.
- Clear Lake - Sherwoods Dam Road, Noradjuha/Tooan – to Bitu-Mill (Civil) Pty Ltd.

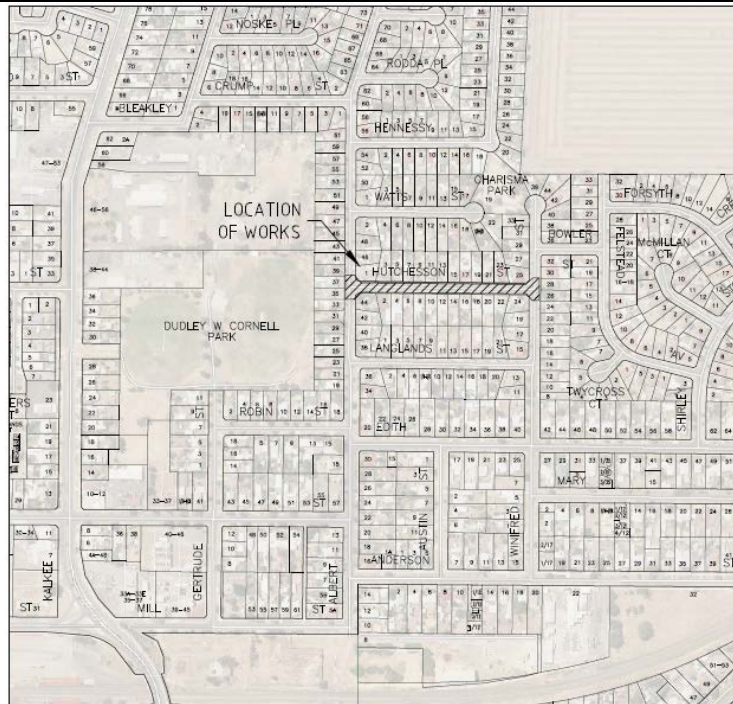
To defer the award of a contract for the following project:

- Hutchesson Street, Horsham.

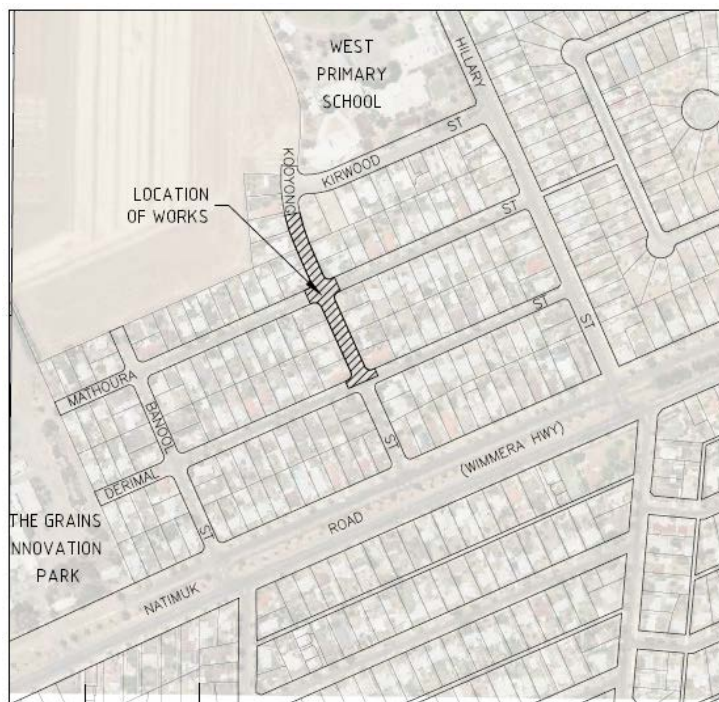
### **Background**

The background to these projects and the tendering processes for these three contracts have been very similar, hence they are presented together in this report.

The proposed extents of works are shown in the diagrams on the next page.



**Hutchesson Street, Horsham**



**Kooyong Street, Horsham**



**Clear Lake Sherwoods Dam Road, Noradjuha/Toan**

Hutchesson Street and Kooyong Street works involve reconstruction of the full width of road pavement, kerb and channel, driveways, some sections of footpath, installation and upgrade of underground drainage and reinstatement of nature strips.

Clear Lake - Sherwoods Dam Road, being a rural road, has a different scope comprising reconstruction of the full width road pavement and installation of a 3.7 m wide seal and 2.0 m shoulders either side.

All works are required due to the deteriorated condition of these roads, including significant surface roughness, which contributes to reduced safety on the road.

Tenders were sought for all three contracts via advertisements in the Wimmera Mail-Times newspaper and Council's website. Tender invitations were released on 27 October 2017 and closed on 22 November 2017.

Tenders were received from the following companies:

**Kooyong Street**

- MF & JL Willmore Pty Ltd, Horsham

### **Clear Lake - Sherwoods Dam Road**

- Bitu-Mill (Civil) Pty Ltd, Campbellfield
- Millers Civil Contractors Pty Ltd, Horsham
- MF & JL Willmore Pty Ltd, Horsham

### **Hutchesson Street**

- Only one tender received – see discussion below.

The tender panel evaluated the tenders in line with the criteria nominated in the tender documents, being:

- Appreciation of the work, methodology and challenges– 15%
- Commercial and financial– 15%
- Project experience and delivery capability – 10%
- Project team and experience – 10%
- Safety, quality and environmental – 15%
- Price – 30%
- Local Content – 5%

### **Issues**

The low number of tenders is understood to be largely due to local contractors having an abundance of work available at the present time.

The single tender received for Kooyong Street is considered acceptable. While being 10% (\$22,000) over budget, there have been other contracts awarded this year that offset this (see financial section below).

The tender assessment for Clear Lake - Sherwoods Dam Road recommends the second lowest tenderer be awarded the contract on the basis that the lowest was only marginally lower (\$3000, 1%) and the panel has confirmed that the lowest tenderer would have trouble completing the works before the end of the normal construction period within 2017-18 financial year. The preferred tender is over budget by some 17%.

The single tender received for Hutchesson Street was 30% above Council's budget for this job, and the tenderer indicated that the construction period would be from May to July – road construction is problematic during winter, and this work would more likely be finalised in spring 2018.

Alternative approaches to the Hutchesson Street tender are being considered, including:

- Construction by Council staff
- Re-tendering, possibly later in this financial year.

The assessment of these alternatives will be presented for consideration by Council at a subsequent meeting. Factors being assessed in this include:

- Delivering the project within the current financial year
- The cost of delivering the project
- Impacts on other Council works.

The recommended tenderers are therefore:

<b>Hutchesson Street</b>	<b>Kooyong Street</b>	<b>Clear Lake Sherwoods Dam Road</b>
Defer award of contract	MF & JL Willmore Pty Ltd	Bitu-Mill (Civil) Pty Ltd

### **Financial**

The table below summarises the relevant financial aspects of the tenders in ex-GST values:

	<b>Hutchesson Street</b>	<b>Kooyong Street</b>	<b>Clear Lake Sherwoods Dam Road</b>
<b>Budget</b>	\$252,000	\$212,000	\$270,000
<b>Preferred Tender</b>	-	\$234,730	\$318,467.12

The sources of funds for individual projects being:

- **Hutchesson Street** - \$252,000 from Council's infrastructure renewal gap fund.
- **Kooyong Street** - \$212,000 from Council's infrastructure renewal gap fund.
- **Clear Lake Sherwoods Dam Road** - \$234,000 from Council rates and \$36,000 from Roads to Recovery funding.

Combined, the two projects proposed to be awarded are \$71,197 over budget. This is more than offset by three road contracts awarded in October, which combined were \$129,000 under budget.

### **Links To Council Plans, Strategies, Policies**

The Council Plan 2014-18 includes under Goal 3 – Asset Management the following aim:

- 3.4 Deliver works to develop and maintain Council's physical assets for long term sustainability, amenity and safety



### **Recommendation**

1. That Council award:
  - a. Contract No: 18/010 Kooyong Street to MF & JL Willmore Pty Ltd, Horsham for the tendered price of \$234,730.00 (ex. GST).
  - b. Contract No: 18/012 Clear Lake Sherwoods Dam Road to Bitu-Mill (Civil) Pty Ltd, Campbellfield for the tendered price of \$318,467.12 (ex. GST).
2. That Council not award Contract No: 18/011 Hutchesson Street at this stage.
3. That Council refer the related report containing details of tenders to the confidential briefing part of the meeting to consider in accordance with Section 89(2) (d) contractual matters of the Local Government Act, 1989.

### **10.5.3 CONTRACT 16/005 – EXTENSION OF RECYCLING COLLECTION CONTRACT**

Martin Duke      File Ref: F13/A02

### **Recommendation**

That Council refer the related report containing details of tenders to the confidential briefing part of the meeting to consider in accordance with Section 89(2) (d) contractual matters of the Local Government Act, 1989.

**JOHN MARTIN**  
Director Technical Services

**11. URGENT BUSINESS**

# APPENDICES

**ASSEMBLY OF COUNCILLORS REGISTER**

Horsham Rural City Council  
Meeting of Councillors  
Wednesday 6<sup>th</sup> December 2016 at 7.30am  
Held in Council Chamber, Civic Centre, Horsham

**1. Present**

Mayor Cr P Clarke, Cr D Grimble, Cr M Radford, Cr J Robinson, Cr L Power, Cr J Koenig, Mr P Brown, Chief Executive; Mr G Harrison, Director Corporate Services; Mr J Martin, Director Technical Services; Mr K O'Brien, Director Community Services; Ms A Murphy, Director Planning and Economic; Ms H Proctor, Finance Manager; Ms K Bell, Rates & Information Service Manager; Ms L Haigh, Organisational Performance Officer

**2. Apology**

Cr A Gulvin

**2. Disclosure of Conflict of Interest**

Nil.

**3. Services Overview**

Discussed.

**4. Review of Council Plan**

Amendments discussed.

**9.45 am – Cr J Robinson and Cr J Koenig left the meeting.**

**5. Loan Borrowing Policy**

Discussed.

**6. Long Term Financial Plan**

Discussed.

**7. Budget Process and Overview**

Discussed.

**8. Rates Strategy**

Discussed.

**9. General Issues and Next Steps**

Discussed.

Meeting closed 12.50pm

**COUNCIL BRIEFING HELD IN THE RECEPTION ROOM  
ON MONDAY 11 DECEMBER 2017 AT 5.00PM**

**Present:** Cr P Clarke, Mayor, Cr MA Radford, Cr D Grimble, Cr A Gulvin (from 5.55pm), Cr J Robinson; Peter Brown, Chief Executive; Graeme Harrison, Director Corporate Services; Angela Murphy, Director Planning and Economic; Kevin O'Brien, Director Community Services; John Martin, Director Technical Services; Heather Proctor, Finance Manager (item 3 only); Zac Gorman, Management Accountant (item 3 only); Anne Donovan, Community Development Manager (item 4.1 only); Martin Bride, Community Facilitator (item 4.2 only); Lauren Coman, Regulatory Services Development Manager (item 4.3 only); Edwin Irvine, Strategic Planner (item 4.3 only)

**Apologies:** Cr J Koenig, Cr L Power

**1. WELCOME AND INTRODUCTION**

Cr Clarke welcomed everyone.

**2. DISCLOSURE OF CONFLICT OF INTEREST SEC 79, LOCAL GOVERNMENT ACT, 1989  
(AS AMENDED)**

Cr Radford disclosed a conflict of interest relating to item 4.5 – Aquatic Centre YMCA contract.

**3. FINANCE AND PERFORMANCE COMMITTEE MEETING – 5.05pm**

Heather Proctor and Zac Gorman attended.

**3.1 Monthly Report**

Discussed

**3.2 Town Hall Report**

Discussed

**3.3 Creditor Payments**

Discussed

**3.4 Regional Shared Services Project**

Discussed

**3.5 Pimpinio Special Community Grants**

Discussed

**3.6 Other Business**

Nil

**4. DISCUSSIONS – 5.37pm**

**4.1 Wesley Ownership**

Ann Donovan attended and issue re building occupancy was discussed.

**4.2 Listening Post Review**

Martin Bride attended to discuss the report.

**4.3 Wimmera River Corridor Master Plan**

Lauren Coman and Edwin Irvine attended to discuss the report.

**4.4 Meals on Wheels**

Kevin O'Brien discussed the draft report.

**4.5 YMCA Contract**

Cr Radford left the room at 6.15pm due to possible conflict of interest.

Kevin O'Brien discussed the memo provided.

Cr Radford returned at 6.39pm.

**4.6 Road Tenders**

Discussed the memo and draft report.

**4.7 Anzac Centenary Pedestrian Bridge close-out**

Discussed.

**4.8 Economic Development Strategy**

Discussed.

Meeting adjourned for dinner at 7.05pm

Meeting reconvened at 7.30pm

**5. FOR INFORMATION**

**5.1 Uniting Wimmera**

**6. BUSINESS HORSHAM**

**Horsham Cup Day and Economic Development Strategy Feedback**

Andrea Cross, Wendy Mitchell, Pauline Schmidt, Graeme Key and Brian O'Connor attended to discuss the Horsham Cup alternative public holiday in lieu of the Melbourne Cup, and their input to the Economic Development Strategy.

**7. CLOSE**

8.35pm

**Wimmera Southern Mallee Regional Transport Group (WSM RTG)****MINUTES****FRIDAY 1 DECEMBER 2017****Reception Room, Municipal Offices, Horsham****1. Present**

Cr Kevin Erwin – Northern Grampians  
 Cr Richard Hicks – West Wimmera  
 Cr Corinne Heintze - Yarriambiack  
 Cr Rob Gersch - Hindmarsh  
 Gary Driscoll - DES  
 Superintendent Paul Margetts - VicPol  
 Tim Guidera - WCL  
 Brad Smith – Buloke  
 Chris Dunlop – VicRoads  
 James Magee – Yarriambiack  
 Robyn Evans – West Wimmera  
 John Martin - Horsham  
 Shane Power – Hindmarsh  
 Maree McNeilly – TFV (Phone)

**2. Apologies**

Cr David Grimble - Horsham  
 Warren Groves – Northern Grampians  
 Mal Kersting – VicRoads  
 Colin Kemp - RDV

Moved: Cr Rob Gersch, Seconded: Cr Richard Hicks, that the apologies be accepted. CARRIED

**3. Superintendent Paul Margetts – VicPol – Proposal for a 70 km/h speed limit on gravel roads**

Background - Paul

- Had an informal discussion with A/C Doug Fryer re causes of accidents
- 7 deaths, 300 serious injuries on gravel roads last year
- Further discussion with NGSC. 80% are un-sealed roads.
- In NGSC, 6 people per annum having serious injuries on gravel (generic inc un-sealed) roads.
  - Typically single vehicle leaving the road, absence of alcohol, not speeding
- Discussed proposition of a trial for reduced speed. Without active enforcement, but some passive speed monitoring.
- 70 km/h is generally a survivable speed in the case of a collision
- Had a meeting at St Arnaud in mid-November about this. 25 people attended, provided input
- Even the conversation is having a benefit.
- A farmer at the meeting outlined that he had an accident, yet is still reluctant to reduce the speed limit, owing to reduced productivity

Discussion – open

- Are people using dirt roads as some sealed roads are in poor condition?
- Will there be investigation in other areas?
  - Intent is yes, but limited resource to do so.
- There has been some pushback from some people who live on these roads. They feel like second class citizens.
- Should be creating the awareness for people to make their own decisions.
- Travelling at 70 km/h roads is frustrating. The roads are built to a higher standard / speed quite adequately.
- If the speed limit becomes 70 km/h then does that become the maintenance standard?

- Also, if a limit is 70 km/h, people think they have to drive at that speed, even if the conditions in a section of road do not suit this.
- Many dirt roads in the region have long straight sections, and are suitable for close to 100 km/h in dry weather conditions. They have developed as whet carting roads.
- Should this 70 km/h limit also apply on sealed roads if there is a risk of drivers running of these roads as well.
- There is a suspicion that any reduction in speeds is in part trying to conceal a lack of maintenance.

**Action: Invite Paul back to a subsequent meeting.**

**3. Minutes of Meeting held 6 October 2017**

Moved: Cr Rob Gersch, Seconded: Cr Richard Hicks, that the minutes from the previous meeting 6 October 2017, were a true and accurate record of that meeting. CARRIED

**4. Business Arising from Minutes**

- Harvest sessions around the state regarding truck compliance
- Circulate Minister Keenan response letter to members (Action)

**5. Financial Statement – Attached**

- NGSC has not yet paid
- Balance of \$50,930.33

Moved: John Martin, Seconded: Cr Richard Hicks, that the financial report be accepted. CARRIED

**6. Correspondence**

Out: Ministers various – Western Rail Support  
 Hindmarsh Shire – Local Roads to Market  
 Yarriambiack Shire – Local Roads to Market  
 Horsham – Local Roads to Market  
 Freight Advantage Discussion Paper Submission

In: Andrew Broad – Western Rail Response  
 Emma Kealy – Western Rail Response  
 ALGA Resolutions – Resilience, and response from Minister Keenan

\*\*Maree did receive several responses to the Victoria Freight Advantage discussion paper, many have gone direct to the project specific email address.

Moved: Cr Richard Hicks, Seconded: Cr Corinne Heintze, that the correspondence be received.

**8. Reports**

- VicRoads – Chris Dunlop
  - Speed limit at Windermere Road intersection – work will be completed shortly, will allow speed limit to be increased to 110 km/h
  - Buangor section – still awaiting planning approval
    - Still also seeking resolution of a Supreme Court case.
  - Bridge strengthening works at Beaufort will commence after Christmas
  - Beaufort bypass planning proceeding well, close to bedding down an alignment. Will present to TRG next week.
  - Ararat bypass – still working on alignments.
  - Western Highway – have an additional \$20 M for rehabilitation as reported previously, mostly around Horsham area. O’Callaghans Parade roundabout and Green Lake included in this.



- Maintenance budget – near tripled. There will be delays on roads as a result of extra works.
    - Comment in Hindmarsh, the four worst condition roads are probably the VicRoads roads. Maintenance not being done on minor arterial road. Yanac Rd exceptionally rough, struggle at 60 km/h in a truck due to roughness. Shoulders are a particular problem.
    - If you have concerns that a road is not getting the level of maintenance it can be fed in through this group.
    - NWMA – discussion that when we lobby government, we need to lobby on behalf of VicRoads as well for extra funding.
  - Jeparit bridge – completed
  - Bridge strengthening Ballarat – Melbourne, only Pykes Ck bridge remaining. Will be contra-flow during works. 23 week project, 10 weeks of contraflow.
    - Bridge upgrades – some small A-doubles are on the roads. Bridges over the Western Freeway are not rated to 62 tonnes and have to access local roads to avoid these bridges.
  - Towards Zero strategy is being implemented. Education and driver awareness are key parts of the program.
- Transport for Victoria – Maree McNeilly
    - Western Highway Corridor strategy, aiming to have consultant’s work completed prior to Christmas, will then circulate for checking with stakeholders.
    - Regional Roads Strategy –
      - will be a long term strategy
      - Looking at appropriate classifications of roads
      - Don’t constrain yourself to just the questions asked, if there is something extra that needs to be said, do so.
      - Response due 15 December 2017.
    - Local Roads to Market applications closed this week
- WDA – n/a
  - Victorian Farmers Federation (VFF) - n/a
  - Graincorp – n/a
- Gary Driscoll
    - Refer general business
- Council Representative Reports
    - Yarriambiack
      - 5 local roads to market applications
      - Will be putting in road projects with the BBRF fund, have been encouraged by Andrew Broad.
      - Q re Borung Highway, what is being proposed on that? A – has not been a focus west of Warracknaeal. Is not much better east of Warracknaeal.
    - Hindmarsh
      - BBRF – will be putting an application in for Albacutya Bridge
      - Three turbine wind farm going in west of Nhill, 200 m high each.
    - West Wimmera
      - Still issues with kangaroos on Western Highway
      - Focussing on flood recovery works
    - Buloke
      - Local Roads to Market grant applications – 5 have been prepared
    - Horsham
      - WIFT precinct development proceeding
      - Major works in Horsham – asphalt up McPherson St – will be interruptions – have been preliminary discussions re communications – need to ensure this occurs

- Passenger rail advocacy remains a priority
- Unclear on the status of Horsham Bypass
- Flood restorations first contract awarded
- Challenges with shortage of contractors for core program
- Northern Grampians
  - Flood recovery program works to be essentially completed this month
  - Western Rail – have met with Simon Ramsay
  - Still trying to get to see the Planning Minister re Western Highway
- Other Reports
  - Tim Guidera – WCL
    - Have steady increase in container numbers at WIFT.
    - There will be a further increase this harvest
    - Double stacked wagons – can be Perth to Adelaide, not Adelaide to Melbourne, 23 tonne total axle loading at 80 km/h, can do 110 km/h at 21 tonne axle loading. Mildura upgrade is only 21 tonne axle loading – seems short-sighted.
      - Discussion re heat restriction for rail movements. Temperature has been increased.

Moved: Cr Rob Gersch, Seconded: Cr Richard Hicks, that the reports be accepted. CARRIED

## 9. General Business

- Victoria's Freight Advantage + Submission sent for 30 November Deadline
- Regional Roads Strategy + Draft Submission
  - Draft prepared, seeking comments from members prior
- Strategy Update
  - Have received some comments from Gary Driscoll
  - JM to circulate to directors for further development
- VicRoads Inquiry into Management of Country Roads
  - Concern about the negative tone of the terms of reference
  - Funding is the main issue, e.g. re-sealing should be 10% has often been 3% - yet a seal will oxidise due to exposure within 12-15 year...need at least \$500 M (refer HRCC previous media release)
  - We get good consultation / engagement from VicRoads
  - Action: That we make a submission, or each Council do so.
  - Circulate with directors.
  - ***Motion: That WSM RTG prepare a collective submission that as a minimum counters some of the negative propositions of the terms of reference, and that this does not lead to a change of responsibility for roads in rural area, i.e. to local government. Funding is the key issue. Cr Rob Gersch, Seconded: Cr Richard Hicks. Carried.***
  - IPWEA is also providing a response to this, with Gary Driscoll providing some input on this.
  - Due date is 15 January

## 10. Next meetings

2 March 2018  
 4 May 2018  
 6 July 2018  
 7 September 2018  
 2 November 2018

The chair wished all a good Christmas

## 11. Close

Cr Kevin Erwin  
**Chairman**

**RoadSafe Wimmera Inc.**  
(Reg No A0033850U    ABN 35 010 755 766)

**Minutes for Meeting 11<sup>th</sup>. December 2017 start time – 7.00 pm**  
**Venue: - Horsham Sports and Community Club Baillie Street**  
**Horsham.**

**1. Present**

Nola Smith (Chair)	SES local representative
David Rule	Road Safety Officer
Noel Austin	Road Transport Representative, Kaniva
Martin Duke	Horsham Rural City Council
Charie Cockroft-Basham	Wimmera Police – Divisional Intelligence
Rhonda Armour	Driving Instructor – light
Alastair Griffiths	Hindmarsh Shire
Jean Wise	Councillor Yarriambiack Shire
Dale Mclvor	Edenhope Police

**Apologies**

Richard Hicks	West Wimmera Shire Councillor
Stuart Gale	Stawell Police

Moved, J. Wise, seconded N. Austin, that the apologies be received.

Carried

**2. Minutes of previous meeting June 19<sup>th</sup>. 2017 and business arising**

- *Anecdotal evidence suggests that character references are often sought for volunteer drivers with some reference to driving skills. It was agreed that the group look at some active/sample policies which may assist in developing more emphasis on driving skills for organisations which operate volunteer driver programs. Yarriambiack Shire and Financial Rural Services may have some documentation worth looking at.*

Moved C. Cockroft-Basham, seconded M. Duke that previous minutes and business arising be accepted.

Carried

**4. Correspondence December 11<sup>th</sup>. 2017**

*Inwards.*

Number	Date	From	Issue
1.	November	Di Nevett	Half year reporting.
2.	November	West Wimmera Shire	VMS trailer application successful
3.	November	Wally Cox	Interest in group.
4.	November	Daniel Bell Road Trauma Support Services	Interest in group
5.	December	Bill Erhardt	Inability to attend Christmas dinner
6.	December	Di Nevett	Inability to attend Christmas dinner

*Outwards*

Number	Date	From	Issue
1.	November	Di Nevett	Half year reporting.
2.	November	West Wimmera Shire	VMS trailer application successful
3.	November	Wally Cox	Interest in group.
4.	November	Daniel Bell Road Trauma Support Services	Interest in group
5.	December	Bill Erhardt	Inability to attend Christmas dinner
6.	December	Di Nevett	Inability to attend Christmas dinner

David Rule

Complete as at 2.30 p.m. 11<sup>th</sup>. December 2017

Moved R. Armour, Seconded D. McIvor, that correspondence be accepted.

Carried

**Discussion arising from correspondence: -**

- *Half year reporting review revealed that a pro-active approach to attracting audiences for Roadsafw Wimmera programs in the first half of 2018 is required. All members present agreed to promote programs in their localities. Contact information to be forwarded to the Exec. Off.*
- *Interest from prospective members to be guided by the Roadsafw Wimmera Recruitment policy.*
- *Most pleasing that Roadsafw Wimmera has facilitated a third VMS trailer for Road Safety activities in the region. Hindmarsh Shire and Horsham Rural City Council interested in providing feedback to Roadsafw Wimmera about trailer activities.*

**5. Financial Report**

13th. November to 14th. December 2017

For Approval

**Balance****\$35,505.13**

11/12/2017	Telstra - November '17 Account	48.99	201301
11/12/2017	ACE Radio Broadcasters - Lifestyle magazine	1,554.61	201305
11/12/2017	Fairfax media - Road Rules	352.00	201306
11/12/2017	Wimmera Mobility Group	100.00	201307
11/12/2017	RSM Bird Cameron '16 - '17 Audit fee	748.00	201308
11/12/2017	Program delivery September 2017	2,833.00	201309
11/12/2017	Travel costs and recoups - Aug. 14 to Sept.6 - '17	40.00	201310
11/12/2017	Consumer Affairs Victoria (Inc. fees '15-'17)	113.80	201311
Total		5,790.40	

**Balance****\$29,714.73**

David Rule

Complete as at 2.30 p.m. 13<sup>th</sup>. November 2017.**Discussion arising from Finance Report**

*While the current cheque system has, and is, serving Roadsafe Wimmera well, it would be beneficial to research electronic systems to ascertain suitability. Exec. Officer to facilitate.*

Moved, J. Wise, seconded M. Duke, that accounts paid be ratified and accounts to be paid be passed for payment. Carried

**7 . RSO report for 13<sup>th</sup>. Novembers 2017.**

Activities as described in correspondence report.

2017- 18 Funding Summary

Program	Funding (Inclusive of administration) \$
Looking After Our Mates	\$ 2875.00
Alcohol and Other Drug Intervention	\$ 5405.00
Community Engagement	\$ 8625.00
Driver Reviver	\$ 575.00
Fatigue Presentation	\$ 1150.00
Fatigue Intervention	\$ 8625.00
Motorised Mobility Devices	\$ 1150.00
Safe Driver	\$ 1150.00
Older Road User Intervention	\$ 0.00
Safer Speed Intervention	\$ 5750.00
Fit2Drive	\$ 10800.00
<b>TOTAL PROGRAM FUNDING</b>	<b>\$ 46,105.00</b>

### Half year program comments

#### Looking After Our Mates (LAOM)

The LAOM presentation has been reviewed and changed. It is important that the new presentation is assimilated into Roadsafe Wimmera programs as soon as possible. Delivery of the program to year 12 students and sporting groups is on-going. Perseverance with encouraging participation rates is a challenge.

#### Alcohol and Other Drugs Intervention

Alcohol and drugs continue to feature in crash statistics in the region. Awareness advertising, particularly at key times – long weekends, sporting fixtures (particularly finals), race meetings, festive occasions and times when drivers are likely to mix pleasure and travel continue to be targeted.

#### Community Engagement

Roadsafe Wimmera continues to move across a range of community groups with mobile, easy to digest, road safety information sessions including Safe Drive (for Older Drivers), Motorised Mobility Devices (for those with mobility issues), Looking After Our Mates (young to mature drivers) and Fatigue management advice (all drivers). The group continues to take the messages to as many locales as possible. Encouraging participation is an on-going challenge but preferable to holding one-off events which do not generate discussion like social, interest based or professional groups do.

#### Driver Reviver

Fatigue continues to be associated with around fifty percent of crashes in the region. Awareness advertising, particularly at key times - long weekends, sporting fixtures (particularly finals), race meetings, festive occasions and times when drivers would

normally be resting rather than driving continue to be targeted. Attracting groups to participate in fatigue only presentations is a challenge. Roadsafe Wimmera currently incorporates fatigue awareness and management strategies into all presentations.

#### Fatigue Presentations

Roadsafe Wimmera currently incorporated fatigue awareness and management strategies into all presentations. The group also seeks broader audiences (e.g. radio programs) whenever possible to spread awareness as widely as possible.

#### Fatigue Interventions

Intervention funding provides the opportunity for Roadsafe Wimmera to reinforce Fatigue awareness and management strategies across the region through a mix of region wide and local media outlets to add value to Driver Reviver and Fatigue presentation programs.

#### Motorised Mobility Devices

Roadsafe Wimmera is a founding member of the Wimmera Mobility Group. It is operated by, and made up of Mobility Device Users. It has been in operation in Horsham for four years and promotes safe device use in a range of settings. The group has attracted interest from other Wimmera towns including Dimboola and Warracknabeal with the view to forming similar groups.

#### Safe Drive

The VicRoads accredited safe drive presentation provides an excellent opportunity for groups of mature aged drivers to consider and discuss relevant driving habit and issues. Roadsafe Wimmera offers the program to regional groups including service clubs, senior citizen groups, health day care centres and Men's sheds.

#### Safe Speed Intervention

Roadsafe Wimmera has proactively promoted speed management to Wimmera councils through facilitating funding applications for and speed monitoring use of VMS trailers. Horsham Rural City Council and Hindmarsh Shire have been recipients of the program. An application has been facilitated for West Wimmera Shire in 2017. The approach provides groups best place to promote safe speed with resources and program support.

#### Fit2 Drive

The take up of the Fit2Drive program by regional secondary colleges has been most pleasing. Support by local groups including Bendigo Bank and various service clubs have enabled Roadsafe Wimmera to cover the cost of the program for all colleges involved. At time of writing, sufficient additional funding should fully fund the program for around another 12 months at current VCRSG funding levels.

*Note: -*

*Historically, Roadsafw Wimmera has been able to deliver sufficient Look After our Mates, Safe Drive, Motorised Mobility Device and Fatigue presentations to make our region's roads safe and meet funding guidelines.*

*There has been a lull in the second half of 2017 in take up of the presentations. Any contacts from members would be most helpful.*

David Rule

Complete as at 2.30 p.m. 11<sup>th</sup>. December 2017.

Moved, R. Armour, seconded C. Cockroft - Basham, that RSO report for 11<sup>th</sup>. December 2017 be accepted. Carried

## **General Business**

### 1. Mission statement

Roadsafe Wimmera's mission is to promote and gain wide acceptance of the view that each time drivers get behind the wheel of a vehicle, they enter a contract with other road users to travel in a manner which keeps them and the other road users safe until they reach the end of the journey. The contract is on-going and commences every time someone drives.

The Roadsafw Wimmera committee endeavours to bring a diverse representation of views and experiences to program development and implementation.

Driver attitudes and behaviour relate directly to how drivers manage road safety issues including speed, drinking, drug taking, distraction, fatigue, driving habits and consequences following infringements and/or crashes.

Influencing all drivers to accept and safely manage these responsibilities is the core of the group's activities. It operates by the use of volunteers in a committee form to help regional concerns and initiatives to be recognised and worked through.

Roadsafe Wimmera uses the recognised established statistics and processes to help in its decision making and education campaigns.

Moved M. Duke, seconded A. Griffiths that the mission statement be included in the Roadsafw Wimmera constitution which is currently being drafted.

Carried

Moved M. Duke that the Exec. Off. present a draft constitution at future Roadsafw Wimmera meetings. Carried

*Note: - It is highly likely that Roadsafw Wimmera is currently operating according to the "Model Rules' constitution of Consumer Affairs Victoria. It is in the group's interest to draft a constitution document which suits the group's operations and have it formally accepted at a future Roadsafw Wimmera general meeting through a successful motion.*



## 2. Recruitment policy.

The Roadsafe Wimmera constitution meeting attendance requirements listed in the previous minutes were incorrect. The correct wording is: -

A member who fails to attend three consecutive Roadsafe Wimmera meetings without apology or leave from the committee to be absent, will be deemed to have resigned from the association.

The group agreed the phrase is suitable for placement in its draft constitution.

Draft Recruitment Policy document, incorporating meeting attendance guidelines and the importance of region wide representation to be presented and discussed at the next meeting.

Moved J. Wise, seconded R. Armour, that Daniel Bell and Wally Cox be invited to the group's February 12<sup>th</sup>. meeting to view meeting procedure, exchange information and become conversant with membership nomination processes.

Carried

## 3. Cheque signing motion.

Moved J. Wise, seconded N. Austin, that member Charie Cockroft-Basham Wimmera Police – Divisional Intelligence be accepted as a signee for Roadsafe Wimmera cheque authorisation.

Carried

## Member Contributions

### **Nola Smith (Chair)**

### **SES local representative**

- *Thanked everyone for their contributions throughout the year and wished them a Merry Christmas.*

### **Noel Austin**

### **Road Transport Representative, Kaniva**

- *Wished everyone a Merry Christmas.*

### **Martin Duke**

### **Horsham Rural City Council**

- *Wondered if a Federal Government review of Motorised Mobility Device is being carried out. Exec. Officer to research.*

### **Rhonda Armour**

### **Driving Instructor – light**

- *Spoke of an inspiring Road Safety speaker with some great advice. If you are travelling in a vehicle and think the driver is dangerous - say you are about to throw up and if it becomes really bad – do it!*
- 
- *Wished everyone a Merry Christmas.*

**Alastair Griffiths**

**Hindmarsh Shire**

- *Thanked group and Exec. Off for their Contributions throughout 2017.*
- *Endorsed the advice provided by Wimmera Police Intelligence division to Roadsafe Wimmera programs.*

**Jean Wise**

**Councillor Yarriambiack Shire**

- *Significant number of vehicles (cars and trucks) travelling on regional roads at night with only one headlight illuminated.*

**Dale McIvor**

**Edenhope Police**

- *As per usual, VicPol will be conducting increased surveillance on regional roads across the Christmas/New Year period. Increased breath testing activity planned.*

**1. Meeting closed: - 8.40 pm**

**Next meeting: - February 12<sup>th</sup>. 2018 Horsham SES building.**

**HORSHAM RURAL CITY COUNCIL  
HORSHAM AERODROME ADVISORY COMMITTEE  
HELD TUESDAY 12 DECEMBER 2017  
5.30PM HORSHAM AERO CLUB**

APPENDIX 8.4A

**MINUTES**

**1. PRESENT**

Mark Griffin, Ross Brown, Ron Griffin, John Martin

Quorum not present. Informal meeting held.

**2. APOLOGIES**

Tony Brand

**3. CONFIRMATION OF MINUTES OF MEETING 10 OCTOBER 2017**

Noted

**4. BUSINESS ARISING FROM MINUTES**

- Refer action list (at end of Agenda)
  - Mowing arrangements still to be resolved. Procedure developed, not yet circulated to Aero Club.
- Other items covered in agenda

**5. CORRESPONDENCE**

**5.1 Inwards**

Thank you from CFA for fire water works at CFA air base.

**5.2 Outwards**

**6. FINANCIAL REPORT – Attached**

- Only item of question is 5100.0603 – **Action:** JM to check
- Invoice for mowing – send a note to Glenda Brand (Treasurer). Should ask for a credit note. **Action:** JM to contact Glenda.

**7. MAINTENANCE REPORT**

- Refer appendix (at end of Agenda)
- Scarifying – consider in Autumn
- Bindii – broadleaf spray applied week of 4 December
- Issues listed:
  - Strip roughness is an issue – refer scarifying proposal above
  - Concerns observed by Council staff about apron strength – broad problem

**8. NOTAMS ISSUED**

AFRU unavailable late October. Was fixed promptly.

**9. MANAGER'S REPORT**

- Mowing arrangements
  - Procedure to be circulated shortly for comment.
- Gliding Event
  - Three weeks in a row in late January.
  - Arrangement generally as per other years.
  - Changed pre-NOTAM re permission to land with prior notice – must be on day of landing, and 2 hours notice.
- Budget Proposal – Drainage
  - Will be a cheaper proposal than the option developed last year, due to preparedness to accept some water locally.

- NDB
  - JM seeking legal advice during January.
  
- Parachuting
  - Concern about short notice provided by operator.
  - No NOTAM issued as number of operations below threshold for NOTAM.
  
- Radio Licences
  - Five Council staff now have licences and can communicate with pilots.
  
- CFA airbase upgrade
  - Water supply increased. Extra tank.
  
- Vehicles accessing airside un-necessarily.
  - Requested to avoid un-necessary traffic airside. JM to raise outside meeting, e.g. re insurance.

**11. GENERAL BUSINESS**

- Enquiry about hangar space. Suggestion that we need some additional land to facilitate this.

**12. ACTION LIST (Refer below)**

- Reviewed.

- 13. NEXT MEETINGS:**
- Wednesday 14 March 2018
  - Tuesday 8 May 2018
  - Tuesday 10 July 2018
  - Tuesday 11 September 2018
  - Tuesday 13 November 2018

**John Martin**  
**Director Technical Services**  
**AERODROME MANAGER**  
December 2017

## Appendix – Maintenance Items

## APPENDIX 8.4A

- 3/10/2017 – topsoil for T Brand delivered. Soft spot on 17/35 tiedown patched. Spraying for weeds around terminal and groundsman shed
- 6/10/2017 – Aerial inspection – looks good. Ran generator and emergency lights. Service for generator has been arranged.
- 10/10/2017 – Spraying completed. All firefighting equipment is in groundsman shed and ready.
- 12/10/2017 – Water ponding in usual areas. LED light fitted to T Brand Shed. Generator has been serviced.
- 17/10/2017 – Grass height – all areas. Baby change table in disabled toilet is disconnected from the wall (Mark Hunter advised). Ambulance shed external lights left on.
- 20/10/2017 – seat in disabled fixed. CFA tank is in place ready to be hooked up. Light on t brands shed not working – new one ordered (faulty light)
- 24/10/2017 – Repairs to globe changes on two lights 08/26. Mowing in progress by Horsham Aero Club. 2pm – fire drum burning beside western aerial hangars (told to put out)
- 30/10/2017 – Ran generator and lights, water ponding in usual areas
- 2/11/2017 – Windssock east end 08/26 needs repairs (taken down until further notice). Red beacon light fitted and working in T Brands shed.
- 7/11/2017 – Filled in hole on 08/26 – runway strip repeated by aero club
- 10/11/2017 – replaced globe on taxiway at hangers
- 14/11/2017 – new globe and lens fitted on taxiway 17/35 (mower damage). Mowing on 08/26 fence to fence by aero club
- 17/11/2017 – replaced globe flush light 17/35
- 21/11/2017 – CFA tank is hooked up and operational. Crack sealing with rubber mix on all areas completed (looks good)
- 24/11/2017 – Weed spraying on all shoulders and gable markers. New chemical uragau w-g donated to HRCC by Adama rep Gavin Brown. Mowing fence to fence on 17/35 done by aero club.
- 28/11/2017 – evaporation pit works have started. Small amount of bindii found at end of 26 and pile of dirt on end of 35
- 1/12/2017 – water ponding in usual areas. Ran generator and emergency lights
- 5/12/2017 – small amount of bindii found end of 08-26

Our Reference: F20/A002/000001:PC:sgs

19 October, 2017

Hon. Jaala Pulford  
Minister for Regional Development  
Level 20, 1 Spring Street  
MELBOURNE VIC 3000

jaala.pulford@parliament.vic.gov.au

Dear Minister Pulford

### **Horsham Motocross Circuit World Championship upgrade project**

I write to express Council's concern about the delay in achieving an outcome for the Motocross infrastructure upgrade project.

In 2015, with the financial support of Sport and Recreation Victoria, the Horsham Motocross Club successfully gained the rights to host the 2018 FIM Junior Motocross World Championships. Since this time the Club has been working with Council and the Grampians RDV team to upgrade supporting infrastructure at the Dooen Circuit to ensure the success of the 2018 World Championships.

A project proposal was lodged with RDV in March 2017 and this was supported to go to full application, which was lodged on May 31, 2017. Council staff acknowledge the support of the RDV regional team in developing this full application.

Unfortunately, Council is still awaiting an outcome of this grant application some four and a half months later, despite extensive communication with RDV at regional and state levels. Due to this delay, the planned infrastructure was not in place for the recent Australian Junior Motocross Championships and the project has become time critical for next year's World Championships (scheduled for August 2018).

Key elements of the project need to commence prior to Christmas. Council has completed the design for the road component of the project and this needs to be undertaken over the dry summer months. Council signed a funding agreement in January 2017 with DEDJTR (Transport) for a \$50,000 grant to assist with the road and under this agreement the road needs to be completed by December 31<sup>st</sup>, 2017. Given the delay in securing all funding for the Motocross project, Council will be seeking an extension to this funding agreement. The accessible grandstand also requires significant lead time for the procurement phase.

I have attached a project summary which outlines key outcomes that are really significant for Horsham, the Wimmera and the state of Victoria. The Horsham Motocross Club and HRCC are striving to make Horsham the key motocross destination in Australia and the “go-to” venue for state, national and international events. The current track is world class, but additional infrastructure is required to support the 2018 World Championships and to ensure that Horsham continues to secure key motocross events in the future.

As you are aware, the Motocross Infrastructure project has been a top priority project for Council over the past two years, together with the Horsham North Hub and the WIFT Precinct project. I am seeking your direct support to provide an outcome as soon as possible for the Horsham Motocross application.

I look forward to discussing this with you further in the near future

Yours sincerely

Cr Pam Clarke

**Mayor**



The Hon Jaala Pulford MP

Minister for Agriculture  
Minister for Regional Development

1 Spring Street  
Melbourne, Victoria 3000 Australia  
Telephone: +61 3 8392 6000  
DX 210292

Ref: CMIN179369R

Cr Pam Clarke  
Mayor  
Horsham Rural City Council  
PO Box 511  
HORSHAM VIC 3400

Dear Cr Clarke *Pam*

HORSHAM RURAL CITY COUNCIL	
FILE NO.	F20/A02/000001
REF. NO.	SUSAN SURRIDGE
23 NOV 2017	
REG. NO.	
COPIES	JOHN MARTIN MAYOR PETER BROWN

### HORSHAM MOTOCROSS CIRCUIT WORLD CHAMPIONSHIP UPGRADE PROJECT

Thank you for your letter of 19 October 2017 about Horsham Motocross Circuit World Championship Upgrade Project.

The Victorian Government is proud to have supported Horsham Rural City Council with a combined \$1,352,000 from the Regional Jobs and Infrastructure Fund to activate the May Park Revitalisation and Horsham North Hub projects as well as the Local Government Drought Response Program. We have also provided \$1,250,000 through the Agriculture Infrastructure and Jobs Fund for the Wimmera Intermodal Freight Industrial Precinct.

The Victorian Government has supported this event by committing \$80,000 towards the hosting fee for Junior World Championships via Sport and Recreation Victoria's Significant Sporting Events program.

The current application does not align to existing funding programs available from Regional Development Victoria (RDV). RDV will keep details of the application should alternative funding options become available.

If you require further information, please contact Colin Kemp, Economic Development Coordinator, RDV on telephone (03) 53622302.

Thank you for taking the time to write to me.

Yours sincerely

**Hon Jaala Pulford MP**  
Minister for Regional Development

Date: 15 / 11 / 2017



## OUTSTANDING COUNCIL RESOLUTIONS ACTION LIST

MONDAY 20 NOVEMBER 2017			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9	That a report be provided to the next Council meeting to be held on Monday 4 December 2017 advising on the current status of the Planning Scheme Amendment C72 Horsham Bypass.	JM	
10.1.3	That Council write to the Australian Competition and Consumer Commission to seek a meeting to further discuss issues of high petrol prices in Horsham.	AM	
10.2.1	<b>COUNCIL FINANCE AND PERFORMANCE COMMITTEE MEETING</b> That this item “lay on the table”.	GH	
10.5.1	That Council write to the Hon Darren Chester advising him of Council’s disappointment that the Roads to Recovery program funding to the Horsham Rural City Council for 2018-19 has been significantly reduced.	JM	

**MONDAY 6 NOVEMBER 2017**

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.2.2	<p>1. That Council adopt the revised Local Law No.1 – Governance, Meeting Procedure as shown in <b>Appendix “10.2A”</b>, but with track changes removed.</p> <p>2. That a notice is placed in the next possible Government Gazette notifying of the revision and once published the revised Meeting Procedure will come in to effect.</p> <p>3. That Council commence the audio recording of meetings effective from the first meeting in 2018 and that audio recordings of Council meetings be retained in Council’s records management system.</p> <p>4. That further investigation and consideration be given to recording of Councillor Briefing meetings and other Assemblies of Councillors.</p> <p>5. That future meetings are streamed live via the internet, once suitable technologies have been established to facilitate that occurring.</p> <p>6. Motions may be put from the Councillors Report in relation to any matter that the Councillor wishes to be put forward. (This wording will replace C.3.3)</p> <p><b><u>Amendment</u></b>  Moved Cr Grimble, seconded Cr Robinson to include the following alteration which will become No.7 of the motion above, that on page 25 of Appendix “10.2A”, E.11.2, replace the word “should” with the word “may”, as per below -  <i>E.11.2 Where the matter is significant and does require in-depth consideration the Notice of Motion <u>may</u> give consideration to calling for a Council Report, in order to allow appropriate information to be gathered to inform the decision.</i></p>	GH	<p>1. Completed</p> <p>2. Gazette 16/11/17</p> <p>3.</p> <p>4.</p> <p>5.</p> <p>6. Completed</p>
10.3.1	<p>That Council acting as the Responsible Authority provide ‘in principle’ support to amend the Section 173 Agreement (AF285865C) so as to remove Lot 2 PS601509K from the Agreement and proceed to give notice of the proposal in accordance with Sec 178C of the <i>Planning and Environment Act 1987</i>.</p>	NC	

<b>MONDAY 3 JULY 2017</b>			
<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.5.4	<ol style="list-style-type: none"> <li>1. That Council endorse the project control group's recommendation for any new indoor sports stadium facility to be located in McBryde Street adjoining the existing basketball stadium.</li> <li>2. That the technical services team engage with the community around closing McBryde Street for the development of a sports stadium.</li> </ol>	JM/RMcN	<ol style="list-style-type: none"> <li>1. Completed</li> <li>2. In progress</li> </ol>

<b>MONDAY 15 MAY 2017</b>			
<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.5.2	<p>That:</p> <ol style="list-style-type: none"> <li>1. Negotiations be held with VicRoads regarding an increased speed limit in Rasmussen Road, Horsham, to 80 km/h, but only to within 200 m of the urban area.</li> <li>2. Victoria Police be contacted seeking a greater enforcement of speed limits in the lower speed limit zones of Rasmussen Road, in particular the school zone.</li> <li>3. The speed limit in Remlaw Road, Horsham not be increased.</li> <li>4. Negotiations be held with VicRoads regarding a decrease of the speed limit in Hunts Road, Haven to either 60 or 70 km/h.</li> </ol>	JM	<ol style="list-style-type: none"> <li>1. Letter sent</li> <li>2. Not completed</li> <li>3. No action required</li> <li>4. Letter sent</li> </ol>

<b>MONDAY 1 MAY 2017</b>			
<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.2.1	That Council and the Horsham Racing Club review the opportunities of the allocation of the public holiday in 2018.	GH	Long Term

**MONDAY, 3 APRIL 2017**

<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.5.1	<ol style="list-style-type: none"> <li>1. That the preparation of a waste strategy be undertaken as outlined in this report.</li> <li>2. That the proposed Steering Committee be formed, with representatives being sought by public advertisement.</li> </ol>	JM	<ol style="list-style-type: none"> <li>1. Well advanced</li> <li>2. Completed</li> </ol>

**MONDAY, 20 FEBRUARY 2017**

<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
9	That a policy be developed around the acceptable use and management of emails for Council business.	PB/GH	No progress
10.5.1	That Council seek an independent review of the Aerodrome Master Plan and the Aerodrome Business Plan.	JM	In progress

**MONDAY, 17 OCTOBER 2016**

<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.2.4	<ol style="list-style-type: none"> <li>1. That the Instrument of Delegation established for the Camerons Oval Committee of Management be revoked.</li> <li>2. That a licence be developed with Laharum Sports Inc for the governance of the Camerons Oval precinct.</li> </ol>	GH	1. Completed
10.2.5	<ol style="list-style-type: none"> <li>1. That the Instrument of Delegation established for the Quantong Recreation Reserve Committee of Management be revoked.</li> <li>2. That a licence be developed with Quantong Recreation Reserve Inc for the governance of the Quantong Recreation Reserve.</li> <li>3. That all funds currently in the bank account for the Quantong Recreation Reserve Committee of Management be transferred to the Quantong Recreation Reserve Incorporated (A0049172Z).</li> </ol>	GH	<ol style="list-style-type: none"> <li>1. Completed</li> <li>2.</li> <li>3.</li> </ol>

MONDAY, 1 AUGUST 2016			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.2.1	That the final balance of the compensation received be utilised for the purpose of establishing amenity trees within the municipality, the exact projects still to be determined.	GH/JM	Discussed EMG 08/08/16 – JM to follow up (\$10k)
10.2.2	That the Instrument of Delegation established for the Dudley W Cornell Committee of Management be revoked and that an Advisory Committee be established as soon as practicable.	GH/MK	Held over till Childrens Hub further advanced

MONDAY, 7 SEPTEMBER 2015			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.4.2	<ol style="list-style-type: none"> <li>1. Council develop a lease/written agreement with Wesley Committee of Management in relation to the operation, use and management of Wesley, based on the items listed in the attached document.</li> <li>2. That this arrangement be in place for a specified transition period of two years to work through the ownership of the building.</li> <li>3. That investigation into the condition of the building continue.</li> </ol>	KOB	Agreement in place, condition inspection Completed (waiting for report). A report to Council re ownership expected in late 2017

**MONDAY 20 MAY 2013**

<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
9.5.4	That Council endorse the development of a policy on the public use of tennis courts within the municipality	RMc/JM	Underway – work has started – consultation 28/06/16. Will now go to public consultation. Issue with courts that were resurfaced, waiting to resolve this issue before proceeding further

# COMPLETED COUNCIL RESOLUTIONS

MONDAY 20 NOVEMBER 2017			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
4	Cr Radford noted that a correction needs to be made in his Councillor Report of 6 November 2017 – it should read Cr Paul Hooper.	PB/FK	21/11/17
7.2.1	<p><b>PETITION FROM 99 SENIORS CONCERNED ABOUT THE SENIORS MOVIE DAY</b></p> <p>That:</p> <ol style="list-style-type: none"> <li>1. Council continue to run the program in the 2017-2018 year.</li> <li>2. The program be reviewed.</li> <li>3. When the review of the program is completed that the recommendation be presented as part of the 2018/2019 Council budget process.</li> </ol>	KO'B	Completed
10.1.2	<ol style="list-style-type: none"> <li>1. That Council appoint Angela Murphy as Acting CEO from 23 December, 2017 to 1 January, 2018 and Graeme Harrison as Acting CEO from 2 January, 2018 to 31 March, 2018 or until a permanent CEO officially takes up the role whichever occurs first.</li> <li>2. That should a permanent CEO not be in a position to take up the role by 1 April, 2018 that further consideration be given to this matter in March 2018.</li> </ol>	PB	Completed
10.1.4	<ol style="list-style-type: none"> <li>1. That Council notes the Council Committees of Management.</li> <li>2. That Council nominates Cr Pam Clarke as Council's representative to the Municipal Association of Victoria and Cr Josh Koenig as the substitute representative.</li> <li>3. That Council nominates Cr Pam Clarke as Council's representative to the Victorian Local Governance Association and Cr Josh Koenig the substitute.</li> </ol>	PB/SF	21/11/17
10.4.1	That Council approves the Child Safe Policy and the Reporting a Child Safety Concern Procedure.	MS/CK	Completed

<b>MONDAY 6 NOVEMBER 2017</b>			
<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.2.1	That Council propose no change for 2017/18 and refer the review to future budgetary processes. (Council allowances)	GH	Completed
10.4.1	That Council endorse the Horsham Rural City Council Reconciliation Action Plan and submit the plan to Reconciliation Australia for approval.	KO'B	Completed – emailed to Reconciliation Australia 08/11/17

<b>MONDAY 16 OCTOBER 2017</b>			
<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.2.1	That Council accepts the 2016-17 Annual Report for the Horsham Rural City Council as submitted to the Minister for Local Government.	GH	Completed
10.3.1	That Council endorse the final Draft of the Horsham Rural City Council's Economic Development Strategy for consultation.	AM	Completed – posted on website/press release
10.3.2	That Council endorse the draft Municipal Parking Strategy for consultation.	AM	Completed – posted on website/press release
10.4.1	That the 2017-2021 Public Health and Wellbeing Plan be adopted.	KOB	Completed - posted on website, sent to DHHS 18/10/17



AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.5.1	<ol style="list-style-type: none"> <li>1. That Council refer the details of tenders to the confidential briefing part of the meeting in accordance with Section 89(2) (d) contractual matters of the Local Government Act, 1989.</li> <li>2. That Council award: <ol style="list-style-type: none"> <li>a. Contract No: 18/004 Dollar Avenue to Midbrook Pty. Ltd, Horsham for the tendered price of \$388,919.00 (ex. GST).</li> <li>b. Contract No: 18/005 Kalimna Avenue to Midbrook Pty. Ltd, Horsham for the tendered price of \$243,105.00 (ex. GST).</li> <li>c. Contract No: 18/003 Peels Road to MF &amp; JL Willmore Pty Ltd, Horsham for the tendered price of \$185,393.75 (ex. GST).</li> </ol> </li> </ol>	JM	Completed – October 2017
10.5.2	<ol style="list-style-type: none"> <li>1. That Council refer the briefing report and details of tenders to the confidential briefing part of the meeting in accordance with Section 89(2) (d) contractual matters of the Local Government Act, 1989.</li> <li>2. That Council award contract 18/001 for the supply and delivery of a new landfill compaction GPS system to Position Partners, Campbellfield for the amount of \$100,745 ex GST.</li> </ol>	JM	Completed – October 2017

**MONDAY 2 OCTOBER 2017**

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.1.1	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Confirm its underwriting of the Horsham City Bowling Club's contribution to its grant application for the installation of a second synthetic bowling green.</li> <li>2. Approve an interest free loan up to the value of \$76,000 to be repaid over two payments of \$38,000 on 30 June 2018 and 30 June 2019 and that an appropriate formal written agreement be entered in to.</li> </ol>	PB/JM	Completed – October 2017
10.2.1	<p><b>LOCAL LAW NO 1 GOVERNANCE – MEETING PROCEDURE</b> That this item lay on the table</p>	GH	Completed

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.2.2	That Council appoint Mr Vito Giudice as the new independent member of Council's Audit Committee, commencing at the December 2017 meeting for a period of three years to the September 2020 meeting.	GH/DMcD	Completed – letter sent 09/10/17
10.2.4	<p><b>1. Delegation to Chief Executive Officer</b>  In the exercise of the powers conferred by section 98(1) of the <i>Local Government Act 1989</i> (the Act) and the other legislation referred to in the attached instrument of delegation (<b>Appendix "10.2E"</b>).  Horsham Rural City Council (Council) RESOLVES THAT -</p> <ol style="list-style-type: none"> <li>a. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached <i>Instrument of Delegation to the Chief Executive Officer</i>, subject to the conditions and limitations specified in that Instrument.</li> <li>b. The instrument comes into force immediately the common seal of Council is affixed to the instrument.</li> <li>c. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.</li> <li>d. 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.</li> <li>e. It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.</li> </ol> <p><b>2. Delegation to members of Council staff</b>  In the exercise of the powers conferred by section 98(1) of the <i>Local Government Act 1989</i> (the Act) and the other legislation referred to in the attached instrument of delegation (<b>Appendix "10.2F"</b>).  Horsham Rural City Council (Council) RESOLVES THAT -</p> <ol style="list-style-type: none"> <li>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 <i>Instrument of Delegation to members of Council staff</i>, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.</li> <li>2) The instrument comes into force immediately the common seal of Council is affixed to the instrument.</li> <li>3) On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.</li> <li>4) 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.</li> </ol>	GH	02/10/17

**MONDAY 18 SEPTEMBER 2017**

<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.2.1	That the Local Law No 1 Governance, Meeting Procedure report be deferred to the next Ordinary Council meeting to be held on Monday, 2 October, 2017.	GH	2/10/17
10.2.2	<ol style="list-style-type: none"> <li>1. That Council give in-principle approval to the Financial and Performance Statements for 2016/17 and authorise their submission to the Victorian Auditor-General's office.</li> <li>2. That Council authorise the Mayor Cr Pam Clarke and Cr David Grimble to certify the statements in their final form after any changes recommended or agreed to by the auditors have been made pursuant to section 131 of the Local Government Act (1989).</li> </ol>	GH	Completed
10.2.3	<ol style="list-style-type: none"> <li>1. That Council distribute the final cash amount of \$34,320 back to the community of Pimpinio.</li> <li>2. That a special round of the community grant program be implemented during 2017 for the Pimpinio community in order to distribute these funds, with the final allocations to be made by resolution of Council.</li> <li>3. Should the full amount of the funds not be allocated through the community grant process then the funds will be utilised within existing council programs for the betterment of the broader Pimpinio community.</li> </ol>	GH	In progress
10.2.4	<ol style="list-style-type: none"> <li>1. That Council no longer grant a blanket exemption for all community members of Council's Section 86 Committees and that each committee be assessed on an individual basis when reviewing its Instrument of Delegation.</li> <li>2. That Council no longer grant an exemption for all non-councillor members of its Audit Committee from the requirements to lodge primary and ordinary returns effective from 18 September 2017.</li> </ol>	GH	Completed
10.3.3	That Council adopt the Wartook Valley Strategy, and commence preparation of a Planning Scheme Amendment to implement the recommendations of the Strategy.	EI	Completed

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.3.4	That Council approve the proposed amended Development Plan for Lot 2 PS706431, Old Hamilton Road, Haven, prepared by Ferguson Perry Surveying as the Development Plan Old Hamilton Road.	AM	Completed
10.3.5	<ol style="list-style-type: none"> <li>1. That Council adopt the WIFT Precinct Panel's report and make the changes to the amendment as recommended by the Panel.</li> <li>2. That Council adopt Planning Scheme Amendment C64, as amended, and forward the amendment to the Minister for Planning for approval.</li> <li>3. That Council make the Panel's report a public document, and send copies of the report to all submitters.</li> </ol>	EI	Completed
10.3.6	<p>That Council having caused notice of Planning Application No. 2016-42-1 to be given under Section 52 of the Planning and Environment Act 1987 and or the planning scheme and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Refusal to Grant a Permit under the provisions of the Horsham Planning Scheme in respect of the land known and described as Lot: 1 TP854325T Vol: 04192 Fol: 232 Parish of Horsham, PS168655M Vol: 09833 Fol: 707 Parish of Horsham being 20 Dimboola Road, Horsham and 11 Wawunna Road, Horsham for the use and development of a service station including control building, fuel canopy, fuel infrastructure and associated vacuum bay, drive thru facility, signage, car parking, landscaping and creation of an access to a Road Zone Category 1 in accordance with the following reasons:</p> <ol style="list-style-type: none"> <li>1. Effects on the amenity of the residential zone</li> <li>2. Effect on adjacent motel</li> <li>3. Effect on adjacent residence</li> <li>4. Traffic and heavy vehicle effects on a section of local street</li> </ol>	AM	Completed
10.3.7	<p><b>PA1700031 – 52 DARLOT STREET, HORSHAM</b> That the recommendation be adopted. (refer to page 45-49 of the council minutes)</p>	AM	Completed
10.4.1	That the Horsham Aquatic Centre Master Plan Report be adopted.	KOB	18/09/17

<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.4.3	That Council award Contract 17/036, Horsham Memorial Outdoor Pool Filtration / Repair upgrade to Commercial Aquatics Australia of 83 East Derrimut Crescent, Derrimut, Victoria 3030 for the sum of \$315,000 (GST Exc).	KOB	18/09/17
10.5.1	That a letter of thanks be forwarded to John and Gillian Francis acknowledging their contribution to the community.	JM	Completed – September 2017
10.5.3	<ol style="list-style-type: none"> <li>1. That Council award Contract 17/033 Design and Construction of Laharum Change Rooms, Cameron Oval to MKM Constructions for \$523,915 (ex GST) inclusive of solar panels and verandah.</li> <li>2. That the Director of Technical Services meets with representatives of the Laharum Sports Inc to determine the timing for the community funding to be paid to Council.</li> </ol>	JM	Completed – September 2017

**MONDAY 4 SEPTEMBER 2017**

<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
7.3.1	“That Council having conducted a review of its Meeting Procedure (incorporated by reference in to Local Law No.1 – Governance), intends to amend the revised procedure at its meeting on the 18 September 2017.”	GH	Completed
10.1.1	<p>That Council –</p> <ol style="list-style-type: none"> <li>1. Endorse the Terms of Reference of the Western Rail Steering Committee and Project Control Group.</li> <li>2. The Mayor and Chief Executive Officer be nominated representatives of the Horsham Rural City Council.</li> <li>3. A further contribution be made from Council’s media and communications budget of \$2,000 to support further advocacy.</li> </ol>	PB	Completed

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.2.1	<p>In exercise of the powers conferred by sections 86 and 87 of the Local Government Act 1989 (the Act), Council resolves that:</p> <ol style="list-style-type: none"> <li>1. That the previous Instrument of Delegation to the Kannamaroo Festival Committee of Management adopted by Council on 5 September 2016 be revoked.</li> <li>2. That the Instrument of Delegation for the Kannamaroo Festival Committee of Management <b>Appendix "10.2A"</b> be adopted.</li> <li>3. That the previous members of the Kannamaroo Festival Committee of Management become initial members of the new Committee of Management: <ul style="list-style-type: none"> <li>Vacant Councillor</li> <li>Ms Dianne Bell Community</li> <li>Mr Kevin Dellar Community</li> <li>Ms Emma Hynes Community</li> <li>Ms Melissa Keneally Community</li> <li>Mr Beau Ladlow Community</li> <li>Mrs Zoey Manwarring Community</li> <li>Mr Graham Manwarring Community</li> </ul> </li> <li>4. The members of the Committee who are not Councillors, pursuant to section 81(2A) of the Act are exempted from being required to submit a primary return or ordinary return.</li> <li>5. The Instrument of Delegation: <ol style="list-style-type: none"> <li>a. comes into force immediately the common seal of Council is affixed to the Instrument; and</li> <li>b. remains in force until Council determines to vary or revoke it.</li> </ol> </li> <li>6. The powers, duties and functions conferred on the Committee by the Instrument must be exercised in accordance with any guidelines or policies Council may from time to time adopt.</li> <li>7. The Instrument of Delegation be sealed.</li> <li>8. That a Councillor be nominated for the vacant position.</li> </ol> <p><b>Moved Cr Grimble, Seconded Cr Radford that the recommendation be adopted and that Cr Koenig be the nominated Councillor on the Kannamaroo Festival Committee of Management.</b></p>	GH	Completed

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.2.2	<p>In exercise of the powers conferred by sections 86 and 87 of the Local Government Act 1989 (the Act), Council resolves that:</p> <ol style="list-style-type: none"> <li>1. That the previous Instrument of Delegation to the Community Halls Committee of Management adopted by Council on 3 October 2016 be revoked.</li> <li>2. That the Instrument of Delegation for the Community Halls Committee of Management <b>Appendix "10.2B"</b> be adopted.</li> <li>3. That the previous members of the Community Halls Committee of Management become initial members of the new Committee of Management: <ul style="list-style-type: none"> <li>Vacant (Councillor)</li> <li>Mr Daryl Deutscher (Dadswells Bridge Hall)</li> <li>Mr Jeff Both (Natimuk Community Centre)</li> <li>Mr David Arnott (Jung Hall)</li> <li>Mr Robert Byrne (Sailors Home Hall)</li> <li>Ms Susan Hogan (Hamilton Lamb Hall)</li> <li>Ms Susan Flanagan (Taylors Lake Hall)</li> <li>Ms Judy Berendsen (Laharum Hall)</li> <li>Mr Luke Rees (Telangatuk East Hall)</li> <li>Mr Richard Steere (Mitre Hall)</li> <li>Ms Glenys Fort (Natimuk Hall)</li> </ul> </li> <li>4. The members of the Committee who are not Councillors, pursuant to section 81(2A) of the Act are exempted from being required to submit a primary return or ordinary return.</li> <li>5. The Instrument of Delegation: <ol style="list-style-type: none"> <li>a. comes into force immediately the common seal of Council is affixed to the Instrument; and</li> <li>b. remains in force until Council determines to vary or revoke it.</li> </ol> </li> <li>6. The powers, duties and functions conferred on the Committee by the Instrument must be exercised in accordance with any guidelines or policies Council may from time to time adopt.</li> <li>7. The Instrument of Delegation be sealed.</li> <li>8. That a Councillor be nominated for the vacant position.</li> </ol> <p><b>Moved Cr Koenig, Seconded Cr Radford that the recommendation be adopted and that Cr Clarke be the nominated Councillor on the Community Halls Committee of Management.</b></p>	GH	Completed

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.3.2	<p>That Council having caused notice of Planning Application No. 1700052 to be given under Section 52 of the Planning and Environment Act 1987 and or the planning scheme and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Grant a Permit under the provisions of the Horsham Planning Scheme in respect of the land known and described as Lot: 15 PS410241J Parish of Horsham, being 7 Rushbrook Close, Horsham for the construction of a pergola in accordance with the endorsed plans, subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. The plans to be endorsed and which will then form part of the permit are the plans submitted with the application.</li> <li>2. The development as shown on the endorsed plans must not be substantially altered without the written consent of the responsible authority.</li> <li>3. External cladding of the pergola must be maintained and kept in good condition to the satisfaction of the Responsible Authority.</li> <li>4. The pergola must be painted to match the existing dwelling colour scheme.</li> <li>5. The rafters and beam are to be minimum width necessary to provide structural integrity and to mount the required moving parts for the retractable roof.</li> <li>6. When not in use the retractable roof should be retracted.</li> <li>7. The pergola is not to be fully enclosed. This includes the use of vegetation, walls, or permanent retractable blinds.</li> </ol> <p>Technical Services</p> <ol style="list-style-type: none"> <li>8. Proposed pergola roof stormwater drain (downpipe) must be connected to existing property drain.</li> </ol> <p>Permit Expiry</p> <ol style="list-style-type: none"> <li>9. This permit will expire if one of the following circumstances applies: <ul style="list-style-type: none"> <li>• The development is not started within two years of the date of this permit.</li> <li>• The development is not completed within four years of the date of this permit.</li> </ul> <p>In accordance with section 69 of the Planning and Environment Act 1987, before the permit expires or within 6 months afterwards the owner or the occupier of the land to which this permit applies may ask the responsible authority for an extension of time.</p> <p>The owner or occupier of land to which this permit for development applies may ask the responsible authority for an extension of time to complete the development if the request for an extension of time is made within 12 months after the permit expires; and the development started lawfully before the permit expired.</p> <p>NOTES ATTACHED TO PLANNING PERMIT NO PA1700052:</p> <ol style="list-style-type: none"> <li>a) Prior to any excavation works the applicant and/or their contractors must undertake "Dial before you Dig" information for existing utility services locations. The phone number for this service is 1100.</li> <li>b) Pursuant to Section 16 of the Building Act 1993, a Building Permit must be obtained prior to commencing the building work associated with this permit.</li> </ol> </li> </ol>	AM	Notice of Decision issued 06/09/17



AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.4.4	That Council adopt the 2017 -2021 Public Art Policy and endorse the 2017-2021 Public Art Implementation Plan.	KOB	Completed
10.5.1	<ol style="list-style-type: none"> <li>1. That Council note the Village Well and MRCagney reports relating to CBD developments, and agree to make them publically available, including on Council's web site.</li> <li>2. That Council endorse the establishment of a CBD Action Group to provide advice to Council on proposals for CBD development, including funding proposals for subsequent consideration by Council.</li> <li>3. That Council approve the establishment of a streetscape development scheme, to be funded to the extent of \$53,000 per year, with the details to be developed through the CBD Action Group, and subject to review by Council within 12 months of commencement of the scheme's operation.</li> </ol>	JM	Completed – September 2017

**MONDAY 21 AUGUST 2017**

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.1.1	That John Martin, Director Technical Services be appointed as Acting Chief Executive for the period 7 September 2017 to 6 October 2017 inclusive.	PB	30/08/17
10.3.1	<p>That Council having caused notice of Planning Application No. 1700025 to be given under Section 52 of the Planning and Environment Act 1987 and or the planning scheme and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Grant a Permit under the provisions of the Horsham Planning Scheme in respect of the land known and described as CA2004 Parish of Drung Drung, St Helens Plains, for the construction of car park and access track in accordance with the endorsed plans, subject to the following conditions:</p> <p><b>Endorsed Plans</b></p> <ol style="list-style-type: none"> <li>1. The plans to be endorsed and which will then form part of the permit are the plans submitted with the application.</li> <li>2. The development as shown on the endorsed plans must not be substantially altered without the written consent of the responsible authority.</li> </ol>	AM	NOD issued 22/08/17

	<p>3. The removal of vegetation must only be to the minimum extent necessary to:</p> <ul style="list-style-type: none"> <li>• carry out the development and</li> <li>• allow the construction of fences or protective barriers</li> <li>• remove hazards that presents an immediate risk of personal injury or damage to property in the vicinity of the development</li> </ul> <p>to the satisfaction of the responsible authority.</p> <p>4. Before the vegetation removal starts, the boundaries of all vegetation stands to be removed and retained must be clearly marked on the ground or marked with tape or temporary fencing to the satisfaction of the responsible authority.</p> <p>5. Any pruning or removal of tree limbs, particularly hollow-bearing tree limbs, must be to the minimum extent necessary.</p> <p>6. Before the use or occupation of the development starts, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:</p> <ol style="list-style-type: none"> <li>a) constructed</li> <li>b) properly formed to such levels that they can be used in accordance with the plans</li> <li>c) drained</li> <li>d) clearly marked to show the areas for parking, and the direction of traffic along access lanes and driveways</li> </ol> <p>to the satisfaction of the responsible authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.</p> <p>7. All vehicles are to enter and leave the property in a forward direction.</p> <p>8. A sign/signs to the satisfaction of the responsible authority must be provided directing drivers to the area set aside for car parking and must be located and maintained to the satisfaction of the responsible authority. The area of each sign must not exceed 0.3 square metres.</p> <p>9. Concrete kerbs or other barriers must be provided to the satisfaction of the responsible authority to prevent:</p> <ol style="list-style-type: none"> <li>a. direct vehicle access to the Horsham - Lubeck Road other than via the vehicle crossing shown on the endorsed plans;</li> <li>b. access to other areas of the Taylors Lake reserve outside of the car parking and access track areas.</li> </ol>		
--	---	--	--

	<p>10. Any security gate, barrier or similar device controlling vehicular access to the premises must be located a minimum of ten metres off the road reserve of the Horsham Lubeck Road to allow vehicles to park clear of any through traffic.</p> <p>11. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:</p> <ol style="list-style-type: none"> <li>a) transport of materials, goods or commodities to or from the land</li> <li>b) appearance of any building, works or materials</li> <li>c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil</li> <li>d) presence of vermin.</li> </ol> <p>12. Upon the completion of construction and the use approved through this permit, the permit holder shall identify contact details, on its website and on signage at the entry to the site, for the receipt and actioning of complaints or other comments relating to the use of the Pines area.</p> <p>13. The permit holder will maintain a register of complaints and other comments relating to operations on the Subject Land. The register should include details of how the complaints were addressed.</p> <p>14. Active management of the site is to be undertaken including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Regular patrols during the summer period, particularly during peak usage periods such as weekends and school holidays;</li> <li>• Regular patrols during the fire restriction period to ensure fires are only lit in appropriate locations; and</li> <li>• Weekly rubbish collection.</li> </ul> <p>15. The access tracks intersection with Horsham Lubeck Road is to be constructed to the requirements and approval of the responsible authority.</p> <p>16. All access gateways are to be located such that they provide a safe intersection sight distance for the applicable speed limit of the road to the satisfaction of the responsible authority.</p> <p><b>Permit Expiry</b></p> <p>17. This permit will expire if one of the following circumstances applies:</p> <ul style="list-style-type: none"> <li>• The development and the use are not started within two years of the date of this permit.</li> </ul>		
--	---	--	--

	<ul style="list-style-type: none"> <li>• The development is not completed within four years of the date of this permit.</li> <li>• The use is discontinued for a period of two years.</li> </ul> <p>In accordance with section 69 of the Planning and Environment Act 1987, before the permit expires or within 6 months afterwards the owner or the occupier of the land to which this permit applies may ask the responsible authority for an extension of time. The owner or occupier of land to which this permit for development applies may ask the responsible authority for an extension of time to complete the development if the request for an extension of time is made within 12 months after the permit expires; and the development started lawfully before the permit expired.</p> <p><b>NOTES ATTACHED TO PLANNING PERMIT NO PA1700025:</b></p> <ol style="list-style-type: none"> <li>a. Prior to any excavation works the applicant and/or their contractors must undertake “Dial before you Dig” information for existing utility services locations. The phone number for this service is 1100.</li> <li>b. Prior to work on Council assets including work within road reserves or easements, the relevant road opening permit must be obtained by contacting Council’s (Josh Hammond on 03 5382 9742). A relevant fee will be charged for the permit at the time of application.</li> </ol>		
10.3.2	<p>That Council, having caused notice of Planning Application No. PA1700066 to be given under Section 52 of the Planning and Environment Act 1987, and having considered all the matters required under Section 60 of the Planning and Environment Act 1987, issue a Notice of Decision to Grant a Permit under the provisions of the Horsham Planning Scheme, in respect of the land known and described as 66A &amp; 66B Hamilton Street, Horsham, for the sale of liquor (packaged liquor licence) in association with the use of the premises as a retail liquor outlet in accordance with the endorsed plans.</p> <ol style="list-style-type: none"> <li>1. The plans to be endorsed and which will then form part of the permit are the plans submitted with the application.</li> <li>2. The licensed area as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.</li> <li>3. The use must be managed so that the amenity of the area is not detrimentally affected, through the: <ol style="list-style-type: none"> <li>a) Transport of materials, goods or commodities to or from the land;</li> <li>b) Appearance of any building, works or materials;</li> <li>c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and</li> </ol> </li> </ol>	AM	NOD issued 22/08/17

	<p>d) Presence of vermin or otherwise.</p> <p>In the event of any nuisance being caused to the neighborhood by activities related to the use the Responsible Authority may direct, in writing, such actions or works, as deemed appropriate, to eliminate or mitigate such nuisance be undertaken.</p> <p><b>Hours of Operation</b></p> <p>4. The use may operate only between the following hours without the further written consent of the Responsible Authority:  On any day other than Sunday, Good Friday, ANZAC Day or Christmas Day - 9am and 11pm  Sunday - 10am and 11pm  ANZAC Day - 12 noon and 11pm  No trading on Christmas Day or Good Friday.</p> <p>5. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the land.</p> <p><b>Environmental Health Officer</b></p> <p>6. The premises must be registered with Council under the Food Act 1984. No preparation or sale of food may occur prior to registration.</p> <p>7. The new/existing premises at which the preparation and sale of food will occur must comply with the structural requirements of the Food Standards Code 2003, including all fixtures and fittings, floors, walls, ceilings and appliances. The premises must be constructed to the satisfaction of Council's Environmental Health Officer and be inspected prior to registration.</p> <p><b>Permit Expiry</b></p> <p>8. This permit will expire if one of the following circumstances applies:  - The use is not started within two (2) years of the date of this permit;  - The use is discontinued for a period of two years.</p> <p>The Responsible Authority may extend the periods referred to if a request is made in writing before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started.</p>		
10.3.2	That Council investigates limiting the number of planning permits issued for the sale of packaged alcohol in Horsham Rural City from a specified date.	AM	Work in progress
10.3.3	That Council write a letter of appreciation to Hon Jaala Pulford, Minister for Regional Development for the contribution of funds to the Wimmera Intermodal Freight Terminal.	AM	Completed - 06/09/17

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.4.1	That the 2017-2021 Public Health and Wellbeing Plan be made available to the public for comment.	KOB	25/08/17
10.4.2	That Council seek feedback from the residents that receive meals on wheels in relation to our proposed fee structure from 1 January 2018.	KOB	To occur Oct 2017 as part of broader survey

MONDAY 7 AUGUST 2017			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
7.3.2	That Council refer the following to its review of the Local Law No 1. <ol style="list-style-type: none"> <li>1. The quorum is raised to a majority plus one.</li> <li>2. Consideration is given to rescheduling a meeting if three Councillors are an apology for an Ordinary Meeting.</li> <li>3. Justification is given for rescheduling of a meeting.</li> </ol>	PB	Completed
10.1	That a progress report on the Wimmera River Pedestrian Bridge be provided to Council at its next meeting to be held on Monday 21 August, 2017.	PB/JM	Completed 21/08/17
10.3.1	That Council as the responsible authority, having caused notice of Planning Application No. PA1700026 to be given under Section 52 of the <i>Planning and Environment Act 1987</i> and having considered all the matters required under Section 60 of the <i>Planning and Environment Act 1987</i> , grant a permit under the provisions of the Horsham Planning Scheme in respect of the land known and described as Lot 2 TP 712358W, Laharum Road, Wonwondah for the use and development of land for a dwelling with the application dated 16 March 2017 in accordance with the endorsed plans, subject to the conditions set out in <b>Appendix "10.3D"</b> .	AM/NC	Completed
10.3.3	That Council approves the proposed Development Plan for 256 Old Hamilton Road, Haven, prepared by Ferguson Perry Surveying titled "Development Plan Version 2, 256 Old Hamilton Road, Parish of Bungalally, Crown Allotment 24Q".	EI	Completed

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.4.1	That the Horsham Aquatic Centre Master Plan Report (including the proposed master plan and associated costings) be provided to the public for comment.	KO'B	08/08/17
10.4.2	<ol style="list-style-type: none"> <li>1. That Council approve the submission of a full funding application to Sport and Recreation Victoria (Small Aquatics) for Stage 4 renewal works to the 50 m Outdoor Pool.</li> <li>2. Refer to the 2018/19 Budget, consideration of an additional funding allocation for an amount of \$324,553 for the completion of this project.</li> <li>3. That point 2 is conditional on successful funding of the \$200,000 being granted.</li> </ol>	KO'B/SS	Project Proposal lodged 07/06/17
10.5.2	<ol style="list-style-type: none"> <li>1. That the Instrument of Delegation established for the Special Committee, the Horsham Recreation Reserve Committee of Management be revoked;</li> <li>2. That the Terms of Reference for the Horsham Recreation Reserve Advisory Committee be adopted <b>Appendix "10.5B"</b>;</li> <li>3. That the existing members of the Special Committee become the initial members of the Advisory Committee:  <u>Existing members:</u>  Ms Alethea Sedgman            Councillor  Mr Rod Garth                    Community Representative  Mr Bruce Hartigan            Community Representative  Mr Chris Johnson             Horsham City Brass Band  Mr Garry Minne                Horsham City Pipe Band  Mr Tim Hopper                 Horsham Cricket Association  Mr Rod Dumesny               Horsham Football and Netball Club  Mr Jason Merlo                 Horsham Football and Netball Club  <u>Ex Officio:</u>  Ms Rhonda McNeil            Manager Sustainability and Recreation </li> </ol>	JM/RMcN/ MK	Completed 30/08/17

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.5.3	<p>1. That the Terms of Reference for the Bicycle Advisory Committee be adopted <b>Appendix "10.5C"</b>;</p> <p>2. That the existing members of the Bicycle Advisory Committee be reaffirmed as members of the Horsham Bicycle Advisory Committee:</p> <p>Ms Alethea Sedgman            Councillor  Mr Gary Aitken                    Wimmera River Improvement Committee  Mr Alan Bedggood                Cycling Community  Ms Janine Harfield                Health Sector  Dr Grant Hollaway (Chair)      Cycling Community  Mr Rudy Panozzo                  Cycling Community  Ms Gillian Vanderwaal          Cycling Community</p>	JM/MD/MK	Completed

MONDAY, 17 JULY 2017			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.3.2	<p>That Council as the responsible authority having caused notice of Planning Application No. 384 Wimmera Highway, Vectis to be given under Section 52 of the <i>Planning and Environment Act 1987</i> and having considered all the matters required under Section 60 of the <i>Planning and Environment Act 1987</i> decides to Grant a Notice of Decision to grant a permit in respect of the land known and described as Lot 2 on Title Plan 318575L, Wimmera Highway, Vectis, for the use and development of a telecommunications facility in accordance with the endorsed plans, with the application dated 18 December 2013, subject to the following conditions:</p> <p>1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three (3) copies must be provided. The plans must be generally in accordance with the plans marked as Drawing numbers M2072-P1 Revision 01 and M2072-P2 Revision 1, but modified to show:</p> <p>(a) A landscaping plan in accordance with Condition 2.</p>	AM/NC/AM	Notice of Decision issued 20/07/17



	<p>2. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. <i>The plan must show:</i></p> <p>(a) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.</p> <p>(b) Landscaping and planting around the perimeter of the compound. All species selected must be to the satisfaction of the responsible authority. The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.</p> <p>3. Unless otherwise approved in writing by the Responsible Authority, all buildings and works are to be constructed and or undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority.</p> <p>4. Before the use of the site commences, all landscaping works forming part of the endorsed landscape plan must be completed to the satisfaction of the Responsible Authority,</p> <p>5. The vegetation shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.</p> <p>6. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.</p> <p>7. The exterior colour of the monopole and equipment shelter must be of a non-reflective nature to the satisfaction of the Responsible Authority.</p> <p>8. The telecommunications facility must comply to the satisfaction of the Responsible Authority with the ARPANSA 'Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz (2002)', or such other standard as is adopted from time to time by the Australian Communications Authority.</p> <p>9. A red obstacle light is to be installed on top of the tower in accordance with the requirements of the CASA Manual of Standards Part 139, clause 9.4.6.1 (a) to (f) inclusive.</p>		
--	--	--	--

	<p>10. If the telecommunications facility hereby approved becomes redundant, all infrastructure associated with the telecommunication facility must be removed and the area reinstated to the satisfaction of the Responsible Authority. All works to comply with this condition must be completed within three (3) months of the facility ceasing to operate and must be at the expense of the Applicant.</p> <p>11. All works must be undertaken in a manner that minimises soil disturbance, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the Responsible Authority. All topsoil removed during the earthworks must be stockpiled, maintained in a weed-free condition, respread on disturbed ground after completion of the earthworks and revegetated to prevent erosion, all to the satisfaction of the Responsible Authority.</p> <p>12. The development must be managed so that the amenity of the area is not detrimentally affected, through the:</p> <ul style="list-style-type: none"> <li>(a) Transport of materials, goods or commodities to or from the land</li> <li>(b) Appearance of any building, works or materials</li> <li>(c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil presence of vermin</li> <li>(d) Storage of solid waste</li> <li>(e) Infiltration of groundwater.</li> </ul> <p>13. Before the use of the site commences, the access must be constructed, formed, surfaced with an all-weather wearing course or crushed rock, and drained to the satisfaction of the Responsible Authority.</p> <p>14. This permit will expire if one of the following circumstances applies:</p> <ul style="list-style-type: none"> <li>(a) The use and development is not started within two (2) years of the date of this permit; and</li> <li>(b) The use and development is not completed within four (4) years of the date of this permit.</li> </ul> <p>The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence the development) or twelve months after the permit expires (for a request to extend the time to complete the development).</p>		
--	---	--	--

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.5.1	<ol style="list-style-type: none"> <li>1. That Council advise the Planning and Roads Ministers that Council continues to support a Western Highway bypass of Horsham, but does not endorse or discount any of the route options.</li> <li>2. That Council write to the Minister for Planning seeking a deputation to explain the reasons for our position.</li> <li>3. That Council endorse its original pre-September 7, 2015 position, and will not investigate any other bypass options, as expressed in the letter to VicRoads in February 2013.</li> <li>4. Should the Planning Minister's preference be Option D, Council will continue to lobby for: <ol style="list-style-type: none"> <li>a. An interchange at the Henty Highway to incorporate a "folded diamond" type.</li> <li>b. A "full diamond interchange" at the northern end of the bypass route.</li> <li>c. Flood mitigation design standards greater than the 1% AEP.</li> <li>d. The safety and future development of the Horsham Aerodrome</li> <li>e. That Council commit to working with VicRoads, and our community, to minimise the social, local business, agricultural, visual and noise impacts of any Bypass route.</li> </ol> </li> </ol>	JM	Completed
10.5.2	<p>That Council award Contract 17/013 Provision of Professional Consultancy Services - Investigation, Design and Reporting to the following as a panel of available consultants: Ferguson Perry Surveying, Driscoll Engineering Services, Water Technology, SMEC Australia, Tonkin Consulting, Nolan Consulting, Pitt &amp; Sherry, Tomkinson Group, Engeny Water Management, Meinhardt Infrastructure &amp; Environment, CAF Consulting Services, James Milne, GHD, Coffey Environments Australia, TTM Consulting, Price Merrett Consulting, PM Design Group, FMG Engineering, BG&amp;E Materials Technology, HDS Australia</p>	JM/MD/JH	Completed

**MONDAY, 3 JULY 2017**

<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.1.1	That the Horsham Rural City Council indicate its support to the Greater City of Shepparton and to Adam Karafili, the taskforce chair and advise that it wishes to continue to be involved throughout the process with a view to hosting an event in the Wimmera.	PB	20/07/17
10.2.1	That Council write to the relevant Minister stating council's support of recommendations R14 & R26 provided that any additional responsibilities are appropriately funded and to express an interest in participating in any future pilot projects with respect to this.	GH	06/07/17
10.3.1	That the report" lay on the table".	NC	Completed
10.3.2	That Council request Optus to provide further justification of the siting of the mobile tower.	NC	Further information provided to Council on 17/07/17
10.4.4	<ol style="list-style-type: none"> <li>1. That Council does not register to be a NDIS service provider.</li> <li>2. That Council supports current VICHACCPYP clients that may be eligible for the NDIS through transition by supporting transition to local NDIS providers and continue to provide current services until transition of NDIS eligible clients is complete.</li> <li>3. That Councils decision not to register as an NDIS service provider is communicated to staff, clients, Australia Service Union and Department of Health and Human Services.</li> </ol>	KO'B/MD	Communication re the decision has commenced, ASU, DHHS and Staff notified

**MONDAY 19 JUNE 2017**

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9	<p>Council write to the Hon Richard Wynne MP Minister for Planning and the Hon Luke Donnellan MP Minister for Roads in response to a letter dated 24/5/17 from Dr Bruce Abernethy, Acting Executive Director, State Planning Services, Department of Environment, Land, Water and Planning advising that Horsham Council's position on Horsham Planning Scheme Amendment C72, the option D alignment, is required by 30 June, 2017 and that:</p> <ul style="list-style-type: none"> <li>We advise that our position remains unchanged from 7 September 2015 Council meeting in that we do not accept option D for reasons already stated.</li> </ul>	PB	With Motion was rescinded at 03/07/17 Council Meeting
9	We advise that the time frame provided by the Minister's staff for this work is December, 2017.	PB	With Motion was rescinded at 03/07/17 Council Meeting
9	That Council request that the time frame sought by the Minister's staff for this work be extended to allow a full discussion by Council in its deliberations on the bypass.	PB	With Motion was rescinded at 03/07/17 Council Meeting
10.1.1	That Council support the campaign to have General Sir John Monash GCMG KCB VD promoted to the rank of Field Marshall by 11 November, 2018 and write to the Prime Minister, Malcolm Turnbull MP and Andrew Broad, Member for Mallee.	PB	20/06/17
10.2.1	That Council adopt the Council Plan 2017-2021 Appendix "10.2A", in accordance with section 125(8) of the <i>Local Government Act (1989)</i> , and advise the Minister accordingly.	GH	27/06/17

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.2.2	<ol style="list-style-type: none"> <li>1. The Budget as attached as Appendix "10.2B" be adopted by Council pursuant to Section 130 (1) of the Local Government Act (1989) and that Council give public notice of this decision to adopt such Budget, in accordance with Section 130 (2) of the Local Government Act 1989.</li> <li>2. That Council adopt the Strategic Resource Plan 2017-18 to 2020-21 as depicted in section 3 "Financial Statements" of the attached budget document Appendix "10.2B".</li> <li>3. That Council adopts the rates and charges as depicted in section 7 of the attached budget document Appendix "10.2B".</li> <li>4. That Council adopt the Rates Strategy 2017-18 as attached as Appendix "10.2C".</li> </ol>	GH	19/06/17
10.2.4	That, in accordance with the provision of the Local Government Act 1989 Sec 171(4) in relation to general rates and service charges levied under the provisions for the above Act, with the consent of the Minister, the Council in respect of recipients eligible for waivers under the State Concessions Act 2004, resolves to treat those persons who were granted waivers in 2016-17 as having made a continuing application for a waiver in respect of the same rateable land or part on which a waiver was granted in 2016-17 unless the person advises the Council that a waiver is no longer sought.	GH	Completed
10.3.1	That Council approves the proposed Development Plan for 44 Hunts Road, Haven, prepared by Ferguson Perry Surveying titled "Development Plan, County of Borung, Parish of Bungalally, Crown Allotment 24D (Part)".	AM	Completed
10.3.2	That Council approves the development plan for 219 Hutchinsons Road, Quantong, prepared by Ferguson Perry Surveying being Lot 1 on Title Plan 387105L.	AM	Completed
10.5.1	That Council adopt the updated Road Management Plan 2017.	JM	Completed
10.5.2	That Council accept Dycom's revised tender (\$327,835 ex GST) for the design and construction of stage 2 of the Horsham CCTV network, including the upgrading of the CCTV equipment for May Park.	JM	Completed

<b>MONDAY 5 JUNE 2017</b>			
<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.2.1	That Council write to the Treasurer, Minister for Local Government, local members of Parliament, Municipal Association of Victoria (MAV) and Victorian Local Government Association (VLGA) requesting more detail re the cost impact for Council of this proposal and stating Council's concern about the lack of consultation.	KB	13/06/17
10.2.3	That Council invite the President of the Horsham Amateur Basketball Association, Mr Owen Hughan OAM and his executive to further meet with Councillors to discuss the opportunities presented in the letter from Horsham Amateur Basketball Association dated 12 May 2017 requesting transfer of full financial and managerial autonomy.	GH	Completed
10.2.4	That for the remainder of 2017, Council hold regular Councillor listening post sessions in the CBD, to facilitate a continual engagement process with the community.	GH	Completed
10.5.1	That Council award contract 17/031 Provision of Concrete Crushing and Stockpiling at Dooen Landfill to Local-Mix Quarries Pty Ltd of 10 Hays Road Moolap, Victoria for the (GST excluded) rates of \$13.40 for 20 mm, \$11.70 for 40 mm and \$9.80 for 70 mm product, for a period of one year.	JM	Completed

<b>MONDAY, 15 MAY 2017</b>			
<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
7.5.1	That the approach outlined in the "Next Steps" section of this report be endorsed. That Council meet with all the Withell Street residents.	JM	1. Completed 2. Completed – report to come
10.2.1	That Council adopt the revised procurement policy.	GH	Completed (see report 10.1.1 on 17/07/17)

<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.3.1	<ol style="list-style-type: none"> <li>1. Adopt the Panel Report on Horsham Planning Scheme Amendment C77 Artist in Residence.</li> <li>2. Adopt Horsham Planning Scheme Amendment C77 as exhibited, subject to the changes contained in the Panel's report.</li> <li>3 Forward the adopted amendment to the Minister for Planning for his consideration.</li> <li>4. Notify the submitters on Horsham Planning Scheme Amendment C74 of Council's decision.</li> </ol>	AM	Minister for Planning endorsed during week of 17 July 2017 Completed
10.4.2	That Council approve the proposed fees and charges for the Horsham Aquatic Centre for the 2017/2018 financial year.	KOB	YMCA Notified 16/05/17 Complete
10.5.1	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Award Contract 17/030 – Supply and Construct Cell 2 – Dooen Landfill to Teneo of Milton QLD for an amount of up to \$1,044,904.99 (ex GST).</li> <li>2. Delegate authority to the Chief Executive to finalise post tender negotiations and details of the contract sum within the tendered amount.</li> </ol>	JM	<ol style="list-style-type: none"> <li>1. Completed</li> <li>2. Completed</li> </ol>

**MONDAY, 1 MAY 2017**

<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
4	That the Minutes emanating from the Ordinary Meeting of the Horsham Rural City Council held at the Wesley Performing Arts Centre, Roberts Avenue, Horsham at 5.30pm on 18 April, 2017 be adopted with a correction to Cr Robinson's report in relation to the Economic Development Plan and the Mt Arapiles rescues.	FK	02/95/17
7.2.1	That the petition from Phillip Norman Lay on the Table until the next Ordinary Meeting of Council to be held on Monday 15 May, 2017.	FK	15/05/17



AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED																						
10.2.1	<ol style="list-style-type: none"> <li>1. That Council write to the Minister requesting that Friday 3 November 2017, for the Horsham Cup, be substituted as a full day public holiday in lieu of Melbourne Cup, for the whole of the municipality.</li> <li>2. That Council resolves to request from the Minister that the Horsham Racing Cup Friday be a full day public holiday for the whole of the municipality for 2018 and 2019.</li> </ol>	GH	10/05/17																						
10.2.2	<ol style="list-style-type: none"> <li>1. That the 2014 Instrument of Delegation for the Horsham College Community Oval Committee of Management be revoked;</li> <li>2. That the 2017 Instrument of Delegation for the Horsham College Community Oval Committee of Management be adopted Appendix "10.2B";</li> <li>3. That the existing members of the Horsham College Community Oval Committee of Management become initial members of the 2017 Committee of Management;</li> <li>4. Existing members: <table border="0" data-bbox="448 742 1344 1173"> <tr> <td>Cr Alethea Sedgman</td> <td>Councillor</td> </tr> <tr> <td>Howard Schier</td> <td>AFL Wimmera Mallee Association</td> </tr> <tr> <td>Vacant</td> <td>Community</td> </tr> <tr> <td>Vacant</td> <td>Community</td> </tr> <tr> <td>Dale McRae</td> <td>Horsham College</td> </tr> <tr> <td>Vacant</td> <td>Horsham College</td> </tr> <tr> <td>Paul Mackereth</td> <td>Horsham Hockey Club</td> </tr> <tr> <td>Rhonda McNeil</td> <td>HRCC Manager, Sustainability and Recreation</td> </tr> <tr> <td>Matt Copping</td> <td>Horsham Special School</td> </tr> <tr> <td>Nathan Neuman</td> <td>Jung Tigers Cricket Club</td> </tr> <tr> <td>David Berry</td> <td>Wimmera Regional Sports Assembly</td> </tr> </table> </li> <li>5. That the process commence immediately for identifying 3 members of the committee in accordance with the adopted Instrument of Delegation.</li> </ol>	Cr Alethea Sedgman	Councillor	Howard Schier	AFL Wimmera Mallee Association	Vacant	Community	Vacant	Community	Dale McRae	Horsham College	Vacant	Horsham College	Paul Mackereth	Horsham Hockey Club	Rhonda McNeil	HRCC Manager, Sustainability and Recreation	Matt Copping	Horsham Special School	Nathan Neuman	Jung Tigers Cricket Club	David Berry	Wimmera Regional Sports Assembly	GH	All items complete as at 30/8/17
Cr Alethea Sedgman	Councillor																								
Howard Schier	AFL Wimmera Mallee Association																								
Vacant	Community																								
Vacant	Community																								
Dale McRae	Horsham College																								
Vacant	Horsham College																								
Paul Mackereth	Horsham Hockey Club																								
Rhonda McNeil	HRCC Manager, Sustainability and Recreation																								
Matt Copping	Horsham Special School																								
Nathan Neuman	Jung Tigers Cricket Club																								
David Berry	Wimmera Regional Sports Assembly																								

**MONDAY, 18 APRIL 2017**

<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.1.1	<ol style="list-style-type: none"> <li>1. That Council adopt the Grampians and Barwon South West Regional Passenger Services Cost and Feasibility Study.</li> <li>2. In conjunction with other participating Councils develop an advocacy plan and lobby all levels of Government for the return of passenger rail to the west of the State.</li> <li>3. On behalf of all participating Councils, the three Councils: Horsham Rural City Council, Ararat City Council and Southern Grampians Shire Council seek a deputation to the State Minister for Transport Jacinta Allan to present the report and recommendations and request support for the Feasibility Study recommendations and for the return of rail passenger services to Hamilton and Horsham.</li> <li>4. Brief the Rail Freight Alliance on this report and its findings.</li> </ol>	PB	Letter sent – completed
10.2.1	<ol style="list-style-type: none"> <li>1. That the Draft Council Plan 2017-2021 be made available for community comments and submissions until the 30 May 2017 in accordance with Section 125 (3) of the Local Government Act 1989.</li> <li>2. Council to consider any submissions on the Draft Council Plan 2017-2021 on Tuesday 6 June 2017 at 5.00pm.</li> </ol>	GH	Complete
10.2.2	<ol style="list-style-type: none"> <li>1. The Budget attached as (Appendix “10.2B”) be adopted as the Draft Budget 2017/18.</li> <li>2. The Strategic Resource Plan included within the budget documentation be adopted as a draft plan for the four years to 2020/21.</li> <li>3. Council to hear and consider any submissions on the Draft Budget 2017/18 on Tuesday 6 June 2016 at 5:00pm.</li> <li>4. That Council propose the rate in the dollar and charges are set, as set out in Section 7 of the draft budget document (Appendix “10.2B”).</li> </ol>	GH	Completed

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED																												
10.2.3	<ol style="list-style-type: none"> <li>1. The Rates Strategy attached as <b>(Appendix “10.2C”)</b> be adopted as the Draft Rates Strategy 2017-18 and be made available for community comments and submissions until 30 May 2017.</li> <li>2. Council to consider any submissions on the Draft Rates Strategy 2017-18 on Tuesday 6 June 2016 at 5.00pm.</li> </ol>	GH	Complete																												
10.2.4	<ol style="list-style-type: none"> <li>1. To allocate \$357,991 for the 2017-18 Budget for community grants.</li> <li>2. To approve the allocations to the various grant recipients as detailed in Appendix “10.2E” and to advise all successful and unsuccessful grant applicants of the outcome of their submissions as soon as practicable.</li> </ol>	GH	Complete																												
10.2.5	<ol style="list-style-type: none"> <li>1. That the current Instrument of Delegation for Green Lake Committee of Management adopted 16 May 2011, be revoked.</li> <li>2. That the Terms of Reference for the Green Lake Advisory Committee be adopted <b>Appendix “10.2F”</b>.</li> <li>3. That the existing members of the Green Lake Committee of Management become initial members of the Green Lake Advisory Committee; Existing members:  <table border="0" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 70%;">Cameron Mibus</td><td>Community</td></tr> <tr><td>Libby Peucker</td><td>Community</td></tr> <tr><td>Ivan Jones</td><td>Community</td></tr> <tr><td>Leanne Schilling</td><td>Community</td></tr> <tr><td>Glen Mibus</td><td>Community</td></tr> <tr><td>Steve Marcroft</td><td>Horsham Yacht Club</td></tr> <tr><td>Jay Miller</td><td>Horsham Power Boats</td></tr> <tr><td>Rod Garth</td><td>Horsham Angling Club</td></tr> <tr><td>Matt Miller</td><td>Jet Ski Users</td></tr> <tr><td>To be confirmed</td><td>Councillor</td></tr> <tr><td>Vacant</td><td>Natimuk Ski Club</td></tr> <tr><td>Vacant</td><td>Grampians Wimmera Mallee Water</td></tr> <tr><td>Vacant</td><td>Urban Landcare Group</td></tr> <tr><td>Vacant</td><td>Wimmera Catchment Management Authority</td></tr> </table> </li> <li>4. That the process commence immediately to fill the vacancies of the committee in accordance with the adopted Terms of Reference.</li> <li>5. That Council put in place a suitable legal arrangement with GWM Water that clearly identifies its role and responsibilities for the Green Lake Crown land Reserve.</li> </ol>	Cameron Mibus	Community	Libby Peucker	Community	Ivan Jones	Community	Leanne Schilling	Community	Glen Mibus	Community	Steve Marcroft	Horsham Yacht Club	Jay Miller	Horsham Power Boats	Rod Garth	Horsham Angling Club	Matt Miller	Jet Ski Users	To be confirmed	Councillor	Vacant	Natimuk Ski Club	Vacant	Grampians Wimmera Mallee Water	Vacant	Urban Landcare Group	Vacant	Wimmera Catchment Management Authority	GH	Completed  Completed
Cameron Mibus	Community																														
Libby Peucker	Community																														
Ivan Jones	Community																														
Leanne Schilling	Community																														
Glen Mibus	Community																														
Steve Marcroft	Horsham Yacht Club																														
Jay Miller	Horsham Power Boats																														
Rod Garth	Horsham Angling Club																														
Matt Miller	Jet Ski Users																														
To be confirmed	Councillor																														
Vacant	Natimuk Ski Club																														
Vacant	Grampians Wimmera Mallee Water																														
Vacant	Urban Landcare Group																														
Vacant	Wimmera Catchment Management Authority																														

10.3.1	That Council approves the proposed Development Plan for 628 Three Bridges Road, Lower Norton, prepared by Ferguson Perry Surveying titled "Development Plan Version 3, Parish of Bungalally, and Crown Allotment 2A".	AM	Completed
10.3.4	The Horsham Rural City Council agrees to endorse a further three year funding agreement with the Wimmera Development Association for 2017 to 2020 to support the strategic development initiative of Council and work collaboratively for the benefit of the region.	AM	Completed
10.4.1	That Council forward a letter of thanks to the Minister for funding the Seasonal Conditions Project.	KOB	Completed

**MONDAY, 3 APRIL 2017**

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.2.1	That Council write to the Essential Services Commission to advise them that an application for a rate cap variation will not be made in 2017-18.	GH	04/04/17
10.2.2	<ol style="list-style-type: none"> <li>1. The Instrument of Delegation established for the Special Committee, the Horsham Basketball Stadium Committee of Management, be revoked.</li> <li>2. An 18 month lease to 31 December 2018, be entered in to with the Horsham Basketball Association, for the amount of \$8,000 per annum (Exclusive of GST), and that Council continue to maintain its allocation within its budget, for the purpose of renovations and refurbishments.</li> </ol>	GH/MK	<ol style="list-style-type: none"> <li>1. 03/04/17</li> <li>2. 17/10/17</li> </ol>
10.4.3	<p>That Council submit the following motion to ALGA to be considered at the 2017 National General Assembly of Local Government to be held in Canberra in June.</p> <ul style="list-style-type: none"> <li>• That ALGA advocate for continued funding of the 15-hour kindergarten program by the Commonwealth Government beyond 2017 with permanent or long term funding being desirable.</li> </ul> <p>That ALGA advocate for the review of standards associated with flood recovery funding, whereby road assets that are vulnerable to the impacts of flooding in successive events are re-instated to a standard that provides durability and resilience to withstand future flooding.</p>	KO'B	Completed

<b>MONDAY, 20 MARCH 2017</b>			
<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.2.1	<ol style="list-style-type: none"> <li>1. That Council write to Andrew Broad MP, Member for Mallee seeking his support for the return to indexation for the Financial Assistance Grants from the Commonwealth Government and the re-instatement of the base funding post 2016-17.</li> <li>2. That Council encourage concerned ratepayers and the community to email Federal members asking for the restoration of indexation to the Financial Assistance Grants.</li> </ol>	GH	Completed 22/03/17
10.5.1	That the speed limit change proposals for Rasmussen Road, Horsham; Remlaw Road, Horsham and Hunts Road, Haven be advertised for public comment.	JM	Completed 24/03/2017
10.5.2	That Council take up its first option of the 12 month extension on contract 14/028 Sealing Works with Inroads.	JM/MD	Completed

<b>MONDAY, 6 MARCH 2017</b>			
<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
10.1.1	<ol style="list-style-type: none"> <li>1. That Horsham Rural City Council enter into a Memorandum of Understanding with Northern Grampians Shire Council, Southern Grampians Shire Council, Ararat Rural City Council and Grampians Tourism for four years from 1 July 2017 to 30 June 2021 on a similar basis to the 2016/17 agreement.</li> <li>2. That Horsham Rural City Council contributes \$41,794.20 for the 2016-2017 year and each subsequent year of the agreement unless otherwise negotiated with all four Councils.</li> </ol>	PB	Completed

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED																														
10.2.1	<p>1. That the following nominations for the Community Halls Committee of Management be accepted for the 2 year period to the annual meeting scheduled for November 2018:</p> <table border="0" data-bbox="450 264 1160 616"> <tr> <td>Dadswells Bridge Hall</td> <td>Leonie Tyson</td> </tr> <tr> <td>Hamilton Lamb Memorial Hall</td> <td>Susan Hogan</td> </tr> <tr> <td>Jung Hall</td> <td>David Arnott</td> </tr> <tr> <td>Laharum Hall</td> <td>Judith Berendsen</td> </tr> <tr> <td>Mitre Hall</td> <td>Richard Steere</td> </tr> <tr> <td>Natimuk Soldiers' Memorial Hall</td> <td>Glenys Fort</td> </tr> <tr> <td>Natimuk Community Centre (NC2)</td> <td>Jeffrey Both</td> </tr> <tr> <td>Sailors' Home Hall</td> <td>Robert Byrne</td> </tr> <tr> <td>Taylor's Lake Hall</td> <td>Susan Flanagan</td> </tr> <tr> <td>Telangatuk East Hall</td> <td>Luke Rees</td> </tr> </table> <p>2. That the following fees and charges be approved for 2017/18:</p> <table border="0" data-bbox="450 660 1339 903"> <tr> <td>Bond:</td> <td>\$100 - \$700</td> </tr> <tr> <td>Community Service Organisations: (CFA, SES, Cancer support groups)</td> <td>Discretionary – generally waived</td> </tr> <tr> <td>Half day:</td> <td>\$25 - \$100</td> </tr> <tr> <td>Full day:</td> <td>\$25 - \$150</td> </tr> <tr> <td>Commercial activities - day: (large organisations)</td> <td>\$200 - \$500</td> </tr> </table> <p>3. That Council, in response to the motions moved at the Halls Committee of Management meeting, investigate opportunities for reducing electricity costs for halls, investigate costs associated with public toilets and investigate procedures and protocols for the recognition of volunteers.</p>	Dadswells Bridge Hall	Leonie Tyson	Hamilton Lamb Memorial Hall	Susan Hogan	Jung Hall	David Arnott	Laharum Hall	Judith Berendsen	Mitre Hall	Richard Steere	Natimuk Soldiers' Memorial Hall	Glenys Fort	Natimuk Community Centre (NC2)	Jeffrey Both	Sailors' Home Hall	Robert Byrne	Taylor's Lake Hall	Susan Flanagan	Telangatuk East Hall	Luke Rees	Bond:	\$100 - \$700	Community Service Organisations: (CFA, SES, Cancer support groups)	Discretionary – generally waived	Half day:	\$25 - \$100	Full day:	\$25 - \$150	Commercial activities - day: (large organisations)	\$200 - \$500	GH/MK	Completed
Dadswells Bridge Hall	Leonie Tyson																																
Hamilton Lamb Memorial Hall	Susan Hogan																																
Jung Hall	David Arnott																																
Laharum Hall	Judith Berendsen																																
Mitre Hall	Richard Steere																																
Natimuk Soldiers' Memorial Hall	Glenys Fort																																
Natimuk Community Centre (NC2)	Jeffrey Both																																
Sailors' Home Hall	Robert Byrne																																
Taylor's Lake Hall	Susan Flanagan																																
Telangatuk East Hall	Luke Rees																																
Bond:	\$100 - \$700																																
Community Service Organisations: (CFA, SES, Cancer support groups)	Discretionary – generally waived																																
Half day:	\$25 - \$100																																
Full day:	\$25 - \$150																																
Commercial activities - day: (large organisations)	\$200 - \$500																																
10.2.2	<p>1. That, having undertaken the required 28 day community submission period and statutory review in accordance with Section 74 of the Local Government Act, 1989 (as amended), Council sets the Mayoral Allowance per annum at \$59,257 plus 9.25% for Statutory Superannuation, and the Councillors Allowance per annum at \$19,834 plus 9.25% for Statutory Superannuation per Councillor.</p> <p>2. That given the change to a category 2 council, a further review of the allowances be undertaken in October 2017.</p>	GH	06/03/17																														

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.2.3	That a Community Engagement Plan be developed to consider the public holiday arrangements for the municipality re Melbourne Cup Day.	GH	Completed 24/03/17
10.3.1	That Council approves the proposed Development Plan for S4 of Plan of Subdivision 523698, prepared by Ferguson Perry Surveying titles "Development Plan Kenny Road Haven 3401".	AM/AM	Completed 07/03/17
10.4.3	That representatives from Lister House and Wimmera Health Care Group be invited to brief Council on the ongoing challenge of recruiting and retaining Medical Practitioners including discussing ways to overcome this issue and that Council list recruitment and retention on medical practitioners on the next WDA agenda and list as a priority and seek Federal deputations when in Canberra at the end of March 2017.	KOB	Completed
10.5.2	<ol style="list-style-type: none"> <li>1. That Council award Contract 17/020 Main Switchboard Replacement and Emergency Power Generator Installation to CEC Hopper and Sons of Anderson Street, Horsham for the sum of \$178,600 (ex GST).</li> <li>2. That Council award Contract 17/021 Solar Photovoltaic System Installation to Aus1 Energis of McClure Road, Kensington, VIC for the sum of \$85,987 (ex GST).</li> <li>3. That additional funding of \$89,387 be sourced from the un-committed 2015-16 surplus.</li> </ol>	JM	Completed
10.5.3	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Approve the nomination of Bitu-Mill (Civil) Pty Ltd of Campbellfield, as the preferred tenderer for Contract 17/027 Reconstruction of Polkemmet Road; and</li> <li>2. Delegate authority to award this contract to the Chief Executive, provided the contract sum is within the available budget.</li> </ol>	MD	Completed 22/03/2017

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.5.4	That Council award: 1. Contract No: 17/024 Reconstruction of Telangatuk East Rocklands Road to MF & JL Willmore Pty. Ltd, Horsham for the tendered price of \$154,617.94 (ex. GST). 2. Contract No: 17/025 Reconstruction of Clear Lake - Sherwoods Dam Road to Bitu-Mill (Civil) Pty. Ltd, Campbellfield for the tendered price of \$231,668.25 (ex. GST).	MD/RU	Completed 22/03/2017

**MONDAY, 20 FEBRUARY 2017**

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
7.3.1	1. That Council request that further planning work be undertaken to determine and finalise a Horsham Bypass. 2. That Council commit to a higher level of decision making and partnership with VicRoads.	JM	COMPLETED 10/03/2017
8	That the recommendation be adopted including alterations to Item No. 8.1.2, to change the date to Tuesday 14 February and noting that Cr Radford arrived at 5.30pm.	PB	21/2/17
10.1.2	1. That Council approve the allocation of \$347,000 from the Infrastructure Renewal Gap funds in the 2017-18 Capital Budget and \$53,000 from the 2017-18 General Revenue budget, subject to approval of \$100,000 from the Victorian State Government for Stage 1 Change rooms. 2. Council endorse an application to the Building Better Regions Fund to undertake Stage 1 and 2 together. 3. That Council further consider this report in closed Council.	SS/RMcN	Application to BBRF lodged 28/02/2017
10.1.3	That Council note the revised arrangements for Committees with Councillor involvement.	PB	Completed



AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED												
10.2.1	<p><b>1. Delegation to members of Council staff</b>            In the exercise of the powers conferred by section 98(1) of the <i>Local Government Act</i> 1989 (the Act) and the other legislation referred to in the attached instrument of delegation (<b>Appendix “10.2A”</b>).</p> <p>Horsham Rural City Council (Council) RESOLVES THAT -</p> <ol style="list-style-type: none"> <li>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 <i>Instrument of Delegation to members of Council staff</i>, the powers, duties and functions set out in that instrument, subject to the conditions and limitations. specified in that Instrument</li> <li>2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.</li> <li>3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.</li> <li>4. 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.</li> </ol>	GH	20/02/17												
10.2.2	<ul style="list-style-type: none"> <li>• That the Instrument of Delegation established for the Special Committee, the Haven Recreation Reserve Committee of Management, be revoked;</li> <li>• That the Terms of Reference for the Haven Recreation Reserve Advisory Committee be adopted <b>Appendix “10.2C”</b>;</li> <li>• That the existing members of the Special Committee become the initial members of the Advisory Committee:               <table border="0" style="margin-left: 20px;"> <tr> <td>Cr Mark Radford</td> <td>Councillor</td> </tr> <tr> <td>Ms Sue Exell</td> <td>Community</td> </tr> <tr> <td>Mr Graeme Lewis</td> <td>Community</td> </tr> <tr> <td>Ms Lisa Fulton</td> <td>Haven Tennis Club Inc</td> </tr> <tr> <td>Ms Hannah Coles</td> <td>Horsham Dog Obedience Club Inc</td> </tr> <tr> <td>Ms Janine Baker</td> <td>Horsham West (Haven campus) PS;</td> </tr> </table> </li> <li>• That a process commences immediately to fill vacancies on the newly established Haven Recreation Reserve Advisory Committee.</li> </ul>	Cr Mark Radford	Councillor	Ms Sue Exell	Community	Mr Graeme Lewis	Community	Ms Lisa Fulton	Haven Tennis Club Inc	Ms Hannah Coles	Horsham Dog Obedience Club Inc	Ms Janine Baker	Horsham West (Haven campus) PS;	GH/MK  GH/MK  GH/MK	20/02/17  20/02/17  20/02/17  All items complete as at 30/8/17
Cr Mark Radford	Councillor														
Ms Sue Exell	Community														
Mr Graeme Lewis	Community														
Ms Lisa Fulton	Haven Tennis Club Inc														
Ms Hannah Coles	Horsham Dog Obedience Club Inc														
Ms Janine Baker	Horsham West (Haven campus) PS;														

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.2.6	That the name Wilde be added to Council's Street Name list.	GH/KB/TB	20/02/17
10.2.7	<ol style="list-style-type: none"> <li>1. That Council adopt the amended Community Grants Policy.</li> <li>2. That Council adopt the amended Community Donations Policy.</li> </ol>	GH/SS	20/02/17
10.2.8	That Council adopt the HRCC Conflict of Interest Policy as attached.	GH/TS	20/02/17
10.4.1	<p>That Council advocate for continued funding of the 15 hour kindergarten program by the Commonwealth Government by:</p> <ol style="list-style-type: none"> <li>1. Write to Prime Minister, Hon Malcolm Turnbull; Minister for Education and Training, Hon Simon Birmingham; and Minister for Social Services Hon Christian Porter.</li> <li>2. Seek a meeting with relevant Ministers and or Senior Staff when Wimmera Councils take a deputation to Canberra in late March.</li> <li>3. Meet with local member Andrew Broad MP as part of the deputation to Canberra in late March.</li> <li>4. Highlight this issue through local media.</li> </ol>	KO'B	Completed

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.5.1	<p>1. That, this Council's position in relation to the Western Highway Bypass of Horsham be that Council commits to and reaffirms, the principles outlined in its February 2013 submission to VicRoads as follows (noting that point d has been updated from the 2013 position):</p> <ul style="list-style-type: none"> <li>a. A bypass is needed to promote safety and amenity benefits for Horsham and its residents.</li> <li>b. Every bypass alignment route has its advantages and disadvantages.</li> <li>c. Council does not support one specific route or combination of routes over another, but submits that, as a priority, the selected route should have minimal impact on residences and farms, and make provision for future extensions to the aerodrome.</li> <li>d. Cost should not be the determinant for selection of the preferred route, subject to the cost not being prohibitive. <ul style="list-style-type: none"> <li>e. The basis of the selection of the preferred route by VicRoads should be discussed with Council prior to finalisation by VicRoads.</li> <li>f. the solution of a bypass route must meet the strategic outcomes sought by council.</li> </ul> </li> </ul> <p>2. That Council considers that further planning work is required in the following areas to more fully inform a decision about a preferred bypass alignment.</p> <ul style="list-style-type: none"> <li>a. The design flood level for the bypass works.</li> <li>b. The alignment through Riverside and its impact on houses in this area.</li> <li>c. The Henty Highway interchange and its impact on houses.</li> <li>d. The need for a link from the western end of the bypass back to Horsham.</li> <li>e. Connectivity, safety and integrated freight movement issues associated with the Henty and Wimmera Highways that pass through Horsham.</li> <li>f. The alignment of the bypass and the impact on current and future operations of the Aerodrome.</li> </ul>	JM	All completed in letters to Ministers

	<p>3. That Council in relation to option D expresses its concerns that VicRoads has not fully addressed the following recommendations by the C72 Planning Panel (as numbered in its report):</p> <p><i>2. VicRoads carry out more detailed examination of the following matters in relation to the Option D alignment, including:</i></p> <p><i>b) Review the design of the Option D Wimmera River floodplain crossing in conjunction with Wimmera Catchment Management Authority to confirm the appropriate design standard; the length of floodplain crossing; the required floodway structures; and a more accurate estimate of costs.</i></p> <p><i>c) Develop a revised Social Impact Assessment for Route D, including analysis of impacts on the Wimmera River Riverside environs and the Riding for the Disabled Centre, assessing ways that impacts can be mitigated.</i></p> <p><i>e) Review other aspects of the project as required (e.g. visual impact; flora and fauna impacts; cultural heritage) if the above work results in changes to the alignment or built form of the project.</i></p> <p>4. Council does not support any route alignment that would impact on land identified for the future development of the Horsham Aerodrome.</p> <p>5. That Council advise the Minister for Planning that the Planning Scheme Amendment C72 should not proceed until a bypass route has been developed consistent with Council’s position, as outlined in these recommendations, and request the Victorian Government, through the Minister for Roads and Road Safety, to :</p> <p>a. Direct VicRoads to undertake the additional planning required to address the principles in recommendation 1 and the specific concerns outlined in recommendations 2 and 3,</p> <p>b. Allocate funds to VicRoads for this purpose;</p> <p>and advise the Ministers that Council will be a committed partner in this further work.</p>		
--	---	--	--

<b>MONDAY, 6 FEBRUARY 2017 (SPECIAL COUNCIL MEETING)</b>			
<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
5.1.1	That Council adopt the attached Councillor Code of Conduct with the addition of the words "Action resolutions of Council" to item 2.3.1 and that it be signed by all Councillors.	GH	07/02/17

<b>MONDAY, 6 FEBRUARY 2017</b>			
<b>AGENDA ITEM NO</b>	<b>DESCRIPTION OF REPORT/CORRESPONDENCE</b>	<b>REFERRED TO</b>	<b>DATE COMPLETED</b>
9	That a further briefing meeting be held for available Councillors, on the Horsham Integrated Transport Strategy (HITS).	JM	Completed 09/02/17
10.5.1	That Council award Contract 17/019 Osborne Road Drainage Stage Three, Retention Basin to Stawell Road, Horsham to Midbrook Pty Ltd of Golf Course Road, Horsham for the sum of \$67,815.00.	JM/MD	Completed – Letter of acceptance 10 Feb 2017
10.5.3	That Council award contract VP63141 for supply and delivery of one new 670GP Motor Grader, including 5 year/ 5,000 hour full machine warranty, to Hitachi Constructions Dandenong Victoria for the amount of \$315,700, trade-in of \$90,000, nett changeover \$225,700 excl GST.	JM/WK	Notified acceptance via vendor Panel 07/02/17 - Delivery expected June 2017
10.5.4	That Council award Contract No: 17/005 Reconstruction of Jenkinson Ave Stage 3 to Terfo Pty Ltd, trading as Mintern Civil, Horsham for the tendered price of \$148,182.87 excl GST.	JM/MD	Completed - Letter of acceptance 08/02/17
11.1	That a future report be provided to Council on the Rate Cap Variation for consideration.	GH	Completed 3/4/17

## Pimpinio Special Community Grants 2017 Recommendations

No.	ORGANISATION	TOTAL COST OF	GRANT REQUESTED	CONTRIB. BY CLUB			NO: of partic pants	HRCC Grants Last 5 years	Proposed Grant Allocation  \$	PURPOSE
				CASH	LABOUR VALUE	% Contrib				
1	Pimpinio Cemetery Trust	2,345	645		1,700	72%	100+	Yes	585	Plant 250 native trees with white quartz base
2	Pimpinio Golf Club	9,700	9,000	500	200	7%	60	No	4,000	Ride on Mower \$4,000 Carpet for Clubhouse \$3,000
3	Pimpinio Sports & Community Centre	242,000	32,000	30,000	50,000	33%	500+	Yes	25,320	Contribution towards new court and lighting project
4	Pimpinio Uniting Church	19,700	14,700	4,800	200	25%	100+	No	-	New accessible inside toilet
5	Pimpinio Uniting Church	4,415	4,415	-	-	0%	100+	No	4,415	Floodlights for War Memorial
<b>GRAND TOTAL</b>									<b>34,320</b>	
<b>Total Grant Requests</b>			<b>60,760</b>							
<b>Grant Funds Available</b>			<b>34,320</b>							



## Council Policy

### LOAN BORROWING

#### 1. PURPOSE

To provide Horsham Rural City Council with a borrowing management strategy based on sound, long-term financial management guidelines.

The purpose of this Borrowings policy is to:

- establish objectives and principles that outline when it is appropriate for Council to undertake borrowings within a sound financial management framework;
- ensure Council keeps within the relevant prudential requirements provided by State Government; and
- set out the manner in which Council may establish and manage a debt portfolio.

#### 2. INTRODUCTION

Loan borrowings are an important source of funding for Council. This policy provides a structured and disciplined approach to the borrowing of funds for the purpose of funding new infrastructure, renewal of existing infrastructure and in special circumstances, operational expenditure. All borrowings must be approved and shown in Council's budget.

#### 3. SCOPE

The borrowing policy applies to all new borrowings undertaken by Council, as well as existing borrowings.

#### 4. DEFINITIONS

- LGPRF: Local Government Performance Reporting Framework  
SRP: Strategic Resource Plan  
VAGO: Victorian Auditor General's Office

## 5. PRINCIPLES

### 5.1 Legislative Framework

The *Local Government Act 1989* (The Act) provides Councils the power to borrow.

Section 144(1) of the Act states: 'Subject to the principles of sound financial management, a Council may borrow money to enable the Council to perform the functions and exercise the power conferred on the Council under this Act or any other Act.'

Sections 145 to 150 of the Act further specify the circumstances in which the power to borrow may be exercised, securities to be used for local government borrowings, and how the borrowings should be disclosed, etc.

Council must approve all borrowings and Section 98(1)(c) stipulates that Council not delegate the power to borrow money.

The Victorian Government established the Local Government Performance Reporting Framework (LGPRF) in 2014. It outlines the measures Council must report in its performance report, which forms part of Council's Annual Report. Certain indicators must also be included in Council's Annual Budget and Strategic Resource Plan (SRP). This framework includes financial performance of a Council, and specific to this policy includes measures in relation to Council's obligations (to determine whether debt and other long term obligations are appropriate to the size and nature of Council's activities).

### 5.2 Borrowing Principles

The following principles have been set to ensure Council has a structured and disciplined approach to borrowing of funds that fit with a longer term financially sustainable framework.

- Borrowings can provide an alternative financing option for:
  - :: capital works projects that are of strategic significance (that could not otherwise be financed from ongoing income sources and provide benefit across generations); or to
  - :: meet Council's obligations in relation to future defined benefit calls, if required



- Borrowings need to be linked to the financing of an identified project and not be drawn down until the commencement of the project;
- Council will not borrow to fund operating expenditure (other than large defined superannuation benefit calls);
- All borrowings will be considered as part of Council's Long Term Financial planning using sound financial management principles (and fall within the borrowing ratios outlined in section 3.4 of this policy); and
- The nature of any borrowings (short or long term) and the interest rate (fixed or variable) will take into account the purpose of the loan.

## 5.2 Borrowings Ratios and Limits

Borrowings shall not be undertaken if the effect of such borrowings is projected to result in borrowing ratios greater than the maximum levels indicated in the table below.

In addition, the Local Government Performance Reporting Framework (LGPRF) borrowing ratios will be projected in Council's SRP and Annual Budget and reported in Council's Annual Performance Report.

Measure	Council's Long Term Target Ratio	LGPRF Target Band	LGPRF Acceptable Range
<b>Debt Commitment Ratio</b> Interest and principal repayments on interest bearing loans and borrowings / Rate Revenue	0% to 10%	0% to 5%	0% to 20%
<b>Borrowing Rates Ratio</b> Interest bearing loans and borrowings / Rate revenue	0% to 60%	20% to 60%	0% to 70%
<b>Liquidity ratio</b> Current assets / Current Liabilities	> 120%	120% to 200%	100% to 400%

### 5.3 Determining the appropriate lending institution

In May 2014, Council entered into an arrangement to participate in the Local Government Funding Vehicle (LGFV), established by Municipal Association of Victoria (MAV). The LGFV provides aggregated funding on behalf of participating Councils, from the public bond market via a 7 or 10 year loan term with a fixed interest rate and repayment of interest only over the term.

Whilst the LGFV provides one source of borrowings, Council reserves the right to directly engage with appropriate lending institutions via a written tender process, as Council may from time to time wish to enter into principal and interest loans.

### 5.4 Borrowing Arrangements

When entering into borrowing arrangements, Council will seek to minimise interest costs over the long-term without introducing undue volatility in annual interest costs. Council's borrowings will be appropriately structured to constrain risk and will be consistent with the following parameters:

- Council will consider the appropriateness of the various types of debt products available);
- The tenure of a loan will not be greater than the expected useful life of the asset being funded by the loan;
- Loan repayments will be made in a regular schedule, such as quarterly, semi-annually or otherwise determined at the time of entering the loan agreement. Consideration should be given to efficiency of payment while minimising interest costs;
- When borrowing via an interest only loan council will establish a cash funded reserve to set aside the final principal due at the end of the borrowing term.

### 5.5 Roles and Responsibilities

Council is responsible for approving borrowings by way of inclusion of all borrowings in the Annual Budget.

The Finance Manager is responsible for ensuring policies and procedures are followed when borrowing funds.

The Chief Executive has authority to accept loan offers, following the resolution of Council, so long as the requirements of this Policy are adhered to.

## 6. COMMUNICATION

This policy will be circulated to Council and Council officers involved with loan borrowings. It will also be posted on the Horsham Rural City Council website and intranet.

## 7. RESPONSIBILITY

**Policy Owner:** Finance Manager

## 8. SUPPORTING DOCUMENTS

Document	Location
<i>Local Government Act 1989</i>	<a href="http://www.austlii.edu.au/au/legis/vic/consol_act/lga1989182/">http://www.austlii.edu.au/au/legis/vic/consol_act/lga1989182/</a>
Department of Environment, Land, Water and Planning: Local Government Better Practice Guide, Planning and Reporting 2016-17	<a href="https://www.localgovernment.vic.gov.au">https://www.localgovernment.vic.gov.au</a>
Department of Environment, Land, Water and Planning: Local Government performance Reporting Indicator Workbook 2016-17	<a href="https://www.localgovernment.vic.gov.au">https://www.localgovernment.vic.gov.au</a>

## 9. DOCUMENT CONTROL

Version Number	Approval Date	Approval By	Amendment	Review Date
01		Council To be reviewed every 2 years	New framework. Replaces existing Loan Borrowing Policy adopted by Council in 2012	



## MINUTES OF AUDIT COMMITTEE MEETING

Thursday 30 November, 2017

Council Chambers, Horsham Rural City Council, 12.10pm

File Ref: F18/A13/000001

### 1. PRESENT

#### Committee Members:

Mr Geoff Price (Chair)  
Mr Roy Henwood  
Mr Vito Giudice  
Cr Pam Clarke  
Cr David Grimble

#### Also in Attendance: (Exofficio)

Mr Peter Brown, Chief Executive  
Mr Graeme Harrison, Director Corporate Services  
Mrs Heather Proctor, Finance Manager  
Ms Diana McDonald, Risk Management Co-ordinator  
Mr John Gavens, Crowe Horwath Internal Auditor

### 2. WELCOME

### 3. APOLOGIES

Nil

### 4. CONFLICT OF INTEREST

Nil

### 5. CONFIRMATION OF MINUTES – 14 September, 2017

Moved Pam Clarke seconded Roy Henwood that the minutes of the meeting held on 14 September, 2017 be confirmed as an accurate record.

**CARRIED**

### 6. BUSINESS ARISING FROM PREVIOUS MINUTES

#### 6.1 Central Goldfields Further Report

The Audit Committee requested at the meeting of 14.09.2017 that a further report on HRCC's preparedness for the matters raised by the Local Government Inspectorate be provided. The modified report was tabled and presents more definitive actions that can be managed and measured to ensure that Council addresses any identified shortcomings. After discussions with the EMG, they will be uploaded into the Cambron system for monitoring and tracking like other Audit actions.

Moved Roy Henwood seconded David Grimble that the Committee receives the report to Executive Management Group on HRCC's actions pertaining to Central Goldfields Shire Council Report

**CARRIED**

## **8. INTERNAL AUDIT REPORTS**

### **8.1 Internal Audit Progress Report – Crowe Horwath**

The quarterly progress report submitted by Crowe Horwath was tabled, with John Gavens noting that all is on track.

**Moved Pam Clarke seconded Roy Henwood that the Committee receives the Internal Audit Progress Report**

**CARRIED**

### **8.2 “Draft” Strategic Internal Audit Plan 2017/18**

The proposed Internal Audit Plan was tabled, with Crowe Horwath basing it on the following:

- consideration of Council’s strategic and operational risk registers
- past internal activity, discussions with key Council staff
- consideration of audit activity proposed by VAGO
- current issues noted as items of risk prevalent in the local government sector, and
- consideration of the HRCC Council Plan 2018 – 2012 objectives.

The audit projects proposed for 2017/18 include Purchasing Card Review, Food Act Compliance and Maternity Child Health – Immunisation.

Council to look at producing an assurance map showing three lines of defence, providing further insights to the Committee, and potentially identifying any gaps and/or overlaps in audit coverage.

ACTION: John Gavens to forward an assurance map example to Graeme & Diana

**Moved David Grimble seconded Pam Clarke that the Committee approves the Internal Audit Plan for 2017/18**

**CARRIED**

### **8.3 Internal Audit Actions Report – Council**

Graeme Harrison provided an update on the Internal Audit actions, and reported that there were 9 actions that have been completed during the last quarter, (the previous quarter there was 11).

There are now 88 actions overall that are outstanding, of these 55 are overdue, previous quarter there were 44 overdue.

The Committee discussed the best way of managing this considerable workload, and it was suggested that a risk based approach be implemented with a particular focus made on the high level actions, with the responsibility for these be aligned to the appropriate persons KPI’s.

It was also suggested that at the time a new audit report is tabled invite the relevant Manager to the meeting to confirm that they are comfortable with the recommendations, and then align the high level ones to their KPI’s.

ACTION: Report back to the next Audit Committee meeting on how we intend to address this.

**Moved Pam Clarke seconded Roy Henwood that the Committee receives the Internal Audit Actions Report**

**CARRIED**

### **8.4 VAGO Closing Report 2016/17 & Final Management Letter**

The final VAGO Closing Report & Final Management Letter were both tabled for year ending 30 June 2017.

### **8.5 VAGO Roads to Recovery Audit**

VAGO recently conducted an audit on the Roads to Recovery program for the year ending 30 June 2017, with financial statement of receipts and expenditure relation to the *National Land Transportation Act 2014* audited.

**Reports 8.4 and 8.5 Noted**

**9. SCHEDULED ITEMS****9.1 Compliance & Legislation****9.1.1 Local Law Meeting Procedure**

The Local Law Meeting Procedure came into operation on 16 November 2017. Graeme informed the Committee that meeting procedures are not specifically written into Local Law No 1, they are just referenced, with the key points being around enhanced Community Engagement opportunities.

**Report Noted**

**9.2 Reporting****9.2.1 Quarterly Financial Report – 30 September 2017**

The quarterly financial report was tabled and the Committee noted that HRCC is in a good financial position.

**Moved Pam Clarke seconded Roy Henwood that the Committee receives the above report**

**CARRIED**

**9.2.2 Council's Annual Report – Distribution**

Copies of the 2016/17 Annual Report were provided for the Committee. Noting that the Auditor General is encouraging financial statements to be prepared much earlier. John Gavens said that the Auditor General is going to reinvent the audit process, and Council's will have to bring forward their own practices.

**Report Distribution Noted**

**9.2.3 Finance & Performance Committee - Final Cash Result (2016/17)**

Council was informed of the final cash result being a surplus of \$521,489, which equates to 0.94% of Council's total revenue. For a total budget of \$55.5m this amount is within expectations.

**Moved Vito Giudice seconded Pam Clarke that the Committee receives the above report**

**CARRIED**

**9.3 Risk Management****9.3.1 Risk Management Report**

Diana McDonald informed the Committee of the main points from the Risk Management Committee meeting held 20 November 2017:

- LMI Free member nominated service provisions
- Security of Terrorism coverage under the JMAPP Mutual
- Recent MAV Best Practice Forum
- Strategic Risk Workshop scheduled for 13 December 2017
- Risk Management Plan review

**9.3.2 Strategic Risk Register & Report by Risk Owner**

Tabled for the information of the Committee. Some additional Strategic Risks were suggested and will be tabled for consideration at the upcoming workshop on 13.12.2017.

**9.3.3 Insurance Update**

Diana provided a verbal update on the confidential insurance report for the quarter (September, October and November 2017).

Noting that once again there were no over excess motor vehicles claims for this quarter, and also for this quarter no over excess JMAPP Property Claims. There were three public liability claims being processed, with one being refuted, and several others currently being attended to by Council's Insurer's.

#### **9.3.4 MAV WorkCare Self Insurance Scheme Update**

The MAV WorkCare Scheme has now been underway for approximately one month, having commenced on 1 November 2017, they have appointed all their staff and it's well underway. Within three years Council has to be fully compliant with the NAT (National Assessment Tool) which looks at Council's policies, procedures and processes, they will guide us through this.

**Moved David Grimble seconded Roy Henwood that the Committee accepts the four Risk Management reports in Section (9.3)**

**CARRIED**

### **10. GENERAL BUSINESS**

#### **10.1 VAGO CEO Presentation**

The VAGO report presented at the recent CEO's forum on 26 October 2017 notes that the role of the Auditor general is to assist the Parliament to hold government to account.

The Committee was informed that the Auditor General also has capacity to attend Council's Audit Committee meetings.

Action: Chief Executive to discuss with Wimmera CEO group about arranging for the Auditor General to visit and discuss his plans and ideas for the future of audit.

**Moved Pam Clarke seconded Roy Henwood that the Committee receives the above report**

**CARRIED**

#### **10.2 HRCC Planning & Budgeting Framework**

Graeme spoke to this report and informed the Committee that this is a high level strategic document guiding Council in the annual planning and budgeting cycle.

ACTION: HRCC Planning & Budgeting Framework document to be distributed.

#### **10.3 Budget Development Guidelines (2018/19)**

A comprehensive document was tabled by Graeme and outlines key objectives for council within the current budget process, also influencing factors, the budget principles for 2018/19 and the budget timetable and stages.

**Reports 10.2 and 10.3 Noted**

#### **10.4 Audit Committee Charter - Annual Review**

The draft Charter was tabled with the recommendation that the suggested section on "Ordinary and Primary Returns" be removed, the other small change was approved by the Committee.

**Moved Roy Henwood seconded David Grimble that the Committee receives the above report and then be tabled for Council adoption**

**CARRIED**

#### **10.5 Audit Committee Chair Appointment**

The Audit Committee has nominated Independent Committee member Mr Geoff Price as Chair of the Committee for an additional one year term.

**Moved Pam Clarke seconded Vito Giudice that the Committee recommends to Council that Geoff Price be Chair of Council's Audit Committee for 2018**

**CARRIED**

**10.6 CEO Recruitment**

The Mayor, Pam Clarke informed the Committee that Council has appointed Jo Fisher as recruitment consultants for the new Chief Executive. The position closes on Monday, 4 December 2017, and it is expected that interviews will be held last week of January, to early February 2018. In the interim, Angela Murphy (Director Planning & Economic) will be the Acting CEO for the initial two week period, followed by Graeme Harrison who will be the Acting CEO for the remaining time to 31 March 2018.

**Report Noted**

**11. INTERNAL AUDITOR CONFIDENTIAL DISCUSSION**

**11.1 Meeting with Internal Auditors excluding Officers**

Nil

**12. NEXT MEETING**

**12.1 Meeting dates for 2018**

The Committee approved the following meeting dates for 2018:

Thursday 22 March 2018

Thursday 14 June 2018

Thursday 13 September 2018

Thursday 22 November 2018

The next meeting of the Audit Committee meeting will be Thursday 22 March 2018 at 12 noon, in the Council Chambers, Council Offices.

**13. IN CONFIDENCE**

Nil

**14. CLOSURE**

Meeting closed at 2.00pm

GRAEME HARRISON

**Director Corporate Services**

Minutes signed as correct: (Chair) Mr Geoff Price .....

Date: .....





**Horsham Rural City**  
Council urban rural balance

# AUDIT COMMITTEE CHARTER



This charter sets out the Audit Committee's objectives, authority and responsibilities, and is reviewed annually.

It is based on the Department of Planning & Development's guide to Good Practice for Local Government's model charter for Audit Committees.

(Adopted by resolution of Council \*\* December 2017)



## AUDIT COMMITTEE CHARTER

### Purpose

To maintain an efficient and effective audit process, to ensure that risks (both financial and organisational) are adequately identified and managed and that effective controls are put in place to mitigate those risks.

The Committee's work is to be informed by the requirements of the *Local Government Act 1989* and best practice in audit governance principles and processes.

### Authority

The audit committee is an advisory committee and has the responsibility for advising Council on:

- Seeking resolution on any disagreements between management and the external auditors on financial reporting.
- Seeking any information it requires from Council members, and Council staff via the Chief Executive and external parties.
- Formally meeting with Council staff, internal and external auditors as necessary.

### Management Responsibility

It is the responsibility of management to:

- Keep the Committee informed regarding financial reporting, risk management and risk exposures of the organisation.
- Keep the Committee informed of the findings of any examinations by regulatory agencies, and any auditor (internal or external) observations in order that the Committee may monitor management's response to these findings.
- Facilitate, through the Chief Executive, the operation of the audit committee by providing secretariat services and officer attendance as required in respect of matters before the audit committee.
- To draft agenda in consultation with chair.

### Composition

- The Council will appoint as members of the committee:
  - The Mayor and one other Councillor; and
  - Three independent members, one of whom will be appointed annually by Council as Chair of the committee.
- Independent members will be appointed for a period of three years on a rotational basis via a public call for Expressions of Interest during the second quarter of the financial year for appointment at Quarter 3 meeting.
- One of the independent audit committee members should be financially literate with relevant experience and/or qualifications.

### Meetings

- The audit committee will meet at least four times a year, with authority to convene additional meetings, as circumstances require.

- All audit committee members are expected to attend each meeting, in person or through teleconference and to have prepared for participation in the meeting.
- The Chief Executive will facilitate the meetings of the audit committee and invite members of management, auditors or others to attend meetings to provide pertinent information, as necessary.
- Meeting agendas will be prepared and provided at least one week in advance to members, along with appropriate briefing materials.
- Minutes will be prepared and reported to Council and the Audit Committee in a timely manner.
- Each meeting will require a quorum of at least three, two of which should be independent members.
- Ex-officio members / attendees: Chief Executive, Director Corporate Services, Finance Manager, HR & Risk Co-ordinator, External Auditor, Internal Auditor

### **Responsibilities**

The audit committee will carry out the following responsibilities:

#### *Financial Report*

- Review significant accounting and reporting issues, including complex or unusual transactions and highly judgemental areas, and recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the financial report.
- Review with management and the external auditors the results of any audits, including any difficulties encountered.
- Review the annual financial report and quarterly financial reports, and consider whether it is complete, consistent with information known to audit committee members, and reflects appropriate accounting principles.
- Review with management and the external auditors all matters required to be communicated to the audit committee under the Australian Auditing Standards.

#### *Internal Control*

- Understand the scope of internal and external auditors' review of internal controls, and obtain reports on significant findings and recommendations, together with management's responses.

#### *Risk Management*

- Monitor the systems and process via the Council's risk profile to ensure that material operational risks to the Horsham Rural City Council are dealt with appropriately.
- Monitor the process of review of the Council's risk profile.
- Consider the adequacy of actions taken to ensure that the material business risks have been dealt with in a timely manner to mitigate exposure.

#### *Business Continuity*

- Monitor processes and practices of the Council to ensure for effective business continuity.

#### *Internal Audit*

- To recommend to Council the appointment of the internal auditors.
- Review with management and the internal auditor the charter, activities, staffing and organisational structure of the internal audit function.
- Review and recommend the annual audit plan for approval by the Council and any major changes to the plan, ensuring that it links with the Councils Risk Management Strategy and key identified business risks.

- Monitor processes and practices to ensure that the independence of audit function is maintained.
- As part of the audit committee's annual assessment of performance, determine level of satisfaction with internal audit function and the performance of the internal auditors, having consideration of the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.
- Provide an opportunity for the audit committee to meet with the internal auditor to discuss any matters that the audit committee or internal auditor believes should be discussed privately.

#### *External Audit*

- Note the external auditor's proposed audit scope and approach, including any reliance on internal auditor activity.
- Provide an opportunity for the audit committee to meet with the external auditors, to discuss any matters that the audit committee or internal auditor believes should be discussed privately.
- Consider the findings and recommendations of relevant Performance Audits undertaken by the Victorian Auditor-General and to ensure the Council implements relevant recommendations.

#### *Compliance*

- Review the systems and processes for monitoring compliance with legislation and regulations and the results of management's investigation and follow-up (including disciplinary action) of any instance of non-compliance.
- Keep informed of the findings of any examinations by regulatory agencies and any auditor (internal or external) observations and monitor management's response to these findings.
- Obtain regular updates from management about compliance matters.

#### *Reporting and Communication Responsibilities*

- Report regularly to the Council about audit committee activities, issues, and related recommendations through circulation of minutes and annual report. Additional updates may be appropriate should issues of concern arise.
- Monitor that direct, open and complete communication between the internal auditor, the external auditors, and the Council occurs.
- Report annually to stakeholders through the Council's Annual Report, describing the audit committee's composition, responsibilities and how they were discharged, and any other information required by regulation, including approval of non-audit services.

#### *Other Responsibilities*

- Perform other activities related to this charter as requested by the Council.
  - Review and assess the adequacy of the audit committee charter annually, requesting Council approval for proposed changes, and ensure appropriate disclosure as might be required by legislation or regulation.
  - Confirm annually that all responsibilities outlined in this charter have been carried out.
  - Evaluate the audit committee's performance annually.
- Conflict(s) of interest: it is the responsibility of an audit committee member to disclose a conflict of interest or the appearance of a conflict of interest to the committee in accordance with the Local Government Act and Councillors Code of Conduct.

**Other Matters**

*Insurance*

Members of the Committee are covered by the Council's insurance policies.

*Expense Allowances for Members*

External members of the committee will be offered a Committee Sitting Fee for carrying out their duties. The amount payable per meeting is to be set by Council.

External members will be reimbursed the cost of travel from outside the Horsham town boundaries in line with the Councillors re-imburements policy.

*Orientation and Training*

Audit committee members shall receive formal orientation training on the purpose and responsibilities of the committee and on Council's overall objectives. A process of continuing education shall be established.



MEETINGS SCHEDULED FOR:	Sept	Dec	March	June
<b>Financial Report</b>				
Review the significant accounting and reporting issues	✓			
Review the annual financial report	✓			
Review the results of the audit (VAGO)	✓			
Review communication required under Australian Auditing Standards	✓			
<b>Internal Control</b>				
Consider the effectiveness of HRCC's internal control system				✓
Review the internal control over financial reporting				✓
<b>Risk Management</b>				
Monitor the systems and processes for risk management			✓	
Review HRCC's risk profile			✓	
Material business risks consider adequacy of mitigation actions			✓	
Monitor effectiveness of business continuity planning			✓	
Review any reports concerning evidence of material violation or breaches of fiduciary duty			✓	
Review any instance of fraud or possible illegal acts			✓	
<b>Internal Audit</b>				
Review the internal audit function when the contract is renewed			✓	
Review and recommend the annual audit plan				✓
Review internal audit plan and ensure it is linked to the HRCC's risk profile				✓
Monitor satisfaction with internal audit service			✓	
Monitor processes and practices to ensure that independence of internal audit function			✓	
Provide an opportunity for the audit committee to meet with internal audit function	✓	✓	✓	✓
<b>External Audit</b>				
Note the external auditors' proposed audit scope and approach				✓
Consider external auditors' view on the control environment and management letters			✓	✓
Resolve any disagreement between management and the external auditors in financial reporting	✓			
Provide an opportunity for the audit committee to meet with external auditor without management	✓			
<b>Compliance</b>				
Obtain regular updates on compliance matters	✓	✓	✓	✓
Review the systems and processes for monitoring compliance with legislation and regulations		✓		
Be informed on how management monitors the effectiveness of its compliance and ethics program	✓	✓	✓	✓
Keep informed of the findings of any examinations by regulatory agencies	✓	✓	✓	✓

	Sept	Dec	March	June
<b>Reporting Responsibilities</b>				
Report regularly to HRCC	✓	✓	✓	✓
Monitor that open communication between the internal auditor, the external auditors and HRCC occurs		✓		
Report annually through Council's Annual Report		✓		
Consider the findings and recommendations of relevant Performance Audits	✓	✓	✓	✓
<b>Assessment of Financial Information</b>				
Review significant accounting and reporting issues	✓	✓	✓	✓
Periodically compare actual outcomes, achievement of milestones and other KPIs as compared with the Council Plan, Annual Report and Budget - Strategic indicators for monitoring the achievement of the strategic objectives		✓		
Review and discuss any reports concerning evidence of material violation of breaches of fiduciary duty	✓	✓	✓	✓
<b>General</b>				
Establish number of meetings for forthcoming year		✓		
Effectiveness of Secretariat support performance		✓		
Perform an assessment of the Committee's performance annually		✓		
Review and assess the adequacy of the audit committee charter annually		✓		
Confirm annually that all responsibilities outlined in this charter have been carried out		✓		
Membership Renewal – following Council elections		✓		
Review JMAPP Liability Audit			✓	
Committee Appointment		✓		
Chair Appointed by Council		✓		

# A New Local Government Act for Victoria

**Hon Marlene Kairouz MP**  
Minister for Local Government





© The State of Victoria Department of Environment, Land, Water and Planning 2017



This work is licensed under a Creative Commons Attribution 4.0 International licence. You are free to re-use the work under that licence, on the condition that you credit the State of Victoria as author. The licence does not apply to any images, photographs or branding, including the Victorian Coat of Arms, the Victorian Government logo and the Department of Environment, Land, Water and Planning logo. To view a copy of this licence, visit <http://creativecommons.org/licenses/by/4.0/>

ISBN 978-1-76047-888-9 (pdf/online)

### **Accessibility**

If you would like to receive this publication in an alternative format, please contact the Local Government Act Review Secretariat: email [local.government@delwp.vic.gov.au](mailto:local.government@delwp.vic.gov.au) or phone (03) 9948 8518. This publication is also available on the internet at [www.yourcouncilyourcommunity.vic.gov.au](http://www.yourcouncilyourcommunity.vic.gov.au).

### **Disclaimer**

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

# A New Local Government Act for Victoria

Hon Marlene Kairouz MP  
Minister for Local Government



# Contents

<b>A New Local Government Act for Victoria</b>	<b>1</b>
Local Government in Victoria	1
A Reform Agenda for Victoria’s Councils	1
Why a new Local Government Act is Needed	2
The Government’s Over-riding Objectives for a New Act	2
The Journey so Far - Engagement on the Act Review	2
10 out of 10 – The Major Reforms	4
Finding Your Way - Structure of this Draft Bill	5
Major Changes by Part	6
Part 2 - Councils	6
Part 3 – Decision Making	7
Part 4 – Planning and Financial Management	9
Part 5 – Rates and Charges	9
Part 6 – Council Operations	10
Part 7 – Council Integrity	11
Part 8 – Ministerial Oversight	11
Part 9 – Electoral Provisions	12
Timing - Transitional and Consequential Provisions	13
Framework of the New Local Government Act	16
Snapshot of Major Changes by Part	18
Part 2 - Councils	18
Part 3 - Policy and Decision-Making	18
Part 4 - Planning and Financial Management	19
Part 5 - Rates and Charges	20
Part 6 - Council Operations	20
Part 7 - Council Integrity	21
Part 8 - Ministerial Oversight	22
Part 9 - Council Elections	22
How to get involved	23
Submissions	23

# A New Local Government Act for Victoria

## Local Government in Victoria

Debates over the roles, responsibilities and structure of municipal governance are as old as the history of Victorian settlement. For much of our history, the development and evolution of councils has outrun the legislation attempting to define them. This is again true in 2017.

Victoria's first councils were created to build roads, wharves and secure water supply, to operate markets and cemeteries and to protect the poor and infirm. Melbourne City Council – Victoria's first - was created in 1842, a decade before Victoria's first colonial Government of 1851. The first Local Government Act to bring together oversight of rural and metropolitan councils under a single piece of legislation did not come into force until 1874.

Fast forward to 2017 and Victoria is experiencing its fastest ever demographic, technological, economic, environmental and social change. Councils are sprinting to keep up. Their responsibilities have expanded rapidly over the past three decades as their communities demand responsible representation and high quality infrastructure and services. Councils' statutory responsibilities have also continued to grow since the current Act became law in 1989.

Modern councils play a vital and extensive role in delivering for Victoria's diverse communities. They fund and deliver critical community services for mothers, infants and the aged, ensure food safety standards, serve as planning authorities, provide road and transport infrastructure, build and operate modern libraries and sport and recreation facilities, support communities in emergencies and so much more. Councils create the social capital that make places into communities. Councils help to build civic pride, connected communities and a vibrant civil society.

The scale of this enterprise is easy to underestimate. Councils manage over \$89 billion of public infrastructure and deliver services valued in excess of \$7 billion every year. These are substantial responsibilities and the quality of council governance makes a material difference to Victorians. The legislative framework which determines the governance and representation of this level of government is critically important.

The Government came to office with a mandate to update Victoria's Local Government Act. The project has been warmly embraced by the local government sector and the wider Victorian community which has been extensively involved in the co-creation of this Draft Bill.

## A Reform Agenda for Victoria's Councils

In 2015, the Andrews Government embarked on the most significant reform agenda in local government since the generational reforms of the 1990s.

With the release of an ambitious Ministerial Statement in August 2015, the Government committed to deliver on a seventeen-point action plan to overhaul the governance, capacity and performance of councils over this term of Government. A central feature of the local government reform agenda has been a determination to more clearly define the outcomes required of councils while simultaneously giving councils greater agency to determine how to achieve them. This approach is a feature of this new Local Government Draft Bill.

As part of these reforms council rate rises have been capped. Comparable performance data is benchmarked and publicly reported on the Know Your Council website to give ratepayers a comprehensive picture of council performance. Council governance legislation has been reformed to set clearer limits on councillor conduct and sharper triggers for intervention. The conditions for council elections have been modernised and the Victorian Electoral Commission made the universal election service provider. New resources have been made available to close gaps in community infrastructure, particularly targeting fast growing corridors of the capital. An Aboriginal Local Government Action Plan is being implemented and strategic interventions are in train to achieve gender

equity in the ranks of mayors, councillors, council CEOs and senior executives. The 2016 council elections delivered the highest proportion of female councillors in Victoria's history. Many commitments made through the Ministerial Statement have now been implemented. Others are well advanced.

The first action in the Ministerial Statement – the creation of a new Local Government Act – brings many of these strands together. The new Act will consolidate and legislatively embed the Fair Go Rates reform, the new transparent performance reporting framework, governance and electoral reforms and new approaches to collaborative investment, sound financial management and strategic planning. Many councils have supported these changes, helping to shape key provisions in partnership with the Government.

## Why a new Local Government Act is needed

The existing 1989 Local Government Act was a conscientious attempt to modernise legislation which, in many parts, dated from the 19th century. But as pointed out in Background Papers commissioned for the review, it was swiftly overtaken by the Kennett Government reforms of the 1990s. These reduced the number of Victoria's councils from 210 to 78 and the number of councillors from over 2000 to around 600. The reforms modernised council business structures and shifted the accent of council responsibility from representation to governance. Some of these changes made councils more efficient but they arguably left a democratic deficit, a sense that councils were less able to remain in touch with their local communities.

If the 1989 Act was outmoded by the radical changes that quickly followed its introduction, the many amendments that have followed have rendered it more incoherent over time. The oldest of Australia's Local Government Acts, the 1989 Act is also the most amended. Its original 136 pages have expanded by a factor of four. The size of the current Act is one measure of how compromised its original intent has become. It has long since ceased to provide a contemporary and accurate guide to the powers, roles and responsibilities of councils.

## The Government's over-riding objectives for a new Act

Given this history, the current Draft Bill is not based on further amendments to the 1989 Act but rather reflects a first principles review.

The Victorian Government has three overriding objectives for this new Local Government Act:

- Victorians will better understand and value the role of councils as democratically elected bodies that represent their interests; participate more as candidates, voters and citizens in council activities; and contribute to council strategic visions and plans
- councils will drive reform across the state by being more autonomous and outcome-oriented; and by embracing innovative and collaborative arrangements that increase organisational efficiency and deliver public value for residents
- the Act will be a living document that tells people clearly what councils do and how to get involved, and provide a sound framework for the sector to become more efficient and enterprising in its local governance.

## The journey so far - Engagement on the Act Review

The review of the Local Government Act has been informed by extensive and deep engagement with councils, ratepayers, the wider community and specific stakeholders.

There have been four stages to this engagement process.



**Stage 1 – Reform ideas:** In September 2015, the Government released a comprehensive Discussion Paper inviting ideas on options to reform all aspects of the legislative framework.

This was followed by analysis of:

- 348 submissions responding to the Discussion Paper
- Responses provided at 10 community forums between February and March 2016 at: Wangaratta, Swan Hill, Shepparton, Warrnambool, Horsham, Dandenong, Sale, Melbourne CBD, Sunshine and Maryborough
- 12 commissioned papers on all aspects of the council legislative framework, published for comment on the [www.yourcouncilyourcommunity.vic.gov.au](http://www.yourcouncilyourcommunity.vic.gov.au) website
- Ideas generated by six technical working groups of senior council specialists on: council operations; consultation and engagement; council role and responsibilities; rates and charges; financial decision-making and accountability; and offences and breaches
- Ideas generated at meetings with peak council and ratepayer associations.

**Stage 2 – Policy Directions:** In June 2016, the Government released a Directions Paper (Act for the Future) outlining 157 potential reform directions.

This was followed by analysis of:

- 333 submissions responding to the Directions Paper
- Responses provided at 18 community forums with Mayors, council CEOs and community members between July and September 2016 at: Frankston, Traralgon, Ararat, Kyneton, Benalla, Werribee, Angelsea, Mildura and Melbourne CBD
- Ideas generated at meetings with peak council and ratepayer associations.

**Stage 3 – Implementation Challenges:** Through 2017, targeted consultation was undertaken to inform the Exposure Draft Bill, comprising:

- Seven technical working groups of senior sector experts to resolve implementation challenges, analyse timing and staging issues, identify areas where further guidance material will be required to underpin the reforms. Topics included: council operations, representative structures, community engagement and strategic planning, council finances, rates and charges, council probity and local laws
- Meetings with peak ratepayer groups
- Meetings with key stakeholders on issue specific reforms
- Meetings with council peak organisations and newly elected councillors.

**Stage 4 – Exposure Draft Bill:** In December 2017 a draft of the Bill is being made publicly available for community comments and submissions.

This is the fourth and final stage of public consultation before the Bill enters the Parliament. The Government is providing a two-month window for comments on the Bill before the Hon Marlene Kairouz MP, the Minister for Local Government, takes a final Bill into the Parliament proposing that it become the Local Government Act 2018.

To understand how to participate in Stage 4 of the consultation go to the *How to Get Involved* section at the conclusion of this document.



## 10 out of 10 – The Major Reforms

The new Draft Bill contains dozens of reforms but the following ten major changes provide a flavour for how local government in Victoria will be strengthened:

No	Major reform
1	Mayors will provide greater leadership to councils by adopting more extensive responsibilities and undertaking a commitment to report progress annually to their communities on the Council Four Year Plan.
2	Consistency of council representative structures will be improved by establishing a consistent formula for determining councillor numbers and having councils unsubdivided or comprise uniform councillor numbers per ward.
3	We will increase participation, formal voting and fairness in council elections by adopting a consistent voting method for all elections (attendance, postal or electronic).
4	Councils will undertake deliberative community engagement processes before adopting a four-year Council Plan and four-year Budget so communities better inform strategic directions and spending priorities of council.
5	Councils will integrate strategic planning and reporting and adopt a long-term approach, comprising a four-year Council Plan, a four-year Council Budget, a long-term community vision, 10-year financial plan and 10-year asset plan.
6	The Act will strengthen the Minister's powers to deal with individual councillors who are contributing to or causing serious governance failures at a council.
7	All councils will have a CEO employment and remuneration policy and an independent advisory mechanism to guide recruitment, contractual arrangements and performance monitoring of the CEO.
8	Councils will have greater autonomy with prescriptive decision-making processes replaced by a requirement to comply with high-level principles requiring transparency, accountability and sound financial management.
9	Financial sustainability of councils will be strengthened as the Act reinvigorates their capacity to innovate and collaborate with other councils, other government agencies and the private sector.
10	The new Act will establish a single method for valuing land, clarify exemptions from rates and increase transparency in the levying of differential rates.

## Finding your way - Structure of this Draft Bill

The Exposure Draft Local Government Bill has 11 parts.

This table is designed to help you navigate the Exposure Draft Bill.

1	Preliminary	Definitions	
2	Councils	Working Parts to Operate	Roles and Powers Overarching Governance Principles Constitution Mayors & Councillors Entitlements CEOs Council Staff
3	Decision Making	Policy	Principles Community Engagement Meeting Procedures Governance Rules Local Laws Guidelines And Directions
4	Planning and Financial Management	Plan and Budget	Strategic Planning Community Vision Council Plan Financial and Asset Plans Budget Process Reporting Financial Management
5	Rates and Charges	Revenue	Declaration Special Purpose Charges Payment and Recovery Environmental Upgrades Fair Go Rates
6	Council Operations	Delivery	Service Performance Procurement Beneficial Enterprises Land
7	Council Integrity	Defining and Managing Conduct	Probity Offences Councillor Conduct Framework Conflict of Interest
8	Ministerial Oversight	Authority of Minister to Intervene	Restructuring Councils Monitors Municipal Inspector Commissions Of Inquiry Suspensions Temporary Administration
9	Electoral Provisions	Elections	Voter Franchise Candidates Conducting Elections Electoral Offences Campaign Donations
10	General Provisions	Other Matters	Regulations
11	Transitional and Consequential	Implementing the New Act	Commencement of Provisions Changes to Other Acts



## Major Changes by Part

This section provides an overview of selected changes in each Part of the new Draft Bill.

### Part 2 - Councils

1. This Part defines the roles and power of a council and the principles that must guide council actions and the role of the CEO and staff and the Audit and Risk Committee.
2. While councils have the power to do whatever things are necessary or convenient to perform their roles, they must exercise these powers and perform their role in accordance with the *overarching governance principles* described in the Draft Bill. Among other things, the principles require a council to act lawfully, give priority to the best outcomes for the community, engage with their community and cooperate with other governments and public bodies.
3. Compliance with the overarching governance principles is the basis for determining whether a council is providing good governance. Part 3 explains that the Minister may issue Good Practice Guidelines. Compliance with such a guideline can be used as evidence of compliance with the Act.
4. Councils may comprise 5-12 councillors (this maintains the existing maximum of 12) and must be unsubdivided or comprise wards with equal numbers of councillors. The number of councillors elected to each council will be determined by a formula set out through Regulations, based on municipal population and geographic scale.
5. Mayors will serve a one year term (with the option of two-year appointment) and will continue to be elected by their peers. Longer terms are to be served by the Mayors of the Cities of Melbourne (four years) and Geelong (two years).
6. The responsibilities of mayors will be extended slightly and will include responsibility for leading a community engagement process on the Council Plan and Budget and reporting annually to the community on progress in implementing the plan.
7. The role of councillor will be defined as to: participate in the decision-making of the council; represent the broad interests of the local community in that decision-making; and to contribute to the strategic direction of the council through the development and review of key strategic documents of the council, including the Council Plan.
8. Council CEOs will continue to lead the administrative arm of council and employ staff.
9. Councils will have a CEO Employment and Remuneration Policy consistent with the principles in the Public Sector Commission's *Policy on Executive Remuneration for Public Entities*.
10. Council CEOs will adopt workforce plans and a Code of Conduct for staff. The workforce plan will promote gender equity, diversity and inclusiveness. CEOs must specify gender equity targets for the employment of all senior staff in their workforce plans.
11. The move to a principles based Act with less rigid legislative rules will increase the responsibilities of Audit and Risk Committees in assisting councils to remain compliant with the Act and the policies required by it and with other legislation.

## Part 3 – Decision Making

1. Council decision making will be transparent and use contemporary community engagement processes.
2. The Draft Bill describes community engagement and public transparency principles. They support the overarching governance principles.
3. The Draft Bill requires councils to have in place a community engagement policy which gives effect to the community engagement principles. The engagement principles have been prepared for a legislative purpose and to remain valid over a generation. For this reason they are succinct, high level and sustainable. They align with the Victorian Auditor General's Office Public Participation Principles (which are detailed and reflect the public sector values of *responsiveness, integrity, impartiality, accountability, respect and human rights*). Table 1 shows the alignment of the two sets of principles.
4. Public transparency policies will describe the ways that council information will be made available to the public. The public transparency principles require council information to be accessible and understandable.
5. Each council will be required to adopt and apply governance rules that describe the way they will conduct council meetings and make decisions. The governance rules will apply a council's community engagement and public transparency policies and demonstrate how council decision making processes support fairness and equity. The governance rules must include an election period policy, outlining council caretaker provisions.
6. The governance rules will describe how the council will make decisions and conduct itself. They will replace council's meetings local laws. Among other things, governance rules will describe the way Mayors and Deputy Mayors are to be elected, how records of decision making processes are kept and how the public will be provided access to information about council processes and decisions. The governance rules will explain the limitations to decision making that apply to a council during an election period.
7. Council meetings should be open to the public. Councils will be able to close a meeting to the public to consider information that is confidential. The nature of confidential information will be specifically defined and will mainly relate to the types of information that would be exempt from disclosure under the *Freedom of Information Act 1982*.
8. Council collaboration is reinforced by a new capacity to hold joint council meetings.
9. Councils may delegate decision making powers to delegated committees. Such committees must be chaired by a councillor and include at least two councillors.
10. New arrangements spell out more clearly how councils must exercise local law making powers. To comply, a council must obtain a certificate from a legally qualified person stating that each proposed local law is consistent with the requirements. This includes compliance with the Victorian Charter of Human Rights and Responsibilities.
11. Before making a local law a council must conduct a community engagement process and a local law must be publicly available both when proposed and when made.
12. The Sentencing Act will allow for indexation of penalties for breaches of local laws.
13. Ministerial good practice guidelines will assist councils comply with the Act and these will be published on the Department's website. While councils will not be bound to implement guidelines, compliance may be used as evidence of compliance with the corresponding provisions in the Act or Regulations.

**Table 1 – Alignment of Community Engagement Principles and VAGO Public Participation Principles**

Community Engagement Principles (Local Government Draft Bill)	VAGO Public Participation Principles
<p><b>Clear Remit</b></p> <p>A community engagement process must have a clearly defined objective and scope</p>	<p>Be clear about the scope and objective of the community engagement exercise (Accountability).</p> <p>Ensure that those affected understand the scope of the pending decision, the decision-making process and any constraints on this process (Transparency and Integrity).</p> <p>Be clear about the contribution participants will be asked to make and the responsibilities associated with this (Accountability).</p>
<p><b>Informed</b></p> <p>Participants in community engagement must have access to objective, relevant and timely information to inform their participation</p>	<p>Embed in all decision-making processes an openness to appropriately understand and incorporate the views of those affected by decisions and provide access to all relevant information about the decision in a manner that participants can understand, so that their contributions may be fully informed (Openness).</p>
<p><b>Representative</b></p> <p>Participants in community engagement must be representative of the persons and groups affected by the matter the subject of the community engagement</p>	<p>Make every reasonable effort to include the stakeholder groups and members of the public affected by the pending decision (Inclusiveness).</p> <p>Be aware and take account of the needs of diverse communities to be able to participate in a meaningful way (Awareness).</p>
<p><b>Supportive and Inclusive</b></p> <p>Participants in community engagement are entitled to support to enable meaningful and informed engagement</p> <p><i>(Guidelines will work with the VAGO Principles to help define “support”)</i></p>	<p>Provide appropriate time and resources to ensure that those affected can participate in a meaningful way (Accountability).</p> <p>Make reasonable adjustments where necessary to remove barriers to participation and ensure an inclusive approach (Inclusiveness).</p>
<p><b>Transparent and Accountable</b></p> <p>Participants in community engagement are informed of the ways in which the community engagement will influence council decision making</p>	<p>Respond to the engagement and input of the public in a timely and constructive manner (Responsiveness).</p> <p>Address public and stakeholder concerns in an honest and forthright way and communicate results back to the public in a way they understand (Transparency and Integrity).</p> <p>Demonstrate that results and outcomes are consistent with the commitment made at the outset of the process (Accountability).</p>
<p><b>Other</b></p> <p>Responsiveness is addressed through the requirement for councils to implement a community engagement policy</p>	<p>Identify and promote public participation better practice in government/council decision-making (Responsiveness).</p> <p>Fully advise government of the significant impacts of decisions on stakeholder groups and the public and challenges and opportunities related to the engagement exercise (Responsiveness).</p>

## Part 4 – Planning and Financial Management

1. The Draft Bill contains an integrated planning and reporting framework which locates the Council Plan and Budget at the centre of strategic decision making and accountability.
2. Under the Draft Bill, the budget, like the Council Plan will run for four years, with annual budgets (like the state budget) including projections for the three out years. Victoria will be the first state to have council budgets run on the same quadrennial cycle as the state budget.
3. Giving both the plan and budget a four-year timeframe enables deep community engagement to be undertaken to inform both simultaneously with both core planning documents struck by 30 June in the year after the election.
4. The Draft Bill sets out Strategic Planning principles which councils must take account of in formulating their strategic planning documents.
5. There will be new requirements for all councils to have:
  - a. A long-term community vision developed in consultation with the local community and articulating its vision for the municipality, including both what the council will deliver and areas of responsibility of others in the municipality
  - b. A financial plan with a 10-year outlook
  - c. An asset management plan of 10 years.
6. The requirement for longer term asset and financial planning reflects the expanded role of councils for complex service delivery and major public infrastructure.
7. Councils will be required to adopt a revenue and rating plan. This will reflect the Government's expectation that rating discipline will be maintained.
8. The integrated nature of the planning and financial management framework will mean that all plans a council adopts will be articulated with the four-year Council Plan and Budget.
9. This Part specifies the conditions for financial and annual reports of councils. The shift in emphasis to reporting of outcomes will be used to reduce activity based reporting.
10. The mayor is required to publicly report annual progress against the Council Plan in the course of tabling the Council Annual Report at a council meeting open to the public.
11. Councils will also have financial policies consistent with the financial management principles articulated in the new Act and adapted to local requirements.
12. Limitations restrict investment types available to councils to mitigate the likelihood of high risk investments which may compromise the financial sustainability of a council.
13. Council Plans and Budgets will be consistent with the Local Government Performance and Reporting Framework and baseline. Comparable performance reporting will be transparently captured through the Know Your Council website.

## Part 5 – Rates and Charges

1. Part 5 of the Draft Bill reorganises and modernises the provisions relating to rateable land to provide greater certainty to councils and ratepayers.
2. Land used exclusively for mining purposes (not including the mineral value) will become rateable while all other rating exemptions are retained.
3. Land used exclusively for charitable purposes will continue to be exempt from rates including when the land is owned by a private entity and leased to a charitable organisation.
4. The Draft Bill requires all councils, with the exception of Melbourne City Council, to apply capital improved value as the single uniform valuation system for raising municipal rates.

5. Following a recommendation from the Report of the Commission of Inquiry into Ararat Rural City Council, the Draft Bill extends the requirement for councils to explain the objectives and reasons for declaring differential rates to uniform rates. The Draft Bill also retains the requirement that the differential rate declared by a council be no more than four times the lowest differential rate in the municipality.
6. The Draft Bill limits the fixed component of council revenue from rates and charges to 10 per cent to cover administrative costs, halving the existing limit of 20 per cent.
7. The Draft Bill rationalises the provisions relating to service charges to ensure they accurately reflect the services councils provide and gives the Minister the power to prescribe other service charges in Regulations if necessary.
8. The Fair Go Rates system is enshrined in the Draft Bill. Rates recovered under the Cultural and Recreational Lands Act 1963 by a council will be included in the Fair Go Rates cap.
9. The Draft Bill continues to prescribe the process by which a council may declare a special purpose charge but streamlines consultation provisions and updates prescribed conditions. It alters appeal provisions to allow VCAT to set aside a special purpose charge that doesn't comply with the prescribed conditions.
10. The Draft Bill continues to prescribe the process by which a council may declare a special purpose charge.
11. Councils are required to provide an option to pay rates in four instalments. The quarterly instalment dates will be set to reinforce consistency across all councils. Councils will continue to have the flexibility to offer alternative payment options to ratepayers such as lump sum or monthly payments.
12. The Draft Bill establishes a uniform process and timeline to enable a person to apply to VCAT to review a rates or charges decision of a council.
13. Provisions allowing councils to engage in environmental upgrade agreements have been simplified and their scope expanded. These agreements are council-based financing mechanisms to help residents and businesses access funding for building works to improve energy efficiency, reduce waste and cut water use.

## Part 6 – Council Operations

1. The Draft Bill introduces service performance principles in recognition that councils deliver over \$7B in vital services each year. The Act requires councils to take account of these principles, which will mandate considerations of equity, accessibility, quality and cost, continuous improvement and accountability in service delivery for the local community.
2. Councils will be required to have a complaints policy for service delivery which includes a definition of complaint and an independent review mechanism. This means if a council receives a complaint about a service an independent officer will assess and respond to the complaint. Complaints review does not apply to the independent decision-making powers of the council or decisions made by staff or contractors of the council which are subject to statutory review.
3. Rigid one-size tender thresholds are removed from the new Draft Bill. Instead, councils will be required to establish a procurement policy appropriate for their own community, based on sound financial management principles and optimising opportunities for co-operative arrangements and economies of scale.
4. Councils must comply with their procurement policies. These policies must seek to promote open and fair competition.
5. The Draft Bill confers powers for councils to engage in beneficial enterprises and co-operative business opportunities which deliver public value. Councils may establish a beneficial enterprise with other councils, other levels of government or private sector organisations so long as the enterprise is consistent with the role of a council as defined in Part 2 Division 2 of the Draft Bill.
6. The Draft Bill retains the requirement for a council to conduct a public consultation process on the proposed sale of land. This is an important safeguard to alert members of the public whose interests may be impacted by the proposed sale.

## Part 7 – Council Integrity

1. The Draft Bill is designed to provide councils with maximum autonomy in how they deliver while reinforcing council integrity and requiring that councils give effect to the principles based governance framework.
2. The Draft Bill embeds the *Local Government (Improved Governance) Act 2015* reforms. Part 7 of the Draft Bill spells out the prohibitions and penalties arising from: misuse of position; directing council staff; release of confidential information and conflict of interest.
3. The new rules define two types of conflicts of interest which apply to elected councillors, members of delegated committees and council staff:
  - a. A material conflict of interest exists where a councillor or staff member or a person with whom they have a defined relationship stands to gain or lose as a result of a decision. A failure to disclose such a conflict and step aside from the decision is a criminal offence.
  - b. A general conflict of interest exists where an impartial, fair-minded person would consider that the private interests of a councillor or staff member could result in them acting contrary to their public duty. This is not a criminal offence, but a breach may be the subject of disciplinary action.
4. Councils now have an unequivocal responsibility to manage councillor conduct to ensure consistency with the probity standards councils have set themselves through their councillor codes of conduct. In keeping with the transparency principles, councils must make their codes of conduct public.
5. The manner and form of words of the declaration to abide by the code of conduct will be integrated into the oath of office (made at the outset of a councillor's term) and is prescribed in the Draft Bill to remove ambiguity in the wording. This will serve as a declaration to abide by all future revised codes of conduct adopted during the council term.
6. All councils are required to have in place internal resolution procedures to manage councillors who breach their council's code of conduct. More serious matters will be adjudicated by Councillor Conduct Panels or Victorian Civil and Administrative Appeals Tribunal (VCAT).
7. The Draft Bill has a clear hierarchy and definitions of:
  - a. Misconduct (Councillor Conduct Panels)
  - b. Serious Misconduct (Councillor Conduct Panels), and
  - c. Gross Misconduct (VCAT).
8. The reforms link the hierarchy to responsible authorities for their adjudication (these are identified at 7. above).
9. A reformed model of Councillor Conduct Panels now manages matters relating to misconduct and serious misconduct.
10. Councillors will be required to complete personal interest returns biennially.
11. All councils will be required to have in place a publicly transparent gifts policy, covering acceptance and disposal of gifts by councillors and a gift register.

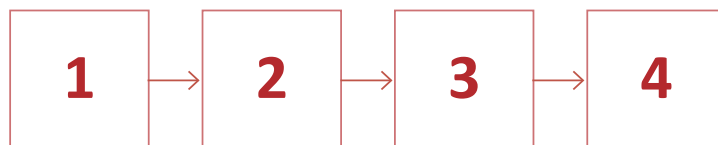
## Part 8 – Ministerial Oversight

1. The Minister will be able to issue a governance direction to a council to ensure it complies with the governance framework under the Draft Bill. This may include a direction to comply with a best practice guideline. Failure to comply with a governance direction can be taken into account by the Minister in considering whether to suspend the council or an individual councillor.
2. The Draft Bill recognises that councils have the capacity to develop and adopt arrangements that significantly exceed minimum requirements in Regulations. To recognise and encourage the adoption of higher standards, provision has been made for high performing councils to apply for and obtain exemptions from particular Regulations.

3. The Draft Bill maintains compliance enforcement instrumentalities in the form of municipal monitors and the Chief Municipal Inspector.
4. The Minister will be in a position to appoint monitors to assist councils to prevent or address governance challenges and to strengthen their governance practices.
5. The Chief Municipal Inspector will continue to investigate and prosecute potential breaches of the Local Government Act.
6. The Minister will continue to have authority to appoint a Commission of Inquiry to conduct an inquiry into any matter relating to the affairs of a council or more than one council.
7. The Minister will also have a new power to suspend an individual councillor in situations in which there is clear evidence provided by a monitor, the CMI, the Ombudsman, IBAC or a Commission of Inquiry that the councillor is causing or contributing to governance failures or is breaching the Act and that without intervention the problem will persist. This replaces the stand down provisions applying to councillors under the 1989 Act.
8. The Minister maintains the existing power to suspend an entire council where there is evidence of significant governance failures or breaches of the law.
9. The dismissal of a council will continue to require the approval and passage of an Act through both houses of the Victorian Parliament.
10. The Draft Bill includes new baseline conditions that must be considered by a restructuring advisory panel in providing advice to the Minister on altering the external boundaries of a council.
11. Two specific powers of the Minister are addressed in other Parts. Part 3 provides that the Minister may issue best practice guidelines. If a council complies with a relevant best practice guideline, it is evidence of compliance with the relevant requirement under the legislation or the Regulations.
12. Part 10 provides that the Minister will continue to have the power to make Regulations to support the legislation. The general principle involved will be to keep regulation to a minimum. The legislation aims to prescribe outcomes councils must meet and leave to the judgement of individual councils and their communities the determination of how those outcomes are achieved.

## Part 9 – Electoral Provisions

1. There is no change to the electoral franchise contained in the Draft Bill. Voting entitlements remain unchanged.
2. Future council elections will be conducted using a uniform method – either attendance election, postal ballot or any other model (such as electronic voting should that become secure and viable). The Minister will determine the method based on advice from the Victorian Electoral Commissioner at least one year ahead of general elections.
3. The process for conducting countbacks for multi-member wards and unsubdivided elections will change when a councillor resigns mid-term. Currently only the votes of the vacating councillor are considered. Under the Draft Bill all votes cast in the election will be recounted until a candidate is elected. Continuing councillors are not affected by this process because their positions are expressly protected by legislation.
4. Disputes about the outcomes of council elections should be heard by a tribunal with related jurisdictions and by officials with significant legal training and experience. VCAT will assume responsibility for review of disputed elections in future.
5. Candidates for council elections are currently required to submit an overview of campaign donations they receive above a threshold of \$500. All candidates are required to submit a return, even if they receive no disclosable donation. The rigour of the campaign donation regime will be reinforced with a requirement that returns be lodged with the Chief Municipal Inspector (CMI) within 21 days of receipt of each donation and summaries will be published on the Inspectorate website. This change will give voters more information on the supporters of candidates at the time of voting. It also reflects the fact that the CMI has responsibility for enforcement of campaign donation returns and replaces a requirement for candidates to submit their returns to the council CEO.



### **TIMING - Transitional and Consequential Provisions**

In recognition of the extent of change arising from the introduction of the new framework, the Draft Bill makes provision for staged commencement and implementation to facilitate a smooth transition from the *Local Government Act 1989* to the new Act.

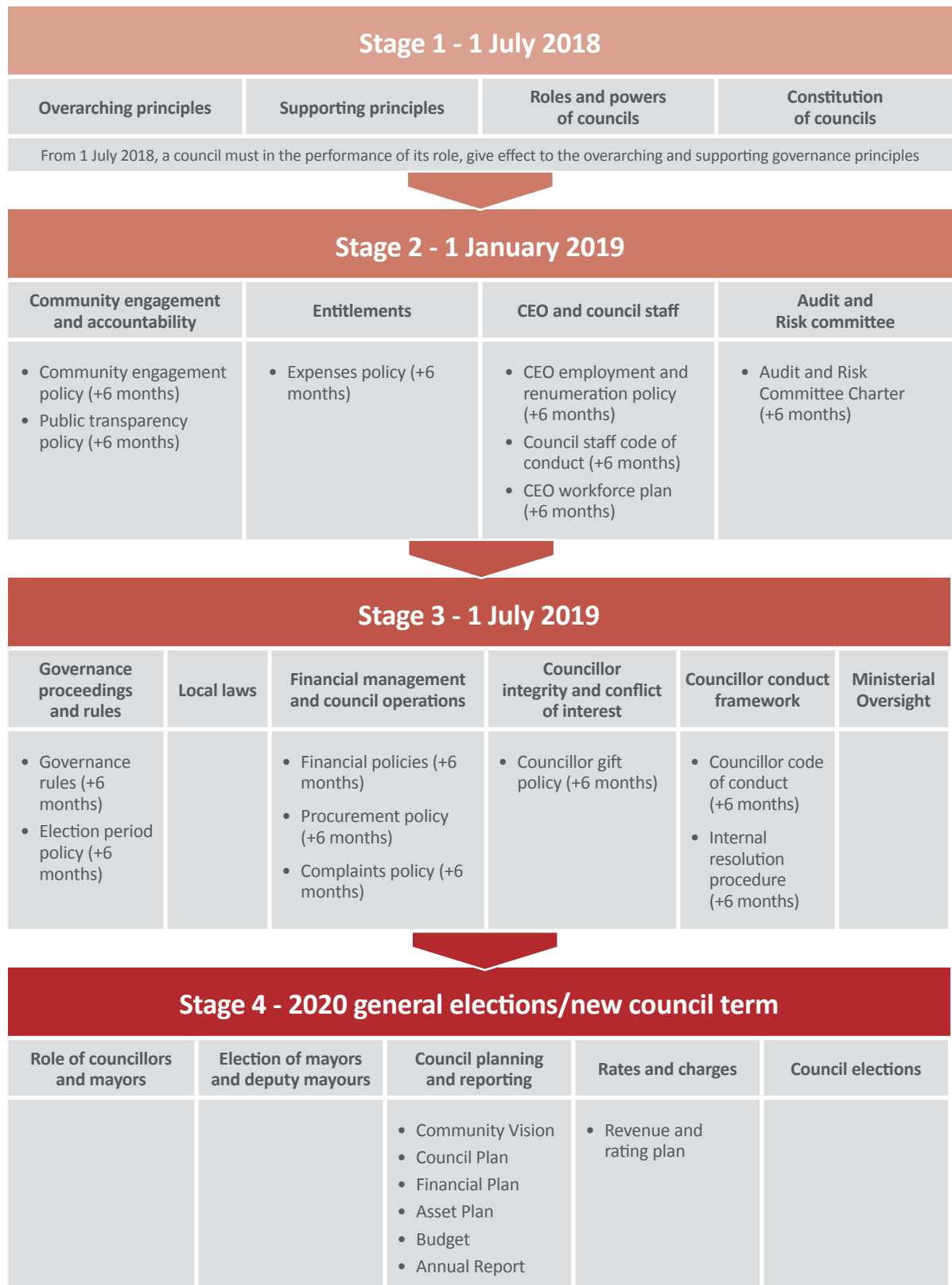
Staged implementation will ensure that councils have sufficient time to understand and comply with the new statutory requirements and for supporting resources such as guidelines to be developed to provide councils with certainty in acquitting their new obligations and responsibilities.



### Indicative timeline for Implementation

The timeline provided here assumes the Bill is finalised and introduced into Parliament by Mid-2018. Following Royal Assent, provisions of the new Act will come into operation over **four stages**, with the final stage being implemented in line with the 2020 general council elections.

This means that councils will continue to apply the previous *Local Government Act 1989* and the corresponding Regulations until specific provisions of the new Act commence. Where the new Act requires a new policy, plan or function, councils will have six months after the commencement date to comply with the statutory obligation.



**Stage 1 – 1 July 2018**

These provisions of the new Act introduce key elements of the new legislative framework relating to the constitution of councils and the role and functions of councils. The overarching good governance principles and supporting principles are also introduced. These encompass all council functions and are intended to guide councils' exercise of power under the new Act.

While there are few practical implications for councils during stage 1, in the six-month period following Royal Assent councils will be in a position to prepare for stage 2.

**Stage 2 – 1 July 2019**

Under these provisions, councils will be required to have in place key council decision making policies such as a community engagement policy and public transparency policy to ensure councils are representative, transparent and accountable in exercising their decision-making power. Detailed guidelines will be available to assist in the development of these policies.

Councils will also be required to reconstitute the Audit and Risk Committee. The expanded role of the Audit and Risk Committee is an important oversight mechanism in the transition to the new Act.

At this stage councils will also be required to reframe some of their operations in relation to CEO, council staffing and councillor entitlements. Amongst other things, councils will be expected to have in place a CEO Employment and Remuneration Policy consistent with the principles contained in the the *Public Sector Commission's Policy on Executive Remuneration in Public Entities*.

**Stage 3 – 1 January 2020**

Key elements of the new framework will come into operation at stage 3 relating to governance processes, financial management, council integrity and Ministerial oversight.

Councils will need to prepare for how council meetings are conducted. Councils will also need to ensure that appropriate financial policies are in place to give effect to the financial management principles.

Councils will also need to familiarise themselves with new processes and obligations in relation to council integrity, local laws and Ministerial oversight to ensure continued compliance with the Act.

**Stage 4 – 2020 General Elections / 30 October 2020**

These provisions will commence with the new council term or a specific date soon thereafter.

These provisions will introduce the expanded role of the Mayor and require councils to elect their new Mayor for a term of one or two years within one month of the new term, with the exceptions of the Cities of Melbourne (four years) and Geelong (minimum of two years).

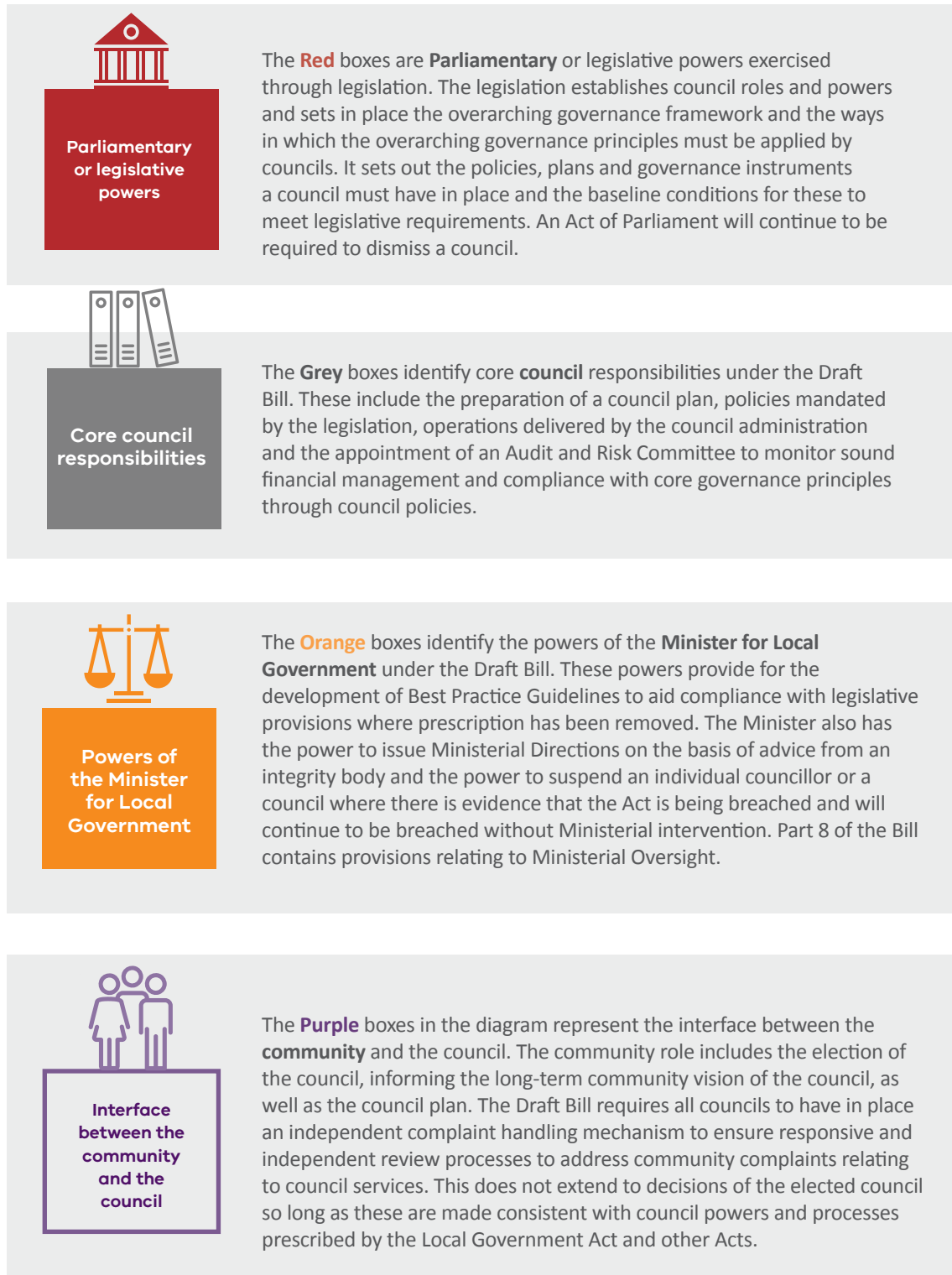
It is also envisioned that councils will adopt key plans between the election and the start of the 2021 financial year. This will include the development of a long-term community vision, a four-year Council Plan as well as 10-year Asset and Financial Plans. Detailed Regulations and guidelines will assist councils' transition to an integrated planning and reporting framework.

The modernised rating and revenue provisions will also come into operation following the general elections. Amongst other things, this will require councils to develop and adopt a revenue and rating plan by 1 July 2021 that aligns with its financial plan.

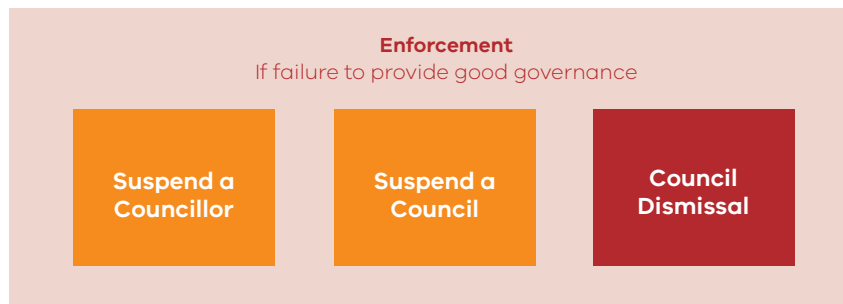
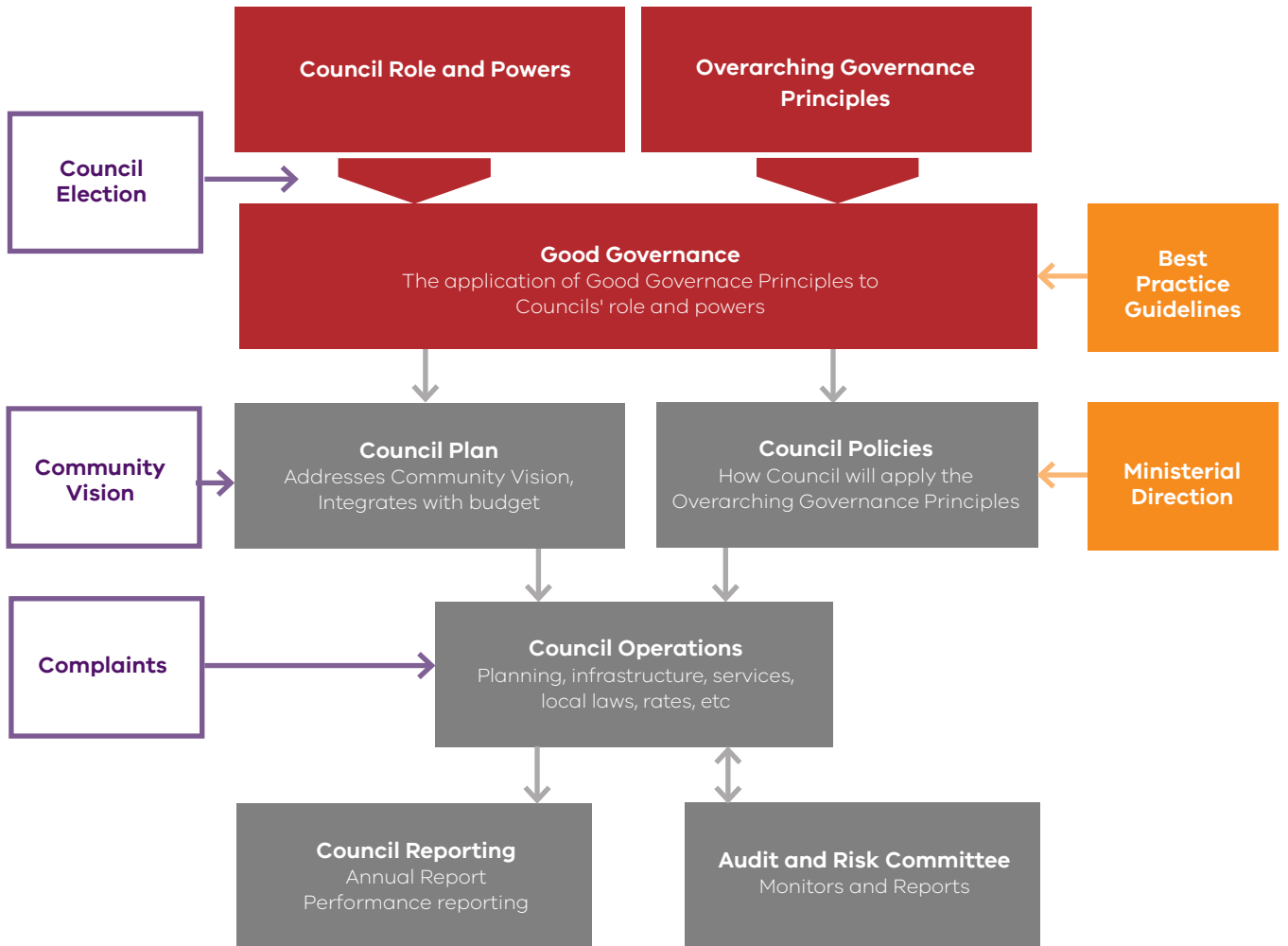
The new electoral provisions will apply to the 2020 general elections.

## Framework of the New Local Government Act

The Framework diagram that follows helps explain the way in which the Draft Bill would operate in practice.



### Framework of the New Local Government Act



**Legend**



## Snapshot of Major Changes by Part

Existing Local Government Act 1989	New Local Government Draft Bill 2018
------------------------------------	--------------------------------------

### Part 2 - Councils

How councils exercise powers and perform roles minutely defined in legislation as part of the Local Government Charter.	Councils exercise powers and perform their role in accordance with the overarching governance principles.
Councils may be unsubdivided, all single wards, uniform multi-member wards, non-uniform multi-member wards, mixed single and multi-member wards.	Councils may be unsubdivided, all single wards, or uniform multi-member wards.
Mayors serve a one year term, with an option for a second year (noting the exceptions of the Cities of Melbourne and Geelong).	Unchanged. A new provision will enable the elected council to vote out a mayor mid-term if 75% of councillors agree.
All mayors except City of Melbourne are elected by and from the councillors.	Retained.
Deputy Mayor role optional for councils.	Mandatory for councils to appoint a Deputy Mayor.
Councils are not required to have a CEO Remuneration Policy.	All councils will have a CEO Employment and Remuneration Policy which is consistent with principles in the Public Sector Commission's Policy on Executive Remuneration for Public Entities.
Council CEOs not required by the Act to have a workforce plan.	CEOs to develop and maintain workforce plans that describe the organisational structure, specify expected staffing requirements for at least the next four years and set out measures to ensure gender equity, diversity and inclusiveness in relation to council staff.

### Part 3 - Policy and Decision-Making

The Council Plan and Budget may be developed with minimal reference to the local community.	Councils must have an engagement policy and must engage their community in a deliberative process to inform the Council Plan and Budget.
Meeting rules are included in council local laws based on extensive prescription in the Act.	Each council will be required to adopt and apply governance rules that describe the way they will conduct council meetings and make decisions consistent with the overarching governance principles.
The circumstances in which council meetings may be closed are weakly defined.	Council meetings should be open to the public. Councils will be able to close a meeting to the public to consider information that is confidential. The nature of confidential information will be specifically defined and will mainly relate to the types of information that would be exempt from disclosure under the <i>Freedom of Information Act 1982</i> .
Collaboration between councils is constrained by the Act.	Council collaboration is encouraged and underpinned by a new power for joint council meetings and a requirement to consider opportunities for joint procurement.

## Existing Local Government Act 1989

## New Local Government Draft Bill 2018

**Part 3 - Policy and Decision-Making cont'd**

Local laws are developed with minimal limitations and penalty units cannot be indexed.	Local laws require consultation with the community and must be certified by a legally trained 'qualified' person. Penalties are automatically indexed in the Sentencing Act consistent with state legislated penalties.
Councils are largely dependent on the Act in order to meet legislative requirements.	Ministerial good practice guidelines will assist councils comply with the Act and these will be published on the Department's website. While councils will not be bound to implement guidelines, adherence to the guidelines may be used as evidence of compliance with the corresponding provisions in the Act or Regulations.

**Part 4 - Planning and Financial Management**

Limited requirement for existing strategic planning documents to be integrated and consistent.	An integrated planning and reporting framework which locates the Council Plan and Budget at the centre of strategic decision making and accountability.
The Budget runs for one year.	The Budget, like the Council Plan, will run for four years as for state budgets, but an expectation of annual review of the Budget.
No requirement for a long-term community vision.	Mandated community vision of at least 10 years developed with the local community.
No requirement for an Asset Plan.	Mandated Asset Plan of 10 years.
Strategic resource Plan of 4 years underpins the Council Plan but no requirement for a long-term Financial Plan.	Mandated Financial Plan of 10 years.
Four-year Council Plan must be finalised by 30 June in the year after the council election.	No change to timeline for finalising Council Plan.
Council submits annual report to the Minister.	Council publishes Annual Report.
No requirement to report progress against the Council Plan.	Mayor is required to publicly report annual progress against the Council Plan.
Councils not required to adopt a Revenue and Rating plan.	Councils required to adopt a Revenue and Rating plan.
Limitations restrict investment types available to councils to mitigate the likelihood of high risk investments which may compromise the financial sustainability of a council.	Retained.
Comparable performance reporting transparently captured through the Know Your Council website.	Retained.

## Existing Local Government Act 1989

## New Local Government Draft Bill 2018

**Part 5 - Rates and Charges**

Rating of land is exempted when used for charitable purposes, religious purposes and veterans.	Rating exemptions essentially retained but more clearly defined.
Mining exempted from rates.	Land used exclusively for mining becomes rateable.
Councils may use one of three methods to value land for rates (capital improved value, site value or net annual value).	All councils except the City of Melbourne must use capital improved value to value land for rating purposes.
A differential rate declared by a council may be no more than four times the lowest differential rate in the municipality.	Retained.
A municipal charge (a general administrative charge levied at a flat rate against all ratepayers) is limited to 20% of the total revenue from rates and charges.	A municipal charge (referred to as the fixed component of municipal rates) is limited to 10% of the total revenue from rates and charges.
The Fair Go Rates system caps rates at CPI, with an opportunity for councils to seek a variation.	Retained.
Environmental upgrade agreements enable council-based financing mechanisms to help businesses access funding for building works to improve energy efficiency, reduce waste and cut water use.	Environmental upgrade provisions strengthened in the new Act to make clear benefits extend to the owners of residential land.

**Part 6 - Council Operations**

No specific service performance principles or requirements.	The Draft Bill introduces service performance principles in recognition that councils deliver over \$7B in services each year. The Draft Bill requires councils to take account of these principles, which will mandate equitable, responsive, accessible, value added service delivery for the local community.
No complaints policy is mandated.	The Draft Bill defines 'complaint' and requires each council to have a complaints policy relating to operational delivery that defines its approach and includes an independent review mechanism.
Council procurement subject to rigid, one size tender thresholds under the Act.	Councils set their own procurement and investment policies consistent with principles of sound financial management and opportunities for collaboration and which ensure fair and open competition.
Limited powers for collaboration with other councils, other arms of government and private partners.	Greater powers for councils to engage in beneficial enterprises; co-operative business opportunities which deliver public value. Councils may establish a beneficial enterprise with other councils, other levels of government or private sector organisations so long as the enterprise is consistent with the role of a council as defined in Part 2 Division 2 of the Draft Bill.
A council must conduct a public consultation process on the proposed sale of land.	Retained.

## Existing Local Government Act 1989

## New Local Government Draft Bill 2018

## Part 7 - Council Integrity

The <i>Local Government (Improved Governance) Act 2015</i> redefined the councillor conduct framework in the current Act.	Retained.
The range of possible conflicts of interest are voluminously described in the Act.	<p>New rules define two types of conflicts of interest which apply to councillors, delegated committee members and council staff:</p> <ul style="list-style-type: none"> <li>• A <i>material conflict of interest</i> exists where a councillor or staff member or a person with whom they have a defined relationship stands to gain or lose as a result of a decision. A failure to disclose such a conflict and step aside from the decision is a criminal offence.</li> <li>• A <i>general conflict of interest</i> exists where an impartial, fair-minded person would consider that the private interests of a councillor or staff member could result in them acting contrary to their public duty. This is not a criminal offence, but a breach may be the subject of disciplinary action.</li> </ul>
Councillors undertake a two-step process in declaring that they will abide by the Councillor Code of Conduct: first making a declaration; then within three months revising the code and, if amendments are made, making a second declaration.	Councillors make a single declaration to abide by the Code of Conduct within three months of their election. The manner and form of words of the declaration to abide by the Code of Conduct is integrated into the oath of office (made at the outset of a councillor's term) and is prescribed in the legislation to remove ambiguity in the wording.
Misconduct and Serious Misconduct is heard by Councillor Conduct Panels and Gross Misconduct is heard by VCAT.	Retained.
Councils not required to have a gifts policy.	Councils required to have in place a publicly transparent gifts policy, covering acceptance and disposal of gifts by councillors and a gift register.



## Existing Local Government Act 1989

## New Local Government Draft Bill 2018

**Part 8 - Ministerial Oversight**

No capacity to exempt high performing councils who exceed minimum requirements from baseline Regulations.	The Draft Bill recognises that councils have the capacity to develop and adopt arrangements that significantly exceed minimum requirements in Regulations. To recognise and encourage the adoption of higher standards, provision has been made for high performing councils to apply for and obtain exemptions from particular Regulations.
Minister can stand down an individual councillor (with pay).	Minister can suspend a councillor (without pay) subject to receiving clear evidence provided by a monitor, the CMI, the Ombudsman, IBAC or a Commission of Inquiry that the councillor is causing or contributing to governance failures or is breaching the Act and that without intervention the problem will persist.
Act provides for a range of inquiry instruments with a diverse range of powers for a range of different purposes.	Minister will have authority to appoint a Commission of Inquiry to conduct an inquiry into any matter relating to the affairs of a council or more than one council. Commission powers will be aligned to the Inquiries Act.
The Minister has the power to suspend an entire council where there is evidence of significant governance failures or breaches of the law.	Retained.
The dismissal of a council requires the passage of a Bill through both houses of the Victorian Parliament.	Retained.
No baseline conditions that must be considered by restructuring advisory bodies in providing advice to the Minister on altering the external boundaries of a council.	Baseline conditions identified in <i>Review of Sunbury out of Hume</i> must be considered by restructuring advisory bodies in providing advice to the Minister on altering the external boundaries of a council.

**Part 9 - Council Elections**

Voter franchise includes citizens on the state roll and property franchise voters.	No change to voting entitlement.
Elections may be conducted by post or attendance at the discretion of the council.	The Minister determines a uniform election method (post, attendance or other method) at least 12 months before the general elections based on advice from the VEC.
Countbacks only consider the votes of the vacating councillor.	Countbacks recount all votes cast in the election until a candidate is elected. Continuing councillors are not affected by this process because their positions are expressly protected by the legislation.
The Magistrates Court conducts reviews of disputed elections.	VCAT will review disputed elections.
Candidates must submit their campaign donation declarations to the CEO of the Council within 40 days after the conclusion of an election.	The rigour of the campaign donation regime will be reinforced with a requirement that returns be lodged with the Chief Municipal Inspector within 21 days of receipt of each donation.

# How to get involved

The government invites all Victorians to get involved in the review of the Local Government Act 1989 by making a submission about the proposed Bill.



## Submissions

The government invites written submissions. Please make a submission in one of three ways:

**Online:** via the online submission form, or by uploading your completed submission form at the Your Council Your Community website: [www.yourcouncilyourcommunity.vic.gov.au](http://www.yourcouncilyourcommunity.vic.gov.au).

**Email** your completed form to [local.government@delwp.vic.gov.au](mailto:local.government@delwp.vic.gov.au).

**Post** your completed form to:

Local Government Act Review Secretariat  
c/o Local Government Victoria  
PO Box 500  
Melbourne VIC 3002

Submissions in other formats will also be accepted.

To contact the Local Government Act Review Secretariat:

**Visit** [www.yourcouncilyourcommunity.vic.gov.au](http://www.yourcouncilyourcommunity.vic.gov.au)  
**Email** [local.government@delwp.vic.gov.au](mailto:local.government@delwp.vic.gov.au)  
**Call** (03) 9948 8518

**Submissions in response to the Draft Bill close on Friday 23 February 2018 at 5pm.**

Your submission will be made public unless you ask for confidentiality and the Executive Director of Local Government Victoria grants it, or if it is determined your submission should remain confidential. Submissions that are defamatory or offensive will not be published.

Below are the number of building permits issued each financial year by Horsham Rural City Council and Private Building Surveyors.

Permits issued by Horsham Rural City Council for this Municipality

Type	2013/2014		2014/2015		2015/2016		2016/2017	
	No.	Value \$	No.	Value \$	No.	Value \$	No.	Value \$
Dwellings	7	2,135,009	16	4,723,871	9	2,317,148	11	3,407,317
Alterations to Dwellings	8	402,465	3	106,000	10	1,574,271	4	107,100
Dwelling resitings	1	14,000	0	0	1	28,589	0	0
Misc Domestic (Carports, Garages etc)	38	955,852	64	4,103,904	88	1,803,195	83	1,594,055
Removal/Demolish	6	49,200	8	56,200	14	463,175	18	232,015
Industrial/Commercial	14	977,447	20	1,905,540	12	13,049,613	23	7,212,692
Signs	0	0	4	57,904	1	9,000	1	9,000
<b>Total</b>	<b>74</b>	<b>4,533,973</b>	<b>115</b>	<b>10,953,419</b>	<b>135</b>	<b>19,244,991</b>	<b>140</b>	<b>12,562,179</b>

Permits issued by other Private Building Surveyors for this Municipality or by Government Departments:

Type	2013/2014		2014/2015		2015/2016		2016/2017	
	No.	Value \$	No.	Value \$	No.	Value \$	No.	Value \$
Dwellings	85 (87*)	22,489,966	84 (*88)	25,161,670	102 (*115)	32,588,875	71 (76*)	22,386,459
Alterations to Dwellings	33	4,232,443	35	1,933,272	29	1,443,694	22	1,195,465
Dwelling resitings	4	344,000	5	239,425	3	259,265	3	169,603
Misc Domestic (Carports, Garages etc)	129	2,839,185	119	2,333,158	98	2,370,812	65	1,420,508
Removal/Demolish	6	75,000	8	45,750	9	646,190	6	141,000
Industrial/Commercial	43	16,984,732	33	15,739,690	31	13,440,082	33	21,579,607
Signs	0	0	0	0	0	0	0	0
<b>Total</b>	<b>300</b>	<b>46,965,326</b>	<b>284</b>	<b>45,452,965</b>	<b>272</b>	<b>50,748,918</b>	<b>200</b>	<b>46,892,642</b>

\*more than 1 dwelling on permit

Total of Permits issued by Council and other Private Building Surveyors for this Municipality or by Government Departments:

Type	2013/2014		2014/2015		2015/2016		2016/2017	
	No.	Value \$	No.	Value \$	No.	Value \$	No.	Value \$
Dwellings	92(94*)	24,624,975	100 (*104)	29,885,541	111(*121)	34,906,023	82 (87*)	25,793,776
Alterations to Dwellings	41	4,634,908	38	2,039,272	39	3,017,965	26	1,302,565
Dwelling resitings	5	358,000	5	239,425	4	287,854	3	169,603
Misc Domestic (Carports, Garages etc)	167	3,795,037	183	6,437,062	186	4,174,007	148	3,014,563
Removal/Demolish	12	124,200	16	101,950	23	1,109,365	24	373,015
Industrial/Commercial	57	17,962,179	53	17,645,230	43	26,489,695	56	28,792,299
Signs	0	0	4	57,904	1	9,000	1	9,000
<b>Total</b>	<b>374</b>	<b>51,499,299</b>	<b>399</b>	<b>56,406,384</b>	<b>407</b>	<b>69,993,909</b>	<b>340</b>	<b>59,454,821</b>

\*more than 1 dwelling on permit

## Other Building Applications Received

Application Type	2013/2014	2014/2015	2015/2016	2016/2017
Property Information Requests	Not recorded	Not recorded	Not recorded	99
Report and Consent	43	52	65	45
Building Orders/Notices/Complaints	66	16	16	16 (inc 1 complaint)

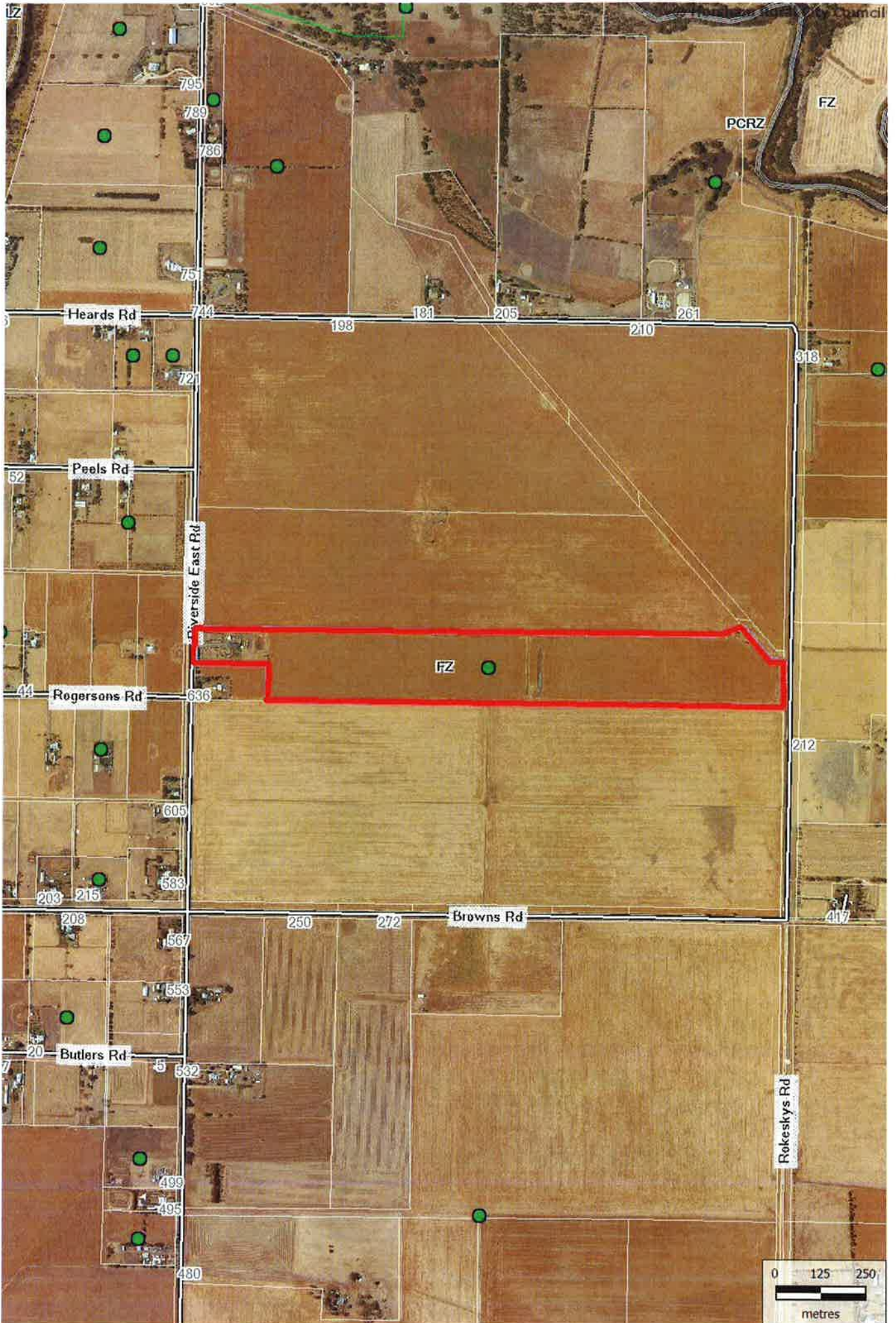
There are a number of other Council mandatory functions that are not included in the statistics above, as no record of numbers has been kept. The following items are details of items outside the Building permit functions that account for 60% of the allocated staff resource.

- **Mandatory Inspections** – Council on average undertake a minimum for four mandatory inspections per issued Building Permit. Mandatory inspections include; Foundations (to check bearing capacity), reinforcement (structural steel or post-tensioned cable), Frame (Structural Frame) and Final. A report must be completed after each inspection and if the inspection has failed a re-inspection will be required.

It was noted that last financial year Council issued 140 Building Permits, with 560 inspections estimated to be carried out throughout the Municipality of 4265 sqkm.

- **General Counter Advice** - Council is the principal point of advice for building related matters, this time cannot be understated. We provide advice to the general public about building permits, technical matters and safety. This advice is given prior to issue of a building permit, during the process and on the completion of the project. Often Council provide pre-application advice as a referral from a Private building Surveyor. It is estimated that Council would provide 80% of the Building related advice for all of the 340 Building Permits that are issued in the municipality. This time would equate to 3-4 hours per working day between all staff.
- **Report and Consents** - Council issues all of the report and consents for the municipality. These are matters that are outside the Building Regulations that require a thorough technical assessment and onsite inspection (45 to 65 inspections per annum). These matters are checked against the Ministers Guidelines.
- **Building Information Sessions** – Council offers further technical information and advice to the Building practitioners within the municipality by undertaking information sessions. Last financial year, two were undertaken with the topics of changing legislation and flexible fittings.
- **Section 29A's Report and Consents** – Applications for demolition permits either PBS permits or Council permits are referred to Council for a technical assessment for demolition and consent.
- **Building Notices & Orders** – Council is the principal point of advice for building complaints regarding unsafe buildings or structures, illegal Building works and stormwater issues. Last year Council issued 16 enforcement notices/orders from matters that could not be resolved. There is a significant amount of time taken to resolve these matters which includes technical advice, onsite inspections (two persons taken for safety) and prosecutions / court orders to resolve matters.

- **Event Notifications** – There are on average 360 events that are undertaken within the municipality each year.
- **POPE's & Siting Approvals** – From the event notification technical assessment, a number of events will require a POPE occupancy permit and/or siting approval for large tents or marquees. These events, like the Field Days, take a significant amount of time to undertake a technical assessment and approval.
- **Pre – application advice** - Councils building department provides technical advice for projects at the planning stage, to give guidance on legislation to ensure that the project developer / coordinator is advised on the likely requirements. This involves round table meetings between a number of internal departments for both Council and Private projects.



Applicants: Andre and Susan Relouw 650 Riverside East Road

0427 542 528 0418 563 794

We wish to lodge an application to remove the agreement under section 173 of the Planning and Environment Act 1987 AF285865c 21-08-17 on the Title Volume 11025 Folio (lot 2), 650 Riverside East Rd.

Due to recent personal illness, we find ourselves in a position where it is proving difficult to maintain the large property, especially as our children move out. We intend moving to a smaller residential block in town which we have already purchased. After discussion with our real estate agent, we feel that a property of 27 hectares restricts our potential market and will likely prevent a relatively quick sale. Our agent has suggested that reducing the property size to two hectares will be far more marketable, and would appeal to a greater range of prospective buyers, and removal of the agreement will allow us to sell the home and curtilage separately to the farmland.

We are aware of the Council desire to restrict new residences in this area, and the desire to retain quality cropping land. Subdivision as requested would support this desire, as only the 'home block' portion of the property would be removed. Further, the remaining 25 hectares will only front onto Rokesky's Rd which is far less desirable for any person seeking to construct a home, but makes no difference to a farming enterprise. There would be no frontage to Riverside East Rd. Our current share farmer has indicated an interest in purchasing the land, and failing that the farmers on either side would be provided first opportunity to acquire the land prior to open sale.

The current use of land would be unchanged.



Copyright State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 (Vic) or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
Land Act 1958**

Page 1 of 1

VOLUME 11025 FOLIO 706

Security no : 124068348336J  
Produced 27/09/2017 02:29 pm

**LAND DESCRIPTION**

Lot 2 on Plan of Subdivision 601509K.  
PARENT TITLE Volume 08614 Folio 369  
Created by instrument PS601509K 24/08/2007

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Joint Proprietors  
ANDRE PIERRE RELOUW  
SUSAN JEANETTE RELOUW both of 17 TUCKER STREET HORSHAM VIC 3400  
AF693617W 04/03/2008

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AL298510S 18/08/2014  
RESIDENTIAL MORTGAGE GROUP PTY LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987  
AF285865C 21/08/2007

**DIAGRAM LOCATION**

SEE PS601509K FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

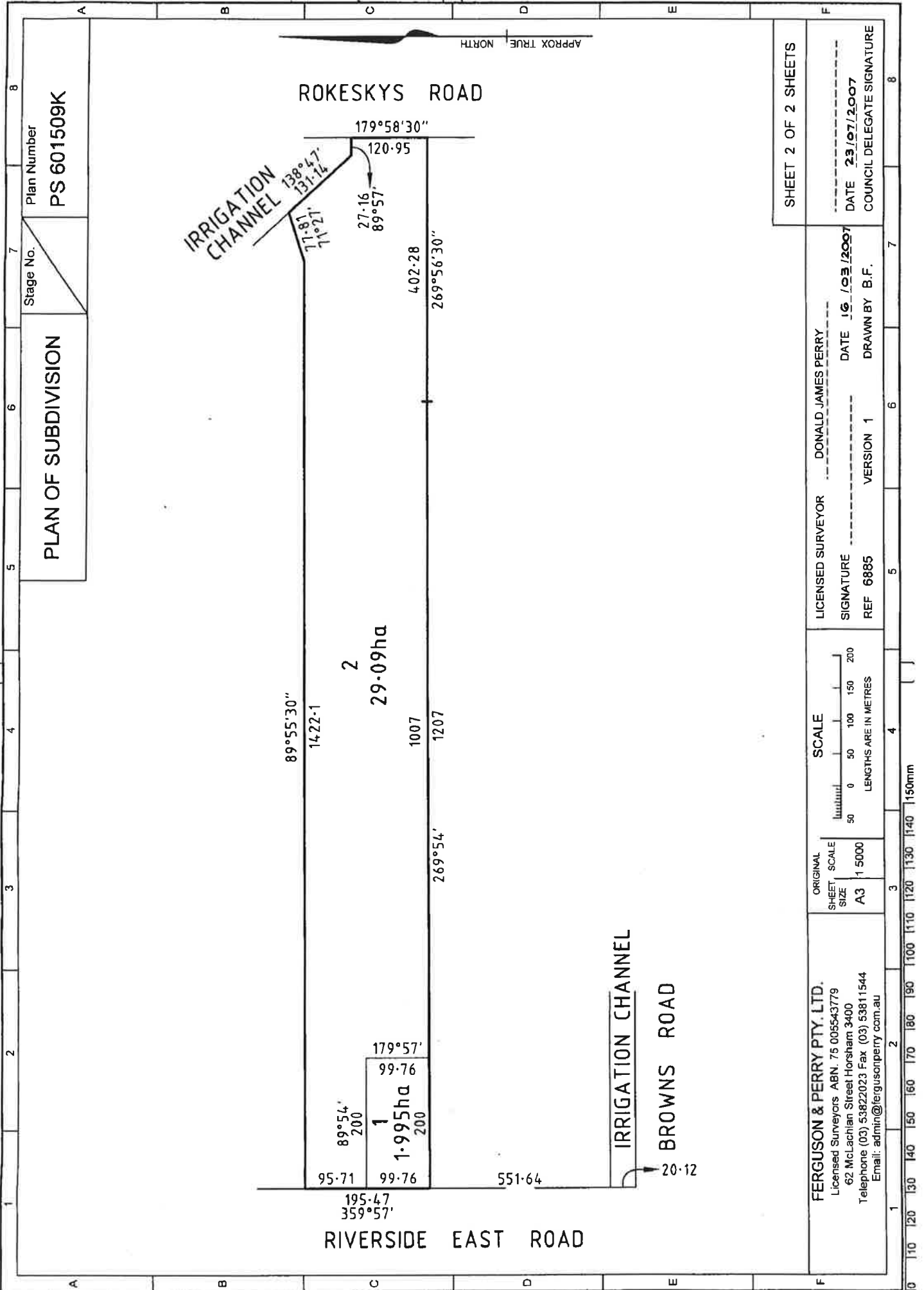
-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 650 RIVERSIDE EAST ROAD RIVERSIDE VIC 3401

DOCUMENT END





SHEET 2 OF 2 SHEETS

DATE **23/07/2007**  
COUNCIL DELEGATE SIGNATURE

LICENSED SURVEYOR **DONALD JAMES PERRY**  
SIGNATURE **[Signature]** DATE **16/03/2007**  
REF **6885** VERSION **1** DRAWN BY **B.F.**

SCALE  
50 100 150 200  
LENGTHS ARE IN METRES

ORIGINAL SCALE 1:5000  
SHEET SIZE A3

**FERGUSON & PERRY PTY. LTD.**  
Licensed Surveyors ABN: 75 005543779  
62 McLachlan Street Horsham 3400  
Telephone (03) 53822023 Fax (03) 53811544  
Email: admin@fergusonperry.com.au

110 120 130 140 150 160 170 180 190 100 110 120 130 140 150mm



# Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Land Victoria.

Document Type	<b>instrument</b>
Document Identification	<b>AF285865C</b>
Number of Pages (excluding this cover sheet)	<b>4</b>
Document Assembled	<b>27/09/2017 14:32</b>

**Copyright and disclaimer notice:**

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

The document is invalid if this cover sheet is removed or altered.

AF285865C



Application by  
Responsible Authority  
for the making of a recording of an  
agreement  
Section 181(1) Planning and Environment Act 1987

Lodged by:  
Name: POWER & BENNETT  
Phone: (03) 5382 0061  
Address: 12 PYNSENT STREET, HORSHAM 3400  
Ref: GCH:LB:LS:70438  
Customer Code: 1407L

The Responsible Authority having made an agreement requires a recording to be made in the Register for the land.

Land: Lots 1 and 2 on Plan of Subdivision No. 601509K being the whole of the land described in Certificates of Title Volume ~~8614~~ Folio ~~369~~ and ~~370~~  
~~Volume~~ ~~Folio~~ **Nov = 11025 - 705 & 706** **21/8/07**  
Responsible Authority: HORSHAM RURAL CITY COUNCIL of Civic Centre, Roberts Avenue, Horsham 3400

Section and Act under which agreement made:  
Section 173 of the Planning and Environment Act 1987

A copy of the agreement is attached to this application.

Date: the **7<sup>TH</sup>** day of **MAY** 2007.

Signature for the Responsible Authority Robin N. Neilson.  
Name of Officer ROBIN N. NEILSON.  
Office Held GENERAL MANAGER  
PLANNING AND PROMOTION  
SERVICES

**AF285865C**

21/08/2007 997 173



POWER & BENNETT  
LAWYERS  
12 PYNSENT STREET  
HORSHAM VIC 3400

THIS AGREEMENT is made the <sup>7<sup>TH</sup></sup> day of **MAY** 2007 pursuant to Section 173 of the Planning and Environment Act 1987 ("the Act") BETWEEN HORSHAM RURAL CITY COUNCIL whose office is at Civic Centre, Roberts Avenue, Horsham ("the Responsible Authority") of the first part and BRADLEY MARK ROLL of 636 Riverside East Road, Riverside, 3401 ("the Subdivider") of the other part.

WHEREAS:

- A. The Responsible Authority is responsible under the Act for the administration and enforcement of the Horsham Planning Scheme ("the Planning Scheme").
- B. The Subdivider is registered as the proprietor of the land comprised and described in Certificate of Title Volume 8614 Folio 369 ("the parent title land") which is within the ambit of the Planning Scheme.
- C. The Responsible Authority has issued Planning Permit No. 06-135 ("the permit") to the Subdivider on 14 August 2006 permitting subdivision of the parent title land into two lots in accordance with Plan of Subdivision No. PS601509K ("the plan") a copy of which plan is attached to this Agreement subject to the conditions in the permit contained including clause 8 thereof requiring the Subdivider to enter into a Section 173 Agreement with respect to the matters in such clause set out.

NOW THIS AGREEMENT WITNESSETH:

- 1. The Subdivider for himself, his Legal Personal Representatives, Transferees and successors in title and the registered proprietor or proprietors for the time being and from time to time of the land in Lots 1 and 2 on the plan agree and acknowledge that the said Lots 1 and 2 may not be further subdivided unless:
  - (a) the land therein has been appropriately re-zoned, or
  - (b) the subdivision is the re-subdivision of existing lots. The number of lots must not be increased and all lots must be at least 0.4 of a hectare, or
  - (c) the subdivision is by a public authority or utility service provider to create a lot for an utility installation, or
  - (d) the land is being subdivided to provide for a specific use, other than accommodation, which needs to be located in the rural zone.
- 2. It is acknowledged that this Agreement is made pursuant to Section 173 of the Act and that it is intended to register this Agreement pursuant to Section 181 of the Act and that

**AF285865C**



the obligations imposed on the Subdivider pursuant hereto shall take effect as covenants which shall be annexed to and run at law and in equity with the land in Lots 1 and 2 on PS601509K and shall bind the Subdivider and his Legal Personal Representatives, Transferees and successors in title and the registered proprietor or proprietors for the time being and from time to time of Lots 1 and 2 on Plan of Subdivision PS601509K.

- 3. Nothing in this Agreement contained shall in any way whatsoever restrict the future jurisdiction of the Responsible Authority over the land or any parts of the land.
- 4. The Subdivider agrees to pay all legal costs and expenses incurred in connection with this Agreement and the registration of this Agreement pursuant to Section 181 of the Act.

IN WITNESS WHEREOF the parties hereto have set their seals the day and year first hereinbefore written.

THE COMMON SEAL of HORSHAM RURAL CITY COUNCIL was hereunto affixed in the presence of:



.....Mayor

.....Councilor

.....Chief Executive Officer

SIGNED by the said BRADLEY MARK ROLL in the presence of:

*Dulcie Emshe*  
Witness

*Brad Roll*  
B M R



# Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Land Victoria.

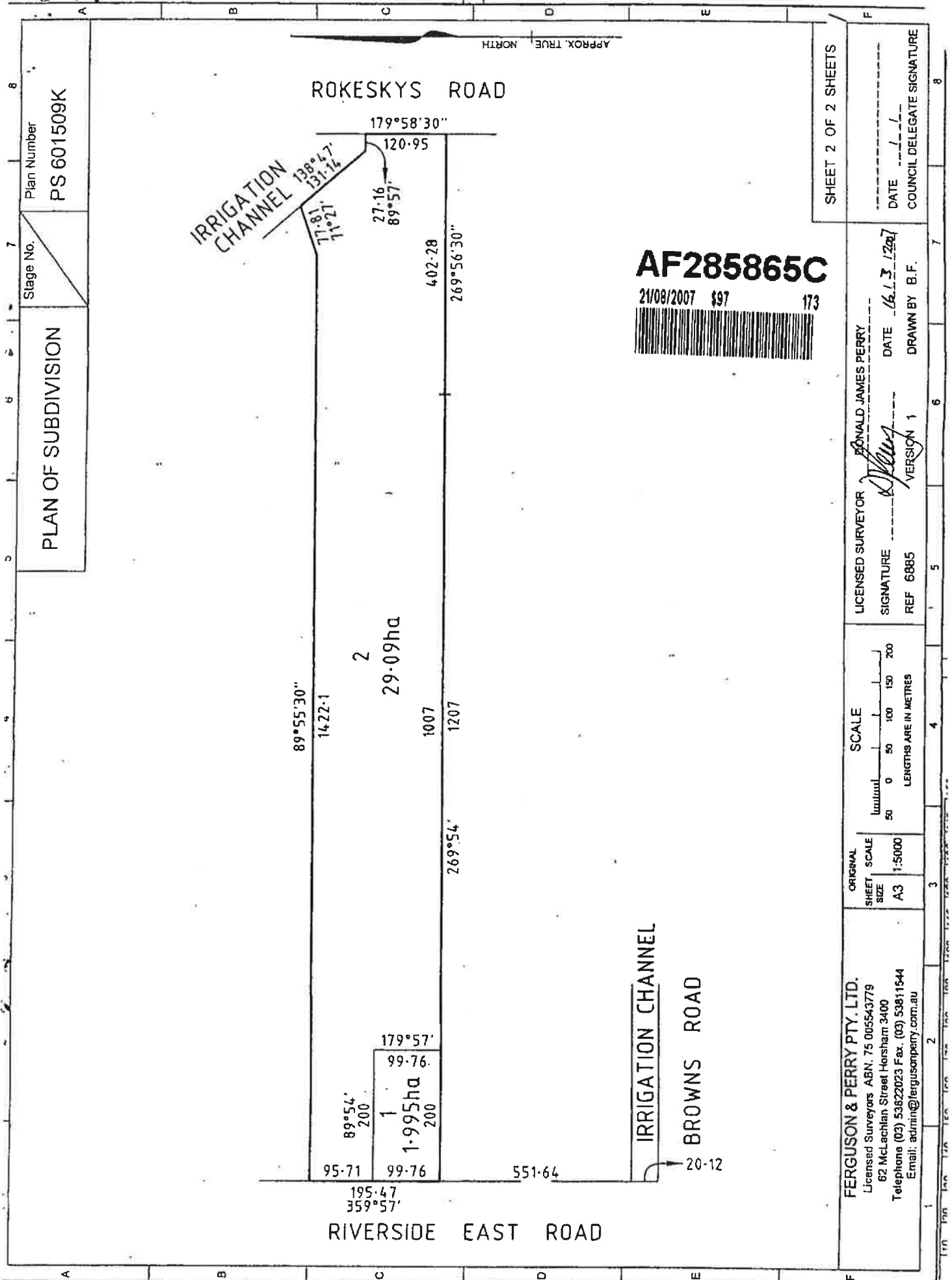
Document Type	<b>plan</b>
Document Identification	<b>PS601509K</b>
Number of Pages (excluding this cover sheet)	<b>2</b>
Document Assembled	<b>27/09/2017 14:32</b>

**Copyright and disclaimer notice:**

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

The document is invalid if this cover sheet is removed or altered.

<b>PLAN OF SUBDIVISION</b>		Stage No. / LR use only EDITION 1	Plan Number PS 601509K	
<b>Location of Land</b> Parish: <u>HORSHAM</u> Township: _____ Section: _____ Crown Allotment: <u>43, 45, 46, 47, 48 &amp; 49 (PARTS)</u> Crown Portion: _____  LR base record: <u>VICMAP DIGITAL PROPERTY (RURAL)</u>  Title References: <u>Vol 8614 Fol 369</u>  Last Plan Reference: <u>LP 69578 (LOT 8)</u>  Postal Address: <u>636 RIVERSIDE EAST ROAD, HORSHAM, 3400.</u>  MGA Co-ordinates: E 612380      Zone 54 (Of approx. centre of land N 5937350      Datum GDA94 in plan)		<b>Council Certification and Endorsement</b> Council Name: <u>HORSHAM RURAL CITY COUNCIL</u> Ref: <u>A06105</u> 1 This plan is certified under section 6 of the Subdivision Act 1988. <del>2 The plan is certified under section 11(7) of the Subdivision Act 1988.</del> <del>Date of original certification under section 6 / /</del> 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.  <b>Open Space</b> (i) A requirement for public open space under section 18 Subdivision Act 1988 <del>has</del> / has not been made <del>(ii) The requirement has been satisfied.</del> <del>(iii) The requirement is to be satisfied in Stage</del> Council Delegate <del>Council seal</del> Date <u>23 / 07 / 2007</u> <del>Re certified under section 11(7) of the Subdivision Act 1988.</del> <del>Council Delegate</del> <del>Council seal</del> Date / /		
<b>Vesting of Roads and/or Reserves</b>				
Identifier	Council/Body/Person			
Nil	Nil			
<b>Notations</b>				
Depth Limitation: Does not apply		<b>Staging</b>	This is not a staged subdivision Planning Permit No. 06-135	
		Survey.- This plan is not based on survey. To be completed where applicable This survey has been connected to permanent marks no(s). _____ In proclaimed Survey Area no. _____		
<b>Easement Information</b>			LR use only	
<b>Legend:</b> A - Appurtenant Easement    E - Encumbering Easement    R- Encumbering Easement (Road)			Statement of Compliance / Exemption Statement	
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
			Received <input checked="" type="checkbox"/>	
			Date <u>21 / 08 / 2007</u>	
			LR use only	
			PLAN REGISTERED TIME <u>11:22AM</u> DATE <u>24 / 8 / 2007</u>	
			Assistant Registrar of Titles	
			Sheet 1 of 2 Sheets	
<b>FERGUSON &amp; PERRY PTY. LTD.</b> Licensed Surveyors ABN. 75 005543779 62 McLachlan Street Horsham 3400 Telephone (03) 53822023 Fax. (03) 53811544 Email: admin@fergusonperry.com.au		LICENSED SURVEYOR <u>DONALD JAMES PERRY</u>  SIGNATURE _____ DATE <u>16 / 03 / 2007</u>  REF 6885      VERSION 1      DRAWN BY B.F.		
		DATE <u>23 / 07 / 2007</u> COUNCIL DELEGATE SIGNATURE		
		Original sheet size <b>A3</b>		







# Wimmera Drug Action Taskforce



**Snapshot  
2010 - 2017**

Data to December 2017

6



professional development events held in Horsham attended by over 160 health professionals covering issues related to the misuse of illicit and prescription medication

8



television appearances and approaches for interviews from NITV/SBS, Today Tonight (Channel 7), Sunday Night (Channel 7), The Feed (SBS2), Australian Story (ABC Television), Four Corners (ABC Television) and Seven Television News.

12



media articles in national newspapers and digital media including the Age, Herald Sun, Daily Mirror, Fairfax Digital, and extensively referenced in Parliamentary Inquiry Into The Supply and Use Of Methamphetamines

18



key organisations received consultancy in the management of alcohol and other drug abuse

48



radio interviews and requests for information from local and national radio stations: ABC Radio Western Victoria, 3WM /MIX FM Radio News, ABC Radio National, 3AW Radio, RPPFM Radio (Melbourne), SYN FM Radio (Melbourne), ABC Radio Central State-wide Drive,

205



print-media articles (including 8 front-page articles) in local newspapers: Wimmera Mail Times, Weekly Advertiser and Warracknabeal Herald, Ararat Advertiser, raising awareness of drug issues in the local region.

1,992



tweets posted by the Wimmera Drug Action Taskforce, providing information to 185 followers

547



followers on the Wimmera Drug Action Taskforce Facebook page which provides information of local events and issues

1,284



students in grades 5 and 6 in primary schools across the region have participated in the Knowledge is Power (KIP) Alcohol and Other Drug Education program

1,500+



attendees at community education forums held in Horsham, Nhill, Warracknabeal and Edenhope to raise awareness and provide information about crystal methamphetamine