

**MINUTES of the Ordinary Meeting of the Horsham Rural City Council held in the Municipal Chambers, Civic Centre, Roberts Avenue Horsham on 20 November, 2017 at 5.30pm.**

PRESENT: Cr Pam Clarke, Mayor; Cr Alethea Gulvin, Cr Josh Koenig, Cr Les Power, Cr John Robinson, Cr David Grimble, Cr Mark Radford

ALSO IN

ATTENDANCE: Peter Brown, Chief Executive; Graeme Harrison, Director Corporate Services; Angela Murphy, Director Planning & Economic (arrived at 5.40pm); Kevin O'Brien, Director Community Services; John Martin, Director Technical Services; Fiona Kelly, Executive Assistant.

**1. Reading of prayer and the acknowledgement of country statement**

The Prayer and Acknowledge of Country Statement were read by the Chairman, Cr P Clarke.

**2. Welcome to distinguished guests or persons in the public gallery**

Chairman, Cr Clarke welcomed those in attendance to the Council Meeting.

David Bowe                  Geoff Ough                  Matt Ough                  Kath Dumesny

**3. Apologies and request for Leave of Absence**

NIL

**4. Confirmation of minutes and signing thereof**

Moved Cr Radford, seconded Cr Koenig that the Minutes emanating from the Ordinary Meeting of the Horsham Rural City Council held in the Municipal Chambers, Civic Centre, Horsham at 5.30pm on 6 November, 2017 and Minutes of the Special Statutory Meeting held on Thursday, 9 November at 7.00pm be adopted with a correction to be made under Cr Radford in Councillors' Reports that it should read Cr Paul Hooper.

**CARRIED**

**5. Disclosure of Conflict of Interest Sec 79, Local Government Act, 1989 (As Amended)**

NIL

**6. PUBLIC QUESTION TIME**

NIL

## **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**

#### **7.2.1 PETITION RECEIVED FROM 99 SENIORS CONCERNED ABOUT THE SENIORS MOVIE DAY**

File Ref: F07/A05/000001

A petition has been received from Lenyce Donald on behalf of 99 seniors, concerned about the announcement that the Seniors Movie Day, which is held once a month for 9 months of the year, is to be cancelled in 2018 owing to funding cuts.

Details of the petition, including names are attached to **Appendix "7.2A"**.

#### **Chief Executive Officer's Comments**

Clause L8.55 of the Horsham Rural City Council's Local Law No 1 on Meeting Procedures read:-

"A petition, or joint letter presented to Council must lay on the table until the next Ordinary Meeting of the Council and no motion, other than to receive the petition or joint letter, may be accepted by the Chairperson, unless the Council unanimously agrees to deal with it earlier". The motion if carried then becomes an Order of the Day for the next Ordinary Meeting of Council on Monday 4 December, 2017.

#### **Director Community Service's comments**

Movie and a Meal is an unfunded activity run by the Home and Community Care (HACC) program for a number of years. Due to multiple changes to the funding model including the introduction of NDIS and a Commonwealth model of age care funding, Council will have to repay to the Commonwealth any surplus income not spent on service delivery and will not have access to the savings previously used to support this program.

Unfortunately, we prematurely announced the cessation of the program before we have been able to undertake a review, to understand whether we are able to continue the program through remodelling, finding other funding sources or whether it could move to another provider who is already funded to deliver social activities and connections for the aged community.

It is proposed that once a review is completed, a report would be provided to Council. Meanwhile the program would continue to operate with no changes.

**Recommendation**

1. That the petition from Lenyce Donald Lay on the Table until the next Ordinary Meeting of Council to be held on Monday 4 December, 2017.
2. That it is proposed to provide a further report to the next Ordinary Meeting of Council outlining when a review would be completed and reported to Council following further consultation with the group.

**Moved Cr Radford, Seconded Cr Robinson that the petition be dealt with at tonight's Council meeting.**

**CARRIED**

**Moved Cr Radford, Seconder Cr Robinson that –**

1. Council continue to run the program in the 2017/2018 year.
2. the program be reviewed.
3. when the review of the program is completed that the recommendation be presented as part of the 2018/2019 Council budget process.

**CARRIED**

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

NIL

**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**

Council Briefing meeting held on Monday 13 November, 2017 at 5.00pm in the Reception Room.

Refer to **Appendix “8.1A”**.

#### **Recommendation**

That Council note the Assembly of Councillors’ – Record of Meetings.

**Moved Cr Radford, Seconded Cr Koenig that the recommendation be adopted.**

**CARRIED**

### **8.2 SEALING OF DOCUMENTS**

NIL

### **8.3 INWARD CORRESPONDENCE**

NIL

**8.4 COUNCIL COMMITTEE MINUTES**

**8.4.1 Bicycle Advisory Committee Meeting held on Tuesday, 10 October, 2017 at 5.00pm at the Civic Centre, Roberts Avenue, Horsham.**

**8.4.2 RoadSafe Wimmera Inc Meeting held on Monday, 13 November, 2017 at 7.00pm at the Horsham SES Building, MacPherson Street, Horsham.**

**Moved Cr Radford, Seconded Cr Robinson that Item No. 8.4.1 & 8.4.2 be received.**

**CARRIED**

**8.4.3 Sunnyside Park Advisory Committee Meeting held on Wednesday, 11 October, 2017 at 7.30pm at the Sunnyside Bowling Clubrooms.**

**RECEIVED**

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

## 9. COUNCILLORS' REPORTS

### Cr Power

- Wed 8 November –Climate Change meeting at Grains Innovation Park. It was a proactive workshop.
- 9 November – Statutory Meeting for the new Mayor. It was a privilege to be at the meeting.
- 11 November – 3HHH Radio Station. Making connections with the program. Discussed suicide awareness and what happens in Council. Cr Power encouraged people to come along to council meetings and to think about becoming a Councillor at some stage in the future.
- 13 November - Opening of the Tri State Games at May Park. It was absolutely fantastic. Horsham has been the best place for these games.
- 16 November – Horsham North Children's Hub meeting. Discussed how the building is coming along. Congratulations to Kevin O'Brien and his team. Cr Power hopes to look through the building in the near future. It looks good from the outside and he's sure it is great inside the building.
- 17 November - Aboriginal Cultural Awareness Program. Congratulations to Joanne Clarke and Lissy Johns for putting on the program which was tremendous. Joanne interacted with all the staff, tears for some due to the confronting stories. Cr Power encouraged people to go along and listen to aboriginal past.
- Anzac Pedestrian Bridge opening. It was good to see people using the bridge.
- Cr Power talked to people using the Wimmera River for skiing. During the bridge opening you could hardly hear the boats. Water skiing is a tournament sport, not just a recreational activity. Cr Power talked to the Natimuk Lake Water Ski Club who presented their river use proposal which was distributed to Councillors. We should ask the Club to come in and talk to Council about their proposal.

### Cr Grimble

- Cr Grimble attended the Remembrance Day service which was well attended.
- Unveiling of WW1 Horsham Cemetery Memorial. Congratulations to the RSL and State Government for funding the memorial.
- Horsham Racecourse Reserve Meeting. The group acknowledged and thanked Council for key works they have been involved in including works at the car park and fixing a veranda.
- Cr Grimble concluded in making a request of Mr Martin or Mr Brown about the future C72 amendment report about the Horsham bypass. Cr Grimble would like clarification of where the amendment is at. He made his own enquiries and where it sits which is between the Road Minister and Planning Minister. I can formalise this but would like a report to the next Council meeting to give a clearer picture of the C72 Amendment and the Bypass. In addition to this work we need to do a transport study.



**Cr Gulvin**

No report.

**Cr Robinson**

- Remembrance Day Service at the Cenotaph and unveiling of WW1 Horsham Cemetery. This was in very difficult circumstances for these servicemen. Many went on to serve at a very high level.
- 13 November - Laharum Hall Committee meeting and discussed their kitchen. They are most grateful of Don Sharples for the way he has engaged with them. They are confident in what he's doing. The committee had discussions with the CEO and were of the view Council were to settle on the works and then go to tender. Cr Robinson mentioned in the past there were difficulties with the Green Lake Yacht Club project and would hate to see them go through the same issues they had. We haven't budgeted for this, not asking for a report now, but they were in a position to go out for tender.
- Taylors Lake Sand Drags is a not for profit event and was personally paid for by the organisers and every cent donated to charity. Council charged them over \$1400 in permit fees to hold the event. Cr Robinson would like some feedback about what our patterns of costs are.
- Cr Robinson talked to a builder about a cross over problem.

**Cr Radford**

- Sport and Recreation meeting. The Horsham Panthers rugby team are using the Horsham Racecourse Reserve. They are a good news story. The Horsham Community Oval is a great success with the new pavilion, the former restaurant at the Horsham Golf Club now in use at the Horsham College.
- Presentation by WRIC to John Francis took place on the Pedestrian Bridge.
- Remembrance Day Service at the Cenotaph. The service was done very well and the cenotaph looks great.
- Northfest Family Fun Day was very worthwhile. It was hot, but very well organised and well attended. A number of agencies were represented around the oval.
- Tour of the Children's Hub. The rammed earth walls look great.
- Unveiling of WW1 Horsham Cemetery Memorial.
- Pedestrian Bridge official opening. A lot was said about the bridge. It is a beautiful piece of work.
- Municipal Emergency Management Planning Committee (MEMPC) Meeting. This is a gathering of emergency services who meet 3 or 4 times a year. Cr Radford found it fascinating especially around reporting time. The SES, VicRoads, Ambulance, CFA and the Red Cross ladies attended. A great gathering of people. One issue to raise tonight, most people in Horsham had their power go out on Wednesday, which was a problem. Most of the emergency backups worked except the Ambulance Station. This was a concern and perhaps we might like to advocate for a backup generator for them in the future.

### **Cr Koenig**

- WDA Annual General Meeting.
- Two Kannamaroo meetings. Thanks to John Martin for attending the last meeting. They are still pushing for power points on poles along the street.
- Statutory Meeting. Congratulations to Cr Clarke on her reappointment as Mayor.
- Northfest. It was very hot but there were great numbers. Went on a tour of the Children's Hub. What a great facility this is. It is fantastic that they have heated floors in the kinder rooms.
- Kannamaroo Festival is on this weekend. It is a credit to the committee for their work. Their website is live and all the information you need is on there. They also have a Facebook page that the committee manage. Saturday there will be a lot of activities at Sawyer Park with fireworks at night. Remember to follow the florry.
- The White Ribbon Walk will be held on Friday and leave from the Aquatic Centre car park at 12.30pm and finish at May Park.
- Opening of the Tri State Games. Congratulations to the participants who show great workmanship and have a lot of fun. Horsham Heat received the most awards.
- Cr Koenig looks forward to seeing everyone at the Kannamaroo Festival.

### **Cr Clarke**

- Cr Clarke thanked those who helped the community during the past fortnight.
- Horsham Cup Day luncheon.
- Public Art Committee Meeting.
- 11 November - Remembrance Day service. This is always very well run. We have the link between Vignacourt which is a great connection.
- Opened Northfest.
- Tour of the Children's Hub. The building didn't have any cooling on a hot day but it was very pleasant. It is a well-designed building.
- Unveiling of WW1 Horsham Cemetery Memorial. There was no support for people with mental health issues and many of the men committed suicide. Many of the soldiers were in unmarked graves.
- 13 November - Opened the Tri State Games. 350 competitors and 32 teams. Congratulations to the organisers.
- There will be an afternoon tea for the Tri State Games local teams at Council on 30 November at 4pm.
- 14 November – Wimmera Mallee Sustainable Alliance meeting and a Tourism Advisory meeting.
- Helped serve meals at the Tri State Games dinner. They had a Grease theme and everyone dressed in costume. There were 400 main meals and then 400 desserts served. Wayne and Chelsea Filcock did an amazing job.
- 15 November - Launched the Kmart wishing tree. It was a lovely event.

- 16 November – Horsham North Children’s Hub project control group meeting followed by the Community Halls Annual meeting.
- 16 November – Volunteered serving meals at the Tri State Games dinner. Cr Clarke took her two grandsons along to help. There were over 20 volunteers who helped out every night. It was a great experience.
- 17 November - Opened the Celebrations store followed by guest of honour at the Tri State Games that evening.
- 18 November - Anzac Pedestrian Bridge opening. The bridge will be an icon for Horsham.
- Horsham Amateur Basketball Tournament and presented trophies with Emma Kealy. All of Horsham was packed with people because of the tournament. It was a massive task by the committee to get the tournament up and running.

**Moved Cr Radford, Seconded Cr Power that the Councillors’ Reports be received.**

**CARRIED**

**Moved Cr Grimble, Seconded Cr Radford 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.**

**CARRIED**

## 10. OFFICERS REPORTS

### 10.1 CHIEF EXECUTIVE

#### 10.1.1 TRICENTENNIAL - HORSHAM, USA

SG Frankham File Ref: F06/A03/000001

##### **Purpose**

To provide details of a letter of congratulations sent to Horsham Township, USA on their 300<sup>th</sup> anniversary.

##### **Background**

This year marks the tricentennial of Horsham Township in Pennsylvania, USA. The township has been enjoying one large community event each month, culminating in a final gala celebration later this month.

Horsham Township has contacted Horsham Rural City Council and other Horshams in the world seeking a letter of congratulations and some history about our city.

The Mayor has forwarded a letter of congratulations and some images of our city to Horsham Township on behalf of the Horsham Rural City Council (**Appendix "10.1A"**). This letter will be read at their gala celebration later this month.

##### **Issues**

Horsham, USA is situated in the Montgomery County, Pennsylvania. The township covers an area of 14 square kilometres. At the 2010 census, the population was 18,842. Horsham is home to Naval Air Station Joint Reserve Base Willow Grove and a number of major manufacturing industries. In 2007, Horsham Township was named the 15<sup>th</sup> best place to live in the United States.

##### **Consultation/Communication**

Not applicable

##### **Financial**

Not applicable

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

2017-2020 Council Plan:  
Goal 4 – Governance and Business Excellence

**Provided for information of Council.**

**Moved Cr Robinson, Seconded Cr Radford that the report be received.**

**CARRIED**

### **10.1.2 ARRANGEMENTS FOR ACTING CHIEF EXECUTIVE OFFICER**

**PF Brown      File Ref:**

#### **Purpose**

This report recommends arrangements for the acting Chief Executive Officer (CEO) role following the departure of the current CEO on 22 December, 2017.

#### **Background**

It is a requirement under Section 94 of the Local Government Act 1989 that Council must appoint a natural person to be its CEO and that Council may only appoint an acting CEO for a period of up to 12 months.

It is a generally accepted principle that wherever possible the acting CEO arrangements should be for as short a time as possible to enable the efficient ongoing operation of the Council.

#### **Issues**

The current CEO has resigned effective from 22 December, 2017 and Council has commenced a process to employ a permanent CEO. While the appointment may be made prior Christmas, it is unlikely that a person would be in a position to take up the role until February or March 2018.

Other Councils have in the past appointed an external person as acting CEO. This is usually done in a circumstance where there are specific short term issues to be addressed within the Council or where there are no qualified internal candidates to take up the role.

Horsham Rural City Council is fortunate that all four current directors have the capacity, ability and experience to undertake the acting CEO role if required.

This report will recommend that the CEO role over the period be substantially filled by Graeme Harrison, Director Corporate Service and Angela Murphy, Director Planning and Economic.

### Recommendation

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.
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.

**Moved Cr Radford, Seconded Cr Koenig that the recommendation be adopted.**

**CARRIED**

### 10.1.3 VICTORIAN PARLIAMENT'S ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE INQUIRY INTO FUEL PRICES IN REGIONAL VICTORIA

PF Brown      File Ref:

#### Purpose

This report advises Council in relation to a presentation to the Victorian Parliament's Economic, Education, Jobs and Skills Committee inquiry into Fuel Prices in Regional Victoria.

#### Background

Horsham Rural City Council has been concerned for some time about the level of fuel prices in Horsham. This reflects concerns in the community as expressed by community members in the Wimmera Mail-Times and by the Victorian Farmers Federation (VFF). Horsham is generally viewed as an expensive place to purchase fuel and there has been significant concern as other regional centres which have similar characteristics to Horsham such as Ararat and Stawell can provide fuel at lower prices than Horsham.

On 21 December, 2015 a report was provided to Council on Horsham fuel prices which is attached as **Appendix "10.1B"**. The report outlined the Australian Competition and Consumer Commission (ACCC) approach to views on what drove fuel pricing and is generally accepted that the main factors that drive fuel pricing are:

- Volume of sales
- Traffic numbers and route
- Location of outlets and distance to other towns
- Convenience store sales

It is bemusing that Horsham has high fuel prices that are rarely changed and yet we seem to meet the criteria for lower pricing, being on the Western Highway, with high traffic numbers and a significant number of outlets many of which have convenience store sales.

In September 2017 a report was provided to Council outlining a submission which had been made to the Victorian Parliament's Economic, Education, Jobs and Skills Committee's Inquiry into Fuel Prices in Regional Victoria. That submission is attached as **Appendix "10.1C"**.

### **Issues**

On Monday 13 November, 2017 the Chief Executive made a presentation to the committee via a teleconference and in preparing for that presentation, the writer researched a number of other submissions which were also being presented on that day. Unfortunately only two members of the Committee were at the hearing being Nazih Elasmr, Chair of the Committee and Peter Crisp, National Party Member for Mildura.

Notwithstanding the low number of Parliamentary Representatives, there was considerable interest shown in the issues which Horsham faces and questions about Horsham's situation as presented in our submission and also about the wholesale fuel price issues which confront farmers and have been addressed in a separate submission by the VFF which is attached as **Appendix "10.1D"** to this report.

Submissions were also made by parties including "Informed Sources" and from APCO Service Station Pty Ltd an independent retailer in the petroleum sector. Submissions may be found at <https://www.parliament.vic.gov.au/eejsc/article/3148>.

One of the suggestions put to the Committee is that prices are likely to be lower where there is a strong independent operating in the local market. While this is certainly not the case for Horsham, the question was asked as to whether Council has undertaken any activities to encourage a strong independent to establish in Horsham.

This Council has not previously examined this aspect. It is suggested by the writer that while Council may assist with identification of appropriate land and providing a priority pathway through the planning system, that the issue is much more complex than simply Horsham's desire to have an independent fuel outlet.

Councillors will note that our submission in summary included three actions (listed below) and it is suggested that the Victorian Government in a wider look at fuel pricing, consider how it might support the establishment of strong independent suppliers and co-operatives in regional Victoria.

- Encourage the RACV to launch a statewide campaign promoting regional fuel users to seek the lowest price at all times in an attempt to reduce the higher costed operators.
- Encourage the ACCC to facilitate a meeting with Horsham Rural City Council to identify why and how the fuel prices are permanently set in Horsham 24 hours a day, 7 days a week for well over 12 months.
- As a result of the submissions for this inquiry, the State Government be requested to look into a broader review with the leading fuel companies as to how prices are set in regional Victoria and identify a transparent process to advise fuel users on a regular basis as to how the prices are reached.

As a side issue it should be noted that recently there have been issues for smaller communities being Hopetoun, Murtoa and Minyip with changes of ownership of petrol stations requiring new regulations from the EPA which may put those service stations at risk.

It is important to realise that the fuel business is very complex and this Council does not have and would not be able to gain a full understanding of the issues involved and will rely on the other tiers of Government and their agencies such as the ACCC to assist us in providing a solution.

### **Recommendation**

That Council write to the Australian Competition and Consumer Commission to seek a meeting to further discuss issues of high petrol prices in Horsham.

**Moved Cr Grimble, Seconded Cr Koenig that the recommendation be adopted.**

**CARRIED**

### **10.1.4 COUNCIL COMMITTEES OF MANAGEMENT**

PF Brown

File Ref: F019/A15/000001

#### **Purpose**

To endorse the allocation of Councillors to Committees.

#### **Background**

The Council Committees of Management for 2018 have been reviewed by the Mayor. Councillors have indicated that they wish to retain the committees they were allocated in 2017 for a further year. Refer to **Appendix "10.1E"**.

Cr Robinson has again declined to participate in any Council committees in 2018.



The Municipal Association of Victoria and the Victorian Local Governance Association require formal advice following resolution of the Councillors appointed to represent the Horsham Rural City Council on those bodies.

**Recommendation**

1. That Council notes the Council Committees of Management.
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.
3. That Council nominates Cr Pam Clarke as Council's representative to the Victorian Local Governance Association and Cr Josh Koenig the substitute.

**Moved Cr Gulvin, Seconded Cr Power that the recommendation be adopted.**

**CARRIED**

## 10.2 DIRECTOR OF CORPORATE SERVICES

### 10.2.1 COUNCIL FINANCE AND PERFORMANCE COMMITTEE MEETING

G Harrison

File Ref: F14/A04/000001

#### Purpose

To report the outcomes from the October 2017 Finance and Performance Committee meeting.

#### Background

Council's Finance and Performance Committee meets on a monthly basis to review both financial and non-financial information to support good decision making around resource allocation, provide assurance around the financial health of Council and allows Councillors to manage the financial resources that they are responsible for.

The following items are discussed:

- Comparisons of actual to budget for councils delivery of services, capital program and operational initiatives
- Reporting on new contracts, variations and exemptions from procurement
- Investments and borrowings analysis
- Tracking of progress for grant applications
- Horsham Town Hall Performing Arts report of operations
- Review of detailed payment summaries
- Other performance related KPI measures etc that may arise during the year
- Other financial matters from time to time

The minutes from the recent meeting of 13 November 2017, are included in the Assembly of Councillors minutes (**Appendix "8.1A"**).

#### Issues

The October Report was received and discussed with key matters reported that Council's Capital Program was well on track for this time of year compared to budget and prior year's performance and that the Horsham Town Hall Performances are tracking ahead of expectations and operational expenditure is within budget.

The final cash surplus from 2016/17 was also reported which showed a cash surplus result of \$521,489 which is 0.94% of Council's total revenue. For a total revenue budget of \$55.5m this is within expectations. Some reasons for the surplus are:

- Late appointment/replacement of staff
- Increased revenues from some program areas
- Savings in operations across a range of service delivery areas

The final cash result should not be confused with the annual financial surplus of \$8.292m as reported in the annual report. This result is obtained after applying all relevant accounting standards and principles and a reconciliation of these two reported figures has been provided to Council.

The final cash surplus is determined after allowing for expenditure from prior years plus projects not completed which are then carried forward. The total carried forward projects were \$5.0m or 9% of total revenue. These projects were either not fully delivered or not commenced as at 30 June 2017. Some general explanations of the reasons for non-delivery are:

- delays in programming due to scoping delays, tender matters or contractor availability
- flood mitigation works taking a priority
- delays in receiving grant notifications
- unexpected new grant opportunities taking priority

Any cash surplus is a one-off and should not be allocated toward any ongoing expenditure or reduction in revenues as these will not be sustainable. Council has discussed the allocation of the cash surplus funds to projects which will further improve the efficiency of operations or are one-off capital projects.

The following application of the funds is proposed:

1. \$319,000 be set aside in the Major Capital Works Reserve for decision at a later date. Projects identified at this stage for consideration are, Mockinya Fire Dam, support for Motocross International event, future co-contributions for major works such as the Indoor Sports Stadium, depot relocation and aquatic centre upgrades.
2. \$156,000 to fund a Business Analyst role for an 18 month period to review operational processes in order to drive efficiencies across the organisation and assist with implementation and integration of new Information Technology projects. (See **Appendix "10.2A"** for further information).
3. \$27,000 to implement an on-line timesheet module for Council's core management information system. This will allow for future electronic recording of staff time against projects and tasks. This is currently a manual system.
4. \$19,489 to be set aside in the sustainability projects reserve for use to implement projects for future solar panels, LED lighting or other energy efficiency projects across all of Council's facilities.

### **Consultation/Communication**

The detailed reports and information provided has been discussed and reviewed by Council as part of the Finance and Performance Committee function.

## Financial

Council's Final Cash Surplus of \$521,489 from 2016-17 has not been factored in to the 2017/18 budget. Whilst this amount is immaterial in the context of Council's total budget of \$57m, it is good governance process for these allocations to new projects be formally adopted by Council.

## Links To Council Plans, Strategies, Policies

Council Plan Goal 4 – Governance and Business Excellence

## Recommendation

That Council approve the proposed allocations from the 2016-17 Financial Year Final cash Surplus.

**Moved Cr Grimble, Seconded Cr Radford that the report be received.**

**CARRIED**

**Moved Cr Radford, Seconded Cr Koenig that the recommendation be adopted.**

**Moved Cr Grimble that this item "lay on the table".**

**CARRIED**

## 10.2.2 ANNUAL CENTRALISED VALUATIONS

G Harrison

File Ref: F27/A01/000001

### Purpose

To update Council on the new legislation to amend the *Valuation of Land Act 1960* to move to annual centralised valuations.

### Background

Currently the *Valuation of Land Act 1960* requires General Valuations to be completed biannually in every even calendar year. Councils currently have the option to nominate the Valuer-General as the valuation authority, engage an independent contracted Valuer or directly employ their Valuer.

In 2014, Horsham Rural City Council opted to nominate the Valuer-General as our valuation authority for the 2016 General Valuation. The Valuer-General subsequently awarded a sub-contract to local Horsham based Valuer Ben Sawyer from Preston Rowe Patterson. This arrangement is continuing for our 2018 General Valuation which is well underway.

Following the release of the Victorian Budget 2017/18, the State Government has introduced the *State Taxation Acts Amendment Bill 2017* to the Victorian Parliament. The Bill was initially withdrawn for a period of time whilst the Municipal Association of Victoria (MAV) held discussions and negotiations with the State Government on behalf of all councils.

Debate is due to resume in parliament the week commencing 13 November 2017.

The Bill proposes:

1. Valuations will be conducted annually by the Valuer-General
2. The Government will pay the full cost of annual valuations provided to councils by the Valuer-General
3. A council can opt-out of centralised valuations until 2022, and in doing so will continue to contribute 50 per cent of the cost for existing biennial valuations
4. Councils will pay the full cost of supplementary valuations undertaken by the Valuer-General.

### **Issues**

The MAV has worked hard with the State Government and councils to get some amendment to the bill, which has led to items 2, 3 and 4 above. Councils that employ in-house valuers will be impacted more significantly.

Additional to the proposed changes there has been a high level in-principle agreement reached between Local Government and the State Government that states that Local Government will not be financially worse off as a consequence of the movement to annual valuations and the centralisation of the valuation function with the Valuer-General.

It also includes: provisional arrangements for in-house valuers, agreement about the Valuer-General covering the cost of any IT system changes, honouring existing valuer contracts, make provision for in-house costs from any additional workload on rates staff as a result of this change and agreement that the supplementary rates process would remain unchanged.

Horsham Rural City Council is less impacted by this change than some other Councils as Council already uses the Valuer-General for its valuation services.

### **Consultation/Communication**

The State Government and Local Government sectors (through the MAV) have been in consultation on these changes. MAV is continuing to work with the Valuer-General to ensure that there is a commitment that they will continue to utilise the knowledge and expertise of local valuers in rural and regional areas.

The impact for the community and ratepayers is that fluctuations in property values and resultant rate variations are likely to be less severe with annual valuations than valuations every two years.

It may impact negatively on properties where values are increasing rapidly as these increases may be realised one year earlier than under the previous approach. However, it should always be noted that valuations are a “zero sum” game and that a rise in one area will lead to a reduction in another so impacts will always vary for individuals across the whole municipality.

### **Financial**

The changes in the cost sharing arrangements will certainly lead to cost savings for Council of approximately \$25,000. However, there is anticipated to be additional workload on rates staff as a consequence of the annualised approach but the exact impact and the compensation that will be provided is as yet unknown.

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

Council Plan Goal 4 – Governance and Business Excellence

**Provided for information of Council.**

**Moved Cr Grimble, Seconded Cr Radford that the report be received.**

**CARRIED**

### **10.2.3 ELECTRONIC RATE NOTICES – E-NOTICES**

K Bell / T Barents

File Ref: F27/A01/000001

#### **Purpose**

To update Council on our latest campaign to increase the number of electronic notice (e-notice) registrations.

#### **Background**

As part of Council’s direction to use digital technology for enhancement and efficiencies, a decision was made to offer ratepayers the option of electronic rate notices. An advertising campaign commenced with a flyer in the April 2015 fourth instalment notices. Since then we have included a flyer in our annual 2015/16 and 2017/18 annual notices. We have run two email campaigns where we extract the email address of all ratepayers in our database, and those who are not already registered receive an email inviting them to register. We have also held a competition each year for those who register, offering an iPad mini in 2015/16 (donated by our provider), a \$100 Town Hall voucher in 2016/17 and ‘Win \$500 off

your rates' in 2017/18 (this competition was run in conjunction with several neighbouring councils).

Formsexpress is the organisation that currently provides Council's rate notice printing and e-notice services. They offer two options of e-notice, a pdf document emailed to the ratepayer and available any time through their web portal or through BPay as a BPView document.

## Issues

The following table compares last year to this year (as at the beginning of last month):

| Rateables | Formsport<br>3/10/2016 | Formsport<br>2/10/2017 | Bpay View<br>3/10/2016 | Bpay View<br>2/10/2017 | Total<br>2016 | Total<br>2017 |
|-----------|------------------------|------------------------|------------------------|------------------------|---------------|---------------|
| 12,168    | 917                    | 1,773                  | 111                    | 297                    | 1,028         | 2,070         |

| Percentage<br>2016 | Aus Wide<br>Formsexpress<br>Ranking 2016 | Percentage<br>2017 | Aus Wide<br>Formsexpress<br>Ranking 2017 |
|--------------------|--|--------------------|--|
| 8.45%              | 20                                       | 17.01%             | 5  |

Recently Council sent out the second Instalment notice for 2016/17 and 1,019 of 5,191 notices were sent electronically (19.6%).

Current top 20 ranking for e-notices across Formsexpress Australia-wide clients:

|                                 |     | Percentage<br>2016 | Percentage<br>2017 |
|---------------------------------|-----|--------------------|--------------------|
| Ipswich City Council            | QLD | 13.35              | 22.30              |
| Townsville City Council         | QLD | 16.73              | 19.25              |
| Borough of Queenscliffe         | VIC | 14.66              | 17.83              |
| Nillumbik Shire Council         | VIC | 11.26              | 17.17              |
| Horsham Rural City Council      | VIC | 8.45               | 17.01              |
| The Hills Shire Council         | NSW | 13.09              | 16.91              |
| Surf Coast Shire                | VIC | 8.61               | 16.91              |
| Wagga Wagga City Council        | NSW | 14.29              | 16.79              |
| Wyndham City Council            | VIC | 10.66              | 16.75              |
| Griffith City Council           | NSW | 10.33              | 16.60              |
| Blayney Shire Council           | NSW | 6.97               | 16.45              |
| Byron Shire Council (Rates)     | NSW | 10.85              | 15.05              |
| Burnside City Council           | SA  | 1.92               | 14.98              |
| Warrnambool City Council        | VIC | 5.67               | 14.93              |
| Port Macquarie Hastings Council | NSW | 13.85              | 14.64              |

|                                 |     |       |       |
|---------------------------------|-----|-------|-------|
| Marrickville Council            | NSW | 10.97 | 14.44 |
| Moonee Valley City Council      | VIC | 10.35 | 13.97 |
| Mid Coast Council - Great Lakes | NSW | 14.35 | 13.66 |
| Northern Grampians Shire        | VIC | 6.19  | 13.49 |

Note: percentages may include rate notices and animal notices for some Councils.

The following future ideas are being investigated:

- To continue to email all new customers information on how to enrol for electronic rate notices – as a part of processing sales information in the rates department.
- To include a “Pay Now” button as part of the emailed notice to take ratepayers directly to a payment gateway.
- To introduce electronic notices for animal registration renewals. Email campaigns are by far the most successful way of obtaining new registrations and we will continue to run these annually.

### **Financial**

Since 1 August 2017, Council has had 410 notices registered. This equates to savings of \$1,610 in postage for this year alone and will be roughly \$4,920 over three years. Costs have also been increasing above CPI with Formsexpress that have in part offset some of these gains.

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

Goal 4 – Governance and Business Excellence

**Provided for information of Council.**

**RECEIVED**



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

#### **10.3.1 HORSHAM CUP WEEKEND**

A Murphy

File Ref: F06/07/000001

#### **Purpose**

To update Council on the evaluation of the Horsham Cup weekend.

#### **Background**

In 2011, the Public Holidays Act 1993 was amended to restore a regional Council's ability to make alternative local public holiday arrangements in lieu of Melbourne Cup Day.

As Council will be aware, Council resolved to declare Horsham Cup Day on Friday 3 November, 2017 as the official public holiday taking the place of Melbourne Cup Day on 7 November, 2017. Council agreed to this substitution for 3 years being 2017, 2018 and 2019. Council also resolved to work closely with the Horsham and District Racing Club and key business and community stakeholders to review the opportunities of the allocation of the public holiday in 2018.

This change presented an opportunity for business and community groups to work together to package and promote events across the municipality to present a viable tourist product for visitors.

Council's Business and Economic Development Manager facilitated a number of sessions with representatives from:

- Business Horsham
- Horsham Town Hall
- Horsham Agricultural Society
- Wimmera Business Centre
- Horsham and District Racing Club
- Horsham Plaza
- Visitor Information Centre
- Hospitality and Accommodation sector

to develop a package of events, and collectively market the weekend as Destination Horsham.

Council also facilitated a meeting of the schools in the Council area to identify and work through education needs given that schools plan their professional development, student absent days and holidays at least 12 months in advance.

Schools have agreed to take the Horsham Cup Day holiday on the Friday in 2018.

We will also seek feedback from the banking sector, government sector, GWMWater and Wimmera Health Care Group.

### **Issues**

Since the weekend, Council officers have formally requested feedback from the above key stakeholders to present to a meeting on Wednesday 22 November to workshop the benefits and issues. The workshop outcomes will be collated into a report to be presented to Council.

Business Horsham has also requested an opportunity to present to a Council briefing on 11 December, 2017.

### **Consultation/communication**

Council has facilitated meetings with key stakeholders to develop the package of events, and will continue to engage for the purpose of evaluation.

### **Links to Council Plan**

Goal 1 Community and Cultural Development

- 1.3 Contribute to cultural activities that enhance our community
- 1.4 Develop the municipality as a desirable place to live, work and enjoy for people of all ages and abilities

**Provided for information of Council.**

**RECEIVED**

## 10.4 DIRECTOR OF COMMUNITY SERVICES

### 10.4.1 CHILD SAFE STANDARDS

C Kelly

File Ref: F06/A03/000001

#### Purpose

To present to Council the draft Child Safe Policy and a Reporting a Child Safety Concern Procedure and recommend that these are approved.

The development and approval of a Child Safe Policy and a Reporting a Child Safety Concern Procedure are important steps in the phasing in of Child Safe Standards at Horsham Rural City Council as per legislative requirement.

#### Background

In April 2012 the Victorian Government initiated the *Betrayal of Trust Inquiry*. From this, 15 recommendations were made including compulsory minimum standards for creating child safe environments.

In November 2015, the Victorian Parliament passed the *Child Wellbeing and Safety Amendment Act* to introduce Child Safe Standards.

There are seven Child Safe Standards as follows:

1. *Strategies to embed an organisational culture of child safety, including through effective leadership arrangements*
2. *A child safe policy or statement of commitment to child safety*
3. *A code of conduct that establishes clear expectations for appropriate behaviour with children*
4. *Screening, supervision training and other human resources practices exist that reduce the risk of child abuse by new and existing staff*
5. *Process for responding to and reporting suspected child abuse*
6. *Strategies to identify and remove risk of abuse*
7. *Strategies to promote the participation and empowerment of children.*

Council has a moral and ethical responsibility to provide and promote child safe environments. Alongside this Council is bound by legislative responsibilities to meet the requirements of the Child Safe Standards. Council is currently phasing in the Child Safe Standards as per legislation requirements. Council must develop relevant documentation, policies, procedures and practices that are reflective of the child safe standards.

Council has appointed a project officer to develop, plan and co-ordinate the roll out of the child safe standards in the organisation. A Child Safe Committee with relevant internal staff has been developed and two Child Safe Officers have been appointed and approved.

## **Issues**

The following documents have been produced for approval:

- Child Safe Policy (see **Appendix “10.4A”**)
- Reporting a Child Safety Concern Procedure (see **Appendix “10.4B”**)

These documents address Child Safe Strategies 1, 2, and 5 and alongside the Code of Conduct – Adults Behaviour Toward Children applicable to Council staff, form the ‘backbone’ of Council’s management and response to the issue of child safety.

Further to this the documents give a clear message and direction for all staff around the issue of child safety, and help to provide a foundation for a change in organisational culture around this important issue. Training will be provided to all staff, volunteers and Councillors in relation to their child safe responsibilities.

## **Consultation/Communication**

- The Council website has been updated to include a Child Safe standards page, which reflects our work to date including contact information for the two child safety officers. The policies and procedures once adopted will link to this page.
- A ‘statement of commitment’ has been added to the Council Plan (‘guiding principles’ section).
- Press release around the appointment of the child safety officers.
- Ongoing consultation with other local governments, Municipal Association of Victoria (MAV), Local Government Professionals (LGPro), Victoria Police and Child Protection.
- Changes to documentation used as part of the children’s programs run from the Horsham Town Hall and Art Gallery to inform families about child safety.

## **Financial**

Funds have been allocated for a project officer to be a dedicated resource to phase in Child Safe Standards within the organisation.

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

Goal 4: Governance and Business Excellence

Ensure that Council has in place systems and processes to comply with relevant legislation requirements and obligations

## **Recommendation**

That Council approves the Child Safe Policy and the Reporting a Child Safety Concern Procedure.

**Moved Cr Koenig, Seconded Cr Power that the recommendation be adopted.**

**CARRIED**

## 10.5 DIRECTOR OF TECHNICAL SERVICES

### 10.5.1 ROADS TO RECOVERY – STATEMENT OF EXPECTATIONS

John Martin      File Ref:

#### Purpose

To present and discuss correspondence received from the Federal Minister for Infrastructure and Transport, Minister Chester, in relation to a Statement of Expectations for the Roads to Recovery funding.

#### Background

The Federal Government's Roads to Recovery funding program has provided a significant and valuable contribution to help renew and upgrade Council's roads across the municipality for many years. In 2017-18 Council has been provided with \$1.99 million from this program.

As outlined in the Minister's letter of 7 November 2017, attached as **Appendix "10.5A"**, many sources of Government funding have associated conditions or expectations linked to the funding.

In this case, the Minister has asked councils to:

- consider directing more of the Roads to Recovery funding to projects that reduce fatalities and serious injuries,
- provide more regular reports on the status of funded projects, and
- how all levels of government could improve road safety and the outcomes from investments in road infrastructure.

#### Issues

The requests from the Minister as outlined in his Statement of Expectations are quite appropriate, in particular the aim to address road safety.

Factors used by Council to assess priorities for investment in road reconstruction and upgrade include (sections of roads with):

- Curves with poor visibility/narrow road width
- Crests with narrow road width
- Narrow sections of road with higher traffic counts, especially higher truck counts (i.e. priority freight routes)
- Intersections, especially those of irregular configuration
- Sections of roads with narrow shoulders
- School bus routes
- Significant pedestrian or cycling activity
- Obstacles close to the road
- Excessive roughness / surface condition.

Projects which address these factors clearly achieve safety benefits.

An example of this is the nearly completed works on the Telangatuk East – Rocklands Road, which will improve safety on a narrow section of road on a curve in hilly terrain.

### **Discussion**

It is proposed to include a specific criteria related to road safety in Council's prioritisation of road projects in the budget, based on the factors outlined above and potentially additional factors.

### **Consultation**

Priorities for road works will be developed through a consultative process during the budget development process.

### **Financial**

As indicated above, Council has received significant funding from the Federal Government's Roads to Recovery program in recent years. Totals over the past three years have been:

|         |             |
|---------|-------------|
| 2017-18 | \$1,990,890 |
| 2016-17 | \$2,298,217 |
| 2015-16 | \$2,843,980 |

Unfortunately, it has been advised that Council is expected to receive only \$990,000 in 2018-19. This will place a greater burden on rates revenue to renew Council's roads, including to address safety imperatives as sought in the Minister's Statement of Expectations.

**Provided for information of Council.**

**Moved Cr Radford, Seconded Cr Gulvin that the report be received.**

**CARRIED**

**Moved Cr Grimble, Seconded Cr Gulvin 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.**

**CARRIED**

## 10.5.2 WATER SKIING ON THE WIMMERA RIVER

Mandy Kirsopp

File Ref:

### Purpose

To update Council on the status of water skiing on the Wimmera River in the Horsham Weir Pool area.

### Background

A 2016 report to Council presented the results of community consultation regarding the potential for an increased level of water skiing on the Horsham Weir Pool. Council's resolution from that meeting was:

*That Council endorse, in principle, the expansion of water skiing on the Wimmera River, subject to:*

- 1. The development of water sharing arrangements and formal rules for the effective management of this skiing in a manner that is compatible with other uses and users of the river;*
- 2. Presentation of a further report to Council on these arrangements and rules, including the consultation undertaken in relation to establishment of these.*

A subsequent report to Council, presented in April 2017 referred to continued community consultation and the development of documents including draft rules relating to river usage and water exclusion zones, and a river use agreement. The report suggested that further consultation was required before an application could be made to Maritime Safety Victoria, a division of Transport Safety Victoria, for a formal rule change to the use of the river.

### Issues

Water skiing is an exciting addition to activities on the water, but represents only a single use of the waterway.

A variety of factors must be considered to coordinate waterway activity. These include:

- activation of the river for the benefit of diverse and multiple groups within our community,
- management of exclusion periods and zones to ensure safety on the water,
- compliance with Native Title and
- support of activities to increase the health of the river within the Horsham Weir Pool.

Council is the designated Waterway Manager for several lakes within our municipality including the Horsham Weir Pool. Council's responsibility is to coordinate the shared and safe use of the water.

Planning is occurring for a range of projects to 'activate' the river - the waterway and river frontage. This is as a result of draft strategies and plans that include but are not limited to the:

- Wimmera River Corridor Plan,
- CBD Revitalisation strategy,
- Precinct planning occurring at Horsham Recreation Reserve,
- Municipal Bicycle Strategy and
- Completion of the Anzac Centenary Bridge.

Suggestions to increase activity along the banks and on the water include:

- Paddle boats for commercial operation, and
- 'pop up' cafes involving multiple food vans, temporary seating and music, similar to the recent 'Farm to Fork' event held in Roberts Place.

The river waterway and banks are multi-use areas and it is anticipated that increased activity by diverse groups will occur. Council plans and strategies endorse this increased activity.

Water skiing requires temporary 'exclusion zones' where non-registered users of the water are excluded from entering the water. Exclusion from the water needs to be carefully managed to ensure the shared and equitable use of a community facility. Extended periods of exclusion are not compatible with plans to increase activity on the river.

A submission from the Natimuk Lake Water Ski Club (July 2015) suggested eight months of water skiing and exclusive use of a designated area - from Apex Island to the Wimmera River bridge, September until April. This was proposed to involve:

- Two training nights per week from 4 pm until one hour before sunset,
- Weekend competition on Saturday or Sunday from 10 am until one hour before sunset (to be negotiated with other river users).

Maritime Safety Victoria has indicated it will not approve the extended exclusion periods as proposed. The river is a community asset and extended exclusive usage is not compatible with principles of access and the effective management of a community resource. Although precedents for extended exclusion zones exist in other parts of Victoria, these are either historical and reflect earlier understandings of river usage, or reflect different waterway conditions.



The Wotjobaluk Native Title consent determination recognises the existence of limited native title rights and interests along the bed and banks of the Wimmera River. The Wotjobaluk People were recognised as holding the following rights: 'to hunt fish, gather and camp for personal, domestic and non-commercial communal needs'. (Adapted from: Victorian Government Solicitor's Office)

The Native Title Act 1993 requires that before activity on the water or foreshore occurs, the registered native title bodies corporate, Barengi Gadjin Land Council (BGLC) must be notified and given an opportunity to comment.

Environmental health of the river banks, flora and water are carefully managed by Wimmera Catchment Management Authority (CMA) and involve environmental flows and periods of low water level to support regeneration of plant growth and other aspects of river ecology and hydrology. Water management by the CMA is being incorporated into a calendar of events of river activity that will be carefully coordinated to maximise access by a diversity of water users.

### **Consultation**

BGLC as the legal entity representing Traditional Owners has been extensively consulted regarding water usage and activities along the banks of the river. Preliminary discussions have identified the need to establish processes for notifying BGLC of waterway activities, not just of events such as water skiing but also when work occurs at the weir or remediation work occurs along the river frontage.

The Aboriginal Water Officer at the CMA is providing advice regarding heritage flows, significant sites, proposed public art opportunities and river health.

An initial meeting has been held with Natimuk Lake Water Ski Club. Water skiing on the Horsham Weir Pool is encouraged and supported with recent events including a Come and Try weekend, and practice sessions and skiing demonstration for the Kanamaroo weekend. Skiing events, tournaments and displays will be supported, as opposed to allowing a single extended period of exclusive use of the river.

### **Financial**

Activation of the Horsham Weir Pool has the potential to generate tourism and financial benefit for the community. Visitors to the city crossing the Wimmera Bridge can clearly observe activity on the river and may be encouraged to spend time by the water.

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

#### **Council Plan - Goal 1 - Community and Cultural Development**

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

- 1.2.09            Activate the Wimmera River precinct for the community and visitors  
(including lights and greater presentation)

**Next Steps**

The planned next steps in development of water skiing on Horsham Weir Pool are:

- Further liaison with BGLC, CMA and other agencies to ensure the effective management of waterway activities, and
- Development of policy and procedures to guide waterway and foreshore activity within the Horsham Weir Pool.

**Provided for information of Council.**

**Moved Cr Power, Seconded Cr Radford that the report be received.**

**CARRIED**

**11. URGENT BUSINESS**

NIL

The time being 7.22pm the Council meeting closed.

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The Mayor, Cr P Clarke  
Chairperson