

# AGENDA

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

To be held on  
**26 September 2022**

**At 5.30pm**

In the  
**Council Chamber, Civic Centre**  
**18 Roberts Avenue, HORSHAM**



**Horsham Rural City**  
**Council** urban rural balance

**COUNCILLORS are respectfully requested to attend the Council Meeting  
of the Horsham Rural City Council to be held on 26 September 2022  
in the Council Chamber, Civic Centre, Horsham at 5.30pm**

### **Order of Business**

#### **PRESENT**

#### **ALSO IN ATTENDANCE**

#### **1. PRAYER**

Almighty God, we pledge ourselves to work in harmony for, the social, cultural and economic well-being of our Rural City. Help us to be wise in our deliberations and fair in our actions, so that prosperity and happiness shall be the lot of our people. AMEN

#### **2. ACKNOWLEDGEMENT OF COUNTRY STATEMENT**

The Horsham Rural City Council acknowledges the five Traditional Owner groups of this land; the Wotjobaluk, Wergaia, Jupagalk, Jaadwa and Jadawadjali people. We recognise the important and ongoing place that all Indigenous people hold in our community.

We pay our respects to the Elders, both past and present, and commit to working together in the spirit of mutual understanding and respect for the benefit of the broader community and future generations.

#### **3. OPENING AND WELCOME**

Chairman, Cr Robyn Gulline formally welcomed those in attendance to the meeting. The Mayor advised that the meeting will be recorded to maintain a video archive, which will be available on the Horsham Rural City Council website as soon as possible.

#### **4. APOLOGIES**

#### **5. LEAVE OF ABSENCE REQUESTS**

#### **6. CONFIRMATION OF MINUTES**

#### **Recommendation**

That the minutes emanating from the Council Meeting of the Horsham Rural City Council held in the Council Chamber, Civic Centre, Horsham at 5.30pm on 22 August 2022 be adopted.

## AFFIRMATION OF OFFICE

### Recommendation

That Council:

1. Note Cr Bob Redden took the Affirmation of Office on Thursday 8 September 2022 as per Section 30 of the Local Government Act 2020.
2. Note that Cr Bob Redden also signed a declaration that he had read and would abide by the Councillor Code of Conduct in accordance with Section 30 of the Local Government Act 2020.

Refer to **Appendix A** for copy of signed Affirmation of Office and signed declaration.

## 7. CONFLICTS OF INTEREST

### Declarations of Interest

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

### Members of Staff

Under Section 130 of the *Local Government Act 2020*, 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.

**8. PUBLIC QUESTION TIME**

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**CLOSE**


SUNIL BHALLA  
Chief Executive Officer

## **REPORTS FOR COUNCIL DECISION**

### **9. OFFICERS REPORTS**

#### **9.1 DELEGATIONS UPDATE**

<b>Author's Name:</b>	Andrea Coxon	<b>Director:</b>	Kerrie Bell
<b>Author's Title:</b>	Governance Officer	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Governance and Information	<b>File Number:</b>	F19/A12/000001

##### **Officer Conflict of Interest**

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

##### **Status**

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

##### **Appendix**

S6 Instrument of Delegation – Council to other Members of Council staff (**Appendix 9.1A**)

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##### **Purpose**

To approve the updated Instrument of Delegation (S6) from Council to members of Council staff.

##### **Summary**

- The S6 instrument delegates certain powers directly from Council to members of Council staff and has been updated to reflect legislative and organisational changes and requires approval from Council.
- These updates are provided approximately every six months from a subscribed service by Maddocks Lawyers and Council generally updates its delegations following receipt of this information.
- This update includes the Maddocks Lawyers updates and takes into account legislative changes which were assented to, or made, on or after 23 June 2022, and some other miscellaneous changes, which affect council's powers, duties and functions.

##### **Recommendation**

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Horsham Rural City Council (Council) **RESOLVES THAT** –

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *S6 Instrument of Delegation, Council to other Members of Council Staff (Appendix 9.1A)* the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately following this Council Resolution.
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.
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.

## REPORT

### Background

A Council is a statutory entity. It is able to do only those things which it is authorised by statute to do.

The sources of Council authority can be summarised as:

- Power to do things which a “natural person” can do – in particular, the power to enter into contracts
- Powers conferred by provisions of Acts and regulations, such as the Local Government Act 2020 and the Planning and Environment Act 1987
- Powers conferred by other forms of statutory instrument

The formal delegation of legislated powers, duties and functions via instruments of delegation, supported by consistent policies allow Council staff to perform day to day duties and make decisions that may otherwise need to be decided upon by Council.

An instrument of delegation is a written document that specifies what powers are delegations and to what positions within Council. Delegations empower employees with the authority to make binding decisions on behalf of Council.

The delegation powers under the *Local Government Act 2020* apply to powers under any Act, however, some other Acts also include provisions dealing with delegations relating to particular issues. There is a problem of interpretation when those Acts confer the delegation power more restrictively than the *Local Government Act 2020*, for example, a delegation under S 188 of the *Planning and Environment Act* cannot authorise a delegate to acquire land on behalf of the Council in its capacity as responsible authority. The prudent approach is to comply with the more restrictive and specific delegation rules under the specific purpose legislation.

Because it is a common feature of legislation, not all details about delegations are set out in the empowering Act - some general features of delegation are set out in the Interpretation of Legislation Act 1984. In particular:

- The decision, once made, is for all legal purposes, a decision of the Council itself (S 42A of the Interpretation of Legislation Act).
- The "delegate" is in much the same position as the Council itself in terms of making the decision, for example, where the decision requires that opinion be formed, the delegate's opinion can be the basis for the decision (S 42 of the Interpretation of Legislation Act).
- The fact that a delegation has been made does not affect the Council's powers in relation to the issue concerned (S 42A of the Interpretation of Legislation Act). This is subject, of course, to the rule that the delegate's decision (once made) is taken to be the decision of the Council itself. The Council can therefore find itself bound by a decision which it would not itself have made.

For this reason, it is important that the Council have appropriate policies and guidelines in place under which delegation should be exercised.

Some Acts contain specific powers of delegation to persons other than the Chief Executive Officer. In these cases, there is a presumption that a power of delegation cannot be sub-delegated in the absence of express authority to do so, hence, Council must delegate these items direct to individual staff members.

Under the *Building Act 1993*, Municipal Building Surveyors (MBS) may also delegate their powers to other officers. This is therefore not a delegation by Council, but by the MBS to staff, and is signed-off by the MBS.

Council may also delegate powers to Delegated Committees established under Section 63 of the *Local Government Act 2020* or Section 188 of the *Planning and Environment Act 1987*. Each committee must have an Instrument of Delegation that clearly articulates the nature of the delegation, and any conditions or limitations under which the delegation is to be exercised.

In summary, there are six delegation types:

**Delegations of Council:**

1. Council to Chief Executive Officer
2. Council to Staff
3. Council to Delegated Committees

**Delegations by others:**

4. Chief Executive Officer to Staff\*
5. Chief Executive Officer to Community Asset Committees
6. Municipal Building Surveyor to Staff

\*The Chief Executive Officer to Staff delegation also includes a section on Miscellaneous and Administrative powers which are best described as operational in nature and do not arise out of specific legislation.

**Discussion**

Various Acts and Regulations, including the *Local Government Act 2020* allow Council to delegate statutory functions, powers and duties. This report recommends that specific functions, powers and duties be delegated to identified staff positions in accordance with **Appendix 9.1A S6 – Instrument of Delegation by Council to members of Council Staff**.

Council manages its delegations by subscribing to a service from Maddocks Lawyers which provides Council with amendments to existing legislation and updates on new legislation. These updates are received approximately every six months, and as such, updates were received in July 2022, which take into account legislative changes assented to, or made, on or after 23 June 2022. Details of changes made in this update are provided below.

**Changes made in this update**

This update amends Council's S6, S7, S13, S11 and S12 Instruments. Some of the changes to each Instrument are outlined below.

**1. Changes to the S6 Instrument of Delegation, Council to other Members of Council staff (S6)**

**1.1.** There have been a number of minor changes to the *Cemeteries and Crematoria Act 2003*.

These include:

- 1.1.1. Section 74 of the Act has been amended to insert subsection (3) and remove reference to provision commencing on 1 March 2022.
- 1.1.2. Sections 83(2) and 110(1A) of the Act have been amended to remove reference to the provision commencing on 1 March 2022.

1.1.3. Section 84I(4) of the Act has been inserted by virtue of the Cemeteries and Crematoria Amendment Act 2021, which relates to the power to exercise the rights of a holder of a right of internment.

**1.2.** As an example, the following changes have been made to the *Planning and Environment Act 1987*:

1.2.1. Section 4I of the Act has been amended to refer to the duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with the public available requirements.

1.2.2. Amendment of a typographical error at s 14 of the Act.

1.2.3. Sections 18, 21(2), 26(2) and 46V(3) of the Act have been amended to include a note as to the period the documents must be made available in accordance with the public availability requirements.

1.2.4. Section 22(1) of the Act has been amended to clarify which submissions must be considered.

1.2.5. Section 22(2) of the Act has been inserted in two parts, which relate to the power to consider late submissions and the separate duty to consider late submissions.

1.2.7. Section 96J of the Act has been amended to refer to the duty rather than as a power.

1.2.8. Section 185B of the Act has been inserted, which relates to the duty to comply with a request from the Minister for information.

## **2. Changes to the S7 Instrument of Delegation, CEO to Members of Council staff (S7)**

**2.1.** There have been a number of changes to the *Domestic Animals Act 1994* by virtue of the *Domestic Animals Amendment (Reuniting Pets and Other Matters) Act 2022*. These include:

2.1.1. Section 55 of the Act has been amended to remove reference to s 54E.

2.1.2. Section 58AL of the Act has been amended to insert the function of receiving notice of the Minister's grant to refuse to grant or renew a commercial dog breeder approval.

2.1.3. Section 84DD(2) of the Act has been inserted, which relates to the function of receiving report. This provision is not yet in operation and will commence on 1 October 2022.

2.1.4. Section 84Y of the Act has been amended to refer to the power to enter into a written agreement to also 'receive' dogs or cats. This provision is not yet in operation and will commence on 1 October 2022.

**2.2.** Regulation 161 of the *Environment Protection Regulations 2021*, which relates to the function of receiving notification relating to an on-site waste water management system, is now in force.

**2.3.** There have been a number of changes made to the *Fines Reforms Act 2014* by virtue of the *Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022*. These include:

2.3.1. Section 10D(3) of the Act has been removed.

2.3.2. Section 10F(4) of the Act has been amended to remove reference to the Secretary and replaced with the Director.

2.3.3. Section 10W(4) of the Act has been amended.

2.3.4. Section 54(5) of the Act has been amended.

**2.4.** Section 22 of the *Infringements Act 2006* has also been amended by virtue of the *Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022* to insert a note an internal review conducted under division 3 of Part 2 of the Infringements Act 2006 must be conducted by a person employed by Council and who did not issue the infringement notice.

**2.5.** Sections 58 of the *Food Act 1984* has been amended to replace the reference to the Victorian Commission for Gambling and Liquor Regulation with the Victorian Liquor Commission in light of the *Casino and Liquor Legislation Amendment Act 2022*.

**2.6.** Schedule 2 clause 18(3) of the *Liquor Control Reform Act 1998* has been repealed and removed by virtue of the *Liquor Control Reform Amendment Act 2021*.

**2.7.** Section 67A of the *Public Health and Wellbeing Act 2008* has been inserted, which relates to the function of receiving an application for registration of lower risk prescribed accommodation. This amendment has been made by virtue of the *Public Health and Wellbeing Amendment Act 2022* and will commence on 15 February 2023. A note to this effect has been inserted.

**2.8.** Sections 311A(2) and 311ZDA(2) of the *Residential Tenancies Act 1997* have been repealed and removed by virtue of a number of legislative amendments, namely s 240 of the *Residential Tenancies Amendment Act 2018*.

**2.9.** Sections 9 and 14 of the *Service Victoria Act 2018* have been repealed by *Service Victoria Amendment Act 2022* and so removed from the instrument.

**2.10.** Sections 47E and 54A(2) of the *Service Victoria Act 2018* have been inserted by virtue of the *Service Victoria Amendment Act 2022*.

**2.11.** The *Dangerous Goods (Explosive) Regulations 2021* has been revoked and replaced with the *Dangerous Goods (Explosive) Regulations 2022*.

**2.12.** Regulation 3 of the *Road Safety (Traffic Management) Regulation 2019* has been replaced with r 5. This relates to a person authorised by Council as a school crossing supervisor.

**2.13.** Section B of the Miscellaneous and Administrative Powers section has been amended to insert reference to the power to determine fees relating to swimming pool or spa barriers under the *Building Act 1993 and Building Regulations 2018*.

### **3. Changes to the S13 Instrument of Delegation by CEO of CEO Powers (S13)**

The S13 contains powers conferred on the CEO that may be delegated to other Council staff. Additional powers have been conferred on the CEO under the *Service Victoria Act 2018* by virtue of the *Service Victoria Amendment Act 2022* (see ss 9A(1), 14A(1), 24A(2)(a), 47A and 47G), and so these could be subdelegated by the CEO.

### **4. Changes to the S11 Instrument of Appointment and Authorisation (S11)**

The following changes have been made to the S11:

**4.1.** Footnote 13 has been amended to remove reference to s 81Y of the Local Government Act 1989. This section has been repealed.

**4.2.** Footnote 3 has been amended to add that, before appointing a person as an inspector under s 36 of the Tobacco Act 1987, the Secretary must be satisfied that the person has the necessary skills, training and expertise to exercise the powers of an inspector (see new section 36AA).

## **5. Changes to the S12 Instrument of Delegation and Authorisation by the Municipal Building Surveyor (S12)**

**5.1.** A typographical error has been fixed in paragraph 5.3 of the preamble (i.e. to insert the missing word 'to').

**5.2.** Section 23 of the *Building Act 1993* has been amended to correct the reference to r 281 of the *Building Regulations 2018*.

**5.3.** Sections 25AB, 25AC and 25AD of the Building Act 1993 have been inserted. These relate to changes to the engagement of a building practitioner, an endorsed building engineer or an architect.

## **6. New Municipal Fire Prevention Officer Package - S19A Instruments of Delegation from the Municipal Fire Prevention Officer to the Assistant Fire Prevention Officer**

**6.1.** Under s 96A(2) of the *Country Fire Authority Act 1958*, the municipal fire prevention officer has power to delegate to an assistant fire prevention officer any power or duty of the fire prevention officer under this Act or the regulations (except the power of delegation). For this purpose, we have introduced the new S19A Instrument of Delegation from the Municipal Fire Prevention Officer to the Assistant Fire Prevention Officer under s 96A(2) of the *Country Fire Authority Act 1958*.

### **Options to Consider**

Not applicable

### **Sustainability Implications**

Not applicable

### **Community Engagement**

The attached delegations have been updated using the Maddocks Lawyers delegation service and consultation with relevant Council Officers.

### **Innovation and Continuous Improvement**

Delegations and Authorisations facilitated education and promotion to staff through new initiatives, Governance Onboarding (new staff) and Governance Matters Drop in Session (all staff).

### **Collaboration**

Not applicable

### **Financial Implications**

The financial impact of the review of delegations is limited to staff time, the cost of the Maddocks Lawyers delegation service which includes access to all materials relating to delegations and authorisations and bi-annual updates and Council's subscription to the RelianSys® Delegations+ system, which has been included in the 2021 – 22 and 2022-23 budgets.

### **Regional, State and National Plans and Policies**

Not applicable

**Council Plans, Strategies and Policies**

2021-2025 Council Plan

Theme 1 – Community

Theme 5 – Leadership

**Risk Implications**

It is essential that the instruments of delegation are kept up to date to ensure that the members of staff are properly empowered to undertake their roles.

The updates of the S6 Instrument of Delegation by Council to members of Council Staff ensures ongoing legislative compliance for Horsham Rural City Council.

**Conclusion**

This update takes into account legislative changes which were assented to, or made, on or after 23 June 2022.

## 9.2 APPROVAL OF CHIEF EXECUTIVE OFFICER'S ANNUAL LEAVE AND APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER/S

<b>Author's Name:</b>	Diana McDonald	<b>Director:</b>	Kerrie Bell
<b>Author's Title:</b>	Co-ordinator Governance	<b>Directorate:</b>	(Acting) Director Corporate Services
<b>Department:</b>	Governance and Information	<b>File Number:</b>	F14/A05/000003

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

### Appendix

Nil

### Purpose

To approve Chief Executive Officer (CEO) Sunil Bhalla's request for annual leave and to approve Acting CEO arrangements.

### Summary

S11(3) of the *Local Government Act 2020* allows a Council to delegate to the CEO the power to appoint an Acting CEO for a period not exceeding 28 days.

Council's Chief Executive Officer, Sunil Bhalla has requested annual leave from 8 October 2022 through until 11 December 2022, as this period of leave extends further than 28 days a resolution of Council is required for the period of leave and Acting CEO arrangements.

The noted leave also includes weekends, as there may be a requirement for CEO duties to extend beyond the working week.

### Recommendation

That Council:

1. Approve CEO Sunil Bhalla's leave request from 8 October 2022 to 10 December 2022.
2. Appoint Mr Kevin O'Brien, Director Communities & Place as Acting CEO from 8 October 2022 to 6 November 2022 (inclusive).
3. Appoint Mr John Martin, Director Infrastructure as Acting CEO from 7 November 2022 to 11 December 2022 (inclusive).

## REPORT

### Background

In accordance with the *Local Government Act 2020*, s.44 and s.45 and Council's CEO Employment and Remuneration Policy s. 4.12.1:

*Council must not delegate the power to appoint the CEO, whether on a permanent or acting basis, however it may delegate to the CEO the power to appoint an Acting CEO for a period not exceeding 28 days s.11(3) of the LGAct 2020.*

### Discussion

Council's CEO, Sunil Bhalla has requested a period of annual leave, which exceeds the 28 days, and therefore there is a requirement for Council to approve, both the CEO's leave and the two Acting CEO appointments. Weekends have been included in these dates.

It is proposed to appoint Mr Kevin O'Brien, Director Communities & Place as Acting CEO from 8 October 2022 to 6 November 2022 (inclusive), and appoint Mr John Martin, Director Infrastructure as Acting CEO from 7 November 2022 to 11 December 2022 (inclusive).

### Options to Consider

Not applicable

### Sustainability Implications

Not applicable

### Community Engagement

Not applicable

### Innovation and Continuous Improvement

Not applicable

### Collaboration

Not applicable

### Financial Implications

Leave coverage, including any CEO leave is covered in the 2022-2023 operating budget.

### Regional, State and National Plans and Policies

*Local Government Act 2020.*

### Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 5 – Leadership

### Risk Implications

Considerable risk for Council if no Acting CEO is appointed.

### Conclusion

Council to approve leave for CEO Sunil Bhalla and Acting CEO arrangements.

### 9.3 ANNUAL FINANCIAL ACCOUNTS 2021-2022

<b>Author's Name:</b>	Heather Proctor	<b>Director:</b>	Kerrie Bell (Acting)
<b>Author's Title:</b>	Manager Finance	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Corporate Services	<b>File Number:</b>	F18/A10/000001

#### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

#### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

#### Appendix

Draft Financial Accounts 2021-2022 (**Appendix 9.3A**)

Draft Performance Statement 2021-2022 (**Appendix 9.3B**)

#### Purpose

To provide in-principle approval for the final audited Financial and Performance Statements for 2021-2022.

#### Summary

- The Annual Financial accounts for 2021-2022 are provided to Council.
- The Annual Performance Statement for 2021-2022 is provided to Council.
- The Annual Financial accounts have been reviewed by Council's Audit and Risk Committee on 21 September 2022.

#### Recommendation

That Council:

1. Give in principle approval to the Financial and Performance Statements for 2021-2022 and authorise their submission to the Victorian Auditor-General's office (VAGO).
2. Authorise the Mayor Cr Robyn Gulline and Cr Penny Flynn to certify the statements in their final form after any changes recommended or agreed to by VAGO or their subcontractors Crowe, have been made, pursuant to section 99 of the *Local Government Act 2020*.

## REPORT

### Background

The annual financial statements for 2021-2022 financial year were prepared and presented to Council's external auditor, Crowe via email on 25 August 2022.

The draft Financial Accounts (**Appendix 9.3A**) and Performance Statement (**Appendix 9.3B**) have been forwarded to the Victorian Auditor-General's Office for final review, and minor changes to notes and presentation of the accounts, may be required/requested.

It is recommended that Council give its approval in principle to the statements in accord with the *Local Government Act 2020*. The statements will form part of Council's annual report which is required, under legislation, to be presented at an open Council meeting within 4 months of the end of the financial year. No changes other than those which might be recommended or agreed by the Victorian Auditor-General's Office are anticipated.

### Discussion

The internal audit committee has reviewed the draft statements, at its meeting on Wednesday 21 September 2022 where Ms Melissa Saunders, from Crowe discussed the statements and the outcomes from the audit.

The Audit Committee at its meeting of the 21 September 2022, recommended that Council adopt, in principle the Financial and Performance Statements for 2021-2022.

### Options to Consider

Nil

### Sustainability Implications

Not applicable

### Community Engagement

Not applicable

### Innovation and Continuous Improvement

Not applicable

### Collaboration

Not applicable

### Financial Implications

The cost of carrying out the audit is included in the 2021-2022 budget.

### Regional, State and National Plans and Policies

Not applicable

### Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 5 Leadership

Preparation of the annual financial statements and performance statement are a statutory requirement.

**Risk Implications**

There is a requirement for Council to adopt its annual accounts in accordance with the requirements of the *Local Government Act 2020*, and to not do so may result in loss of reputation and concern about council's financial management capabilities.

**Conclusion**

Financial Accounts and Performance Statement for 2021-2022 have been completed in accordance with relevant legislation and with reference to relevant accounting standards and are now presented for in-principle approval of Council.

## 9.4 CONSTRUCTION PLANS: NETBALL AND SPORTS AND COMMUNITY PAVILIONS-STAGE 2 CITY TO RIVER MASTER PLAN

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<b>Author's Title:</b>	Senior Project Manager - Strategic Planning	<b>Directorate:</b>	Communities & Place
<b>Department:</b>	Planning	<b>File Number:</b>	F15/A07/000017

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

### Appendix

Netball Pavilion (**Appendix 9.4A**)

Community Sports Pavilion (**Appendix 9.4B**)

Approved Concept Plan City Oval and Sawyer Park - Stage 2 (**Appendix 9.4C**)

### Purpose

To approve the development of construction plans to complete the Netball and Community Sports Pavilions which are part of Stage 2 of the City to River Master Plan.

### Summary

Council needs to advance its planning to the detailed design stage for two new pavilions to be constructed at City Oval. Completion of construction plans and landscaping will enable Council to go to tender immediately once funding is secured to deliver on these projects.

### Recommendation

That Council fund Construction Plans and Landscaping design with an estimated cost of \$442,000.00 for the Netball and Community Pavilions by drawing funds available in the Major Capital Works Reserve.

## REPORT

### Background

The City Oval and Sawyer Park Project is the second stage of the City to River Masterplan, a long term 20 year plan which aims to enhance and activate the Wimmera River Precinct and its' link to the Central Activity District of Horsham. The City to River project has been divided into sub-precincts to allow projects to proceed in a staged and prioritized manner.

The second stage Sawyer Park/City Oval concept plan was endorsed by Council in November 2021. Funding applications have been submitted for multiple stages of the project. To date we have received funding for the Events Stage project and are awaiting two other applications announcements.

### Discussion

The Concept Designs were further developed for both the Netball Pavilion and the Community Pavilion as part of the funding applications submitted early in 2022 (refer to **Appendix 9.4A and Appendix 9.4B**).

The City Oval Sawyer Park Concept Plan (**refer to Appendix 9.4C**), indicates the proposed Stage 2 works based on feedback gathered from the Public Engagement process.

The City Oval Sawyer Park Concept Plan includes the site for a new outdoor stage located on Hocking Street, second netball court and compliant netball facility and change rooms, AFL sub-regional standard change rooms and community facility, compliant accessible grandstand, landscaping, playground and terrace seating. DELWP, Wimmera CMA, Sport and Recreation Victoria, State bodies from AFL, Vic Netball, Vic Cricket and Council's planning department have been involved in discussions regarding these facilities.

### Upgrades to sporting and other facilities

Throughout the City Oval precinct, multiple measures are proposed to make the precinct more accessible and to facilitate increased participation in sports across a range of codes. Facilities including:

Change rooms and toilets, community meeting and gathering facilities, social spaces, kitchen / canteen, storage and plant rooms, umpires rooms and First Aid will be accommodated in accordance with Sporting Association Facility Standards and guidelines for local and regional sporting events. (AFL / Netball Association Guidelines and Accessibility Standards).

### Community Engagement

A full Community Engagement Report was present to council in November 2021 along with the Concept Plan. Engagement has continued with clubs and the AFL Wimmera which will be relocated to the former Visitor Information Centre site. Discussions on timing of the football and netball scheduling for 2023 and 2024 seasons are continuing and are based on funding timing and announcement.

Discussions are continuing to progress with the proposed relocation on the Horsham Brass Band and Pipe Band to Jubilee Hall. Grant funding has been received to support refurbishment of Jubilee Hall for use by the two bands

### Innovation and Continuous Improvement

The Project Design Team has worked to ensure that the plans of the Netball and Community Pavilion Facilities will satisfy Sports and Recreation, Netball Victoria Cricket and AFL aspirations and guidelines for universally accessible recreation facilities.

Key design inclusions to support universal access include:

- Design of pathways and circulation, grading to suit step free access
- Provision of adjacent parking, including PWD spaces
- Where steps are included, adjacent graded walkways are provided
- Accessible amenities
- Alternative seating for all abilities.

Key Environmentally Sustainable Design (ESD) inclusions in the project include:

- Maximise the use of the existing landscape – existing trees and open spaces. The layout provides for as many as possible existing trees to be retained
- Use of existing carpark and trails to minimise need for additional resources
- Integrate predominantly native planting to reduce water use and maintenance
- Run-off from the carpark and hard paved areas will be directed to ‘rain gardens’ and soft landscape to provide passive irrigation of planting
- Use of energy efficient lighting.

To support additional ESD initiatives above the minimum standard required in a Part J Building Permit application. Council is committed to ensuring our building are sustainable and affordable for our clubs.

### **Collaboration**

The process of developing up the Concept Plan, costs and prioritization for Council to consider has been a collaborative approach between Council staff, Vic Sport representatives and funding bodies, the CRG, the Contracted Landscape Architect (Tract), stakeholders and the community.

It is recognised that any one plan will not satisfy all needs and interests of the whole community, however if the majority are served well and are generally satisfied and the feedback provided improves the process, approach and plan, the request to progress to full construction plans is now sort.

### **Financial Implications**

The proposed construction drawings for the two pavilions and the landscaping design cost is \$442,000 (Ex GST). There is currently \$1.156m in the Major Capital Project Reserve. It is recommended that Council draw on this reserve to complete the details design works as proposed.

### **Regional, State and National Plans and Policies**

Discussions with State Sporting Associations Cricket Vic, AFL Football and Netball Vic regarding standards and specifications for new infrastructure according to these sports.

Additionally and importantly the sporting infrastructure standards for key sports already in the precinct (AFL Football, Netball and Cricket) required detailed discussions to ensure compliance to new facility standards.

These discussions were held by the Project Manager and shared with the Project Consultant and where relevant the Community Reference Group. Six formal meetings were held, with additional and numerous follow up phone calls with SRV.

## Council Plans, Strategies and Policies

### 2021-2025 Council Plan

#### Theme 1 Community

##### *Strategies*

- 1. An inclusive, accessible, connected and safe community*
- 2. A community that encourages and celebrates all cultures, heritage and diversity*
- 3. A community that is empowered in shaping the future of our region*
- 4. A region that acknowledges and engages with First Nations people on place, connection and truth*

#### Theme 2 Liveability

##### *Strategies*

- 1. A resilient, inclusive and socially connected community*
- 2. A destination to live, work, explore and invest*
- 3. A region with a defined identity*
- 4. Diverse and connected open spaces*
- 5. Quality opportunities and facilities that meet the health and wellbeing needs and interests of all ages, abilities and backgrounds*

The City to River Riverfront Precinct project links to the following Council Plans and Strategies:

- 2019 City to River Master Plan
- Health and Wellbeing Plan 2017–2021
- Horsham Municipal Strategic Statement
- Horsham Municipal Bicycle and Shared Path Plan 2012–2016

## Risk Implications

The development of Construction Plans needs to be approved by Council so as to proceed with funding opportunities (Federal and State). Funding programs have very strict timelines for delivery, and expect that projects are “shovel ready” to commence construction within 3-6 months of signing a funding agreement. The lack of detailed design and construction drawings could put funding opportunities in jeopardy.

Damage to Council’s reputation by not recognising the extensive process undertaken to develop the concept plans, the costs involved and the work of the Community Reference Group previously completed.

## Conclusion

Council needs to advance its planning to the detailed design stage for two new pavilions to be constructed at City Oval. Completion of construction plans will enable Council to go to tender immediately once funding is secured to deliver on these projects.

## 9.5 GREEN LAKE WATERWAY RULES

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<b>Department:</b>	Arts, Culture and Recreation	<b>File Number:</b>	F01/A07/000001

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

### Appendix

Proposed Green Lake Waterway Rules August 2022 (**Appendix 9.5A**)

Map of updated Green Lake proposed new rules (**Appendix 9.5B**)

Schedule 78 Green Lake (near Horsham) (Existing Green Lake Waterway Rules) (**Appendix 9.5C**)

Engagement Interim Report: Green Lake waterway rules review (**Appendix 9.5D**)

RMCG-GWM Engagement August 2022 (**Appendix 9.5E**)

### Purpose

To receive and note an update on the Waterway Rules Review at Green Lake.

### Summary

- Green Lake is highly valued by a range of recreational users for sailing, swimming, rowing, water-skiing, jet skiing, canoeing, fishing and (seasonal) duck hunting,
- Transport Safety Victoria has identified the existing Waterway Rules for Green Lake need updating
- The draft updated Waterway rules reflect current use of the lake and are based on contemporary expectations re: safety outcomes for on-water activities at Green Lake,

### Recommendation

That Council:

1. Receive and note the Draft Waterway Rules for Green Lake as per **Appendix 9.5A & Appendix 9.5B**.
2. Place the Draft Waterway Rules for Green Lake on public exhibition for a period of four (4) weeks and invite community feedback.

## REPORT

### Background

Green Lake is located along the Wimmera Highway approximately 10km south-east of Horsham.

Green Lake is highly valued by a range of recreational users for sailing, swimming, rowing, water skiing, jet skiing, canoeing, fishing and (seasonal) duck hunting. Horsham Yacht Club (now known as Horsham Water Sports) is located at Green Lake. Natimuk Water Ski Club also uses Green Lake and is a member of Horsham Water Sports. A wayside rest area for motorists is located along the highway, with public toilets and a sheltered BBQ available.

The current waterway rules on Green Lake (**refer to Appendix 9.5C**), divide the water into four areas: swimming, manually operated small crafts, manually operated larger crafts and motorised vessels. A community swimming area is located along the northern side of the lake, and is separated from boating areas by poles located around the perimeter of the designated swimming zone. There is an area set aside for the use of manually operated paddle boats, rowing boats and surfboards and other manually operated vessels, as well as an area set aside for the use of sailing vessels or manually operated fishing vessels. The remainder of the lake is open to motorised boating.

Transport Safety Victoria carried out an audit of waterway rules and associated signage at Green Lake. The audit builds on previous audits completed and identified a number of issues with the current waterway rules.

These issues included but were not limited to: non-compliant signage, direction of travel in contradiction of the state rules and ski access lanes overlapping the boat ramp.

The audit noted that improvements should be made to the accuracy of language in the waterway rules, replacing reference to flags with piles and/or buoys and upgrading beacons with on-shore signage and on-water beacons.

### Discussion

Transport Safety Victoria has identified concerns regarding compliance and safety with the current Green Lake Waterway Rules. The current rules require changes to ensure they reflect contemporary standards and provide a safe waterway for all users.

#### Process for Change to Waterway Rules

As the Waterway Manager for Green Lake, HRCC can make a request to Maritime Safety Victoria (MSV) for changes to waterway rules to ensure the safe operation of vessels, that public safety is maintained and that there is minimal risk of environmental damage.

The requirements to update rules are clearly set out under MSV guidelines and must comply with the Marine Safety Act 2010. This includes:

1. Preparation of initial documentation (Form WM1 – Notice of Intention to Request a Waterway Rule). The documentation has been submitted to MSV.
2. If the rule is 'material' in nature (that is, more than simply a correction of minor errors), a public consultation phase of at least four weeks is required, including publishing a Public Notice of the proposal in a newspaper and making details available to the public. Following approval from Council, this stage of the process will occur.
3. Following the public engagement period of 4 weeks, Form WM2 (Request to make a waterway rule) can be to Marine Safety Victoria.

### Options to Consider

1. Continue with the current waterway rules
2. Change current waterway rules need to change as a result of feedback from MSV.

### Sustainability Implications

Once endorsed by MSV the updated waterway rules will supersede the existing rules. There is no sunset clause (expiry date) on waterway rules. Any subsequent reviews of the Green Lake waterway rules will occur if there is a legislative change or on advice from MSV.

Following endorsement of the revised waterway rules, new signage and piles and/or buoys will be required and funded through a supplementary funding program. These assets will be added to HRCC's Asset Register and maintained and replaced as per the schedule.

### Community Engagement

A four week public engagement is required prior to Form WM2 (Request to make a waterway rule) being submitted to Marine Safety Victoria.

An Engagement Report (refer to **Appendix 9.5D**), provides details of engagement that has occurred throughout the project in the development of the draft Waterway Rules. Detailed discussion notes pertaining to engagement between RMCG and GWMWater relating to Green Lake water levels are included in **Appendix 9.5E**.

### Innovation and Continuous Improvement

A review of the Green Lake Waterway Rules was required because of safety concerns raised by Transport Safety Victoria via audits.

The draft, revised Waterway Rules reflect current best practice and have been developed to reflect the activity of user groups currently on Green Lake with provision for future groups and activities.

### Collaboration

Stakeholder identification and an engagement plan was developed at the first meeting of the project.

The engagement plan was designed to ensure key stakeholders (both internal and external groups with an interest in the project) were appropriately engaged throughout the project. The IAP2 spectrum of engagement was used to identify the level of influence each stakeholder would have in the Waterway Rules review process. Details are provided in the Engagement Report.

Meetings have occurred via phone, face to face and/or online. A Community drop-in session was held at the Civic Centre and provided stakeholders and the broader community with the opportunity to provide feedback and insight into the rules as they were being developed.

### Financial Implications

This project was fully funded by the Better Boating Victoria Fund 2021-2022 through the Victorian Fisheries Authority. Funding enabled engagement of Water safety consultants and both phases of the public engagement.

Additional funding will be sought through the Victoria Fisheries Authority to fund the updating of signage and buoys at Green Lake.

## **Regional, State and National Plans and Policies**

### Active Victoria 2022-2026

#### Strategic Framework:

- Establishing thriving places and communities that are safe, fair and inclusive

### 2021-2025 Council Plan

#### Theme 1 Community

##### Initiatives and Priorities

- Communicate and engage effectively with our community to understand their needs and advocate on their behalf
- Enhance the inclusivity, accessibility and safety of our places and spaces
- Promote and support the municipality's key tourism, events and local and cultural offerings

#### Theme 2 Liveability

##### Initiatives and Priorities

- Encourage participation, diversity and growth in sports, events, arts and culture
- Develop range of recreational opportunities with a focus on our natural environment and recreational waterways
- Promote recreational opportunities in our natural environment and recreational waterways to increase visitation

#### Theme 3 Sustainability

##### Initiatives and Priorities

- Promote recreational and social environments for people to enjoy (open spaces, waterways etc)

#### Theme 4 Accessibility

##### Strategies

2. Diverse services, programs and facilities that are accessible to all

##### Initiatives and Priorities

- Planning for places and spaces to provide connectedness and social inclusion

### HRCC Open Space Strategy 2019

4.1.2 Engage and partner with user groups on Council managed and crown land to enhance community accessibility and multi-use of facilities.

4.1.7 Assist stakeholders and land managers in educating the community about the importance of wetlands and water bodies.

## **Risk Implications**

There are inherent risks when undertaking on-water activity. Through updating the Green Lake Waterway Rules we are reducing the risks associated with on-water activity and providing safe spaces on and around the Lake for a range of users and activities. The revised Waterway rules also provide safer access areas to water and land.

Audits undertaken by Transport Safety Victoria identified safety concerns that need to be addressed and the revised Waterway Rules reflect the required changes identified through the audits.

**Conclusion**

A requirement to review the Waterway Rules at Green Lake has been identified by Transport Safety Victoria and is being completed. The Better Boating Victoria Fund 2021-2022 provided a funding opportunity to engage an appropriate consultant to lead a formal review of the Waterway Rules.

The project has included significant consultation with key stakeholders including the located user groups (Horsham Water Sports, and Natimuk Ski Club), adjacent landholders, Maritime Safety Victoria and GWMWater, as well as broader public engagement.

The draft Green Lake Waterway Rules is the result of the extensive engagement and is based on current best practice of safety on-water. The updated Waterway Rules will help provide a safe water facility for a range of recreational users.

## 9.6 FAMILY VIOLENCE SUPPORT AND RECOGNITION PROJECT REPORT

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<b>Department:</b>	Youth & Early Years	<b>File Number:</b>	F19/A10/000001

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

## Appendix

Family Violence Support and Recognition Project Report (**Appendix 9.6A**)

### Purpose

To endorse the report on recent investigation into the idea of a tranquillity garden to support family violence (FV) victims and victim survivors.

### Summary

- An external agency were engage to investigate the possible development of a tranquillity garden as a response to FV
- Consultation with FV victims and survivors as well as those working in the sector was undertaken
- The idea of a tranquillity garden was not supported
- Alternative support and acknowledgement ideas have been suggested and collected.

### Recommendation

That Council endorse the Family Violence Support and Recognition Project Report as per **Appendix 9.6A**.

## REPORT

### Background

In 2021 Cr. Haenel raised the request for Council to establish a Women's Tranquillity Garden. The garden would create a permanent space for victims and survivors of family violence (FV). In April 2022 consultancy group TAG Health were engaged by Council to:

1. Establish if there is adequate evidence, data and need for a Women's Tranquillity Garden
2. Establish if there is desirability by FV victim survivors for a public space or alternative recommendation as recognition
3. Ensure that FV victim survivors were consulted and engaged in the development of an appropriate response
4. Ensure the principles of best practice, sustainability and community consultation were applied.

### Discussion

TAG Health conducted qualitative research with both survivors of FV and with local experts working in the sector. Themes of the data in response to the idea of a tranquillity garden are as follows:

1. Not a priority
2. A garden would serve as a reminder of the violence and was not wanted
3. Reflection is/was conducted privately not in public
4. The need for additional services is more important than a reflection space/area
5. Doubt the garden would be use by and for the intended purpose
6. If there was a garden it should be at the new Orange Door service

Further to this, all FV victim survivors expressed a desire for Council to:

- Acknowledge the issue of FV
- Acknowledge the need to take action
- Acknowledge the need to bring the issue out in the open
- Acknowledge the survivors and victims
- Use acknowledgement as the catalyst to 'move on'.

### Options to Consider

Council should consider alternative ways to acknowledge and support FV victims and survivors as suggested by FV survivors during consultation. These are:

1. **Sector training**- Council should support its staff, local businesses and community members to access free online learning programs
2. **Support Group**- Council should advocate for the development of a support group for survivors of FV. Advocacy could include advertising within Council services or providing a safe space for a group to meet. Relevant Council services should also foster a relationship with the new Orange Door service to ensure timely and appropriate referrals and also assistance for FV victims when navigating the system
3. **Physical Council Acknowledgement** – Victim survivors were interested in Council commissioning a piece of art as acknowledgment for victims and survivors. This may be placed in a public space or a Council building.

### **Sustainability Implications**

Nil

### **Community Engagement**

During the qualitative data collection period 8 victim survivors participated in 45 minuted individual interviews. 6 local sector experts were also interviewed for a 45 minute period each. Initially further focus groups were planned for, but with only a sole FV survivor feeling comfortable to participate in this, the idea was abandoned.

### **Innovation and Continuous Improvement**

The in depth consultation and qualitative reporting now provide Council with a clear and concise direction to move in that aligns with the desires of those who are FV victims and or survivors.

### **Collaboration**

Not applicable

### **Financial Implications**

\$10,000 was allocated in the 2021-2022 budget for the Family Violence Support & Recognition Project.

The commissioning of an Acknowledgement art piece will have budgetary implications. This would be a one off cost.

### **Regional, State and National Plans and Policies**

Not applicable

### **Council Plans, Strategies and Policies**

Council is a key signatory and participant of the CORE (Communities of Respect and Equality) alliance and hence is committed to supporting and recognising the victims of FV and FV survivors.

- HRCC Act @ Work Action Plan
- CORE Gender Lens Checklist
- 2021-2025 Council Plan
- Health and Wellbeing Plan

### **Risk Implications**

Not applicable

### **Conclusion**

The concept of a tranquillity garden was not supported by FV victims and survivors. A range of alternative ideas have been raised by both FV victims and survivors and sector workers.

## 9.7 HORSHAM NORTH LOCAL AREA PLAN UPDATE

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### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

## Appendix

Draft Local Area Plan (**Appendix 9.7A**)

Engagement Summary Report August 2022 (**Appendix 9.7B**)

## Purpose

To receive and note an update on the progress of the Horsham North Local Area Plan, the community engagement and feedback received on the Draft Issues and Opportunities Paper and community workshop sessions that took place in March and early May 2022.

## Summary

- The Draft Issues and Opportunities Paper presented a comprehensive look into the key issues and opportunities relating to Horsham North, derived from the Horsham North Urban Design Framework (2013), more recent Council strategies, internal discussions and on the ground observations;
- Importantly, the community has their own views and concerns in relation to Horsham North and ultimately, the community engagement was intended to start the discussion with the community;
- It has been made clear by the community that a high level of engagement is desired and expected from Council. Council acknowledges this and will continue to work closely with the community whilst developing the Local Area Plan, and on the subsequent Council projects that will be set out in the implementation chapter;
- Much of the community's aspirations align with Council's, in terms of addressing some long-standing issues such as the rail corridor and pedestrian connections; and
- Some outcomes sought will require further investigation by Council in the form of strategic land use plans.

## Recommendation

That Council:

1. Receive and note the update on the progress of the *Horsham North Local Area Plan* project and the community feedback received to date.
2. Endorse the *Draft Local Area Plan* for community engagement.

## REPORT

### COMMUNITY FEEDBACK SUMMARY – KEY ISSUES

Community feedback on Stage 1 of the project provided clear guidance for the preparation of the *Draft Local Area Plan* and is focussed on the following key issues that were largely covered in the Issues and Opportunities Paper.

#### Industrial Land and Activity

The community would like to see the current industrial and commercial activity move away from Horsham North. It has been suggested that the industrial land generally bounded by Wawunna Road, Mill, Lynott and Gertrude Streets be rezoned to a zone that allows residential development. This idea is acknowledged and supported by Council officers in principle, however, there are a number of other complex factors to consider before doing so:

- There are a number of commercial and industrial land uses that still exist within the area including petroleum storage and associated infrastructure
- There is likely to be varying levels of contamination across some of the sites within the Industrial 1 Zone and the extent of contamination is currently unknown
- There is a lack of strategic guidance in terms of new housing opportunities and the types of housing that might be suitable for this location
- There is also a lack of strategic guidance in terms of the future of commercial and industrial land supply for the more peripheral (commercial and industrial) land across Horsham.

#### The Rail Corridor

The issues related to the rail corridor are well known and the community's frustration is acknowledged by Council. The Horsham North Urban Design Framework (2013) highlighted the issues and Council has been advocating for a number of improvements since that time. Discussions with VicTrack are progressing and it is important that Council considers the entirety of the rail corridor for any future work that involves the following:

- Open space and landscaping opportunities (including the provision of trees)
- Pedestrian and cyclist connections including shared paths
- Improving the existing pedestrian underpasses and surrounding public realm to address safety, access and amenity issues
- Car park upgrade opportunities at the railway station
- Investigations for a new underpass
- A potential location for a bus depot/interchange
- Land contamination and remediation process.

#### Parks and Reserves

The community would generally like to see parks properly planned for and designed well. Current local parks in Horsham North vary in quality and some of the issues stem from past subdivision design and the land provided as public open space by developers that lack street frontages and passive surveillance.

This issue has been previously recognised by Council officers and the future planning and provision of local parks must have regard to principles set out in the *Urban Design Guidelines for Victoria*. The Horsham Planning scheme should be updated to ensure the appropriate provisions are in place to facilitate positive open urban design and open space outcomes in new subdivisions and development.

### **Traffic Management**

A range of issues were put forward in terms of local traffic issues, including the need to either provide or improve speed humps, in order to slow down “hoon” drivers; local traffic conditions along Mill Street and concerns that the Silo Art project could exacerbate current risks (as perceived by the community) in terms of pedestrian and cyclists at the intersection of Wawunna Road and Mill Street; and the need to identify and address traffic calming measures more generally across the area in order to encourage and facilitate safe pedestrian movement.

### **Future Housing**

There was some feedback in relation to the form of future housing, the need for diversity and the protection of valued neighbourhood character. Whilst this feedback is acknowledged, Council is also planning to undertake a Housing Strategy to better understand the issues. Further community engagement will occur when that project is underway to understand the full range of housing issues.

### **Horsham Railway Station, Heritage Places and Landmarks**

Feedback relating to the preservation of Horsham Railway Station are strongly acknowledged as are opportunities to identify other opportunities in relation to landmark buildings and public art opportunities, including the GWM Water tower. These opportunities all “tie in” with the Silo Art project and conversion of the Rail Corridor for public use.

### **Planning**

Much of the community feedback stems from previous projects and engagement, such as the *Horsham North Urban Design Framework (2013)* and the *Rail Corridor Masterplan (2016)* from which it is perceived that a minimal level of action has occurred in Horsham North.

However, much of the feedback goes further back in time and the area being a result of planning and urban design decisions which were deemed as appropriate at the time, particularly in relation to the creation of roads and parks in new subdivisions. However a more contemporary approach now needs to be taken.

In terms of subdivisions and their design, it has become apparent that the use of the Development Plan Overlay (DPO), schedules in the Horsham Planning Scheme, have resulted in poor outcomes and currently approved Development Plans (under the DPO) are generally acted upon many years after their approval, unlike a planning permit which has an expiry date. This should be investigated and addressed in future work.

The *Urban Design Guidelines for Victoria*, as referenced in the *Horsham Open Space Strategy (2019)*, should be the reference point for how public spaces should be designed and the basis for negotiations/discussions with developers. The *Horsham North Issues and Opportunities Paper* clearly highlights these issues.

### **Specific Projects and Opportunities from Community Feedback**

There were a number of specific projects and opportunities identified through submissions from the community and these included:

- A proposal for a universally accessible park located at the current Foundry Park
- Multi-use (shared) paths that connect destinations across Horsham North
- The rezoning of the Industrial 1 Zone (North of Mill Street)
- A public art opportunity at the GWM Water tower
- Safer streets through improved lighting
- Protecting heritage assets through planning scheme controls
- Improved traffic management, particularly around Mill Street and the Silo Art project.

### **Draft Local Area Plan**

The *Draft Local Area Plan* has identified some long-standing issues and provides a direction in terms of land use, particularly in relation to a number of sites and areas for which some discussions with Council have been occurring, and others that can occur through the current engagement process (and once the plan is adopted).

The *Draft Local Area Plan* is presented under three key themes:

- Land Use and Future Character
- Access and Connections
- Public Open Spaces

The themes are then broken down into Goals, Strategies and further elaborated in the implementation chapter under Areas for Action and Strategic Directions. As the plan is a draft at this stage, there will be further opportunities for the community to provide feedback and to express their views on whether the draft plan addresses the issues that have been discussed or commented on previously.

### **Goals, Strategies and Actions**

The *Draft Local Area Plan* has ten goals set out that will address a range of issues that sit under the three themes, as follows:

1. Facilitate sustainable housing and population growth
2. Improve the image, character and identity of Horsham North
3. Promote economic activity and opportunities that support the vision for Horsham North
4. Provide up to date community facilities
5. Create a walkable, wheelable and bikeable precinct the supports active living, recreation and transportation
6. Enhance and promote public transport services and regional connectivity
7. Create safer streets for all users through improved traffic management and monitoring
8. Increase the provision of quality open space
9. Create accessible, safe and activated public spaces
10. Increase tree canopy across the all public realm.

The strategies and actions are then set out in more detail to achieve these goals.

### **Next Stage of Community Engagement**

It is proposed that the next stage of community consultation commences on 27 September and concludes on 31 October. Stage 1 of the project was extended to allow sufficient time to read and respond to the (comprehensive) *Issues and Opportunities Paper*. The same is proposed for this second round of consultation. Council will also host community workshops to discuss the *Draft Local Area Plan*.

## Future Strategic Work

Whilst the *Draft Local Area Plan* is being developed to identify and provide direction on land use opportunities, other strategic work is required in order to properly inform the direction for land use and strategic sites.

### 1. 2021 ABS Census Data

The community feedback highlighted that the census data is out of date. Council has advised the community that the 2021 ABS census data (Horsham Community Profile) will be available in September and all current projects will be able to use this data to provide more accurate and relevant information, including the *Housing Strategy*.

### 2. Housing

A *Housing Strategy* will commence later this year to provide further direction into future housing opportunities in terms land supply, preferred locations and types of housing, housing diversity and affordability.

### 3. Commercial and Industrial Land

The community has stated that they would like to see the current industrial land (generally between Mill Street and Lynott Street) rezoned to allow residential. Whilst that is a simple and agreeable proposal in principle, Council has not undertaken a *Commercial and Industrial Land Use Strategy* to understand whether the land could accommodate future commercial use (key areas to understand - will there be a future demand and could it support future business and employment opportunities?). The land is also currently occupied by a number of commercial operators and is likely to have varying levels of contamination from past industrial and commercial activities. An Environmental Audit Overlay (EAO) would be required along with any rezoning that allows a sensitive use.

### 4. Open Space

The community feedback highlighted the need to carefully plan for and design public spaces with the community in mind and one of the reference points is the *Urban Design Guidelines for Victoria*. This will ensure that parks are appropriately located within new subdivisions with street frontage and pedestrian connectivity, in addition to passive surveillance. Community also want to see all parks and associated infrastructure designed properly in the first place.

To achieve community aspirations council has the opportunity to review the current provisions of open space and to improve the quality of parks through considered design measures such as shared paths, landscaped edges to soften the presence and impact of back fences, and park furniture and infrastructure in appropriate locations that are shaded and /or sheltered from the weather and sun. The *Open Space Strategy* should be peer reviewed to support an amendment in the planning scheme and to apply a fixed Open Space Contribution within the Schedule to Clause 53.01 – Open Space Contributions.

### 5. Community Facilities

The three large sites immediately north of Dudley Cornell Reserve provide a strategic opportunity to expand the open space, opening up to Kalkee Road and providing connectivity opportunities. The present of the Children's Hub also presents an opportunity to co-locate any future facilities that could compliment the HUB. The process of discussions with land holders, including GWM Water and VicRoads should be undertaken or continued, in order to advance the objectives of the Local Area Plan. The Horsham Planning Scheme should also specify the circumstances where cash contribution is preferred over land. Large sites should have appropriately drafted Development Plan Overlay Schedules that specify open space and subdivision design requirements.

### Financial Implications

The *Draft Local Area Plan* is being undertaken as an internal piece of work which will set out future budget implications in terms of the implementation plan. The success of the *Horsham North UDF* and the proposed piece of work will rely on an ongoing commitment to achieving the outcomes set out in the plan, noting that some will be harder to achieve than others and a monitoring and review process is required to keep track of progress and update Council budgets on an annual basis, in relation to Horsham North.

### Regional, State and National Plans and Policies

- Wimmera South Mallee Regional Economic Development Strategy (REDS) 2022
- Wimmera Mallee Tourism Strategy 2022-2027

### Council Plans, Strategies and Policies

The objectives and strategies set out in the *Horsham North UDF* have been carried forward in a number of more recent Council strategies as the issues remain current with a reasonably clear set of actions required to address or continue to investigate the options available to improve conditions for pedestrians, cyclists and the general community in Horsham North.

The following strategies provide the most up to date and relevant strategic direction with actions specific (or relevant) to Horsham North:

- Horsham Urban Transport Plan
- Open Space Strategy
- Health and Wellbeing Plan
- Horsham Municipal Tree Strategy
- Horsham Social Infrastructure Framework
- Horsham Early Years Plan

### 2021-2025 Council Plan

#### Theme 1 – Community

#### Horsham Urban Transport Plan

The Urban Transport Plan sets out a number of objectives in relation to improving connectivity across the urban area of Horsham with some strategies specific to Horsham North. Of the issues identified, the following are particularly relevant and align with issues identified in the *Horsham North UDF*:

- Poor quality footpaths
- Poor connections for pedestrians and cyclists
- The barrier effect of the rail corridor and the unsafe environment of the underpasses
- Connecting the CAD with other areas within Horsham

#### Horsham Open Space Strategy

The *Open Space Strategy* is an important strategic document that can inform improvements to the open space network in Horsham North, including the acquisition of land for future open space. The strategy identifies the following issues which are relevant to the commentary regarding connectivity already mentioned in this report:

### Key Issues

- *Key public open spaces in Horsham North (Dudley Cornell Park and Foundry Park) are surrounded by backyard fences, which reduce the amenity, safety and character of these spaces.*
- *There is poor connectivity to the centre of the town with no formalised bike or pedestrian routes. This poses a safety risk for residents and limits accessibility.*
- *Horsham North is isolated and separated from the rest of Horsham by the railway corridor and adjoining land, and the poor quality connections across the railway. While the Railway Corridor restricts accessibility in some cases, it has the potential to provide the East/West connectivity and alleviate the barrier between North and South Horsham.*

### Future Considerations

- *Activate existing open space with community amenities such as barbecues, picnic tables, public toilets at Langland's Park and Charisma Park.*
- *Develop pedestrian and cycle links between the Kalkee Road Children's Hub, Police Paddock and Dudley Cornell to provide connection between key open spaces in the North.*
- *Use Dudley Cornell Park for broader lifestyle and recreational use by local residents, with athletics relocated to another site (medium term).*
- *Develop initiatives to help re-integrate the urban areas on each side of the railway to change the dynamic of Horsham North.*
- *Create a series of "Safe Places" where residents can meet, or wait for public transport, in a safe environment. These Safe Places should be carefully designed with CPTED (Crime Prevention Through Environmental Design) principles at key intersections and streets.*

### Horsham Social Infrastructure Framework

This framework provides the guiding principles in terms of social infrastructure provision for Horsham and identifies opportunities for future social infrastructure provision based on identified gaps and community feedback.

### Housing Strategy (and Planning Scheme Review)

Work is yet to be undertaken on a *Housing Strategy* which will provide guidance in relation to suitable locations for future housing development and what types of housing will be appropriate in various locations. Social and affordable housing will be considered as part of that project and will inform any future policies or decision making on housing, particularly for Horsham North.

### **Risk Implications – Threats to Implementation**

The following extract from the *Horsham North UDF* (below) is highlighted because since its adoption, some actions have been undertaken but with varying levels of impact on Horsham North in terms of improving the urban environment, amenity and connectivity within the area. It is important that current and future projects are well considered and not simply "band-aid" solutions. The *Horsham North UDF* highlights that poor planning and urban design has resulted in the current state that Horsham North presents to us, but this has happened over a number of decades and urban renewal is a common concept in today's cities and one which Horsham must address and incorporate into future planning to achieve improved outcomes.

1. *Planning outcomes*
  - *It is vital that capital works and urban interventions in Horsham North are implemented through careful, considered and high-quality planning and design, to ensure high quality outcomes. Rushed and not well considered planning decisions must be avoided.*

Poor design quality

- *Individual development outcomes (private or public sector initiatives) should avoid bad design, and should deliver the best possible outcomes to maximise benefit for the local area. Any development project must be conscious of the implications for the area.*

Lack of funding to implement change

- *Urban interventions are expensive, and lack of funding can cause long or ongoing delays to progress. In areas of high need such as Horsham North, it will be important to instigate an ongoing program of delivery of outcomes, starting immediately, even if small or modest.*

**Conclusion**

The *Draft Issues and Opportunities Paper* identified and discussed a range of (issues and opportunities) that provided community with an opportunity to comment on. However, this stage of the community engagement invited the community to simply state their views on what needs to be improved/addressed in Horsham North.

Overall, Council officers feel that the community aspirations and Council's own strategic aspirations for the area are in close alignment. The *Draft Local Area Plan* has incorporate the Issues and Opportunities as an Appendix and puts forward Goals, Strategies, Areas for Action and Strategic Directions that will provide a path forward for change.

The next step of the process is to present the *Draft Local Area Plan* back to the community and invite feedback to ensure that the community's views have been reflected, within the scope of the project and what is achievable.

## 9.8 NATIMUK ECONOMIC AND SOCIAL PLAN

<b>Author's Name:</b>	Annie Mintern	<b>Director:</b>	Kevin O'Brien
<b>Author's Title:</b>	Coordinator Investment & Business Development	<b>Directorate:</b>	Communities and Place
<b>Department:</b>	Investment Attraction & Growth	<b>File Number:</b>	F15/A09/000009

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

### Appendices

Natimuk Economic and Social Plan (**Appendix 9.8A**)

Natimuk Plan Summary of Consultation Feedback (**Appendix 9.8B**)

### Purpose

To receive and note a summary of community feedback and endorse the Natimuk Economic and Social Plan.

### Summary

- The Natimuk Economic and Social Plan has been developed with three rounds of community consultation.
- The first stage of the project identified initial aspirations for the project, the second stage identified and recorded issues and opportunities in regards to the Natimuk community and lastly the third stage proposed four main objectives within the draft plan and the identification of priority action areas for each of these objectives, all of which the community has had the opportunity to comment on.
- The revised Natimuk Economic and Social Plan has taken on board the community feedback, where relevant, and made changes accordingly.

### Recommendation

That Council:

1. Receive and note the consultation feedback received on the Draft Natimuk Economic and Social Plan (**Appendix 9.8B**).
2. Endorse the Natimuk Economic and Social Plan (**Appendix 9.8A**).

## REPORT

### Background

Correspondence from Arapiles District Community Group was been received with an expressed interest to plan for the economic and social sustainability of the town.

The Natimuk community believe that Horsham Rural City Council has a duty to respect their concerns and to help reach resolution by assisting in the development of a plan for the community. The Natimuk Community Action Plan developed with the assistance of Council in 2007 is no longer relevant to the needs of the community.

A *Request for Quote* document was released in late 2021 by Council to have a consultant support the Plan's development.

Following the appointment of the consultants, Projectura, a community reference group was formed following an expression of interest process. The purpose of this group was to review background papers, provide feedback on drafts and review draft consultation findings and approach to refinements.

### Discussion

The Natimuk Economic and Social Plan was developed with a large amount of community engagement. Our Stage One engagement included a community workshop, stakeholder meetings and community interviews to inform the issues and opportunities paper.

Stage Two of our engagement process gave the community an opportunity to comment of the issues and opportunities paper which was developed in Stage One. This process consisted of an online survey, a community workshop, a school session at Natimuk Primary School and a drop-in session at both the Natimuk United Football Netball Club and the Natimuk Post Office. The overall Stage One engagement figure was 240 people.

Under 15	6% (n. 14)
15-19	12% (n.28)
20-29	11% (n.27)
30-39	14% (n.34)
40-49	17% (n.40)
50-59	22% (n.52)
60-69	15% (n.36)
70-79	3% (n.7)
80+	1% (n.2)

Following this engagement process, four main objectives were identified, designed to improve the financial sustainability and liveability of the town:

1. Boosting business, tourism and the economy
2. An environmentally sustainable community
3. Improved recreation
4. Improved relationships

Within these objectives, 10 priority action areas were also identified.

### **Options to Consider**

Council is now presented with a final version of the Natimuk Economic and Social Plan. It has taken into consideration the community feedback on the draft plan and incorporates revisions made based on public consultation feedback. The ten priority action areas contained within the plan provide the Natimuk community with a clear direction in which to focus on projects that will have a positive impact on the future economic growth and social functions of the town. The plan is also designed to encourage visitors and attract new businesses to Natimuk.

### **Sustainability Implications**

The plan is designed to increase the economic and social benefits of Natimuk. One of the key objectives is to create an environmentally and socially sustainable community.

### **Community Engagement**

The community has provided valuable feedback on the project through three stages of engagement, one that occurred in April 2022 and then further engagement in May 2022, which involved both online (via the Have Your Say web page) and in-person engagement involving Council officers and members of the consultant team (Projectura).

The pop-up sessions and community workshop were very useful and provided a range of feedback in addition to the online engagement which was also very informative, demonstrating that the community is well engaged and there are a range of views on how the Natimuk community could be improved.

The range of views are summarised as follows:

#### Strengths

##### Mount Arapiles (Dyurrite) (n.151)

- People spoke of fresh air, views, leisure, recreation and of the world class climbing areas provided by the mountain.

##### Sense of community (n.100)

- People spoke of the community being close-knit, friendly, helping each other out, a good place to bring up a family and mostly harmonious.

##### Arts, culture, and events (n.78)

- People spoke of the arts community, Palais de Pixel, aerial and projection performances on the silo, public art and the Frinj festival. Others spoke of other events such as the farmers market, agricultural shows and celebrations.

##### Community action, groups and volunteers (n.54)

- People spoke of a strong volunteer culture where people get things done and of the value of community groups such as ACT Natimuk and the Football Club.

##### Quiet small-town feel (n.50)

- People spoke of the peace; quiet and how small the town is.

Facilities and services (n.45)

- People spoke of aged care, the showgrounds, the yoga studio, climbing wall, bike track and the skate park.

Challenges

Climbing at Mount Arapiles (Dyurrite) (n.145)

- Concerns were raised about current climbing closures and the risk of further future closures.

Business, economy and tourism (n.102)

- Lack of tourism promotion and infrastructure, limited shops, no fuel, support for existing shops and the bike path not being fully utilised were all raised as concerns.

Climate and sustainability (n.64)

- Concerns around the impact of and adaptation to climate change as well as other environmental issues such as rabbits, weed, native vegetation loss and changes to natural flows at the lake were raised.

Water for Lake Natimuk (n.54)

- Water availability for Lake Natimuk was regularly raised as a concern. The complexity of this issue seemed understood by many in the community, however it remains a priority.

Relationships with Traditional Owners (n.53)

- Many of the concerns around relationships with Traditional Owners appeared to stem from the closure of some climbs at Mount Arapiles (Dyurrite). Some respondents were frustrated by the climbing closures and that they did not have communication channels to speak with Traditional Owners, others spoke about respecting Traditional Owner rights and cultural heritage.

Relationship with Horsham Rural City (n.41)

- The relationship with and support of Horsham Rural City Council was raised as a concern.

**Innovation and Continuous Improvement**

The town of Natimuk has relied heavily on the use of Mt Arapiles for climbing activities as its main source of economic benefit in the past. The new Economic and Social Plan gives the community direction for developing other options for economic growth in the region. This project forms the first step in Council's efforts to provide the Natimuk community with a direction to continue to improve the town and make it more attractive and liveable for the community and visitors.

**Collaboration**

During the development of the Natimuk Economic and Social Plan, there has been collaboration with Parks Victoria and Wimmera Catchment Management Association. There were attempts to engage with Barenji Gadjin Land Council however this was unable to occur. The Consultants worked closely with the Community Reference Group and these external stakeholders to ensure the development of the Natimuk Economic and Social Plan contains actions that are achievable.

**Financial Implications**

Budget of \$20,000 was available for this project.

**Regional, State and National Plans and Policies**

Not applicable

**Council Plans, Strategies and Policies**

Natimuk Community Action Plan 2007

## 2021-2025 Council Plan

### Theme 1 – Community

#### Strategies

1. An inclusive, accessible, connected and safe community
2. A community that encourages and celebrates all cultures, heritage and diversity
3. A community that is empowered in shaping the future of our region
4. A region that acknowledges and engages with First Nations people on place, connection and truth

### Theme 2 - Liveability

#### Strategies

1. A resilient, inclusive and socially connected community
2. A destination to live, work, explore and invest
3. A region with a defined identity
4. Diverse and connected open spaces
5. Quality opportunities and facilities that meet the health and wellbeing needs and interests of all ages, abilities and backgrounds

### Theme 3 - Sustainability

#### Strategies

1. Achieve a sustainable and sound environmental future
2. A sustainable economy where local business, agriculture, tourism and other diverse industries thrive
3. A region where climate change impacts are addressed and remediated
4. A region that attracts new investment, technologies and opportunities

### Theme 4 - Accessibility

#### Strategies

1. Improved and connected transport services and networks in and around the region
2. Diverse services, programs and facilities that are accessible to all
3. An integrated, strategic and needs based approach to investing in our places and spaces

## **Investment Attraction Strategy and Implementation Plan**

### 3.1.3 Action: Develop and Implement the Natimuk Social and Economic Plan

Goal measured by – Plan developed and progress reported to Council.

## **Risk Implications**

The Community may not implement the plan.

Conflict between community members.

Conflict between the community and external stakeholders.

## **Conclusion**

The proposed Natimuk Economic and Social Plan presented for endorsement is the culmination of work to date, including a comprehensive amount of work within the Natimuk community and extensive engagement that has informed the development of this strategic document.

## 9.9 HORSHAM LUBECK ROAD RECONSTRUCTION STAGE 1 & 2

<b>Author's Name:</b>	Mazen Aldaghstani	<b>Director:</b>	John Martin
<b>Author's Title:</b>	Manager Engineering & Capital Projects	<b>Directorate:</b>	Infrastructure
<b>Department:</b>	Engineering & Capital Project	<b>File Number:</b>	F02-A05

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

## Appendix

Refer to the Tender Evaluation Reports included in the confidential section of the agenda.

## Purpose

To award the contracts for the reconstruction of two sections of the Horsham Lubeck Road, St Helen Plains:

- Contract 23/003 Stage 1 Chainage 21.630 to 23.755 (2.125km)
- Contract 23/004 Stage 2 Chainage 24.660 to 27.345 (2.685km)

## Summary

- Council has a program to upgrade identified priority freight routes to achieve a 6.2 m, two-lane sale width
- Council was successful in applying for Federal Heavy Vehicle Safety and Productivity Program (HVSP) funding for this work, along with four other roads
- The HVSP funding is 50% of the estimated costs. Council's matching contribution was allowed for in the 2021-22 Council budget
- Public tenders were sought through Council's standard procurement process
- The two sections were tendered separately so that the evaluation panel could determine each applicant's capacity/workload and score accordingly.

## Recommendation

That Council:

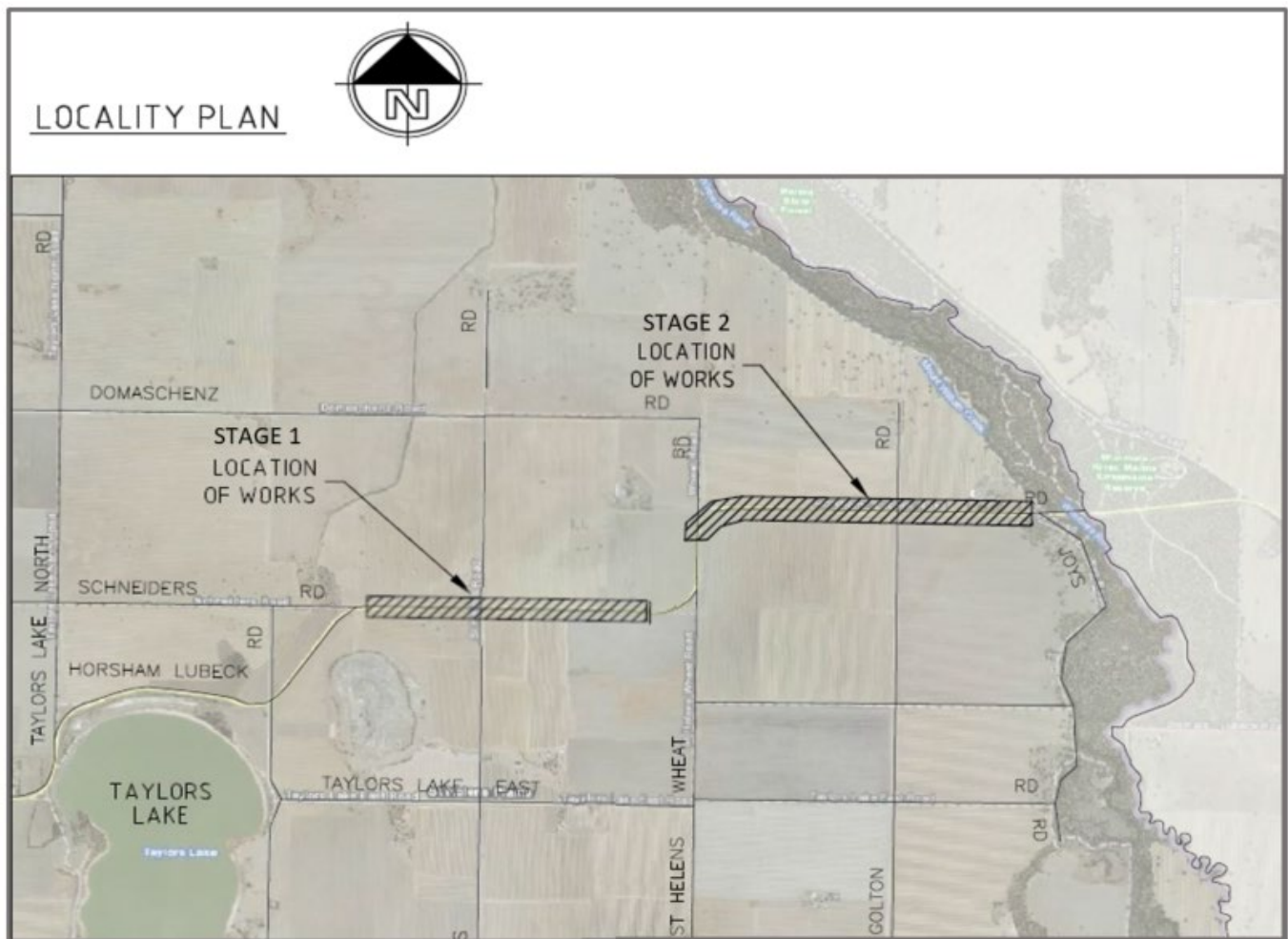
1. Accept the tender submitted by Glovers Earthmoving Pty Ltd for the lump sum of \$536,217.60 ex GST for the reconstruction of 2.125km of Horsham Lubeck Road under Contract 23/003.
2. Accept the tender submitted by Glovers Earthmoving Pty Ltd for the lump sum of \$694,542.60 ex GST for the reconstruction of 2.685km of Horsham Lubeck Road under Contract 23/004.

## REPORT

### Background

The reconstruction of sections of the Horsham-Lubeck Rd, St Helens Plains is part of Council's rural roads reconstruction program. The sections of road being upgraded are currently single lane, 3.7 m sealed roads. This compels passing vehicles to move partly onto the gravel shoulder, adding to the risk of incidents. Heavy vehicle counts are used to develop priorities for upgrading single-lane freight roads as part of the Rural Road Network Plan.

The diagrams below show the sites of the works (hatched in each diagram).



### Discussion

Detailed tender evaluation reports are provided in the appendix to the confidential report on this subject. Key aspects include:

- The tenders were advertised publically via the media and through Council's tender portal
- Four submissions were received for Contract 23/003, and five were received for Contract 23/004
- The evaluation of submissions was based on the criteria presented in the tender documents.

Horsham-Lubeck Road is a key freight road in the municipality, particularly during the grain harvest season. It is also a connecting route to the extension of the road in Yarriambiack Shire.

### **Options to Consider**

The recommended contractor, Glovers Earthmoving Pty Ltd is a well-known local contractor and has quoted the lowest prices in both cases. Procurement-wise, they provided the best value submissions.

### **Sustainability Implications**

A specialist contractor has been engaged to undertake a detailed site inspection and develop site reports, develop an application to the Department of Environment, Land, Water, and Planning (DELWP) for Low Impact Construction works approval, and develop a Native Vegetation Removal report. Following on from these Council will apply for vegetation offsets and remove vegetation as required.

### **Community Engagement**

Reconstruction of sections of Horsham Lubeck Rd was a commitment in the 2021-2022 Council Budget. Hence, it was part of the associated Community Engagement process for that Budget.

Preparation of the Rural Road Network Plan also involved significant community engagement.

### **Innovation and Continuous Improvement**

Not applicable

### **Collaboration**

Not applicable

### **Financial Implications**

Initially these projects were commitments in the 2021-2022 Council Budget. In both cases, progress of the works was contingent on a successful application to the Australian Government for funding under the Heavy Vehicle Safety and Productivity Program. This program funding was not announced by the Government until June 2022, so Council was unable to deliver on this Budget commitment in the last financial year. The funds committed in the 2021-2022 Council Budget will be carried forward into the 2022-23 financial year to match the program funding.

The Heavy Vehicle Safety and Productivity Program has been running for many years and provides significant value to our municipality. This funding from the Australian Government is highly appreciated.

### **Regional, State, and National Plans and Policies**

The upgrade of parts of this road is a priority in the Wimmera Southern Mallee Regional Transport Strategy. The road is recognised as a key local freight link between Horsham and Yarriambiack municipalities.

### **Council Plans, Strategies and Policies**

The upgrade of this road is identified in the Rural Road Network Plan, adopted by Council earlier in 2022.

### **Risk Implications**

Standard construction risks will apply. Supervision of works will be conducted by Council officers to manage these risks.

The successful contractors must provide their work methodology and progressively update their OH&S plan to address the specific site requirements and identify their risk control measures.

### **Conclusion**

The evaluation process for each tender assessed that Glovers Earthmoving Pty Ltd provided the best value to Council in both cases.

## 9.10 CEO EMPLOYMENT AND REMUNERATION POLICY

<b>Author's Name:</b>	Diana McDonald	<b>Director:</b>	Kerrie Bell
<b>Author's Title:</b>	Co-ordinator Governance	<b>Directorate:</b>	(Acting) Director Corporate Services
<b>Department:</b>	Governance and Information	<b>File Number:</b>	F21/A08/000001

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

## Appendix

### CEO Employment and Remuneration Policy (**Appendix 9.10A**)

#### Purpose

To approve the revised CEO Employment and Remuneration Policy.

#### Summary

- The CEO Employment and Remuneration Policy has been revised to include that an independent Advisor who may Chair the Committee.
- The Committee will provide a report to a Confidential Meeting of Council.
- Additional wording has been included around the confidentiality of the process and that it remains confidential until the contract is signed, or a Council Resolution to recruit a new CEO once the Council has determined via a Council Resolution that it can be made public.

#### Recommendation

That Council endorse the amendments to the CEO Employment and Remuneration Policy as recommended by the CEO Employment and Remuneration Committee as attached to **Appendix 9.10A**.

## REPORT

### Background

The CEO Employment and Remuneration Policy is made in accordance with section 45 of the *Local Government Act 2020*. The Policy provides for the following matters which Council is responsible for under the Act or as a requirement of the Policy:

- The recruitment and appointment of the Chief Executive Officer;
- Approving the Contract of employment entered into between Council and the Chief Executive Officer;
- The provision of independent professional advice in relation to the matters dealt with in this Policy;
- The monitoring of the Chief Executive Officer's performance;
- An annual review of the Chief Executive Officer's performance; and
- Determining the Chief Executive Officer's remuneration.

### Discussion

The CEO Employment and Remuneration Policy has been revised to include that an independent Advisor, may be appointed to Chair the Committee, and that the Committee will provide a report to a Confidential Meeting of Council.

Also included in the revised policy is additional wording around the confidentiality of the process and that it remains confidential until the contract is signed or that a Council resolution to recruit a new CEO may only be released into the open Council minutes once the Council has determined, via a Council Resolution, that it can be made public.

### Options to Consider

Not applicable

### Sustainability Implications

Not applicable

### Community Engagement

Not applicable

### Innovation and Continuous Improvement

Not applicable

### Collaboration

Not applicable

### Financial Implications

Employment of the CEO is covered in the 2022-2023 operating budget.

### Regional, State and National Plans and Policies

*Local Government Act 2020.*

**Council Plans, Strategies and Policies**

2021-2025 Council Plan

Theme 5 – Leadership

**Risk Implications**

Not applicable

**Conclusion**

Council to approve the revised CEO Employment and Remuneration Policy.

## **REPORTS FOR INFORMATION**

### **9.11 INVESTMENT ATTRACTION AND GROWTH DEPARTMENT REPORT**

<b>Author's Name:</b>	Fiona Gormann	<b>Director:</b>	Kevin O'Brien
<b>Author's Title:</b>	Manager Investment Attraction and Growth	<b>Directorate:</b>	Communities and Place
<b>Department:</b>	Communities and Place	<b>File Number:</b>	F15/A06/000001

#### **Officer Conflict of Interest**

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

#### **Status**

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

#### **Appendix**

Investment Attraction Strategy and Implementation Plan 2022 onwards, updated version at 1 July 2022  
**(Appendix 9.11)**

West Vic Business July 2022 Report **(Appendix 9.11)**

#### **Purpose**

To receive and note the Investment Attraction and Growth Report for July 2022.

#### **Summary**

The Investment Attraction and Growth Report provides the progress and outcomes achieved through the delivery of the investment attraction and implementation plan during the reporting period.

#### **Recommendation**

That Council receive and note the Investment Attraction and Growth Report for July 2022.

## REPORT

### Background

An Investment Attraction and Growth Report is tabled monthly at the Council Meeting.

### Discussion

The work undertaken across Investment Attraction and Growth Department includes Strategic Planning, Statutory Planning, Building Services, Business Development and Tourism.

At the Council Meeting held in March 2022 Council resolved to:

1. Receive and note the Economic Development Strategy 2017-2021 review.
2. Resolve that the Investment Attraction Strategy and Implementation Plan 2022-2026 succeed the Economic Development Strategy 2017-2021.
3. Adopt the Investment Attraction Strategy and Implementation Plan 2022 -2026 for immediate implementation.
4. Undertakes further consultation with key stakeholders and the broader community to strengthen the delivery of investment and economic benefit within the municipality and the wider region.
5. Receive an annual review of the Investment Attraction Strategy and Implementation Plan.
6. Continue to receive a monthly Investment Attraction and Growth report providing progress on the plan.

The Investment Attraction Strategy was launched on the 11 May 2022 with key stakeholders and an open invitation to the wider community. As a result minor changes to strengthen the strategy and its delivery have been included into the Investment Attraction Strategy and Implementation Plan 2022 onwards. Grampians Tourism, Wimmera Development Association and Longerenong College are amongst the key stakeholders the Investment Attraction and Growth teams have been working with. The updated Investment Attraction Strategy is provided in **Appendix 9.11**.

The Investment Strategy has four key themes

1. Agriculture
2. Renewable Energy and Sustainability
3. Commercial and Industrial Land Development
4. Tourism

The Investment Attraction Strategy has three key teams who are responsible for delivering the actions within the implementation plan.

1. Investment Attraction Team
2. Business Development and Tourism Team
3. Strategic and Statutory Planning Team

### *Investment Attraction Team*

Open the pathway to key developers, estate agents and other stakeholders of interest to share Council's ambition and willingness to explore the potential that already exists in Horsham while also sharing the future strategies and narrative that inform and shape future developments.

*Business Development and Tourism Team*

Engage with the business community and commercial/industrial investors to understand their needs, keep them connected with Council and deliver the support required in navigating connections to the regulatory process.

*Strategic and Statutory Team*

Enable the sustainable growth and liveability of Horsham. This is achieved through early engagement with developers to share expectations and build shared vision. The aim is to articulate the required development outcomes and success measures that guide decision making on how Horsham is improving the quality of urban development. The Team's role is to communicate existing guiderails and policies that apply for now, while also sharing insight into the positive impact that longer term strategic planning policy and reviews will have on the future of Horsham. The Statutory Planning Team case manage the technicalities of the planning and regulatory requirements related to the development and planning approvals process. The team aim to ensure early engagement clear expectations to ensure the Council's vision for quality developments in Horsham is understood upfront and opportunities are explored to bring outcomes for all.

The Investment Attraction Strategy and Implementation Plan progress and key achievements for the month of July are articulated in the information and tables, as follow.

Actions are measured by goals and set timelines. The timelines are indicated by years which relate to financial years commencing on 1 July 2022.

Year 1 - 2022-2023

Year 2 - 2023-2024

Year 3 - 2024-2025

Year 4 - 2024-2025

Year 5+ 2025+

The teams will focus on delivering actions with in the current financial year whilst carrying out the necessary planning to ensure targets are meet in sequential years.

**INVESTMENT ATTRACTION**



*Photo HRCC CEO and Minister for Ports and Freight*

**Port of Melbourne Logistic Tour**

On 28 July SCT hosted a Port of Melbourne Logistic Tour. This provided the opportunity for Council to advocate to the Hon. Melissa Horne, Minister for Ports and Freight for improved rail freight infrastructure from WAL Hub, Dooen to the Port of Melbourne. In attendance was HRCC CEO Sunil Bhalla, Manager Investment Attraction and Growth Fiona Gormann and SCT clients who currently use the Wimmera Intermodal Freight Terminal service.

<b>Council Priorities</b>	<b>Action</b>	<b>Goal Measured by</b>	<b>Progress</b>
1.3.6 (2 year)	Implement landscaping recommendations from Horsham North Local Area Plan for the Horsham Rail Corridor Project	Ensure amenities and landscaping to support the Silo Project are delivered	Landscaping plan still to be finalised, consultant has been appointed
2.10 (Ongoing)	Support the Wimmera Development Association to facilitate improved telecommunications, housing and workforce outcomes	<ul style="list-style-type: none"> <li>- Government fund provided to improved telecommunication</li> <li>- Industry not reporting lack of housing availability for new employees to the region</li> </ul>	Meetings held with Melrose 18/07/22 (formally Spirit) and NBN 26/7/22 to understand telecommunications options for Industrial Sites (Burnt Creek, Enterprise Estate and WAL Hub)
	Undertake regular meetings between the Wimmera Development Association and Investment Attraction Department to inform and discuss economic development opportunities	10 forums held per year	Meeting held in July with WDA and HRCC Investment & Business Development Team to ensure a collaborative approach in regards to economic development and investment attraction.
2.8.1 (2 years)	Support the Development of Mt Zero Resort	Planning Permit decision	Applicant preparing further information on Native Vegetation and Access requested by DELWP, Parks and CFA
(2 years)	Prepare and implement the recommendations from the Aerodrome Masterplan	Aerodrome Masterplan development	Infrastructure Fast Track Funding (IFF) opened in July closes in August – Council to submit application to complete a Regional City – Horsham Flight Hub Master Plan
3.1.2 (3 years)	Seek investment for opportunities highlighted in the Wartook Valley Strategy	3 new tourism products developed	Still to commence
3.2.2 (2 years)	Implement the infrastructure works required for the next stage of development at the WAL Hub and both Burnt Creek and Enterprise Industrial Estates to ensure sites are market ready	Next stage developed for each of the industrial areas and ready for sale	<ul style="list-style-type: none"> <li>- Burnt Creek Industrial Estate has been subdivided and planning designs for infrastructure commenced. Project requires external funding to commence construction of infrastructure such as roads and power. Previous funding application to be resubmitted.</li> <li>- Enterprise Estate subdivision to be informed by the Horsham South Structure Plan.</li> </ul>
5+years	Investigate with stakeholders on the potential for Burnt Creek to become a green industrial area	Investigation outcomes reported to Council	HRCC working with DELWP to progress.

Officers Reports

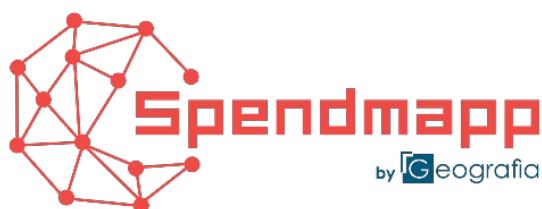
	through vegetation offsets and carbon sequestration		
5+years	Investigate opportunities for industries at the WAL Hub	One Industrial lot sold annually	Two lots under contract.
3.5 (ongoing)	Advocate for mining in our region to meet world's best practice	Website updated and investment prospectus developed	Investment Prospectus Developed and updated in July 2022
3.5 (2 years)	Advocate for mining in our region to meet world's best practice	MOU developed between Council and WIM Resource	MoU signed 11 July 2022
3.5.1 (2 years)	Prepare submission of the EES for the Avonbank mining project to ensure that the licence reflects world best practice	Statutory Planning to prepare submission for consideration by council	Avonbank currently preparing ESS in consultation with DELWP and agencies as part of TRG. EES intended to be exhibited 2022/23.
3.6 (ongoing)	Widely promote the advantages of establishing solar and wind farms in the Horsham region	Website updated and investment prospectus developed	Investment Prospectus developed and finalised in July 2022
(1-2 years)	Council support and advocate for renewable energy projects of all scales	Begin discussions with smaller townships for community scale solar	Not yet commenced
(1-2 years)	Provide specific marketing information adaptable to Council's Website to encourage and support renewable energy developments	Website updated and investment prospectus developed	Investment Prospectus developed and finalised in July 2022
4.1 (5+years)	Advocate for the use of rail as a mode for transport of materials to the Port	Increased container use on rail	Council represented at Port of Melbourne Logistic Tour 28 July 2022

## BUSINESS DEVELOPMENT & TOURISM

### Wimmera Business Centre

The Wimmera Business Centre is a Small Business Incubator, offers tenancy to start up and home based businesses. The centre assists businesses in their establishment phase and grow their market and client base, it further provides a professional location in which a new business can start and grow in an environment supported by business advice and services.

### Spendmapp



### Monthly Spending Summary – June 2022

**Peak Spending Day:** Friday 10 June 2022

**Total Local Spend:** \$1.53M

### Expenditure by Type

Expenditure Type	Total Local Spend	Resident Local Spend	Visitor Local Spend	Resident Escape Spend	Resident Online Spend
June '22 Spending	\$34.2M	\$23.1M	\$11.2M	\$10.1M	\$12.1M
Change from June '21	15.39% increase	6.69% increase	38.66% increase	48.28% increase	7.62% increase

### Monthly Spending Summary – July 2022

**Peak Spending Day:** Friday 1 July 2022

**Total Local Spend:** \$1.35M

### Expenditure by Type

Expenditure Type	Total Local Spend	Resident Local Spend	Visitor Local Spend	Resident Escape Spend	Resident Online Spend
July '22 Spending	\$34.1M	\$22.5M	\$11.7M	\$10.9M	\$12.1M
Change from July '21	19.08% increase	9.72% increase	42.55% increase	54.26% increase	10.82% increase

Council Priorities	Action	Goal Measured By	Progress
2.1.2 (ongoing)	Design, promote, participate and support municipal activities and events as scheduled including NAIDOC, Volunteers, International Women's Day & Seniors Week	Events reported on in the Investment Attraction and Growth monthly Council Report	Planning underway for 'Spring Into Horsham' September holiday activity to include an outdoor Ice Skating Rink
2.6.1 (ongoing)	Promote recreational activities in our natural environment to increase destination tourism and visitation	Activities reported on in the Investment Attraction and Growth monthly Council Report	Investigations underway with regard to potential user groups utilising the HRCC owned pedal boats. Enquiry received from new business interested in starting a stand up paddle boarding business.
2.7.1 (ongoing)	Identify and seek out commercial opportunities to activate the riverfront	Commercial opportunities reported on in the Investment Attraction and Growth monthly Council Report	Updates to the mobile vehicle trading policy have enabled businesses to trade on the riverfront. Commercial businesses have located between the Rowing Sheds and Angling Club. Regular pop up activities are planned for the remainder of the year and into Summer. A business plan has been received from West Vic Business as a potential investment opportunity to

			create an area along the riverfront for a mobile business to operate a cafe along with a water sports business.
2.8.1 (ongoing)	Support the delivery of tourism opportunities on the Wimmera River, Mt Arapiles and lakes in our region	Tourism opportunities reported on in the Investment Attraction and Growth monthly Council Report	The Natimuk Economic and Social plan is nearing completion and will contain actions that will support the delivery of tourism in the Natimuk region. West Vic Business have engaged a consultant to deliver a plan for the Green Lake Yacht Club and precinct.
3.1.3 (2 years)	Develop and implement the Natimuk Social and Economic Plan	Plan Developed & Progress report to Council	Draft plan is currently out for community engagement
3.2.1 (ongoing)	Work with local business leaders throughout the municipality to develop business confidence and growth	2 business forums held annually	In the planning stages to conduct a business / events forum April / May 2023
(ongoing)	Host seasonal workshop sessions with Grampians Tourism and Wimmera Mallee Tourism to organise and update our businesses and tourism operators about relevant information for the region	2 industry workshops have been hosted	Not yet commenced.
(ongoing)	Ensure constant communication through e-mails and business newsletters with tourism operators and local businesses regarding what is happening in the region	A minimum of 10 business newsletters distributed annually 4 business forums are held annually	Monthly Business newsletter distributed 28 <sup>th</sup> July to 1172 recipients. Open Rate 34.1% Clicks per unique open 9.3% Successful Deliveries 1162 Total Opens 694 Total Clicks 97
3.3.1 (yearly)	Source opportunities and develop partnerships with technology industry bodies to enhance connectivity	A yearly submission to the Regional Connectivity Program (if available)	Meetings held with Melrose 18/07/22 (Formally Spirit) and NBN 26/7/22 to understand telecommunications options for Industrial Sites (Burnt creek, Enterprise Estate and WAL Hub)
(yearly)	Update and audit the Council Website Business Page	The annual audit identified no outdated information	This is an ongoing review of the site ensuring relevant information is keep up to date, relating to the WBC
3.4 (2 years)	Purchase equipment to support outdoor economic activity in public areas	Have outdoor cinema equipment purchased	Not yet commenced
3.4 (2 years)	Local marketing and communications to promote outdoor economic and fitness activity	Ensure a weekly free fitness class for community is created and that the community receives free health and	Weekly fitness classes are being held at the Sawyer Park and promoted in the public notices and via HRCC Facebook page

		wellbeing classes weekly for 12 months	
3.4 (2 years)	Enhance the ambience of outdoor areas including laneways	Engage artists to activate laneways	Not yet commenced
3.4 (2 years)	Provision, maintenance, or upgrade of outdoor spaces and parklet facilities	Increased foot traffic and further activation to support outdoor dining	Not yet commenced
3.4.2 (ongoing)	Work with local business to activate the Horsham city centre	Investment Attraction and Growth monthly Council Report	Businesses have been engaged in the development of the CAD Revitalisation plan which is nearing completion. Regular events to activate the CAD will be held in order to promote localised shopping and activity in the centre of town. The block on the corner of Roberts Avenue and Ward Street has been leased for the next 12 months to enable this. Planning is underway for an event in the September school holidays in the town centre which will include an ice rink along with nightly entertainment, market stalls and food trucks. Local hospitality businesses will be invited to set up pop up food trucks in the activity precinct as well as existing mobile food traders. Planning is underway for the Christmas Extravaganza event which was highly successful in 2021. The event will be similar to last year, but will build on the activities and include a Christmas pantomime performance, along with more activities on the Friday nights in the lead up to Christmas.
(ongoing)	Encourage homebased and start-up businesses to expand through the Wimmera Business Centre	Having two start-up businesses per year gain support through the WBC.	Enquiries are being received from start-up businesses looking to expand. There is currently only one vacant office at the WBC which we are looking to utilise as a hot desking office as there is a current demand for this.
(ongoing)	Attract businesses to lease vacant shops in the Horsham city centre through the Wimmera Business Centre	Vacant shops reduced from 24 shops to 20 in the first year and maintained at or	See table below

		below 18 shops for the succeeding years	
Monthly	Develop a dynamic and up-to-date business database system to ensure information is correct, up-to-date and cross references the most recent ABR data	Data base developed and used	Not yet commenced
(2 years)	Promote Agritourism opportunities to industry by developing an information kit that outlines <ul style="list-style-type: none"> <li>• Supply chain partnerships</li> <li>• How to transition to regenerative practices</li> <li>• Local markets</li> <li>• Case studies of value-adding practices in the region</li> </ul>	Completed information kit	Not yet commenced
(ongoing)	Advocate for value-add opportunities with existing and future farmers through innovative practices such as regenerative agriculture, planting native perennial vegetation and implementing renewable energy sources on farms	Attend the Horsham Field Days to host conversations with farmers.	Not yet commenced
(ongoing)	To promote Live the Grampians Way to local businesses and engage with people who show an interest in moving to the region	Ensure every person who contacts Live the Grampians Way has received a welcome/information sheet and follow up phone call	With phase 2 of the campaign now underway. We should commence to see a return of candidate's interests. With this in mind a welcome information sheet has been prepared to further entice the candidate to expand their interest in our region. These info sheets will be forwarded to candidates throughout the month and where a contact number is provided a follow up call will be made.

**Business Visitations for the Month of Year 2022**

<b>Month Visitation</b>	<b>Retail Services</b>	<b>Hospitality &amp; Accommodation</b>	<b>Event interaction contacts</b>	<b>Event Notifications</b>	<b>Over all contacts for the month</b>
January	4	3	10	5	<b>22</b>
February	4	6	19	10	<b>39</b>
March	5	41	11	4	<b>61</b>
April	12	8	8	6	<b>34</b>
May	19	4	9	11	<b>43</b>
June	3	25	4	3	<b>35</b>
July	9	30	2	2	<b>43</b>
<b>Total</b>	<b>56</b>	<b>117</b>	<b>63</b>	<b>41</b>	<b>277</b>

## Occupied Businesses:

Street and Number of Businesses	JUNE FY 21/22 Businesses Occupied	JULY FY 21/22 Businesses Occupied	JULY FY 21/22 Businesses Vacant	JULY FY 21/22 Percentage Businesses Occupied
<b>Darlot St – 43</b> car wash and businesses operating from a house included	40	40	3	93%
<b>Firebrace St - 99</b>	91	91	8	92%
<b>Hamilton St - 17</b>	16	16	1	94%
<b>Wilson St – 34</b>	28	28	6	82%
<b>Pynsent St – 28</b> Cinema included	24	25	3	89%
<b>Roberts Ave – 27</b> Coles included	24	24	3	88%
<b>McLachlan St – 24</b> CFA & GMW included	23	21	3	88%
<b>Total 272</b> Post February 2022 there were 262 shops identified in the study area	<b>246/272</b>	<b>245/272</b>	<b>27</b>	<b>90%</b>

*(Businesses are determined by whether they are 1. A premises, 2. Have customers 3. Exchange money; i.e Centre Link and the Cinema are included, and the Public Library is excluded). There are four known shops that are not suitable for occupancy as they require major renovations or are being used as a secondary business not requiring a retail front. These shops are reflected in the vacant shop numbers and unfortunately reduce the percentage of occupied businesses.*

## West Vic Business

West Vic Business July 2022 Report (refer to Appendix 9.11)

### Grampians Tourism - News

Grampians Tourism Winter Campaign:

Visit Victoria has launched a new winter campaign to encourage immediate travel by Melbournians to take a long weekend in regional Victoria. It aims to drive extended stays by inspiring Victorians to add a day or more of annual leave onto their weekend away. The Grampians region surrounds the renowned Grampians National Park. North, South, East and West, is as diverse as it is spectacular and makes the perfect winter escape with something for everyone.

Workforce Attraction Project:

Grampians tourism has secured funding from DJPR to continue our important workforce attraction project. The funding supports phase 2 of the **Live the Grampians Way** marketing campaign to address the critical workforce shortages currently facing our region.

The **Live the Grampians Way** initiative builds upon the success of the campaign that commenced in 2020 and will continue to encourage sign ups through the [grampianslife.com.au](http://grampianslife.com.au) website, but will facilitate better connections between new residents and local government stakeholders through a concierge-style service. In addition, a greater emphasis will be placed on assimilation and welcome strategies from councils and community networks.



**3,300** people visited the Campaign website in **July**.

All were 1st time visitors



**580** people visited the Jobs website in **July**.

**442** (76%) clicked through from the Grampians Life website

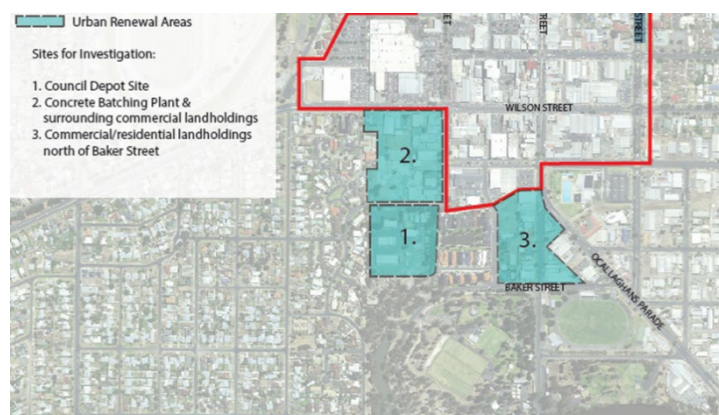
**65** job vacancies were posted/scraped in July.

## STATUTORY PLANNING AND STRATEGIC PLANNING

### Statutory Planning

Horsham City Urban Renewal Project has commenced with the aim to transform and revitalise the city to make it a more attractive place to live, work, visit and invest. The Urban Renewal Project identifies a number of sites and precincts suitable for urban renewal to encourage future development including residential, commercial, and mixed use.

The project will facilitate the development of these precincts through economic modelling, urban analysis, setting a clear vision, planning controls and design guidelines. The project has been funded by Horsham Rural City and the Victorian Planning Authority (VPA) and will be delivered by urban planning consultants Urban Fold, Echelon Planning and Urban Enterprise over the next six months. The project will be delivered in stages:-



1. Site Investigation and Market Analysis
2. A range of potential development options for discussion and evaluation
3. A final Development Plan

The first step in the process has been hearing from landowners and businesses and direct consultation has been successfully completed with landholders and businesses and a background report is currently in preparation.

### **Strategic Planning**

The Strategic Planning Team has been collaborating with six other Councils in seeking matching funds from DELWP's Regional Planning Hub to employ a shared Environmentally Sustainable Development (ESD) Planning Officer. The Regional Planning Hub has recently approved the request for funds.

The role will assist all seven councils to progress their involvement in the Sustainable Subdivision Framework project which seeks to introduce enhanced sustainability requirements for subdivisions into local planning schemes. The officer will also provide valuable ESD advice on other land use projects such as masterplans and precinct plans.

The position will work across the following councils:

- Greater Bendigo City Council (host organisation)
- Greater Geelong City Council
- Ballarat City Council
- Horsham Rural City Council
- Mildura Rural City Council
- Moorabool Shire Council
- Warrnambool City Council

The position will also be supported by the Council Alliance for a Sustainable Built Environment (CASBE) who have been leading the Sustainable Subdivisions Framework project.

A key aspect of the role will be to engage with council staff as well as developers to build knowledge and capacity about sustainable design, particularly as it applies to subdivisions.

The City of Greater Bendigo has taken the lead with the funding application and will employ the officer on behalf of the participating councils. The officer will be employed for 1 year. After this time the benefits of collaborating and sharing resources across local government areas will be assessed to determine opportunities for continuing the collaborative approach to providing ESD services.

<b>Council Priorities</b>	<b>Action</b>	<b>Goal Measured By</b>	<b>Progress</b>
1.3.5 & 1.3.6 (1 year)	Develop and implement the Horsham North Local Area Plan	<ul style="list-style-type: none"> <li>• Horsham North Local Area Plan adopted by Council</li> <li>• Progress report on implementation plan</li> </ul>	A draft plan has been prepare and is currently subject to an internal review and minor edits. Will be submitted to Council in September

			2022 for a decision to release publicly.
(1 year)	Develop a style guide to ensure consistency in street furniture, lighting, understorey plants, signage and parking.	Style Guide endorsed by EMT	The style guide is underway.
(2 years)	Improve the public realm, wayfinding and promotional signage of Horsham's main entrance to capture trade.	Wayfinding signs installed and match Council style guide	This project is underway
1.5.2 (1 year)	Deliver on the Horsham Silo Project with Barengi Gadjin Land Council to promote, celebrate and share first nation stories of significance	Silo Art Complete	Horsham Silo Art Project completed.
1.5.3 (2 years)	Identify and recognise areas and places of cultural and historical significance that maintain connection to places, land and culture and engage early	<ul style="list-style-type: none"> <li>Report Presented to Council Cultural</li> <li>Heritage Overlay completed</li> </ul>	Currently BGLC is working with Council on the feasibility study for an alternative truck route. Initial discussions are taking place with BGLC for the Horsham South Structure Plan.
1.6.4 (2 years)	Implement the Horsham Heritage Study to protect buildings and places of historic cultural heritage to reinforce a 'sense of place' and celebrate Horsham's character and distinctiveness	Horsham Planning Scheme amended	Review of study almost complete. Council briefing on heritage responsibilities and findings of the study scheduled for August.
1.6.5 (3 years)	Prepare a Conservation Management Plan for the Horsham Botanical Gardens	Management plan endorsed by Council	Not yet commenced.
(4 years)	Prepare a Conservation Management Plan for the Horsham Cinema	Management plan endorsed by Council	Awaiting results of Heritage Victoria's Living Heritage Grant Program Round 7.
1.6.6 (2 years)	Prepare heritage controls and complete amendment to the HRCC Planning Scheme	Heritage controls complete and incorporated into the Planning Scheme	see 1.6.4
2.10.2 (2 to 3 years)	Develop and implement a Housing Affordability and Diversity Strategy	Strategy developed and implemented through a planning scheme amendment	Awaiting results of the VPA's Streamlining for Growth grant program.
2.10.3 (2 years)	Prepare and implement the Horsham South Structure Plan (Stage 2)	Plan adopted by Council	Technical background reports underway.
3.1.1 (2 to 4 years)	Prepare and implement a Commercial & Industrial Land Use and Supply Strategy	Plan developed & Strategy adopted by Council	Not yet commenced
(3 to 4 years)	Prepare and implement a Rural Land Use and Small Settlements Strategy to plan for small towns and settlements and to ensure	Rural land use and small settlements Strategy developed	Not yet commenced

	productive agricultural land is protected		
(3 years)	Peer review and implement the recommendations from the Wartook Valley Strategy	Peer review completed Undertake the necessary planning amendments from the recommendations	Not yet commenced
(2 years)	Complete a Planning Scheme Review as a vehicle for specifying desired outcomes across the municipality	Planning Scheme Review Completed and suggested changes implemented	Awaiting report from DELWP's Regional Planning Hub.

### Planning Applications Determined

Below are the number of Planning Permits issued for the month of July 2022 and a comparison with the same period last year.

	JULY 2022		JULY 2021	
Type	No.	*Value \$	No.	*Value \$
Miscellaneous Domestic	-	-	5	2,172,204
Industrial/Commercial	4	429,327	1	80,000
Subdivisions	1 (2 lots)	80,000	1 (18 lots)	-
Other	-	-	-	-
<b>Total</b>	<b>5</b>	<b>509,327</b>	<b>7</b>	<b>2,252,204</b>

(\*Please note: Not all applications have a \$ figure)

Total number of planning permits issued in the Horsham Rural City Council area from 1 July 2022 to 31 July 2022 is 5 compared to 7 in the same period in 2021-2022.

Planning permits issued for subdivision have permitted 2 new lots from 1 July 2022 to 31 July 2022 compared to 18 in the same period in 2021-2022.

### BUILDING SERVICES

Below are the number of building permits issued for the month of **July 2022** and a comparison with the same period last year.

#### Permits issued by Horsham Rural City Council for this Municipality

	JULY 2022		JULY 2021	
Type	No.	Value \$	No.	Value \$
Dwellings	-	-	-	-
Alterations to Dwellings	-	-	-	-
Dwelling resittings	-	-	-	-
Misc Domestic (Carports, Garages etc)	1	14,376	1	132,586
Removal/Demolish	-	-	-	-
Industrial/Commercial	-	-	-	798,236
Signs	-	-	-	-
<b>Total</b>	<b>1</b>	<b>14,376</b>	<b>1</b>	<b>930,822</b>

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

Type	JULY 2022		JULY 2021	
	No.	Value \$	No.	Value \$
Dwellings	6	2,852,080	10(13*)	4,499,887
Alterations to Dwellings	2	55,632	2	63,130
Dwelling resittings	-	-	1	38,527
Misc Domestic (Carports, Garages etc)	5	144,829	4	112,104
Removal/Demolish	-	-	-	-
Industrial/Commercial	7	6,859,723	2	132,335
Signs			-	-
<b>_Sub Total</b>	<b>20</b>	<b>9,912,264</b>	<b>19</b>	<b>4,845,983</b>

(\*15 permits for 17 dwellings)

A total of **1** Building Permit has been issued by the Horsham Rural City Council at a total value of **\$14,376** from **1 July 2022 to 31 July 2022** compared to **7** Building Permits at a total value of **\$930,822** for the same period in 2021-2022.

Private Building Surveyors have issued **20** Building Permits at a total value of **\$9,912,264** from **1 July 2022 to 31 July 2022** compared to **19** at a total value of **\$4,845,983** for the same period in 2021-2022.

**Options to Consider**

Not applicable

**Sustainability Implications**

Report provides overview development and business activity across the region with no direct sustainability implications.

**Community Engagement**

Report has been prepared in consultation with range of agencies and will be made publicly available to Wimmera Development Association, West Vic Business, and Grampians Tourism and on Council's website.

**Innovation and Continuous Improvement**

Report provides overview of activity and assists with continuous improvement.

**Collaboration**

Report has been prepared in collaboration with Council officers across Planning, Building and Business Development and Tourism Support.

**Financial Implications**

Nil

**Regional, State and National Plans and Policies**

Not applicable

**Council Plans, Strategies and Policies**

2021-2025 Council Plan

Theme Three – Sustainability

Strategy 2: A sustainable economy where local business, agriculture, tourism and other diverse industries thrive.

**Risk Implications**

Not applicable – no decision required

**Conclusion**

The Investment Attraction and Growth department within Council has commenced delivering its responsibilities, as set out in the Council Plan Action Plan and Destination Horsham Investment Attraction Strategy and Implementation Plan 2022 onwards. This report is reflective of the work the teams have been undertaking.

## 9.12 CHIEF EXECUTIVE OFFICER'S OPERATIONAL REPORT

<b>Author's Name:</b>	Sunil Bhalla	<b>Director:</b>	Not applicable
<b>Author's Title:</b>	Chief Executive Officer	<b>Directorate:</b>	Not applicable
<b>Department:</b>	Chief Executive Office	<b>File Number:</b>	F06/A01/000001

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

### Appendix

Nil

### Purpose

To receive and note the Chief Executive Officer's Operational Report for September 2022.

### Summary

The Chief Executive Officer's Operational Report highlights issues and outcomes affecting the organisation's performance and matters which may not be subject of Council reports or briefings.

### Recommendation

That Council receive and note the Chief Executive Officer's Operational Report for September 2022.

## REPORT

### Background

At the 24 June 2019 Ordinary Meeting of Council, it was resolved that the Chief Executive Officer provide an operational report to Council.

### Discussion

Key items of interest for the report period are summarised below.

#### ***A. Advocacy/Funding Announcements***

**DJPR, CEOS & MAV Forum** – The CEO attended a joint State Local Government CEO meeting on Wednesday 7 September 2022. Topics of discussion included Business Acceleration Fund to streamline regulatory approval processes, Fair Access Policy which aims to address gender equitable access and use of sporting facilities, Sex works decriminalization and Gas substitution roadmap.

**Regional Cities Victoria:** The Chief Executive Officer attended a virtual Regional Cities Victoria meeting on Thursday 15 September 2022. Key topics of discussion/presentations included Business friendly council approvals, Commonwealth Games legacy and approach to a more efficient planning system.

**Rural Council's Corporate Collaboration (RCCC) Board Meeting:** The RCCC board met virtually on 6 September 2022 to discuss Civica contracts, expanded scope business case and received a project update.

**Emma Kealy, Member for Lowan:** The Chief Executive Officer and Mayor met with Emma Kealy on 6 September to discuss council priorities for the upcoming state election.

#### **Funding Opportunities:**

East-West Safe cycling and Pedestrian Linkage TAC application for grant of \$89,500 to link pathways on the east side of the new pedestrian bridge.

#### ***B. Community Engagement***

**Planning Expo:** A three-day Engagement Expo was held at the Horsham Town Hall on 1, 2 & 3 September and was an outstanding success, with more than 400 participants visiting the Town Hall on Thursday, Friday and Saturday to provide feedback on a range of projects and initiatives. Council staff are now collating the feedback from the Expo into an Engagement Report which will be provided to Councillors and the community. The feedback will be considered by Council when developing the Budget for 2023-2024.

#### ***C. Projects and Events***

**Affirmation and Signing of Code of Conduct:** The Chief Executive Officer conducted an Oath of Office for Cr Bob Redden on Thursday 8 September 2022. The Chief Executive Officer and Councillors congratulated Cr Redden on his appointment and welcomed him to the Horsham Rural City Council.

**Condolence Book:** A condolence book was made available at the Civic Centre for the community to sign as a mark of respect to Her Majesty Queen Elizabeth II.

#### **D. Staff Matters**

**Clean-Up/Litter Collection:** Over the last couple of weeks staff have been busy responding to queries/complaints regarding the rain events that have been happening. Due to the increase in rainfall, it has meant that some of the standard tasks the teams normally complete are on hold.

The teams prioritised their tasks to ensure the more urgent ones were actioned first.

The following requests were submitted as a result of the rain:

- 31 requests for roads – potholes, grading etc.
- 70 requests for drainage issues – stormwater blockage, culvert reconstruction etc.
- 13 requests for fallen trees/branches.

**After Hours Call Centre:** Outside of Council's main office hours (08:30 – 17:00) an after-hours call centre is used. Well Done International currently have 3 call centres around Australia being in Nowra, NSW; Melbourne, VIC and Adelaide, SA and work with approximately 80 councils with, responding to after-hours queries. On average the call centre answers approximately 60 calls per month on our behalf.

Council provide the call centre with procedures and a detailed script of how to respond in various circumstances. Not all calls that go through to the call centre will prompt immediate action. Some callers may be asked to lodge a service request online and these will be actioned during business hours.

Council's procedures are reviewed regularly. As an example, the following procedures are what have been added or changed over the last couple of years based on feedback received from staff and residents:

- What to do in the event of an emergency. After hours receive calls from Police/Fire/Ambulance, etc. These calls will always be put through to Council staff, either a Ranger or Duty Officer.
- Access to Council Buildings after hours. If a resident has a Council hall booked and there is an issue with access to the building, our after-hours Duty officer is now contacted.
- When a caller uses key words on the call e.g. fall, hazard, dangerous, emergency, death, sinkhole etc. These calls will be put through to either a Ranger or Duty Officer to investigate and action.

In total, there are over 182 procedures the call centre follow. We try to capture as many query types as possible, so they know how to respond. Like any organisation, they too occasionally struggle with staffing shortages and this can mean that calls can be delayed. In times of State or National emergencies, their call volumes can also increase which can delay callers.

Using the call centre has greatly reduced the number of calls and call-outs the rangers and duty officers receive after hours; and eliminated the vexatious and non-urgent calls received by staff after hours.

**HVNL Training:** Horsham Rural City Council will undertake a training program for staff and contractors who operate heavy vehicles as part of its commitment to transport safety. The training is part of Council's continuous improvement undertaking following a contravention of the Heavy Vehicle National Law (HVNL).

In July 2021, Council hired a truck from a private company to facilitate its road maintenance program. An employee mistakenly relied on the load limits displayed on the door of the vehicle, and had not checked that these limits were correct.

As a result, during Council's use of the vehicle, the National Heavy Vehicle Regulator (NHVR) detected that the steer axle of the vehicle had been overloaded.

Council accepts that it has its own responsibility to ensure that it complies with the statutory load limits, and cannot necessarily rely on information provided by others.

**Financial Implications**

Not applicable

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

2021-2025 Council Plan

Theme 5 - Leadership

**Consultation/Communication**

Not applicable

**Risk Implications**

Not applicable

**Environmental Implications**

Not applicable

**Human Rights Implications**

This report complies with the rights listed in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

**Conclusion**

That Council receive and note the Chief Executive Officer's Operational Report for September 2022.

## 10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS

### Cr Robyn Gulline

Committee Representation	
30/8/22	First Wimmera Development Association Board meeting with 5 new independent Directors
16/9/22	Municipal Association of Victoria Special State Council meeting in Melbourne where new MAV rules were adopted
21/9/22	Audit and Risk committee meeting
Other Council Activities	
24/8/22	I had the pleasure of assisting 23 residents become Australian citizens. Congratulations and welcome! Thank you for choosing to live in our beautiful municipality.
30/8/22	Attended the Wimmera Science & Engineering Challenge (Discovery Day) for primary school students at Horsham College and judged the bridge competition
1-3/9/22	Attended the Strategic Planning Expo at Horsham Town Hall
6/9/22	With CEO met with Emma Kealy MP to discuss Council's priority projects
8/9/22	Attended the Advancing Women's Leadership Summit (virtually) which included an address by former PM Julia Gillard
8/9/22	Attended the swearing in of Cr Bob Redden
17/9/22	Proposed a toast at the Wimmera Lodge No 70 145yr celebration
20/9/22	Participated in the "Daughters of the Wimmera 2022" Graduation and celebration
20/9/22	Completed the "Family Violence Foundations" online training course
21/9/22	Addressed Rotary's "Defying the Drift" dinner at Longerenong College

### Cr David Bowe

Committee Representation	
16/9/22	Wimmera Regional Library Corporation (WRLC) Board Meeting
Council Activities	
5/9/22	Council Briefing Meeting (Council Chambers)
8/9/22	Signing of Affirmation and Code of Conduct for Cr Bob Redden
12/9/22	Council Briefing Meeting (Council Chambers)
16/9/22	Governance Advisory Network Meeting - Victorian Local Governance Association (VLGA) – (Virtual via zoom)

### Cr Penny Flynn

Committee Representation	
21/9/22	Audit and Risk Committee – Council Chamber
Council Activities	
1/9/22	HRCC Planning Expo – Horsham Town Hall
3/9/22	HRCC Planning Expo – Horsham Town Hall
8/9/22	Welcoming of Cr Bob Redden – Council Chamber

**Cr Claudia Haenel**

<b>Council Activities</b>	
31/8/22	Coffee with Cr Haenel, community led discussions about the CAD development plan, bypass, passenger rail, health care services, transport parking, vehicle parking in Horsham North.
2-4/9/22	Horsham Rural City Talks. So much feedback and positivity over 3 days of conversation with community members for projects that are important to them.
5/9/22	HRCC Briefing Meeting
6/9/22	Invitation to see Horsham City Brass Band practice in Jubilee Hall.
7/9/22	Coffee with Cr Haenel, community led discussions about Firebrace Street, stormwater, furniture maintenance along river.
8/9/22	Green Lake Precinct Vision Launch RU OK? Day
11/9/22	City Oval Community Talk. Warrnambool Councillors and Traders shared their experience of a changed CAD.
11/9/22	Horsham Rural City Band hall visit.
12/9/22	HRCC Briefing Meeting
14/9/22	Coffee with Cr Haenel, community led discussion about the alternative truck route, Green Lake water supply and CAD/CBD.
14/9/22	Quantong community led discussion about the saline ponds.
15/9/22	Mine Field documentary screening at Centre Cinema about impacts of Victoria's mining boom on rural communities and the environment. Cr Haenel was an apology but over 50 people from across the municipality and beyond attended.
16/9/22	VLGA Connect State Election Series online via zoom with Local Government Minister Melissa Horne. Some of the topics of conversation: State government not stepping away from rate capping, how the state government can support housing and homelessness, importance of culture and the conversations at base level, integrity and the goodwill of community is imperative, state government planning, first responder activity, the different challenges of council and clawing back Covid recovery costs.
19/9/22	Council Briefing Meeting
21/9/22	Coffee with Cr Haenel community led discussion.
26/9/22	Council Meeting

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## 11. URGENT BUSINESS

## 12. PETITIONS AND JOINT LETTERS

## **13. PROCEDURAL BUSINESS**

### **13.1 INFORMAL MEETINGS OF COUNCILLORS – RECORD OF MEETINGS**

- Council Briefing Meeting held on Monday 5 September 2022 at 5:00pm
- Council Briefing Meeting held on Monday 12 September 2022 at 5:00pm
- CEO Employment & Remuneration Committee Meeting held on Monday 19 September 2022 at 7:00pm

Refer to **Appendix 13.1A**

### **13.2 SEALING OF DOCUMENTS**

Nil

### **13.3 INWARD CORRESPONDENCE**

- Letter received from Phil D’Adamo, Recycling Victoria regarding Local Government Statewide Waste and Recycling Forum.

Refer to **Appendix 13.3A**

### **13.4 COUNCIL COMMITTEE MINUTES**

Nil

#### **Recommendation**

That Council receive and note agenda items:

- 13.1 Informal Meetings of Councillors – Record of Meetings
- 13.2 Sealing of Documents
- 13.3 Inward Correspondence
- 13.4 Council Committee Minutes.

## 14. NOTICE OF MOTION

### 14.1 NOTICE OF MOTION NO 197

Given by Cr Claudia Haenel.

TAKE NOTICE that it is my intention to move the following motion at the Council meeting of the Horsham Rural City Council to be held at the Civic Centre, 18 Roberts Avenue, Horsham on Monday 26 September 2022.

“That the Horsham Rural City Council present a report on a Bypass for Horsham as a priority, within 3 months from the date of the 26 September 2022 Council meeting.”

#### **Rationale:**

1. In 2021 Horsham Rural City Talks No.1 survey response to how Horsham should look and feel in the future included a completed bypass. “We desperately need a transport bypass to progress our vibrant city in 2021 and beyond.”
2. Every week at Coffee with Councillor, I am asked by community about what is happening about a decision on a bypass for Horsham.
3. I was asked by community members to request that the bypass for Horsham be put on the HRCC agenda.

Refer to **Appendix 14.1A** for copy of Notice of Motion.

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**Cr Claudia Haenel**

CIVIC CENTRE  
HORSHAM 3400  
19 September 2022