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**MINUTES of the Council Meeting of the Horsham Rural City Council held in the Council Chambers and livestreamed at [www.hrcc.vic.gov.au](http://www.hrcc.vic.gov.au) at 5.32pm on 26 April 2022.**

**PRESENT**

Cr Robyn Gulline (Mayor), Cr David Bowe, Cr Penny Flynn, Cr Les Power, Cr Di Bell (attended virtually), Cr Ian Ross

**ALSO IN ATTENDANCE**

Sunil Bhalla, Chief Executive Officer; Graeme Harrison Director Corporate Services; Kevin O'Brien, Director Communities and Place; John Martin, Director Infrastructure; Fiona Kelly, EA to CEO and Councillors.

**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, Jupagulk, 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 is being livestreamed and 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**

Cr Claudia Haenel

**Council Resolution**

**MOVED Cr Ian Ross, Seconded Cr Penny Flynn**

That the apology from Cr Claudia Haenel be received.

CARRIED

**5. LEAVE OF ABSENCE REQUESTS**

Nil

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## 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 28 March 2022 and 5pm on 4 April 2022 be adopted.

### Council Resolution

#### **MOVED Cr David Bowe, Seconded Cr Penny Flynn**

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 28 March 2022 and 5pm on 4 April 2022 be adopted.

CARRIED

## 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.

Cr Di Bell declared a conflict of interest for agenda item 9.11. Cr Bell provided a completed Conflict of Interest Declaration Form. Cr Bell left the meeting at 7.11pm and returned at 7.13pm. Cr Bell was absent while the matter was being discussed and considered.

Cr Robyn Gulline declared a conflict of interest for agenda item 9.11, recommendation 3. Cr Gulline provided a completed Conflict of Interest Declaration Form. Cr Gulline left the meeting at 7.14pm and returned at 7.16pm. Cr Gulline was absent while the matter was being discussed and considered.

Cr Robyn Gulline declared a conflict of interest for agenda item 9.12. Cr Gulline provided a completed Conflict of Interest Declaration Form. Cr Gulline left the meeting at 7.18pm and returned at 7.40pm. Cr Gulline was absent while the matter was being discussed and considered.

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## 8. PUBLIC QUESTION TIME

### PUBLIC QUESTION FROM ROSS WARRICK

#### Question 1:

Re: Parallel parking in Firebrace Street. After community consultation in 2019 strongly reject this idea, and there was a HRCC guarantee that the concept would be totally abandoned. Why in April 2022 is it even being considered?

#### Response from Kevin O'Brien, Director Communities & Place

Council has engaged consultancy firm Urbanfold to developed a streetscape plan for the Central Activity District (also known as the Central Business District). Relevant plans to inform their work highlighted the need to increase pedestrian/cycling access in the CAD and also to increase the tree canopy. Some of the ideas put forward related to extending footpaths for pedestrian walkability and additional street tree canopy. In order to accommodate these ideas in Firebrace Street, input from the community was sought which including a change to parallel parking to accommodate for extended footpaths and a wider median for tree planting. The recent consultation period provided an opportunity for the community to comment on these options. One of the biggest challenges in planning for the CBD is to get the balance between vehicles, pedestrian and cyclist movement as well as providing more accessible footpaths for movement and tree planting. Maintaining a vibrant CBD for businesses is paramount. Such complexity has resulted in the need to put forward options to the community to resolve as to the best design solution moving forward. Community feedback has been welcomed.

### PUBLIC QUESTION FROM DARREN CHESTERFIELD OF HAVEN

#### Question 1:

I refer to the Destination Horsham Investment Attraction Strategy & Implementation Plan, in particular to page 40 which refers to industrial land known as Enterprise Estate as being 'ready to develop' (see page 38). This land is within the Horsham South Structure Plan, on which according to the HRCC website has not been updated since March 2021.

If the Horsham South Structure Plan has not been finalised how can HRCC say with confidence that Enterprise Estate is ready for development? I will not be present at the meeting, but look forward to reading your response in the meeting minutes. Thank you.

#### Response from Kevin O'Brien, Director Communities & Place

The Horsham South Structure Plan (Phase 4 currently being undertaken) focuses on two aspects:

1: The development of technical reports to address infrastructure needs such as traffic and transport connectivity, avoiding land use conflicts and development limitations, and planning and delivering sewer, water and drainage in a sequenced way, and

## 2: Development of a Future Urban Structure

The Investment Attraction Strategy focuses on council's value propositions (our assets). The Industrial Area known as Enterprise Estate is an asset that Council owns and intends to further develop through subdivision and construction of amenities such as roads, power and water supply, to encourage and support industry development. This land is zoned Industrial 1 and any land use or development will need to fit within the permitted uses under Horsham's planning scheme for this zone. This is why Council is able to indicate in the Investment Attraction Strategy that the Enterprise Estate is ready for development.

## 9. OFFICERS REPORTS

### 9.1 ROAD MAKING MATERIAL SUPPLY CONTRACT 22-022

<b>Author's Name:</b>	Frank Plozza	<b>Director:</b>	John Martin
<b>Author's Title:</b>	Co-ordinator Special Projects & Programs	<b>Directorate:</b>	Infrastructure
<b>Department:</b>	Operations	<b>File Number:</b>	22-022

#### 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 (*Refer to the confidential report on this subject for the tender evaluation appendix*)

#### Purpose

To award Contract 22-022 for Council's essential supply of quarry and road making materials.

#### Summary

- Council has an ongoing need for materials for road works and maintenance
- Historically, Council has utilised a panel of suppliers, periodically reviewed through a market process, to ensure probity in the procurement process, and competitive and current pricing
- A panel of contractors leads to efficiencies in and certainty of supply
- Public tenders were sought for this contract through Council's normal procurement processes
- Six compliant responses were received, and a panel of preferred tenderers is recommended to be accepted for the provision of the required materials
- Ideally this procurement would have aligned all materials supply, however the tender process failed to attract one critical material, limestone, however a current contract for that exists which covers Council for another 12 months for this material.

#### Recommendation

That Council appoint HED Industries, K&J Baker, Conundrum Holdings, Moree Quarries, Dooen Civil and Tuckers Hill as the panel of suppliers for the Road Making Material Supply Contract 22-022, for a three year period, with two optional one year terms.

#### Council Resolution

##### **MOVED Cr Ian Ross, Seconded Cr Di Bell**

That Council appoint HED Industries, K&J Baker, Conundrum Holdings, Moree Quarries, Dooen Civil and Tuckers Hill as the panel of suppliers for the Road Making Material Supply Contract 22-022, for a three year period, with two optional one year terms.

CARRIED

**REPORT****Background**

Quarry and road making material supply is critical to Council's ongoing capital works and maintenance program.

Historically, Council has utilised a panel of suppliers to ensure sustainable and timely supply of material. Council periodically goes to market to ensure probity in procurement, and competitive and current pricing.

Typically, expenditure on quarry and road making material is around \$900,000 per year.

**Discussion**

A detailed tender evaluation report is provided in the appendix to the confidential report on this subject. Key aspects of the evaluation include:

- Council received six proposals for the supply of relevant materials for road making and maintenance purposes
- All six proposals complied with the tender specifications, for different types of materials
- Evaluation of tenders was based on the criteria as presented in the tender documents

The panel members evaluated the tenders against:

- Schedule of rates
- Capacity to supply the quantities required,
- Standards of material supply, and
- Local sourcing and the ability to provide employment for locals.

The schedule of rates from the same suppliers under the previous contract reflect reasonable price adjustments.

**Options to Consider**

Appointing a panel enables different companies' materials to be used, and for Council to select the option best suited for a particular project based on the type of material, location and price.

**Sustainability Implications**

Council endeavours to reuse pavement material where possible.

Each year, Council reuses approximately 5,000 tonnes of concrete disposed of at Dooen Landfill in road projects, in addition to the materials sought through this contract.

**Community Engagement**

The key communication aspect with these projects will be the interaction between the appointed suppliers, Council's project supervisor and the adjacent landowners. Council has standard arrangements in place for this communication.

**Innovation and Continuous Improvement**

The Manager Strategic Assets Management is developing new techniques to reduce the costs of our road construction and maintenance program – these techniques still require the availability of these types of materials.

Planning is also underway to investigate new quarry sites within the municipality that Council may be able to develop to reduce the cost of materials and haulage.

**Collaboration**

Not applicable

**Financial Implications**

The budget for supply under this contract is provided in individual project budgets. Estimated expenditure is about \$900,000 each year.

The selection of material for individual jobs is based on a combination of factors including the supply cost of materials and the haul cost to cart the materials to the specific job site.

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

Not applicable

**Council Plans, Strategies and Policies**

2021 -2025 Council Plan

Theme 4 Accessibility

Horsham Rural City Council will meet community needs through connected transport networks and the provision of accessible and welcoming places and spaces.

To achieve this Council will put in place the following:

Strategies

- Improved and connected transport services and networks in and around the region

Initiatives and Priorities

- Ensure a safe and connected transport network including active transport

**Risk Implications**

Not awarding the contract puts Council at risk of breaching procurement policy.

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

Council officers will be asking the successful contractors to provide and progressively update their OH&S plan to address Covid-19 requirements and identify their risk control measures.

**Conclusion**

Awarding the Supply of Quarry and Roadmaking Material contract to a panel of suppliers will provide continuity of supply for the majority of Council's capital works and maintenance program and ensure procurement probity.

## 9.2 RURAL ROAD NETWORK PLAN

<b>Author's Name:</b>	Krishna Shrestha/John Martin	<b>Director:</b>	John Martin
<b>Author's Title:</b>	Manager Strategic Asset Management/Director Infrastructure	<b>Directorate:</b>	Infrastructure
<b>Department:</b>	Infrastructure	<b>File Number:</b>	F02/A05/000005

### 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

Rural Road Network Plan (**Appendix 9.2A**)

### Purposes

To adopt the Rural Road Network Plan (RRNP).

### Summary

- The Rural Road Network Plan has been developed over an extended period due to Covid delays impacting on consultation opportunities.
- A rural community based PCG guided development of the Plan.
- In addition to reviewing the hierarchy of many roads, the RRNP identifies three new categories of roads which supplement the existing four main categories of roads, i.e. Link, Collector, Access, Minor. The new categories are Freight, Farm Machinery and Tourism.
- Community consultation identified some priority routes to be considered for upgrade to meet the requirements of these three new categories.
- The total cost to upgrade all roads as indicated in the RRNP is \$20.4 M. There is significant overlap of this cost with some existing programs.
- Details of the potential implementation program are presented in the report.

### Recommendation

That Council:

1. Adopt the Rural Road Network Plan.
2. Endorse the approach proposed for incorporation of the Plan's recommendations into the Long Term Capex Plan.
3. Review specific proposals for the first year of works under this plan in the 2023-2024 budget process, which will include identification of the source of funding for these works.
4. Undertake specific local consultation to confirm the recommended routes for upgrade as part of each annual component of this program.

**Council Resolution**

**MOVED Cr David Bowe, Seconded Cr Les Power**

That Council:

1. Adopt the Rural Road Network Plan.
2. Endorse the approach proposed for incorporation of the Plan's recommendations into the Long Term Capex Plan.
3. Review specific proposals for the first year of works under this plan in the 2023-2024 budget process, which will include identification of the source of funding for these works.
4. Undertake specific local consultation to confirm the recommended routes for upgrade as part of each annual component of this program.

CARRIED

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## REPORT

### Background

The Rural Road Network Plan report is attached for consideration by Council. The Plan represents a review of service levels applicable to rural roads across the municipality. These service levels relate to both maintenance and construction standards. Generally, there were minimal changes to these service levels from those existing in the Road Management Plan.

In addition to a review of existing hierarchies, a key output of the plan is the establishment of three additional categories, or overlays, in the road hierarchy. In summary, these are:

- Freight routes – roads that should be upgraded to at least a 3.7 m sealed surface due to their priority for freight purposes. For Link roads these should be 6.2 m sealed width.
- Farm machinery routes – a network of all-weather roads that assist in allowing the passage of farm machinery, in particular to avoid busier routes and towns. Treatments required to achieve this standard includes a wider vegetation clearance envelope and all-weather access.
- Tourism routes – intended to provide a sealed surface to established tourism facilities to ensure that hire cars are able to use them without voiding vehicle insurance. Typically this would be a 3.7 m wide lower-cost Otta seal.

The Plan developed the conceptual approach to the proposed upgrade to selected roads within the municipality. This report provides details of the upgrade requirements foreshadowed in the report.

The large cost of implementation will need a clear prioritisation approach, with some of the lower priorities not realistically able to be afforded in the foreseeable future (10 years).

### Discussion

The Rural Road Network Plan has identified a range of service improvements to enhance roads in rural areas across the municipality. The total cost of upgrades presented in the Plan is \$20.4 million. This expenditure is categorised and described further in the discussion below.

- **Regional Roads Victoria Roads**

Routes identified in the RRNP include several sections of RRV roads which have vegetation clearance issues. Assessments of these indicate that approx. \$77,000 of expenditure would be required to remove the identified trees. Liaison with RRV is proposed to determine if they will undertake these works directly.

- **Freight Routes**

The table below lists the routes proposed to be upgraded to Freight Routes in the RRNP. The costs are only for segments that are below the required standard, on the following basis:

- Roads that are currently Link roads will be upgraded to 6.2 m (if not already).
- Other hierarchy level roads would be upgraded to 3.7 m seal.
- The table is split into columns to show the expenditure required based on the current class of road construction (i.e. Earthen, Gravel or Sealed).
- The table also shows where projects are already incorporated into the Long Term Capex Plan (LTCP) either in the first 10 years, or are proposed to be in the subsequent years to that Plan. This generally relates to Link roads with narrow seals that had previously been identified as requiring upgrade to a 6.2 m seal width.

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Road	Earthen	Gravel	Sealed	Total	LTCP
Dimboola-Minyip Rd (Boundary Road)			\$ 1,799,400	\$ 1,799,400	\$ 1,799,400
Horsham-Lubeck Rd			\$ 737,050	\$ 737,050	\$ 737,050
Horsham-Wal Wal Rd			\$ 3,096,590	\$ 3,096,590	\$ 3,096,590
Jackmans Rd (Dadswells Bridge)			\$ 911,400	\$ 911,400	
Laharum Rd			\$ 280,600	\$ 280,600	
Longerenong Rd			\$ 241,920	\$ 241,920	
Noradjuha-Tooan East Rd			\$ 2,818,690	\$ 2,818,690	\$ 2,818,690
North East Wonwondah Rd			\$ 1,336,869	\$ 1,336,869	\$ 1,336,869
Polkemmet Rd			\$ 2,969,994	\$ 2,969,994	\$ 2,969,994
Rifle Butts Rd		\$ 323,674	\$ 52,554	\$ 376,228	
Roses Gap Rd			\$ 364,250	\$ 364,250	
Three Bridges Rd			\$ 304,790	\$ 304,790	
Wail-Polkemmet Rd	\$ 286,536	\$ 1,116,136		\$ 1,402,672	
Wonwondah-Toolondo Rd			\$ 111,096	\$ 111,096	\$ 111,096
<b>Grand Total</b>	<b>\$ 286,536</b>	<b>\$ 1,439,810</b>	<b>\$ 15,025,202</b>	<b>\$ 16,751,548</b>	<b>\$ 12,869,689</b>

The table shows that of the \$16.8 million proposed for this element, some \$12.9 million of expenditure is currently foreshadowed in the LTCP, much of which is proposed to be grant funded. Grant applications have already been made for several of the roads in the early years of this program.

The Wail-Polkemmet Rd represents \$1.4 m of the approx. \$3.9 m not currently proposed to be funded in the LTCP. This is a 19 km long road that has regularly been identified as a potential freight route to link the Western Highway near Wail to Polkemmet Road. Constructing this long link would require a staged approach and lends itself to grant funding. It is an example of a road that is ranked relatively low in prioritisation scoring at present.

- **Tourism Routes**

Several routes have been identified that would benefit from being upgraded to service tourism facilities. Routes that are not identified in the list above (freight routes) are listed below. Note that for the routes already identified as freight routes, being also classed as a tourism route increases the priority of those routes.

The treatment proposed for these roads is that their current Gravel surface be upgraded to a 3.7 m wide Otta seal. This treatment will remove the insurance limitations which precludes hire cars using unsealed road, to increase tourism use of the roads.

Road	Gravel
Mt Zero Rd	\$ 28,116
Smiths Rd (Laharum)	\$ 187,547
Winfields Rd	\$ 365,891
<b>Grand Total</b>	<b>\$ 581,554</b>

Note that a segment of Winfields Road has been Otta sealed this year. This is not included in the list above.

- **Farm Machinery Routes**

The table on the following page lists those routes identified as proposed farm machinery routes that require upgrade, and the estimated cost of doing so. The key objectives of the farm machinery routes are that they:

- Provide an alternative route for wide farm machinery to avoid clashes with traffic on busy roads.
- All weather access.
- An envelope clear of vegetation to cater to wide and high farm machinery.

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The costs associated with each road in the following table are based on these criteria, with upgrades required for each road as per:

- Earthen roads – to provide an all-weather gravel surface plus tree pruning.
- Gravel roads – to bring the construction standard up to the desired standard width plus tree pruning.
- Sealed roads – tree pruning only to maintain the required envelope.

Road	Earthen	Gravel	Sealed	Total
Berry Ln	\$ 88,288			\$ 88,288
Brennans Rd	\$ 53,440	\$ 141,500		\$ 194,940
Camerons Rd (Nurrabiel)			\$ 2,600	\$ 2,600
Clear Lake-Sherwoods Dam Rd			\$ 16,900	\$ 16,900
Clynes Rd		\$ 1,300		\$ 1,300
Cooack Rd			\$ 5,200	\$ 5,200
Depot Ln (Natimuk North)	\$ 50,240			\$ 50,240
Dogwood Rd	\$ 412,960	\$ 145,280		\$ 558,240
Dooen South Rd	\$ 225,280			\$ 225,280
Drung-Jung Rd		\$ 179,580		\$ 179,580
Duchembegarra Rd			\$ 2,600	\$ 2,600
Geodetic Rd	\$ 444,480	\$ 3,840		\$ 448,320
Grahams Bridge Rd	\$ 207,680	\$ 127,600	\$ 2,600	\$ 337,880
Guests Rd (Banyena Rd)	\$ 148,480			\$ 148,480
Harrow-Clear Lake Rd			\$ 5,200	\$ 5,200
Holmes Rd			\$ 1,300	\$ 1,300
Jallumba-Mockinya Rd			\$ 2,600	\$ 2,600
Jenkinsons Rd	\$ 121,920	\$ 18,720		\$ 140,640
Jenzs Ln	\$ 121,600			\$ 121,600
Jung North Rd			\$ 5,200	\$ 5,200
Kelly Rd	\$ 210,240			\$ 210,240
Keytes Rd		\$ 95,060		\$ 95,060
Laharum Rd			\$ 14,300	\$ 14,300
Lake Rd			\$ 9,100	\$ 9,100
Meyers Rd			\$ 2,600	\$ 2,600
Miss Williamsons Rd			\$ 1,300	\$ 1,300
Moores Rd		\$ 1,300		\$ 1,300
Mt Talbot Rd (Nurrabiel)		\$ 10,400	\$ 1,300	\$ 11,700
Nixons Rd			\$ 1,300	\$ 1,300
Nixons South Rd		\$ 1,300		\$ 1,300
O Brees Rd		\$ 1,300	\$ 1,300	\$ 2,600
Peppertree Ln (Toolondo)		\$ 6,500		\$ 6,500
Polkemmet Rd			\$ 21,700	\$ 21,700
Remlaw Station Rd		\$ 2,600		\$ 2,600
Rodda Rd		\$ 1,300		\$ 1,300
Telangatuk East-Rocklands Rd			\$ 26,000	\$ 26,000
Three Chain Rd			\$ 1,300	\$ 1,300
Wyn Wyn Rd			\$ 1,300	\$ 1,300
<b>Grand Total</b>	<b>\$ 2,084,608</b>	<b>\$ 737,580</b>	<b>\$ 125,700</b>	<b>\$ 2,947,888</b>

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- **Prioritisation**

Each road segment proposed to be upgraded in the RRNP has been scored to evaluate its priority for works. The prioritisation process is based on the following criteria:

- Road Hierarchy Level (Social)
- Freight Usage (% Heavy Vehicles)
- Farm Machinery Route (Y/N)
- Tourist Route (Y/N)
- Traffic Volumes

It is proposed that an annual program will be developed based on priorities and the available funding for these upgrades.

**Options to Consider**

The Rural Road Network Plan presents some proposed new road categories that can enhance service delivery to our rural sector. Given the scale of the potential upgrade program, Council will need to consider an approach that identifies priority options for upgrade.

**Sustainability Implications**

Nil

**Community Engagement**

Development of the Rural Road Network Plan involved two rounds of public engagement, including a series of workshops at nine locations across rural parts of the municipality. Development of the plan was guided by a rural community based Project Control Group.

It is proposed to conduct specific engagement relating to each year's annual program under this Plan to ensure that the selected roads still address the local communities' needs at the time of the works.

**Innovation and Continuous Improvement**

The proposal for a Farm Machinery road category represents a new service level for rural roads, aiming to better meet the needs of the rural sector.

**Collaboration**

Nil

**Financial Implications**

Funding the proposed roads upgrade will be challenging.

Most of the priorities for upgrade under the Freight Route category have already been identified in the Long Term Capex Plan, and grant funding applications have already made for some of those upgrade projects. Arguably those upgrades not shown as having funding identified in the LTCP are the lower priority roads for upgrade, e.g. Wail-Polkemmet Road and Jackmans Road. It is reasonable that those roads are not projected to be upgraded in the next 10 years.

Upgrades to the Tourism and Farm Machinery Routes could be funded by diversion of some other elements of the overall roads program. For example, a reduction in the gravel road re-sheeting program could part fund these works. An informed decision will need to be made about the level of upgrading versus renewal of the existing road network. It is not proposed that the full list of upgrades would be achieved within 10 years.

Upgrading these roads will add to their cost of renewal, except where innovative approaches, e.g. Otta sealing, may lead to a reduced whole of life cost.

The Operations Improvement project, currently underway, is intended to identify efficiencies in delivery of Council's works program, which could support funding some of the upgrades proposed in the RRNP.

Existing tree pruning programs in rural areas will be able to be prioritised to the listed roads.

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

There is a significant likelihood of grant funding for upgrades to Freight and Tourism routes, based on State and Federal funding priorities.

**Council Plans, Strategies and Policies**

2021-2025 Council Plan

Theme 4 - Accessibility.

The Rural Road Network Plan addresses the following strategies and priorities of that theme: Horsham Rural City Council will meet community needs through connected transport networks and the provision of accessible and welcoming places and spaces.

- Strategies
  - Improved and connected transport services and networks in and around the region
  - An integrated, strategic and needs based approach to investing in our places and spaces
- Initiatives and Priorities
  - Ensure a safe and connected transport network including active transport

**Risk Implications**

There is a risk that different parts of the community will have a different view on the priorities for expenditure in this program. Further engagement on the annual program is proposed to mitigate this risk.

**Conclusion**

The Rural Road Network Plan establishes a proposed program to upgrade roads in the rural parts of the municipality to enhance the transport network to people and businesses in those areas.

### 9.3 CONTRACT 22-018 RIVERFRONT LANDSCAPING AND LIGHTING

<b>Author's Name:</b>	Dianna Blake	<b>Director:</b>	John Martin
<b>Author's Title:</b>	Coordinator Project Office	<b>Directorate:</b>	Infrastructure
<b>Department:</b>	Engineering Services	<b>File Number:</b>	22-018

#### 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 (*Appendix provided in confidential report on this subject*)

#### Purpose

To award Contract 22-018 for the Riverfront Landscaping and Lighting.

#### Summary

- This contract, being part of the City to River Stage 1 works, includes installation of landscaping and lighting on the Wimmera River.
- Laimiga Design Studio was commissioned to prepare the landscaping design and tender documentation.
- The project cost is contained within the overall \$3.1 M project budget.
- Tenders were evaluated in accordance with the standard process.
- Details of the tender evaluation are presented in the evaluation report.

#### Recommendation

That Council award the Contract 22-018 for the Riverfront Landscaping and Lighting to B & B Perry P/L, trading as Landscape It of Horsham, for the contract sum of \$631,584.00 ex GST.

#### Council Resolution

##### **MOVED Cr Les Power, Seconded Cr Penny Flynn**

That Council award the Contract 22-018 for the Riverfront Landscaping and Lighting to B & B Perry P/L, trading as Landscape It of Horsham, for the contract sum of \$631,584.00 ex GST.

CARRIED

#### **Cr Penny Flynn called for a Division of Council**

##### **For the Motion:**

Cr David Bowe

Cr Penny Flynn

Cr Les Power

Cr Robyn Gulline

##### **Against the Motion:**

Cr Ian Ross

Cr Di Bell

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**REPORT****Background**

Council is planning for the long term future of the Wimmera River Precinct and Central Business District through the City to River project. The aim is to transform and revitalise the area to make it a more attractive place to live, work, visit and invest in. The first stage of the City to River vision is focused on the revitalisation of the riverfront precinct in a sustainable manner. Council endorsed the Concept Plan presented for City to River Stage 1 Riverfront Activation on 21 September 2020.

The landscaping and lighting delivered in this project will be the final piece in this transformative project for the Wimmera Riverfront in Horsham. Along with construction of riverfront nodes to enable more public waterfront interaction, pergolas to create a sense of entrance and place, bespoke barbecue facilities and shelters, and matching public toilets all currently under construction, this landscaping and lighting project will deliver a first class precinct for Horsham residents and tourists to utilise the riverfront for recreation and enjoyment.

Artist's impression of the Riverfront Area



Source: Tract, 2019

## Discussion

Council commissioned a landscaping and lighting plan for the precinct as part of the \$3.1 M City to River Stage 1 priority works.

The area to be landscaped includes the riverfront precinct from Firebrace Street east to include the new Barbecue Shelters.

The work under the contract includes:

- Supply of plants and hard landscaping materials
- Supply and installation of semi-advanced trees (1.5m tall)
- Garden bed preparation and planting
- Supply and installation of irrigation
- Supply and installation of lighting
- Supply and installation of seating, bollards, bin surrounds etc.
- Supply and installation of turf
- Maintenance and upkeep of the finished work for 13 weeks from Practical Completion.

### 1 Locality Plan



CITY TO RIVER - DIXON DRIVE LANDSCAPING WORKS  
Dixon Drive HORSHAM VIC 3400

 EXTENT OF LANDSCAPE WORKS

Tenders were called for the project in February 2022. Only one response was received that was significantly higher than the pre-tender estimate.

Following feedback from contractors who had downloaded the tender documents that the specified timeframe had been too restrictive, the tender was re-issued and updated to allow submission of alternative timeframes for delivery.

Two compliant tenders and two non-compliant tenders were received. Details of the evaluation process are included in the Tender Evaluation Report.

### **Sustainability Implications**

Flood modelling of the riverfront has been conducted to ensure that works do not adversely impact on the river flow or other properties. This flood modelling has been reviewed and approved by the Wimmera Catchment Management Authority.

The landscaping is partly funded by a grant from Sustainability Victoria for the use of recycled materials in permeable paving, park benches and bin surrounds.

### **Community Engagement**

Over 700 written submissions were received during the development of the City to River Master Plan. One of the key priorities identified for development was improved access to the water's edge. Community engagement has occurred over 18 months, through surveys, drop-in sessions, and the establishment of a Community Reference Group to sculpt the concept plans for this area.

### **Innovation and Continuous Improvement**

The landscaping plan was developed with feedback from Council's Parks and Gardens team to ensure that suitable plants were used in the area. The design also makes use of permeable paving where possible to ensure water can seep through the paving to increase soil moisture levels.

### **Collaboration**

These works form part of Stage 1 of the City to River project. The project is overseen by a Project Reference Group which includes representatives from the Wimmera Catchment Management Authority, Department of Environment, Land, Water and Planning, Sport and Recreation Victoria and Regional Development Victoria.

### **Financial Implications**

The overall budget for the City to River Stage 1 works is \$3.1 M. Provisions for individual components of these works are allocated within this budget based on cost estimates by an external quantity surveyor. Although the estimate from the quantity surveyor was \$480,000 for this work, there have been savings within other parts of the overall project which allows the cost of this contract to be contained within the overall \$3.1M budget.

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

Not applicable

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

The City to River project directly addresses three of the themes in the Council Plan, being Community, Liveability and Accessibility, with specific reference to the City to River Master Plan under the first two of these themes.

**Risk Implications**

Standard construction risks apply to this project, these will be managed by Council's Project Office during the construction process. Materials with long lead times will be ordered immediately after the contract is awarded. Supply chain delays are endemic in the construction industry at the moment, so these will be addressed as they arise.

Delivery of this project will be managed in accordance with relevant COVID restrictions that apply at the time of the works.

**Conclusion**

The completion of this Riverfront Landscaping and Lighting is a key project in the City to River Stage 1 priority works approved by Council in 2020. This will be the final major deliverable in these key activation projects.

## 9.4 DOMESTIC ANIMAL MANAGEMENT PLAN

<b>Author's Name:</b>	Mandi Stewart	<b>Director:</b>	Kevin O'Brien
<b>Author's Title:</b>	Manager Community Services & Safety	<b>Directorate:</b>	Communities and Place
<b>Department:</b>	Community Services and Safety	<b>File Number:</b>	F25/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

Draft Domestic Animal Management Plan 2022-2026 (**Appendix 9.4A**)

### Purpose

To receive and note the draft Domestic Animal Management Plan (DAMP) 2022-2026.

### Summary

- Every four years Local Government is required to produce a Domestic Animal Management Plan (DAMP) Plan under the Domestic Animals Act 1994
- Phase one consultation with community has been completed with 301 survey responses, 46 interviews and 1 DAMP Reference Group Meeting
- The attached Draft DAMP 2022-2026 has been developed following community input and in accordance with the necessary regulatory and legislative requirements
- Phase two consultation with the community on the draft DAMP 2022-2026 will occur post approval of the Draft Plan.

### Recommendation

That Council:

1. Receive and note the Draft Domestic Animal Management Plan 2022-2026.
2. Release the Draft Domestic Animal Management Plan 2022-2026 for phase two consultation with the community.

### Council Resolution

**MOVED Cr David Bowe, Seconded Cr Penny Flynn**

That Council:

1. Receive and note the Draft Domestic Animal Management Plan 2022-2026.
2. Release the Draft Domestic Animal Management Plan 2022-2026 for phase two consultation with the community.

CARRIED

**REPORT****Background**

Every four years Local Government is required to produce a Domestic Animal Management Plan (DAMP) in accordance with the Domestic Animals Act 1994. The plan has a series of regulatory and legislative requirements that need to be incorporated into the plan along with evidence of community input and consultation. Phase one of the community consultation process has involved approximately 350 participants. Further to this consultation with the DAMP Project Committee has taken place.

**Discussion**

There are 10 key issues that need to be addressed as part of the DAMP 2022-2026, these issues have a series of actions for Council to undertake over the next four year period. Council needs to consider the actions documented within the plan and make recommendations for additional actions or removal of actions as deemed appropriate.

**Options to Consider**

Council is mandated to produce a DAMP every four years. This Plan has considered Councils role, Councils resources and community expectations and has achieved a balance ensuring the actions within the Plan are desirable, feasible and viable.

**Sustainability Implications**

Nil

**Community Engagement**

Phase one community engagement has included:

- 301 survey responses
- 46 interviews
- 1 Project Committee meeting

Phase two community engagement will occur from Wednesday 27 April 2022 until COB Friday 27 May 2022. This will involve an opportunity for the community to comment on the draft plan. Communication to the community will occur via public notices, weekly HRCC newsletter, Media Release and Facebook.

**Innovation and Continuous Improvement**

Not applicable

**Collaboration**

Not applicable

**Financial Implications**

Within existing resource allocations. Potential to increase future revenue with cat and dog registrations better aligned to cat and dog population across the municipality.

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

Not applicable

**Council Plans, Strategies and Policies**

- This plan is consistent with the 2021-2025 Council Plan <https://www.hrcc.vic.gov.au/Our-Council/About-Us/Council-Plan>
- This plan is linked to the Municipal Emergency Management Plan [https://www.hrcc.vic.gov.au/files/assets/public/document-resources/emergency-management/documents/hrcc\\_memp\\_version\\_1.1\\_december\\_2015\\_1.pdf](https://www.hrcc.vic.gov.au/files/assets/public/document-resources/emergency-management/documents/hrcc_memp_version_1.1_december_2015_1.pdf)
- This plan is linked to the Animal Emergency Management Sub-Plan

**Risk Implications**

Not applicable

**Conclusion**

Approval of the Draft DAMP 2022-2026 is sought to further progress refinement of the Plan and to enable Phase Two of the community consultation and engagement process.

## 9.5 YANGGA DYATA HORSHAM SILO OFFICIAL OPENING

<b>Author's Name:</b>	Shana Miatke	<b>Director:</b>	Kevin O'Brien
<b>Author's Title:</b>	Creative Services & Events Lead	<b>Directorate:</b>	Communities & Place
<b>Department:</b>	Arts, Culture & Recreation	<b>File Number:</b>	F20/A02/000001

### 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

'Yangga Dyata' Walking on Country Official Opening Submission for BGLC – Approved by BGLC Board on the 16/03/2022 (**Appendix 9.5A**)

**Advisory:** Aboriginal and Torres Strait Islanders are advised that this report contains the name of a deceased person.

### Purpose

To receive and note the update regarding the Yangga Dyata Horsham Silo Official Opening and to endorse the proposed temporary name change of Firebrace Street and Sawyer Park for the week of Reconciliation Week 'Be Brave Make Change' 2022, to a name that is put forward by Barengi Gadjin Land Council (BGLC) Board.

### Summary

It has been proposed that BGLC and Council could work together to host an amazing representation of community for Reconciliation Week which is titled 'Be Brave Make Change' 2022 through the following:

- That the opening of the **Yangga Dyata project** be opened by BGLC and Aunty Jennifer on 27 May 2022 at dusk, with a welcome and smoking ceremony
- Attendees will walk from the silo to the top end of Firebrace Street, which will be temporarily renamed in a name/title put forward by BGLC for the week. This will name will also be put forward to Australia Post to recognise the change of street name
- Walking down Firebrace Street renamed, attendees will be able to witness the street lit by projection of Wotjobaluk Nations artists work transformed into projection by working with local projection artists that will occur in April and May
- Finishing down at Sawyer Park to be temporarily renamed by BGLC for the presentation of local artist Tanisha Lovett's work that will be installed onto the front of the stage through the mentorship program run in connection to the silo project with SMUG. Tanisha will learn the skills in story interpretation and artwork development to a large scale during this time
- Celebration of local dance and food to follow.

**Recommendation**

That Council:

1. Endorse the proposed opening ceremony of the ‘Yangga Dyata’ Project supported by artist activation that brings together Wotjobaluk Nations artists and local projection artists to work together on transcending the Central Business District for the week.
2. Endorse the temporary name change of Firebrace Street and Sawyer Park to a name to be put forward by the BGLC Board.

**Council Resolution**

**MOVED Cr Les Power, Seconded Cr Ian Ross**

That Council:

1. Endorse the proposed opening ceremony of the ‘Yangga Dyata’ Project supported by artist activation that brings together Wotjobaluk Nations artists and local projection artists to work together on transcending the Central Business District for the week.
2. Endorse the temporary name change of Firebrace Street and Sawyer Park to a name to be put forward by the BGLC Board.

CARRIED

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## REPORT

### Background

The Horsham Silo project has been a working collaboration between HRCC, BGLC and the Plazzer family over the last 2½ years. The project scope is to consult, design and install a major Public Art Work on the East face of the heritage Horsham Silo and Flour Mill, currently owned by the Plazzer Family Trust that reimagines the Lost in the Bush Story from the perspective of Yanggendyinyanyuk, a Wotjobaluk warrior's story of leadership, resilience and great legacy. Yanggendyinyanyuk is more widely known as one of the Indigenous trackers who found three (3) non aboriginal children, lost in the Wimmera scrub for nine (9) days in 1864.

Council has commissioned the creative services of Juddy Roller to work with BGLC, Jennifer Beer, the Plazzer Family Trust (owners of the site), and community stakeholders to create a highly visible artwork, acknowledging, reimagining and celebrating a story of cultural and historic significance. The artwork will commence at the start of May and will be completed for the opening date of National Reconciliation Week 27 May 2022.

### Discussion

The silo project is progressing with a confirmed date of 27 May 2022 when the works will be completed by SMUG the chosen artist. SMUG (Sam Bates) met with Aunty Jennifer Beer on the weekend of 5 and 6 March 2022 to listen to Aunty Jennifer share information on Yanggendyinyanyuk. Sam was extremely respectful and was very grateful for the privilege of being able to spend time with Aunty Jennifer. Sam also met with Tanisha Lovett the chosen emerging artist who will be part of the silo project.

Sam was taken around the region including Djurite to ensure he had a clear understanding of the region. Sam will now take the next 4 weeks to draw up a sketch of what he proposes for the artwork. Once the sketch is received, BGLC, Aunty Jennifer, HRCC and the Plazzer family representatives will meet to discuss the proposed artwork and offer any feedback. Due to the tight time constraints no further input will be sort.

This project has taken the team on a deep and meaningful connection with BGLC that is respectful in allowing cultural processes to be undertaken. The connection with BGLC, Plazzer family, the artist and HRCC has far exceeded all expectations thus far on working together on a major project that will be one of Horsham's largest tourism assets for many years. As reported in the Grampians region tourism statistics from 2015 increase in visitation has grown 30% prior to the silo art trail existing. Horsham's inclusion in to the silo trail will see Horsham become a hub due to the accommodation and food offerings available in the town which is significantly different to the other silo's offerings.

### Options to Consider

This celebration of the silo project combined with Reconciliation Week will see a working committee of HRCC and BGLC coming together in agreement to deliver a Nationally recognised event in a way the is mindful and respectful. It will enable the HRCC to work with BGLC to build respect, recognition and promote reconciliation.

### Sustainability Implications

Nil

**Community Engagement**

- Conversations and meetings with West Vic Business, BGLC, Plazzer family.
- Primary discussions with Australia Post.
- If council are to approve the temporary name change all businesses and residential occupants will be consultant and informed of the process.

**Innovation and Continuous Improvement**

This action will see the innovation of a new partnership with our First Nations people. It will create an opportunity for Council to work with and support our community in understanding reconciliation week and our history.

**Collaboration**

Council acknowledges that Non-Indigenous collaborators who wish to work with Indigenous artists, peoples or communities should collaborate from project development through to project completion. Council understand and recognise it is critical to have in place a clear process to enable a two-way exchange and meaningful partnership. This will involve the ongoing input of an Indigenous cultural consultant or consultants who liaise between groups, and advise on cultural protocols and the use of Indigenous Cultural Intellectual Property so that its integrity is valued, protected and respected.

Council acknowledges that deep listening the act of respectful listening and taking in the perspectives of others with an open mind is a vital part of this agreement in building trust to ensure communication and consultation is undertaken with a mutual respect. Council acknowledges that there may be sensitive content, such as sacred or secret material provided as part of the project, which may require special communication procedures that will be ascertained first. Council acknowledges that the consultation may take time depending on the sensitivity of the material.

**Financial Implications**

The proposed opening of the silo, celebrations of Reconciliation week and projection week are covered within the current silo project brief, part A & B of the outdoor activation fund and annual Reconciliation Action Plan allocation for reconciliation week.

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

Creative State 2025 – State Government Victoria.

First Peoples knowledge, practice, protocols and cultural authority will be at the heart of the creative industries, forging stronger and enduring partnerships with First Peoples creative communities. Led by the Creative Victoria First Peoples Directions Circle, we will work to ensure that opportunities are maximised for First Peoples and to increase First Peoples representation and employment in Victoria's creative industries across the state.

Reconciliation 2021 – State of reconciliation.

**Council Plans, Strategies and Policies**

HRCC Innovate RAP Plan

- Developing an environment, which fosters mutual respect, inclusiveness, equity and social justice with Aboriginal and Torres Strait Islander peoples.
- Strengthening collaboration, including provision of culturally sensitive awareness of Aboriginal and Torres Strait Islander peoples' heritage.
- Forging respectful relationships designed to contribute to 'Closing the Gap' on Aboriginal and Torres Strait Islander education, health, cultures, languages, social justice and employment.

2021-2025 Council Plan

Theme 1 - Community

- Value and respect the culture of our traditional owners through strengthening relationships and partnerships with the Aboriginal and Torres Strait Islander community in Horsham
- Promote and support the municipality's key tourism, events and local and cultural offerings

**Risk Implications**

The temporary renaming of Firebrace Street and Sawyer Park could cause community concern.

**Conclusion**

The opening of the 'Yangga Dyata' project is perfect timing for Council to celebrate Reconciliation week in a form that will respect our Wotjobaluk Nations community and provide a tourism opportunity that supports both Council's Plan, BGLC and the Creative State Plan. The proposal has been developed with BGLC and has the full board endorsement.

## 9.6 INVESTMENT ATTRACTION AND GROWTH 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

Visitor Services Report: February 2022 (**Appendix 9.6A**)

### Purpose

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

### Summary

The Investment Attraction and Growth Report provides a summary of investment attraction and growth activities in the municipality during the reporting period.

### Recommendation

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

### Council Resolution

**MOVED Cr Penny Flynn, Seconded Cr Di Bell**

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

CARRIED

## REPORT

### Background

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

### Discussion

The work undertaken across Investment Attraction and Growth includes Strategic Planning, Statutory Planning, Building Services, Business Development, Tourism and Events. This report also includes statistical information from the Visitor Services at the Horsham Town Hall.

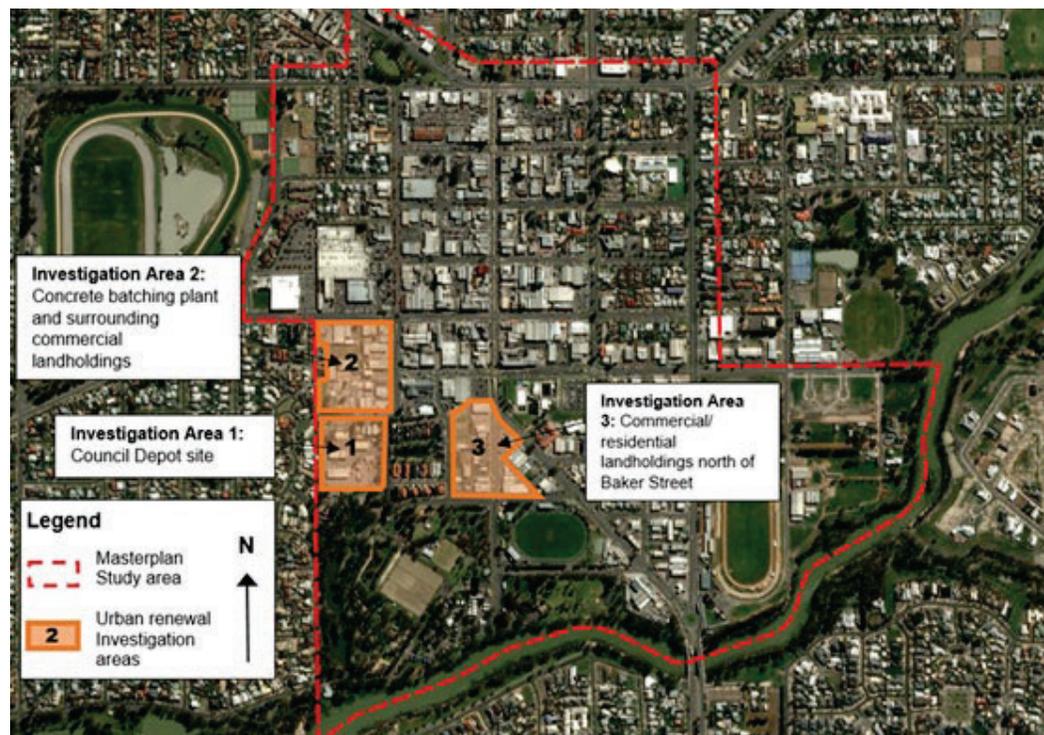
## STATUTORY PLANNING

### Horsham City Urban Renewal

Council has been successful in obtaining a Victorian Planning Authority grant for a key Urban Renewal planning study in Horsham's city centre. Urban Renewal provides a unique opportunity to focus development in particular precincts and to build upon existing infrastructure, relocate inappropriate land-use, encourage mixed use activity and plan for growth and investment.

The City to River Masterplan identified the area bounded by Wilson Street, Firebrace Street and the Botanic Gardens. The project focus includes the Council depot site, the concrete batching plant and a range of commercial properties.

The project will encourage residential, commercial, and mixed use development and involve economic modelling, urban analysis, developing a clear vision, identification of planning controls and design guidelines for future developments.



**Planning Applications Determined**

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

Type	FEBRUARY 2022		FEBRUARY 2021	
	No.	*Value \$	No.	*Value \$
Miscellaneous Domestic	3	866,670	2	1,004,622
Industrial/Commercial	2	384,000	4	152,900
Subdivisions	6 (32 lots)	-	2	-
Other	-	-	-	-
<b>Total</b>	<b>11</b>	<b>1,250,670</b>	<b>8</b>	<b>1,157,522</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 2021 to 28 February 2022 is 93 compared to 86 in the same period in 2020-2021.

Planning permits issued for subdivision have permitted 80 new lots from 1 July 2021 to 28 February 2022 compared to 35 in the same period in 2020-2021.

**BUILDING SERVICES**

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

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

Type	FEBRUARY 2022		FEBRUARY 2021	
	No.	Value \$	No.	Value \$
Dwellings	-	-	-	-
Alterations to Dwellings	-	-	-	-
Dwelling resitings	-	-	-	-
Misc Domestic (Carports, Garages etc)	1	15,735	2	24,415
Removal/Demolish	4	123,200	-	-
Industrial/Commercial	-	-	1	150,000
Signs	-	-	-	-
<b>Total</b>	<b>5</b>	<b>138,935</b>	<b>3</b>	<b>174,415</b>

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

Type	FEBRUARY 2022		FEBRUARY 2021	
	No.	Value \$	No.	Value \$
Dwellings	11	4,967,720	15(17*)	5,827,958
Alterations to Dwellings	4	261,278	1	36,080
Dwelling resitings	-	-	-	-
Misc Domestic (Carports, Garages etc)	12	1,024,446	9	314,137
Removal/Demolish	1	18,950	2	77,500
Industrial/Commercial	5	4,614,517	1	17,235
Signs	-	-	-	-
<b>Sub Total</b>	<b>33</b>	<b>10,886,911</b>	<b>28</b>	<b>6,272,910</b>

(\*15 permits for 17 dwellings)

A total of **59** Building Permits have been issued by the Horsham Rural City Council at a total value of **\$4,088,853** from **1 July 2021 to 28 February 2022** compared to **40** Building Permits at a total value of **\$2,899,807** in 2020-2021.

Private Building Surveyors have issued 194 Building Permits at a total value of \$51,053,554 from 1 July 2021 to 28 February 2022 compared to 181 at a total value of \$43,304,053 in 2020-2021.

## **BUSINESS DEVELOPMENT, TOURISM AND EVENTS**

### **Natimuk Social and Economic Plan**

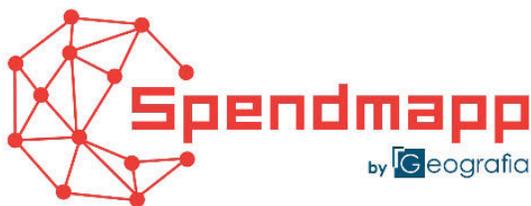


Projectura was recently appointed as the consultant for the Natimuk Economic and Social plan development. Projectura is a community planning and engagement studio based regionally in Corowa, NSW. Their focus is working with rural and regional communities to improve public places, reduce social inequalities and give everyone a voice in planning for their community.

Projectura is experienced in working with rural communities that have suffered economic and social shocks. Recent examples include the Myrtleford Resilience Plan and the Stanhope Place Plan.

The Business and Tourism team look forward to working with Projectura and the Natimuk community on this exciting project.

### **Spendmapp**



The question was not "whether" but rather "how far" January spending was going to fall after record December results.

Downward pressure was coming from all angles. People had less money to spend, with the ABS reporting an 8.8% drop in hours worked in January, its lowest since the start of the pandemic.

There was less stuff to buy, as shipping containers sat at port and businesses closed up due to staff shortages. If COVID impacts weren't bad enough, Stuart Highway flooding effectively cut off the Northern Territory and caused cargo havoc across inland areas. And so January continues the pattern of "extremes" that characterises the last two years of high highs and low lows.

A lucky few of our tourist destinations still saw a January spending increase. Everywhere else experienced a post-Christmas spending hangover, felt most severely in metropolitan LGAs.

What is interesting is that January's 11% drop across rural councils is the same as during January 2020 when the country was being ravaged by bushfire. Two different kinds of natural disasters - the same overall economic impact.

Looking ahead to February will be a balancing act – on the one hand, post-lockdown confidence is slowly returning, but on the other hand, rising interest rates, falling stock markets and war in Eastern Europe, are all taking a toll on consumer sentiment.

### **Monthly Spending Summary - Horsham Rural City Council**

**Peak Spending Day:** Friday 21 January 2022

**Total Local Spend:** \$1.25M

#### **Expenditure by Type**

<b>Expenditure Type</b>	<b>Total Local Spend</b>	<b>Resident Local Spend</b>	<b>Visitor Local Spend</b>	<b>Resident Escape Spend</b>	<b>Resident Online Spend</b>
<b>January '22 Spending</b>	\$31.5M	\$20.9M	\$10.6M	\$9.79M	\$11.5M
<b>Change from Dec '21</b>	30.0% decrease	30.9% decrease	28.0% decrease	13.4% increase	3.5% decrease

### **Business Development Team – 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					
<b>Total</b>	<b>8</b>	<b>9</b>	<b>29</b>	<b>15</b>	<b>61</b>

### **2022 Visitations to the [www.visithorsham.com.au](http://www.visithorsham.com.au) website**

The visithorsham website continues to draw steady visitation hits per month. However, the drop in hits for February results in the holiday period is over and schools returns as scheduled.

<b>Website Visitation Statistics 2022</b>	
<b>January</b>	<b>February</b>
4,531 Users resulting in 13.8% returning visitors and 86.2% new visitors to the site.	3,582 Users resulting in 12% returning visitors and 88% new visitors to the site.

**Wimmera Business Centre**

## Occupied Businesses

Street and Number of Businesses	JAN FY 21-22 Shops Occupied	FEB FY 21-22 Businesses Occupied	FEB FY 21-22 Businesses Vacant	FEB FY 21-22 Percentage Businesses Occupied
<b>Darlot St – 43</b> car wash and businesses operating from a house included	35	41	2	95%
<b>Firebrace St - 99</b>	91	92	7	93%
<b>Hamilton St - 17</b>	16	16	1	94%
<b>Wilson St - 34</b>	31	28	6	82%
<b>Pynsent St – 28</b> Cinema included	24	25	3	89%
<b>Roberts Ave – 27</b> Coles included	24	25	2	92%
<b>McLachlan St – 24</b> CFA & GMW included	23	24	0	100%
<b>Total 272</b> Post February 2022 there were 262 shops identified in the study area	<b>244-262</b>	<b>251-272</b>	<b>21</b>	<b>92%</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).

**Strategic Planning****Project Consultation**

In late February the City Centre (CAD) Streetscape Plan was presented to the community. 11 projects were designed using the ideas heard from the community at the end of last year and advice from our independent urban design and landscape consultant, UrbanFold.

The Horsham North Local Area Plan Issues and Opportunities Paper was made available online at the end of February for community review and feedback. Feedback from this first round of consultation will be used to inform the development of a Local Area Plan.

**Visitor Services**

Statistic have been collected by the Visitor Services' team for the month of February (refer to attached Visitor Services Report February 2022)

**Investment Attraction**

Council's Business and Investment webpage is being updated. In February the Communication's team worked with Jo Gardner CEO Australian Wildflowers, a business person located within our region, to create a video on investing in Horsham which will be a feature on the webpage. Below is a link to video.

<https://www.hrcc.vic.gov.au/Business-and-Investment/Investment-Opportunities>

**Options to Consider**

Not applicable – no decision required

**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 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 and Tourism Support.

**Financial Implications**

Nil

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

Not applicable – no direct relationship or requirements

**Council Plans, Strategies and Policies**

2021-2025 Council Plan

Theme Three – Sustainability

Horsham Rural City Council will actively lead in sustainable growth and development of the community and the economy.

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

**Risk Implications**

Not applicable – no decision required

**Conclusion**

The engagement of Projectura to undertake the Natimuk Economic and Social Plan with the community is exciting and will provide the opportunity for the Natimuk community to determine future economic and social outcomes within Natimuk.

## 9.7 QUARTERLY PERFORMANCE REPORT – JANUARY TO MARCH 2022

<b>Author's Name:</b>	Faith Hardman	<b>Director:</b>	Graeme Harrison
<b>Author's Title:</b>	Corporate Planner	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Governance and Information	<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

Quarterly Performance Report – January to March 2022 (**Appendix 9.7A**)

### Purpose

To receive and note the Quarterly Performance Report for the three months to 31 March 2022.

### Summary

- This is a newly developed Quarterly Performance Report template and is part of the continual improvement process of reporting back to Council and the community.
- The Quarterly Performance Report brings together into a single, easy to read document, a range of reports including:
  - Quarterly Budget Report
  - Service Performance Indicators
  - The tracking of any major initiatives
  - Community Project Reports
  - Community Engagement
  - Major Projects and Capital Works
  - Councillor Expenses
  - Audit and Risk Committee minutes.
- It reports all items over a consistent quarterly reporting timeline.

### Recommendation

That Council receive and note the Quarterly Performance Report for the three months to 31 March 2022 (**Appendix 9.7A**).

### Council Resolution

#### MOVED Cr Penny Flynn, Seconded Cr Les Power

That Council receive and note the Quarterly Performance Report for the three months to 31 March 2022 (**Appendix 9.7A**).

CARRIED

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## REPORT

### Background

Council's operations are large and complex, with over 80 different broad service delivery areas from road maintenance and construction, waste collection, parks, building and planning, to early years, visual and performing arts. This diversity in services creates challenges in many facets of Council's operations, which then create challenges in reporting on these to Council and the broader community.

The *Local Government Act 2020*, section 97, requires that as soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public. The Quarterly Performance Report encapsulates a quarterly budget report, Council Plan Goals and Actions, the tracking of any major initiatives, Council Expenses and Audit and Risk Committee minutes for the relevant quarter.

Council has in place a Financial and Performance Reporting Framework that provides some guidance on Council's reporting processes. These guidelines state the following:

*"Councillors take ultimate responsibility for the performance of Council and are accountable to the ratepayers and community of the municipality. As Councillors are not involved in the day-to-day operations of the Council, they rely on policies, procedures and internal controls to provide assurance about the information reported to them and in turn reported to the community and other stakeholders."*

The provision of relevant information on a regular basis is an important part of that internal control process and is necessary for the various levels of Council to carry out their responsibilities and obligations to the community in the management of Council business.

Central to Council's Financial and Performance Reporting Framework, are the following objectives:

- Council is committed to providing accurate, correct and quality information to the Community around its performance
- Council is committed to providing high quality relevant internal and external reporting, in a timely manner
- Council is committed to providing regular targeted reporting to Management, its Audit and Risk Committee, Council and the Community
- Council is committed to sound governance through the alignment of performance reporting with its strategic direction
- Performance reporting is not just a compliance exercise but is integral to better understanding of how Council is performing in its delivery of key strategies and operations from the Council Plan.

### Discussion

As a part of the continual improvement process, this report reports back to Council and the community on key strategic items, in a clear and concise manner that is readable and informative.

The report contains the following sections:

1. CEO Overview
2. Council Plan Updates and Local Government Performance Reporting Framework (LGPRF)
3. Customer Service Updates
4. Community Projects
5. Capital Works Projects
6. Councillor Expenses
7. Quarterly budget report

The format for this has evolved significantly from the previous year and includes additional sections on community projects and current community engagement. This report provides Local Government Performance Reporting data titled as "Service Performance Indicators" which will evolve to include some further customised indicators of council performance. On adoption of the Annual Action Plan, reporting against it too will be incorporated into the report.

**Options to Consider**

Not applicable

**Sustainability Implications**

Not applicable save and except included reporting on council's environmental and sustainability goals.

**Community Engagement**

The Quarterly Performance Report has been developed by the Corporate Planner, in consultation with the Executive Management Team and Departmental Managers. It has been reviewed at a Council Briefing Meeting.

**Innovation and Continuous Improvement**

The Quarterly Performance Report's intention is to continuously improve communication and engagement with the community through effective and succinct reporting on key strategic items, in a clear and concise manner that is readable and informative.

**Collaboration**

Not applicable

**Financial Implications**

This report is prepared using existing staff resources.

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

Not applicable

**Council Plans, Strategies and Policies**

2021-2025 Council Plan

Theme 5 - Leadership

Good governance, through leadership and connection with the community.

Build Trust through meaningful community engagement and transparent decision making.

**Risk Implications**

Provision of good quality, regular reporting of financial and non-financial information to the community mitigates against the risk of poor financial governance and possible financial mismanagement. The Municipal Association of Victoria's Good Governance Guide states "the Council is ultimately accountable for the financial management...it should not have a hands-on role... but it needs to ensure that it has sufficient information to be satisfied that finances are in order and that the budgetary and financial planning goals are being met".

**Conclusion**

The Quarterly Performance Report will provide a regular and succinct quarterly report for Council and the community to assess how Council is performing financially and against its key objectives.

## 9.8 PROPOSED SALE OF LAND – BAILLIE STREET HORSHAM

<b>Author's Name:</b>	Tennille Ellis	<b>Director:</b>	Graeme Harrison
<b>Author's Title:</b>	Co-ordinator Property Management	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Governance and Information	<b>File Number:</b>	99/01/00322A

### 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

Plan of Lot 2 PS 703775T (**Appendix 9.8A**)

Historical Car parking plan (**Appendix 9.8B**)

Aerial Photo of Lot 2 PS 703775T (**Appendix 9.8C**)

### Purpose

To consider a request to purchase Lot 2 PS 703775T by the adjoining property owner, Caltex Australia Petroleum Pty Ltd via private treaty.

### Summary

- Bonney Energy Victoria Pty Ltd is the tenant of the Caltex service station property at 129 Baillie Street, Horsham. The landlord and registered proprietor of the property is Caltex Australia Petroleum Pty Ltd.
- Bonney Energy Victoria Pty Ltd have sought planning and building permits for the establishment of fuel tank infrastructure at the rear of the service station site. A planning permit has been granted, but because a section of the land identified in the application is council-owned, land-owner consent from council is required for a building permit to be issued.
- The section of council-owned land is Lot 2 PS703775T (Vol 11495 Folio 285), and is located at the rear of the service station, adjoining the north-east corner of the library carpark (**see Appendix 9.8A**).  
Council had purchased this land to provide additional parking in the Library car park.
- Bonney Energy Victoria Pty Ltd were unaware of this land being council-owned. There is currently no property agreement in place for this land and it is not separately fenced.

### Recommendation

That Council agree to sell the land known as, Lot 2 PS703775T (Vol 11495 Folio 285), to Caltex Australia Petroleum Pty Ltd via private treaty, and put in place a short term lease agreement (1 year maximum) with Caltex to allow the planned works to commence as soon as practicable whilst the sale is finalised.

**Council Resolution**

**MOVED Cr David Bowe, Seconded Cr Ian Ross**

That Council not sell the land known as, Lot 2 PS703775T (Vol 11495 Folio 285), to Caltex Australia Petroleum Pty Ltd via private treaty, or put in place a short term lease agreement (1 year maximum) with Caltex.

**Amendment**

**MOVED Cr Di Bell, Seconded Cr Les Power**

That Council not sell the land known as, Lot 2 PS703775T (Vol 11495 Folio 285), to Caltex Australia Petroleum Pty Ltd via private treaty, and put in place a short term lease agreement (1 year maximum) with Caltex if requested.

CARRIED

**When the amendment was PUT it was CARRIED. The amendment then became the substantive motion and when it was PUT it was CARRIED.**

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## REPORT

### Background

The parcel of land known as Lot 2 PS703775T (Vol 11495 Folio 285) is estimated at 121m<sup>2</sup> and was created in 2014 when Council subdivided and purchased the property from Scotts Agencies Pty Ltd for \$25,000. At the time and since no separate fencing of the lot has occurred.

At that time, Council's strategic intent for the land was for consolidation with the adjoining council-owned properties, being the library car park in McLachlan Street and residential property at 22 Urquhart Street, for future parking development (see **Appendix 9.8B**).

A Bonney Energy Victoria Pty Ltd representative recently advised that they were unaware that the council-owned parcel is not part of the Caltex Australia Petroleum Pty Ltd property, as there is no boundary fence between the two properties.

### Discussion

Bonney Energy Victoria Pty Ltd's proposed development over the council-owned land includes placement of an above-ground diesel tank (see **Appendix 9.8C**). It is understood that this will be a removable structure.

A council planning permit for the proposed development has been granted. It was not identified prior to issuing the planning permit that Council owned this parcel of land. Before granting the building permit, the building surveyor has requested council approval for use of the land owned by council.

Bonney Energy have requested a lease of the council-owned property with conditions allowing development and use of the land under the Planning Permit. The request includes a minimum tenure of 5 years with options, and provision of a call option for Bonney Energy or a nominee of Bonney Energy (i.e. the landlord) to purchase the property during the term of the lease.

It should be noted that this land is not suitable to be occupied by any other parties outside of Council or Bonney Energy Victoria Pty Ltd due to its size and location.

The Municipal Parking Strategy completed in 2017 did not identify a need for additional parking in the Library carpark location. This land would provide 6 car parking spaces. The redevelopment of the house at 22 Urquhart Street, owned by council, into car parking would not be jeopardised if this land is sold, but the number of car parks would reduce by 6.

### Options to Consider

1. Council could consider that the original strategic intent for an additional 6 car parking spaces still stands and not agree to lease or sell the land parcel.
2. Council could consider granting on-going occupation and approval for the proposed development via establishment of a long-term property lease agreement with Bonney Energy Victoria Pty Ltd and not sell the land at all at this point.
3. Council could offer a much shorter term lease to Bonney Energy Victoria Pty Ltd and still develop the land for 6 car parking spaces at some point in the near future.

### Sustainability Implications

Not applicable

**Community Engagement**

Any sale of land would need to be approved by Council Resolution and the sale actioned in accordance with the Local Government Act 2020 and Council's Community Engagement Policy including the Public Notice requirements.

**Innovation and Continuous Improvement**

Not applicable

**Collaboration**

Not applicable

**Financial Implications**

There is potential for Council to earn revenue from this parcel of land either by way of a lease payment or proceeds from a sale. A current valuation would need to be sought to determine market value. This parcel of land was purchased using funds from the CBD Reserve for \$25,000 in 2014.

If Council are to retain this property for its own use it will need to be fenced to the boundary, which will incur additional costs.

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

Not applicable

**Council Plans, Strategies and Policies**

Council Plan 2021--2025

Theme 5 Leadership - Horsham Rural City Council, will build trust and connections with the community through good governance, community consultation, accountability, transparent decision making and financial stability.

**Risk Implications**

The current arrangement of Bonney Energy Victoria Pty Ltd occupying Council's land without a formal agreement in place is a risk to Council.

**Conclusion**

Council should grant approval for an initial short term property lease with Bonney Energy Victoria Pty Ltd that permits immediate occupation and placement of the proposed fuel tank infrastructure, and commence the process to sell the land to Caltex Australia Petroleum Pty Ltd via private treaty.

## 9.9 DELEGATIONS UPDATE

<b>Author's Name:</b>	Diana McDonald	<b>Director:</b>	Graeme Harrison
<b>Author's Title:</b>	Co-ordinator Governance	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Governance and Information	<b>File Number:</b>	F19/A12/000001

### Officer Direct or indirect 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

S5 Instrument of Delegation – To the Chief Executive Officer (**Appendix 9.9A**)

S6 Instrument of Delegation – Members of Staff (**Appendix 9.9B**)

### Purpose

To approve updates to Council's delegations to staff in accordance with changes arising from the Maddocks Lawyers delegation service, and any new and changed position titles or responsibilities that have occurred since the previous report.

### Summary

- Council subscribes to a service from Maddocks Lawyers which provides amendments to existing legislation and updates on new legislation. These updates are provided approximately every six months.
- Council generally updates its delegations every six months following receipt of information provided by Maddocks Lawyers.
- This update includes the Maddocks Lawyers updates from February 2022, and takes into account legislative changes made on or after 8 July 2021.

### 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 – Members of Staff (Appendix 9.9B)* 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 the common seal of Council is affixed to the instrument.
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.

**Council Resolution****MOVED Cr David Bowe, Seconded Cr Ian Ross**

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 person holding the position, or acting in or performing the duties, of Chief Executive Officer, the powers, duties and functions set out in the attached Instrument of Delegation to the CEO (**Appendix 9.9A**) subject to the conditions and limitations specified in that Instrument.
2. 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 – Members of Staff (Appendix 9.9B)* the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
3. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
4. On the coming into force of the instrument all previous delegations to members of Council staff and the Chief Executive Officer are revoked.
5. 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.

CARRIED

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## 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 powers of a “natural person”* – A Council is given by S 14 of the *Local Government Act 2020* the power to deal with property and, more generally, the capacity to do anything which bodies corporate may by law do “which are necessary or expedient” for performing its functions and exercising its powers.

The power of a Council to act by resolution is set out in S 59 (1) of the *Local Government Act 2020* – “Where a Council is empowered to do any act, matter or thing, the decision to do the act, matter or thing is to be made by a resolution of the Council”, however, Council cannot operate by means of passing a resolution every time that it wishes to act. Therefore, for day-to-day operations, Council needs others to make decisions and act on its behalf. Where this is to occur, it is recommended that the appointment be formalised through written “instruments of delegation” wherever practicable.

Under the *Local Government Act 2020*, there are two sources of powers of delegation:

- S 11 – delegation of Council powers to the Chief Executive Officer or members of a delegated committee
- S 47 – delegation of Council powers by the Chief Executive Officer to Council staff or members of a Community Asset Committee, as well as delegation of Chief Executive Officer powers to Council staff.

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.

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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**

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 February 2022, which take into account legislative changes since July 2020. Details of changes made in this update are provided below.

**1. Instrument of Delegation – To the Chief Executive Officer (S5)**

The following changes have been made in relation to the delegation to the Chief Executive Officer:

1.2 Changes made from s 11 of the LGA 2020 – in particular, s 11(5) that states 'A delegation that includes the power to enter into a contract or make any expenditure must specify a maximum monetary limit that cannot be exceeded'. It commenced on 1 May 2020, Maddocks updated their instrument after that to separate out the concept of 'contract' from 'expenditure' (i.e. put these in separate para's) – just in case there were separate amounts.

Various sections minor grammatical amendments as noted in track changes.

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## 2. Instrument of Delegation – Council to Other Members of Council Staff (S6)

The following changes have been made in relation to Council's delegations directly to Staff:

1.1. A number of changes have been made to the Cemeteries and Crematoria Act 2003 (Cemeteries and Crematoria Act). For example, s 74 has been inserted which, pursuant to the Cemeteries and Crematoria Amendment Act 2003, will commence on 1 March 2022 unless proclaimed earlier. Sections 84F(2)(d), 84H(4), 84I(5), 84I(6)(a) and (b), 110(1A) of the Cemeteries and Crematoria Act have also been inserted, and s 83(2) of the Cemeteries and Crematoria Act has been amended to remove reference to '(sole holder)'.

1.2. Sections 19EA(3), 19N(2), 38G(2), 39(2) and 43 of the Food Act 1984 (Food Act) have been inserted pursuant to the Food Amendment Act 2020. Section 39A has also been amended to reflect the new power to register or renew the registration of a food premises. These provisions are in force.

1.3. Sections 19IA(1) and (2), 39A(6), 40(1) and 40E of the Food Act have also been inserted. While they contain duties, rather than powers, it was thought it may assist to have these noted in the instrument.

1.4. Section 45AC of the Food Act has been inserted to enable a delegate to authorise a person for the purposes of bringing proceedings.

1.5. Section 38G(4) of the Food Act has been amended to reference the correct provision.

1.6. Section 12A of the Planning and Environment Act 1987 (P&E Act) has been removed as it has been repealed.

1.7. Section 113(2) of the P&E Act has been inserted pursuant to the Planning and Environment Amendment Act 2021. It relates to the power to request the Minister for a declaration for land to be proposed to be reserved for public purposes.

1.8. Sections 91ZU, 91ZZC, 91ZZE, 142D, 142G, 142I, 206AZA, 207ZE, 311A and 317ZDA of the Residential Tenancies Act 1997 (RT Act) have been removed from the S6 and inserted in the S7. This is because the specific power of delegation provided under the RT Act only applies to Part 14 and regulations under this part. Therefore, the delegation of other powers and functions under the RT Act comes from the Local Government Act 2020.

1.9. Section 96 of the Road Management Act 2004 has been inserted to enable a delegate to authorise a person for the purpose of instituting legal proceedings.

1.10. The Residential Tenancies Regulations 2021 have been removed from the S6. Upon review, it was determined that the power to approve any other toilet system is not a power under the Residential Tenancies Regulations 2021 but rather a power under other legislation, such as the Environment Protection Regulations 2021.

The RelianSys® Delegations+ software program is continuing to be implemented across the organisation and will transform the way Council manages its delegations. The legislative updates from Maddocks Lawyers are automatically uploaded into the system. Delegations+ is easy to configure and provides a variety of reports for staff with delegations and their Managers. There is an audit trail for any changes or actions within the system, and easy to use dashboards. Training on the new Delegations+ system will be provided to all users across Council and information provided on Council's intranet for any new employees.

The Delegations+ system will streamline our processes and ensure ongoing monitoring of legislative compliance.

**Options to Consider**

Not applicable

**Sustainability Implications**

Not applicable

**Community Engagement**

Whatever reporting requirements are imposed on each delegate, it is important that decisions and actions taken under delegations are properly documented. If the delegations were not in place, the exercise of functions, powers and duties of Council would be recorded in the minute book of the Council.

It is possible that decisions taken under delegation will be reviewed in other spheres [i.e. internal or management review, Council review, Ombudsman, Victorian Civil and Administrative Tribunal, Magistrates' (or higher) Court]. Therefore, a proper record of delegated action must be kept to ensure that the decision or action can be substantiated at a later date. The detail and method of recording will depend on the nature of the power duty or function. Proper and appropriate documentation is uppermost in the minds of all delegates. A register of delegations is required to be kept under Sections 11(8) and 47(7) of the *Local Government Act 2020*, and is made available for public inspection.

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

**Innovation and Continuous Improvement**

The RelianSys® Delegations+ software enables Council to manage delegations in an effective and efficient manner to ensure ongoing monitoring of legislative compliance.

**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 and Council's subscription to the RelianSys® Delegations+ system, which has been 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

**Risk Implications**

The risk to Council of having inadequate instruments of delegation is that actions are carried out without appropriate authority and therefore are subject to be challenged in a Court of Law.

Also, the fact that a delegation has been made, does not affect the Council's powers in relation to the issue concerned. A 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 may not itself have made. This risk is mitigated by having appropriate policies and guidelines in place under which delegation should be exercised. Guideline G04/004 (Delegations and Authorisations to Members of Council Staff) has been put in place to address this issue and was reviewed in 2017 by the Executive Management Team.

**Conclusion**

This update takes into account legislative changes which were assented to, or made, after July 2021.

## 9.10 AUDIT AND RISK COMMITTEE UPDATES

<b>Author's Name:</b>	Diana McDonald	<b>Director:</b>	Graeme Harrison
<b>Author's Title:</b>	Co-ordinator Governance	<b>Directorate:</b>	Director Corporate Services
<b>Department:</b>	Governance and Information	<b>File Number:</b>	F18/A13/000001

### 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:

Audit and Risk Committee Meeting Minutes 17 March 2022 (**Appendix 9.10A**)

### Purpose

To report outcomes of the Audit and Risk Committee meeting held on 17 March 2022.

### Summary

- Audit and Risk Committee meeting was held 17 March 2022
- A range of matters were discussed as detailed below
- Significant items were the VAGO Audit Strategy Memorandum 30 June 2022, Governance Compliance Framework Biannual Report and Compliance Spreadsheet, Council's Insurance Program Report and the Road Management Plan Status Report
- Chair, Mr Richard Trigg presented to Council the Audit and Risk Committee Biannual Report – September 2021 to February 2022 at Council Briefing on 4 April 2022

### Recommendation

That Council receive and note the Audit and Risk Committee meeting minutes 17 March 2022 (**Appendix 9.10A**).

### Council Resolution

**MOVED Cr Ian Ross, Seconded Cr Penny Flynn**

That Council receive and note the Audit and Risk Committee meeting minutes 17 March 2022 (**Appendix 9.10A**).

CARRIED

**REPORT****Background**

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

**Discussion**

The Audit and Risk Committee meeting was held on 17 March 2022 and details of the items discussed were as follows:

- VAGO Audit Strategy Memorandum 30 June 2022
- RSD Internal Audit Update Report Qtr. 2 – Local Government
- RSD Strategic Internal Audit Status Report
- Council’s Internal Audit Actions Report
- Governance Compliance Framework Biannual Report and Compliance Spreadsheet
- Local Government Inspectorate – Policy Document Review
- Policies Reviewed and Adopted 10 November 2021 to 9 March 2022
- Compliance and Legislation Report
- Quarterly Performance Report for the period 1 October 2021 to 31 December 2021
- Finance and Performance Report ending 28 February 2022
- CEO Update on Emerging Issues
- Business Continuity Policy Review
- Council’s Insurance Program Report
- Road Management Plan Status Report
- Audit and Risk Committee Annual Work Program Review
- Internal Audit and Risk Committee Members Contract Terms
- Summary Table of Council Reports
- Rural Council’s Corporate Collaboration (RCCC) Project Update
- Website Update

Section 54(5) of the *Local Government Act 2020* (the Act) requires Council’s Audit and Risk Committee to: “Prepare a Biannual Audit and Risk Report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations”. Council’s Audit and Risk Committee was established pre December 2004, and was reviewed on 24 August 2020 when Council resolved to adopt the Audit and Risk Committee Charter 2020 in accordance with the new Act.

The Chair, Mr Richard Trigg presented the Audit and Risk Committee Biannual Report – September 2021 to February 2022 to Council at the Council Briefing on 4 April 2022.

**Options to Consider**

Council to receive and note the Audit and Risk Committee meeting minutes 17 March 2022.

**Sustainability Implications**

Not applicable.

**Community Engagement**

Council's Audit and Risk Committee is comprised of councillors and independent members. Consultation and communication is undertaken with Internal Auditors and external (Victorian Auditor-General's Office – VAGO) Auditors.

**Innovation and Continuous Improvement**

Not applicable

**Financial Implications**

Operations of Council's Audit and Risk Committee is covered within the 2021-22 operational budget allocation.

**Council Plans, Strategies and Policies**

2021-2025 Council Plan

Theme 5 – Leadership

Strategies

1. Good governance, through leadership and connection with community
2. Good management for financial sustainability
4. Accountable and transparent decision making

**Risk Implications**

The Audit and Risk Committee is an important committee of council required under the *Local Government Act 2020*. To not have a properly functioning or constituted committee would be in breach of the requirements of the Act. The committee has an important role in monitoring Council's financial governance and risks, to not have such a committee could increase Council's to potential for fraud and corruption to occur.

**Conclusion**

The Audit and Risk Committee is a legislated requirement under the *Local Government Act 2020* and Minutes and relevant information is provided to council in-line with good governance and record keeping.

## 9.11 COMMUNITY GRANTS AND DONATIONS 2022-2023

<b>Author's Name:</b>	Susan SurrIDGE	<b>Director:</b>	Graeme Harrison
<b>Author's Title:</b>	Coordinator CRAT	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	CRAT	<b>File Number:</b>	F20/A01/0000012

### Officer Conflict of Interest

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

Yes  No

#### Reason:

At all levels of the assessment process, those on the assessment panels and at briefings have been requested to declare any conflict of interest and to not discuss or vote on any particular applications where there may be a real or perceived conflict of interest. Details of conflict of interest declarations made by Officers and others involved in the process is attached (**Appendix "9.11B"**)

### Status

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

Yes  No

#### Reason: Nil

### Appendix

Community Grants and Donations 2022-2023 (**Appendix 9.11A**)

Community Grants and Donations Conflict of Interest Declarations (**Appendix 9.11B**)

### Purpose

To approve proposed Community Grants and Donations for inclusion in the 2022-2023 budget.

### Summary

This report details approved community grant allocations and donations for the 2022-2023 budget:

- Grant allocation to increase by CPI factor of 1.75% from 2021-2022 (minus the one off additional \$50,000 allocated through the COVID support package in 2021-2022), bringing total allocation for donations and grants to \$397,361.
- 84 applications received, 11 more than 2021-2022 – a 15% increase
- Total grant funds requested is \$290,383 a 12% decrease from 2021-2022
- 69% of the total dollar grant requests have been funded
- \$187,150 allocated for Community Donations
- \$210,211 allocated for Community Grants.

**Recommendation**

That Council:

1. Allocate funding of \$397,361 in the 2022-2023 Budget for approved community grants and donations.
2. Approve allocations to various community grant and donation recipients as detailed in **Appendix 9.11A**, with the exception of allocations to Wimmera Machinery Field Days, Horsham Fishing Competition, Kannamaroo and Beyond Community Inclusion.
3. Approve the annual community donation allocations to Wimmera Machinery Field Days.
4. Approve the community grant allocations to Horsham Fishing Competition, Kannamaroo and Beyond Community Inclusion.
5. Advise all successful and unsuccessful community grant applicants of the outcome of their applications during May 2022.

**Council Resolution****MOVED Cr Ian Ross, Seconded Cr Penny Flynn**

That Council:

1. Allocate funding of \$397,361 in the 2022-2023 Budget for approved community grants and donations.
2. Approve allocations to various community grant and donation recipients as detailed in **Appendix 9.11A**, with the exception of allocations to Wimmera Machinery Field Days, Horsham Fishing Competition, Kannamaroo and Beyond Community Inclusion.
3. Advise all successful and unsuccessful community grant applicants of the outcome of their applications during May 2022.

CARRIED

Cr Di Bell (virtual) declared a Conflict of Interest and left the meeting at 7.11pm.

**Council Resolution****MOVED Cr Penny Flynn, Seconded Cr Les Power**

That Council approve the community grant allocations to Horsham Fishing Competition, Kannamaroo and Beyond Community Inclusion.

CARRIED

Cr Bell returned to the meeting (virtually) at 7.13pm

Cr Robyn Gulline (Mayor) declared a Conflict of Interest.

**Council Resolution****MOVED Cr Ian Ross Seconded Cr Penny Flynn**

That Cr Les Power be appointed temporary Chair for this item.

CARRIED

Cr Robyn Gulline, Mayor left the room at 7.14pm

Cr Les Power took the chair.

**Council Resolution****MOVED Cr Penny Flynn, Seconded Cr Ian Ross**

That Council approve the annual community donation allocations to Wimmera Machinery Field Days.

CARRIED

Cr Robyn Gulline (Mayor) returned to the room at 7.16pm and resumed the Chair.

Cr Les Power returned to his seat.

**REPORT****Background**

Council has annually allocated funding to support community and sporting groups in the municipality as part of its budget process. These funds cover both recurrent 'Donations' (in accordance with Council's Donations policy) for sporting groups, halls, kindergartens, groups and events to assist them with their operations as well as 'Community Grants' for specific projects (in accordance with Council's Grants Policy).

Applications for the 2022-2023 Community Grants Program were invited in February, with a closing date of 1 March 2021.

**Discussion**

Following the closing date, applications have been considered by an interdepartmental working group of Council Officers (29 March 2022), Executive Management Team (12 April 2022) and at a Council Briefing meeting (20 April 2022).

This year, Council received 84 community grant applications requesting total grants of \$290,383. This was a pleasing 15% increase in applications and a 12% decrease in overall grant funds requested.

The ranking system used this year was adjusted to reflect the changes approved to the assessment criteria for "Support of Council Strategies" in the grant guidelines. The objective of the ranking system is to provide some general guidance for assessors and greater transparency in the assessment process.

A final list of proposed Community Grants and Donations has been developed for the consideration and approval of Council (**Appendix 9.11A**).

The Coronavirus (COVID-19) Pandemic may once again impact on the delivery of some of this program. Where a community group's program may be impacted, the grant will be carried forward for a future year. This will be assessed as the year progresses. For event funding, should an event be cancelled for 2022-2023, the grant allocation will be withdrawn, and the organisation encouraged to apply for a grant in 2023-2024 for the next scheduled event.

**Options to Consider**

Council can consider allocating either more or less funding to the Community Grants Program for 2022-2023.

**Sustainability Implications**

Nil

**Community Engagement**

In line with previous practice, upon adoption of the Community Grants and Donations for 2022-2023, it is proposed that groups be advised as soon as practicable to assist them in preparing for the implementation of their projects and budgets for the 2022-2023 financial year.

**Innovation and Continuous Improvement**

Not applicable

**Collaboration**

Not applicable

**Financial Implications**

Proposed allocations are \$187,150 to Community Donations and \$210,211 to Community Grants. This represents 69% of grant funds requested. The proposed total allocation of \$397,361 represents a 1.75% CPI increase on the previous year's allocation (minus the one-off additional \$50,000 COVID recovery allocation as determined in the 2020-2021 budget). This allocation has been included in Council's Draft 2022-2023 Budget.

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

Not applicable

**Council Plans, Strategies and Policies**

2021-2025 Council Plan

Health and Wellbeing Plan 2017-2021

Community Inclusion Plan

Youth Strategy

Age-Friendly Communities Implementation Plan

**Risk Implications**

This is an established annual Council Program. There is a low level of risk in advising organisations that they are successful with a Community Grant before Council's Draft Budget is adopted.

**Conclusion**

The 2022-2023 Community Grants and Donations program will release over \$397,000 into the local community and economy. The local expenditure resulting from this Council support will provide an important stimulus to our not-for-profit sector as we continue to move through the COVID-19 recovery phase.

Cr Robyn Gulline (Mayor) declared a Conflict of Interest

### Council Resolution

#### **MOVED Cr Di Bell, Seconded Cr Les Power**

That Cr Penny Flynn be appointed temporary Chair for Item 9.12.

CARRIED

Cr Robyn Gulline (Mayor) left the room at 7.18pm

Cr Penny Flynn took the Chair.

## 9.12 MEMORANDUM OF UNDERSTANDING BETWEEN HORSHAM RURAL CITY COUNCIL AND WIM RESOURCE PTY LTD. FOR THE AVONBANK PROJECT

<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>	Investment Attraction and Growth	<b>File Number:</b>	F15/A07/000024

### 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

Memorandum of Understanding between HRCC and WIM Resource (**Appendix 9.12A**)

### Purpose

To endorse the proposed Memorandum of Understanding (MoU) between Council and WIM Resource, which seeks to confirm the principles of a collaborative approach, recognising the specific roles and obligations of each of the parties.

### Summary

- The aims of this MoU is to ensure that:
  - The roles of each party are clearly understood and respected by both parties
  - Processes are developed that will assist the parties to facilitate positive local economic and social outcomes associated with the project
  - Processes and mechanisms are in place to support clear communication, collaboration and support, and these mechanisms are understood and supported by both parties
  - Both parties understand and commit to providing the capacity necessary to deliver the intent of this MoU.
- WIM is a privately owned Australian heavy mineral sands (HMS) resource development company, with one of the largest portfolios of HMS projects in the world.
- The Avonbank Project is WIM's flagship project and is located 15km north of the City of Horsham.
- WIM anticipates mining the mineral sands ore body over a period of thirty-six years.

**Recommendation**

That Council endorse the proposed MoU between Horsham Rural City Council and WIM Resource as presented in **Appendix 9.12A** and authorise the Chief Executive Officer to sign the MoU on its behalf.

**Council Resolution****MOVED Cr Ian Ross, Seconded Cr Di Bell**

That Council defer the endorsement of the proposed MoU between Horsham Rural City Council and WIM Resource as presented in **Appendix 9.12A** until after the endorsement of the Environmental Effects Statement.

MOTION LOST

**Council Resolution****MOVED Cr Penny Flynn, Seconded Cr David Bowe**

That Council endorse the proposed MoU between Horsham Rural City Council and WIM Resource as presented in **Appendix 9.12A** and authorise the Chief Executive Officer to sign the MoU on its behalf.

CARRIED

**Cr Di Bell called for a Division of Council****For the Motion:**

Cr Les Power

Cr David Bowe

Cr Penny Flynn

**Against the Motion:**

Cr Ian Ross

Cr Di Bell

Cr Robyn Gulline (Mayor) returned to the room at 7.40pm and resumed the Chair.

Cr Penny Flynn returned to her seat.

**REPORT****Background**

The MoU seeks to confirm the principles of a collaborative approach, recognising the specific roles and obligations of each of the parties.

**Discussion**

WIM is a privately owned Australian heavy mineral sands (HMS) resource development company, with one of the largest portfolios of HMS projects in the world. WIM's vision is to become a long-term producer of zircon, titanium, and rare earth minerals, these minerals are critical to everyday living. WIM's corporate and technical team have a proven tracked record of mine development having been involved in the development of several Australian HMS mines.

The Avonbank Project is WIM's flagship project and is located 15km north of the City of Horsham. WIM anticipates mining the mineral sands ore body over a period of thirty-six years. It will supply mineral concentrate containing zircon, ilmenite, and minor rare earth by products to offshore markets.

WIM has invested heavily in the project over the past nine years and recently completed a test pit, pilot plant, which represented a major commitment and investment by WIM shareholders to move the project into full scale development.

In addition, there are ongoing environmental and socio-economic related studies as the project moves towards the construction stage. The project is currently at a Bankable Feasibility Study (BFS) or Definitive Feasibility Study (DFS) stage. This advanced stage of development will enable WIM to commence a fund raising exercise from 2022.

For the Environmental Effects Statement (EES) related studies, WIM expects to complete this process in late 2021 –mid 2022. Subject to final approvals and finance, WIM plans to commence construction within the next three years.

The Avonbank Project is one of the most significant investments likely to occur in the Southern Wimmera region in the past twenty years. Economic modelling has found that there will be substantial net positive economic impacts for Horsham Rural City, the Wimmera Southern Mallee region, and the State of Victoria generally.

**Options to Consider**

1. Council can choose to resolve to sign the MoU
2. Council can choose not to resolve to sign the MoU

**Sustainability Implications**

Not applicable

**Community Engagement**

Not applicable

**Innovation and Continuous Improvement**

Not applicable

**Collaboration**

Not applicable

**Financial Implications**

Not applicable

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

Not applicable

**Council Plans, Strategies and Policies**

2021-2025 Council Plan

Theme 3 – Sustainability

3.2. A sustainable economy where local business, agriculture, tourism and other diverse industries thrive

3.4. A region that attracts new investment, technologies and opportunities

**Risk Implications**

Not applicable

**Conclusion**

The MoU seeks to confirm the principles of a collaborative approach, recognising the specific roles and obligations of each of the parties. The purpose of this agreement is for parties to develop processes to support working cooperatively and collaboratively, to maximise mutually beneficial community and economic outcomes, and ensure best environmental practice from the development and operation of the Avonbank Mineral Sands Project within the Rural City of Horsham.

### 9.13 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 Officer	<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 April 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 April 2022.

#### Council Resolution

**MOVED Cr Penny Flynn, Seconded Cr David Bowe**

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

CARRIED

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## REPORT

### Background

At the 24 June 2019 Council meeting, 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, CEO's and MAV Forum:** The CEO attended a joint State Local Government CEO virtual meeting on Tuesday 5 April 2022. Municipal Association of Victoria, Local Government and Suburban Development (DJPR) and Senior Executives from State Government attended the meeting. Discussions included Victorian Aboriginal Local Government Strategy, Victorian Government's Safe Building Ventilation Program, Fire Infrastructure Grants Scheme and Rating Reform Bill.

**Rural Council's Corporate Collaboration (RCCC) Board Meetings:** The RCCC Board, which includes the Chief Executive Officers of Hindmarsh, Loddon and Horsham met on Thursday 7 April 2022 by zoom. The board agreed on the preferred Vendor for the IT System. Work is now underway to prepare the submission to RCTP Board to seek approval for implementation of the shared services

**Grampians Tourism Board Meeting:** The CEO attended the board meeting in Ararat on 21 April 2022. The key focus of the meeting was a workshop to develop the Grampians Tourism Strategic Plan.

**MAV CEO Forum:** The CEO attended the virtual forum on 21 April 2022 which focussed on transport discussions, including VicRoads Modernisation Program Briefing, Freight Policy Update and MAV Advocacy Strategy.

**Commonwealth Games Forum:** The CEO attended a briefing for Regional Victorian Local Government CEO's on 14 April to hear about the recent announcement that the 2026 Commonwealth Games will be held in regional Victoria.

#### **Funding Opportunities:**

- Federal Department of Infrastructure - Heavy Vehicle Safety and Productivity Program Round 8 - (HRCC put in 6 applications)
- DELWP – Kerbside Reform Support Fund (HRCC 1 application)
- Australian Museums and Galleries Association - Chart 2021-2222 and RACP Tier 1 (Council put in 2 applications)

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

**New Visitor Guide & Visit Horsham Website:** The Visitor Services team have been out and about engaging with businesses and taking photos for the new visitor guide and Visit Horsham website. Businesses have been very complimentary on the vision and activity that Council is offering by providing a free listing and educating on the ATDW (Australian Data Tourism Warehouse).

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### **C. Projects and Event**

**Darlot Street Microsurfacing:** Microsurfacing was carried out in Darlot Street recently to minimise traffic disruption at one of Horsham’s busiest intersections. Contractors completed the work which covered the block between Wilson Street and Pynsent Street.

**Sawyer Park Public Toilets and BBQ Shelters:** Work continues on the public toilets and barbecue shelters with the installation of fittings and hardwood timber battens. The final completion is still delayed due to supply chain issues with the cubicle partitions.

**Albert Street Speed Hump:** The speed hump on Albert Street near the corner of Crump Street had not been operating as an effective traffic calming device since the road was resurfaced last year, and rectifying this issue was a priority for the Horsham North community. Recently the contractors removed the existing speed hump and installed a new one, which has received positive community feedback so far.

**Angling Clubrooms Pergola:** Roofing sheets have been installed on the pergola, with alternating solid Colorbond<sup>®</sup> sheets and translucent sheets to allow light through while still blocking heat. The gutters and downpipes will be installed after Easter, which will complete the structural work. The area underneath the pergola will be paved as part of the Riverfront Landscaping and Lighting.

**Silo Art Update:** We now have a start date of Wednesday 27 April with completion on Saturday 14 May for the artwork on the Horsham North silo. Council has partnered with Barengi Gadgin Land Council Aboriginal Corporation and the owners of the silos to secure a Victorian Government grant to fund this project. Council and the owners of the privately owned silos are also contributing funding. The artwork that will be installed on the silos is called Yangga Dyata - Walking on Country and focusses on the life of Yanggendiyananyuk (Yang-gen-jin-a-nyook), which means his walking feet in Wergaia language. More of Yanggendiyananyuk’s story will be revealed over the coming months with an audio recording available on line as part of the visitation experience. Council has commissioned company Juddy Roller to engage world renowned street artist ‘Smug’ to transform Horsham’s silo with the image of Yanggendiyananyuk. Smug, aka Sam Bates, is based in Scotland and is in Australia for a short period installing several works across the region. His nearest work is part of the Silo Art Trail at Nullawil. During his time in Horsham, Sam will be mentoring Gunditjmara and Wotjobaluk artist Tanisha Lovett who will be installing her own artwork at the Soundshell at Sawyer Park.

**Council Depot:** Contaminated soil from a project several years ago has been stored at Council’s depot for several years whilst the process of decontamination occurred. Recent approval by the EPA has meant this long-standing material can now be removed to the Doon Landfill.

### **D. Staff Matters**

**Work Experience Students:** Council hosted two work experience students Benita Paul and Arkie Ellis from Horsham College during the week of 4 to 8 April 2022. Benita spent her week working with the Governance and Communications teams and Arkie spent his week in the Infrastructure team learning about the wide range of services and activities delivered across the directorate.

#### **Options to Consider**

Not applicable

#### **Sustainability Implications**

Not applicable

**Community Engagement**

Not applicable

**Innovation and Continuous Improvement**

Not applicable

**Collaboration**

Not applicable

**Financial Implications**

Not applicable

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

Not applicable

**Council Plans, Strategies and Policies**

2021-2025 Council Plan

Theme 5 - Leadership

**Risk Implications**

Not applicable

**Conclusion**

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

## 10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS

### Cr Robyn Gulline (Mayor)

- Welcome to Christine Brown who has been appointed Federation Uni's new Horsham Campus Director  
I attended a morning tea on Mar 29 to meet Christine and other stakeholders. We are committed to working together to address our region's skills shortages.
- 1 April 2022 - Seniors Week 2021 Tanya Kernigan concert  
It was great to see so many seniors attend and enjoy this free concert that was postponed last year due to Covid. Thank you to the Older Persons Advisory Committee for planning this event.
- 1 & 8 April 2022 - Horsham College Deb Balls (Year 12 – April 1 and Year 11 – April 8)  
Congratulations to you all on the manner in which you presented yourselves. A very proud moment for all the special people in your lives. It was an extra special night for the Year 12's, as their Ball had been cancelled several times last year due to Covid. Best wishes with your studies and future endeavours.
- 4 April 2022 - Aboriginal Community Roundtable  
With the RAP almost complete, the group is trying to determine the next step. Closing the gap and employment initiatives and joint advocacy opportunities were discussed. Feedback was sought on Council's current community engagement on Horsham North draft Issues and Opportunities paper.

### Cr David Bowe

- 2 April 2022 - Horsham Rural City Band & Una Sosta with Live Music at May Park  
Enjoyed listening to live music over 2 hours while relaxing enjoying a hot chocolate & ice cream. Well done to all those involved
- 4 April 2022 - Council briefing meeting (Council Chambers)
- 5 & 9 April 2022 - Horsham East Rotary 2022 Art Fair  
Fantastic to see artwork on display and the talent of various artist that why I had to go twice.
- 11 April 2022 - Council briefing meeting (Council Chambers)
- 14 April 2022 - City of Horsham Lions Club Easter Raffle  
I was invited to draw Easter Raffle & to enjoy a cuppa with City of Horsham Lions Club
- 20 April 2022 - Council briefing meeting (Council Chambers)

### SUSPEND STANDING ORDERS

#### MOVED Cr Penny Flynn, Seconded Cr Les Power

That Standing Orders be suspended for Verbal Councillor Reports and Acknowledgements.

CARRIED

*The time being 7.45pm, the Council meeting was suspended.*

### RESUME STANDING ORDERS

#### MOVED Cr Penny Flynn, Seconded Cr David Bowe

That Standing Orders resume.

CARRIED

*The time being 7.52pm, the Council meeting resumed.*

#### MOVED Cr Penny Flynn, Seconded Cr David Bowe

That the Councillor Reports and Acknowledgements be received.

CARRIED

**11. URGENT BUSINESS**

Nil

**12. PETITIONS AND JOINT LETTERS**

Nil

### **13. PROCEDURAL BUSINESS**

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

- Council Briefing Meeting held on 4 April 2022 at 5:20pm
- Council Briefing Meeting held on 11 April 2022 at 5.04pm
- Council Budget Meeting held on 20 April 2022 at 5.00pm

Refer to **Appendix 13.1A**

#### **13.2 SEALING OF DOCUMENTS**

Nil

#### **13.3 INWARD CORRESPONDENCE**

Nil

#### **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.

#### **Council Resolution**

##### **MOVED Cr Penny Flynn, Seconded Cr Les Power**

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.

CARRIED

**14. NOTICE OF MOTION**

Nil

**15. CONFIDENTIAL MATTERS**

**Council Resolution**

**MOVED Cr Les Power, Seconded Cr David Bowe**

That the meeting close to the public to consider Confidential Matters.

CARRIED

*The time being 7.55pm, the meeting closed to the public.*

**CLOSE**

After dealing with Confidential Matters, the meeting closed at 7.56pm

DocuSigned by:

*Robyn Gulline*

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The Mayor, Cr Robyn Gulline  
Chairperson