

AGENDA

MEETING OF THE
HORSHAM RURAL CITY COUNCIL

To be held on

22 June 2020

at 5.30pm

This meeting will be held online and livestreamed
on the Horsham Rural City Council website

www.hrcc.vic.gov.au



Horsham Rural City
Council urban rural balance

COUNCILLORS are respectfully requested to attend the Council Meeting of the Horsham Rural City Council on 22 June 2020 at 5.30pm to be held online and livestreamed at www.hrcc.vic.gov.au

Order of Business

PRESENT

ALSO IN ATTENDANCE

1. PRAYER

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

2. ACKNOWLEDGEMENT OF COUNTRY STATEMENT

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

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

3. OPENING AND WELCOME

Welcome to Councillors, staff, members of the public and the media. The Council meeting will be recorded to maintain an audio archive, which will be available on the Horsham Rural City Council website as soon as possible.

Please note that this meeting is being streamed live on the internet.

This meeting is being held online and Councillors are attending via electronic means. As this meeting is being held online, there will be no-one present in the public gallery. The meeting will be conducted in accordance with Council's existing Local Law No 1 Governance (2016) Meeting Procedure, noting that, as indicated, in some parts of the agenda, procedures have been slightly modified to ensure the meeting remains compliant but can run effectively in the online environment.

Disclosure of conflicts of interest and rules relating to conflicts of interest remain. Councillors will be removed from the proceedings where required using the available technology.

Voting in relation to motions for decision will be taken by show of hands. If a division is requested, the Mayor will call for a show of hands by those Councillors voting for the motion, and then those Councillors opposed to the motion.

Where Council experiences technical difficulties and there is a disconnection in Council's livestreaming of the meeting, the meeting will be adjourned. If the livestream connection is working within 30 minutes, the meeting will recommence. If the livestream is not available for a period of longer than 30 minutes, the meeting will be postponed to another time and date.

Councillors participating in this meeting by electronic means will be taken to be present and part of the quorum for the meeting, provided that they can hear proceedings, they can see and be seen by other members in attendance, and they are able to speak and be heard by those in attendance. The audio-visual link with each Councillor will be monitored and any disconnection immediately identified for both quorum and participation purposes. If the disconnection is longer than five minutes, the Councillor will be identified as absent from the meeting and will not be counted for quorum purposes. This absence will be reflected in the minutes. If the number of Councillors connected to the livestream falls below the minimum required for the quorum, the meeting will be suspended. If the quorum is not achieved within 30 minutes of the suspension, the meeting will be posted to another time and date.

4. APOLOGIES

5. LEAVE OF ABSENCE REQUESTS

6. CONFIRMATION OF MINUTES

Recommendation

That the minutes emanating from the Council Meeting of the Horsham Rural City Council held online and livestreamed at 5.30pm on 1 June 2020 be adopted.

7. CONFLICTS OF INTEREST

Disclosure of Interest and Declarations of Conflict of Interest.

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

(a) by either –

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

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

- (i) a direct interest under 77B; or
- (ii) an indirect interest and specifying the particular kind of indirect interest under:
Section 78 – close association
Section 78A – financial interest
Section 78B – conflicting duties
Section 78C – receipt of an applicable gift
Section 78D – consequence of becoming an interested party
Section 78E – impact on residential amenity; and

(c) describing the nature of the interest; and

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

Members of Staff

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

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CLOSE



SUNIL BHALLA
Chief Executive Officer

9. OFFICERS REPORTS

9.1 DOGS IN HORSHAM BOTANIC GARDENS

Author's Name:	Carolynne Hamdorf	Director:	Kevin O'Brien
Author's Title:	Manager Arts, Culture and Recreation	Directorate:	Communities and Place
Department:	Arts, Culture and Recreation	File Number:	F25/A15/000001

Officer Direct or indirect Conflict of Interest

In accordance with *Local Government Act 1989* – Section 80C:

Yes No

Reason: Nil

Status

Information classified confidential in accordance with *Local Government Act 1989* – Section 77(2)(c):

Yes No

Reason: Nil

Appendix

Nil

Purpose

To receive and note the results from a 28 day survey conducted in February 2020 on whether dogs should be allowed 'on lead' and 'on path' in the Horsham Botanic Gardens.

Summary

- The survey was undertaken to provide direction to Council in response to an initial letter from Mike Coffey, supported by the Domestic Animal Management Advisory Committee (DAMAG), requesting Council to reassess its 'no dog' policy in the Horsham Botanic Gardens.
- The survey included responses from the public via online and face-to-face surveys. The face-to-face surveys were conducted by Council staff in in the Horsham Botanic Gardens and at Council-owned off-lease dog areas.
- Over 419 responses to the survey were received.

Recommendation

That Council, based on community and staff feedback, continue maintaining the current 'no dog' policy in the Horsham Botanic Gardens.

REPORT

Background

Currently, Horsham Botanic Gardens is a 'No Dogs Permitted' area. This policy does not apply to seeing-eye and other assistance dogs. Council initially reviewed the issue of dog access to the gardens on 4 April 2016, and at that time, decided to maintain the 'No Dogs Permitted' status.

In mid-2019, the DAMAG requested that the decision be reviewed. The DAMAG requested access for dogs, provided they remain 'on lead' and 'remain on existing pathways' whilst in the Horsham Botanic Gardens. A report outlining this request was presented to Council on 25 November 2019.

At that meeting, Council resolved to:

Conduct a 28-day survey in February 2020 to gauge desire for dogs in the Horsham Botanic Gardens.

This report provides a summary of the methods and outcomes of the survey conducted in February 2020, and provides advice to Council of the outcome.

Discussion

Council staff developed a simple survey that could be undertaken in less than 5-10 minutes to gauge public sentiment on the issue of allowing dogs in the Horsham Botanic Gardens. The survey was conducted over 28 days in February 2020. The survey was designed to provide Council with clear information in relation to the public's view on this issue, and to inform Council to be able to make a decision about this issue.

The survey was designed and constructed in January 2020, allowing the public to respond in any one of the following ways:

- Via an online survey on the Council website
- Via a paper copy of the survey
- Face-to-face survey of users of the Botanic Garden over four randomised days in February
- Face-to-face survey of dog owners at 'off leash dog areas' in Horsham over four randomised days in February 2020.

The same number of surveys were undertaken at both the off leash dog areas and Horsham Botanic Gardens. The survey was advertised in Council's Public Notices pages in the Wimmera Mail-Times and The Weekly Advertiser during February 2020.

The Survey Monkey platform was used to conduct the survey. The survey was designed to take approximately five minutes to complete and closed at 5pm on Saturday 29 February 2020.

The survey included seven short questions including asking if the respondent:

- Owned a dog
- Had visited the Horsham Botanic Gardens recently and the frequency of visits
- Agreed or disagreed with the statement: "Dogs should be allowed 'on lead and on paths' in the Botanic Gardens in Horsham" (the survey also asked the same question in reverse to determine consistency of response)
- Could outline the one main reason for their point of view.

The survey also collected some standardised demographic data on the participants.

2020 Survey Response

The survey elicited a very strong response with 419 people responding.

A summary of the outcomes of the survey include:

- 69% of all respondents said they currently own a dog
- 88% of respondents had visited the Horsham Botanic Gardens in the past 12 months with: 4% frequenting more than once a week; 14.7% approximately once a week; 35% once a month; 30% once every six months and 12% once a year
- 72% of the respondents were women, 24% men and the remainder undisclosed/unanswered
- The age range of respondents was relatively young, with -
 - 8.5% under 24 years
 - 48 % aged between 25- 44 years
 - 33% aged between 45- 64 years
 - 9.5% aged 65 years and above.

Of the two key questions asked, respondents were asked to agree or disagree with the following statement:

- a. Dogs **should** be allowed 'on lead and on paths' in the Botanic Gardens in Horsham
37.74% strongly disagreed, with 34.62% strongly agreeing.
The overall response to disagree (including both strongly disagree and disagree) was 50.48%, compared to 46.64% agreeing overall (including strongly agree and agree).
(2.88% neither agreed nor disagreed, 3 respondents skipped the question)
- b. Dogs **should not** be allowed in the Botanic Gardens in Horsham
33.09% strongly disagreed, with 41.30% strongly agreeing.
The overall response to disagree was 45.41%, compared to 50.24% agreeing.
(4.35% neither agreed nor disagreed, 3 respondents skipped the question)

So, on balance, the general public are more inclined not to allow dogs in the Horsham Botanic Gardens.

Key reasons provided by survey respondents for why dogs **should** be allowed in the Botanic Gardens (on leash, on path) include:

- Opens the gardens to dog owners who may feel excluded
- Dog ownership is on the rise and many people treat their dogs and animals as family
- It encourages people to get out and exercise
- I can't use the gardens currently when I am with my dog
- Dogs are allowed in other botanic gardens
- It's a nice place to visit and I'd like to be able to do that with my dog
- It's a public space that should be enjoyed by all
- I would visit the garden more, if I could bring my dog
- We take our dogs everywhere, why not the gardens?
- It's a good, safe place for small dogs, as opposed to off leash dog parks
- We can take dogs most other places around Horsham, why not the botanic gardens
- A lot of travellers and visitors have dogs
- If they clean up after their dogs, then there's no harm
- If dogs were allowed it may increase use of the gardens.

Key reasons provided by survey respondents for why dogs **should not** be allowed in the Botanic Garden include:

- The variation in how dog owners manage and control their dogs, 'not everyone is responsible'.
- People don't pick up their dog excrement, 'just look along the river front, even when dog bags are provided'.
- Can we have just one dog free place?
- How do you manage dogs/owners who don't follow the 'on leash, on path' rule, who will police it?
- Gardens are a peaceful place, to be enjoyed by those not wanting to encounter animals they fear.
- We have playgroup sessions there often and it is a time I can actually switch off and enjoy watching my children play safely.
- There are plenty of places for dog owners to take their animals either on or off lead.
- Dogs are allowed everywhere else.
- Not all dog owners are responsible people and not all children know to stay away from dogs.
- This is one place you can peacefully enjoy beautiful manicured gardens free of dog damage, excrement and dog interactions with people and other dogs.
- No way to effectively monitor to ensure dogs are kept on leads and on paths only.
- The Botanic Gardens playground is the only place in Horsham parents can take their children where there are no dogs present.
- The Botanic Gardens host weddings and private ceremonies.
- Irresponsible owners do not clean up after themselves in the areas already provided so why add another area that is in pristine condition to the list.
- We picnic there with our small kids and meet there in groups frequently. Dogs would be another thing to have to watch out for like they are at May Park.
- With the abundance of other areas which are dog accessible in the Horsham area, Botanic Garden users utilise this space because there is no risk of dogs.
- Some people will not comply to keep their dogs on leads and will not pick up excrement.
- Please keep some areas of Horsham dog free for those of us who do not like dogs.

In addition to the survey responses, advice was sought from Council Parks and Gardens and Community Safety Unit staff. The advice provided by staff is that there would be some cost implications if dogs were permitted in the gardens. These would be: the cost of enforcing dogs on lead, staying on paths and off gardens, and the maintenance and upkeep costs resulting from the soiling of gardens and grassed areas.

Parks and Gardens and Community Safety Unit staff were not in favour of allowing dogs in the Horsham Botanic Gardens. The Botanic Gardens is used for special events, children's birthday parties, fitness groups, picnics and weddings. These often take place on the grassed areas, and as such, ensuring a well-maintained and clean grassed area is priority for these activities to occur. Furthermore, it would be difficult to police and ensure dogs remain on existing pathways given their typical preference to excrete on grass. The Horsham Botanic Gardens also has an unfenced playground. May Park, Horsham's regional park, does allow dogs on lead and has an unfenced play space.

In addition to the many on-lead walking trails across Horsham, Council also has designated off-leash dog areas for visitors and residents at the following locations: Weir Park, Central Park, Lions Park, Jenkinson Reserve and Langlands Park.

Standards and Quality of the Horsham Botanic Gardens

Considerable effort is put into maintaining the gardens to a high standard. Some of the factors that concern Parks and Garden staff include:

- Residue and dead patches left from dogs urinating and excreting within the gardens – both turf and garden beds
- Not all dogs are responsible owners and pick up litter
- Staff concerned with policing on-leash, off-leash policy
- The need of extra receptacles at around \$200 each – including ongoing maintenance of refilling
- Dogs digging in garden beds and tramping of juvenile plants such as annual flowers etc
- Behaviour of dogs near barbecue and picnic areas
- Fear of dogs fighting in and near the children’s play area
- Issues with dogs and wildlife
- Balancing the needs and expectation of users of the gardens for special events, such as family celebrations, weddings and picnics.

Community Safety Unit

The Community Safety Unit does not currently have the capacity to patrol the Horsham Botanic Gardens, other than sporadically. Additional patrolling and possible enforcement requires additional resources. The Community Safety Unit deals with dog attacks frequently. Where large numbers of people gather in a public space for functions, the inclusion of even leashed dogs can present a potential risk to the public. Council has provided five off-leash areas for socialising and exercising dogs, and ample recreational opportunities for those who walk their dog on leash, such as along the river and around the Horsham Botanic Gardens.

Consultation / Engagement

As per the survey summary provide above.

This report was also presented back to the DAMAG Friday 22 May 2020. No specific feedback was provided by the group to the report. A copy of the Council resolution and the report will be provided to members of the DAMAG, post the 22 June 2020 Council meeting.

Financial Implications

Advice provided by staff is that there would be some cost implications if dogs were permitted in the Horsham Botanic Gardens. These include: the cost of enforcing dogs on lead, staying on paths and off gardens, and the maintenance and upkeep costs resulting from the soiling of gardens and grassed areas.

Links To Council Plans, Strategies, Policies

2019-2023 Council Plan

Goal 1 – Community and Cultural Development

Four-Year Outcome 1.2 – Develop a safe, active and healthy community, encouraging participation

Horsham Rural City Council Domestic Animal Management Plan 2017-2021

Horsham Rural City Council Open Space Strategy 2019

Horsham Rural City Council Community Local Law Number 3 - 2011

Risk Implications

Council has sought advice from the public on this issue a number of times. It is clear the majority view on the issue, inclusive of the professional advice provided by staff who maintain the service and amenity of the Gardens, is to continue with the 'no dogs' policy.

Human Rights Implications

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

Conclusion

Results from both the public survey conducted in February 2020 and advice from Council staff who maintain the amenity and safety of the Horsham Botanic Gardens has resulted in the recommendation that dogs not be allowed on lead and on path in the gardens for the foreseeable future, and for current signage to be reviewed and updated where required.

9.2 AUDIT AND RISK COMMITTEE MEETING MINUTES

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

Officer Direct or indirect Conflict of Interest

In accordance with *Local Government Act 1989* –
Section 80C:

Yes No

Reason: Nil

Status

Information classified confidential in accordance
with *Local Government Act 1989* – Section 77(2)(c):

Yes No

Reason: Nil

Appendix

Audit and Risk Committee Meeting Minutes – 11 June 2020 (**Appendix “9.2A”**)

Purpose

To receive and note the minutes of the Audit and Risk Committee meeting held on 11 June 2020.

Summary

- The Audit and Risk Committee meets quarterly.
- VAGO Reports and other status reports were provided at the meeting on 11 June 2020.
- The minutes of the Audit and Risk Committee meeting held on 11 June 2020 are provided for the information of Council in accordance with good governance principles.

Recommendation

That Council receive and note the minutes of the Audit and Risk Committee meeting held on 11 June 2020.

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

Main points of the meeting were as follows:

- Report regarding Council Plan timeframes
- Interim Management Letter year ending 30 June 2020
- Internal Audit Risk Review and Audit Plan
- Internal Audit Progress Report
- Draft Budget update
- Quarterly Performance Report (quarter ending 31 March 2020)
- Risk Management and Insurance Report
- Business Continuity Plan and COVID-19 update
- Chief Executive Officer Update on Emerging Issues
- *Local Government Act 2020* Implementation and Local Government Victoria Transitional Arrangements
- Rural Council's Corporate Collaboration (RCCC) Project Overview
- New Conflict of Interest Declaration Form (Staff)
- City to River Confidential Audit.

Financial Implications

The operations of Council's Audit and Risk Committee are covered within the 2019-20 operational budget allocation.

Links To Council Plans, Strategies, Policies

2019-2023 Council Plan - Goal 4 – Governance and Business Excellence

Four-Year Priorities:

4.2 – Manage risk to the organisation

4.4 – Achieve high standards of organisational performance

Consultation/Communication

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

Risk Implications

The Audit and Risk Committee is an important committee of Council required under the *Local Government Act 1989*. 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.

Environmental Implications

Not applicable

Human Rights Implications

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

Conclusion

The Audit and Risk Committee is a legislated requirement under the *Local Government Act 1989* and the *Local Government Act 2020*. The minutes are provided to Council in-line with good governance and record keeping.

9.3 TWO LOT SUBDIVISION AND VARIATION OF RESTRICTIVE COVENANT LOT 275 PS449841W 15 McLEAN DRIVE, HORSHAM

Author's Name:	Nicholas Carey	Director:	Kevin O'Brien
Author's Title:	Acting Co-ordinator Statutory Planning and Building Services	Directorate:	Communities and Place
Department:	Investment Attraction and Growth	File Number:	F24/A04/000001

Officer Direct or indirect Conflict of Interest

In accordance with *Local Government Act 1989* –
Section 80C:

Yes No

Reason: Nil

Status

Information classified confidential in accordance
with *Local Government Act 1989* – Section 77(2)(c):

Yes No

Reason: Nil

Appendix

Delegation Report (**Appendix "9.3A"**)

Purpose

To determine Planning Permit Application PA2000001 to subdivide the land so as to create two lots, and to vary Restriction 1 on Plan of Subdivision 449841W so as to remove the reference to Lot 275, being burdened by Restriction 1 and include Lot 275 in Restriction 2.

Summary

- The proposal is to create two lots and to vary the restrictive covenant that burdens the land so as to enable a dwelling to be constructed on each lot.
- Following notification of the proposal, three objections were received.
- Notwithstanding, the proposal to subdivide the land is considered to have merit. Taking into account the relevant provisions of the Horsham Planning Scheme, it is considered that the proposal to vary the restrictive covenant does not satisfy the test in Section 60(2) of the *Planning and Environment Act 1987*.

Recommendation

That Council, as the Responsible Authority having caused notice of Planning Application No. PA2000001 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all the matters required under Section 60 and Section 60 (2) of the *Planning and Environment Act 1987*, decide to issue a Refusal to Grant a Permit for a two (2) lot subdivision and variation of restrictive covenant at 15 McLean Drive (Lot 275 PS 449841W), Horsham on the following grounds:

- The proposal fails to meet the requirements of Section 60(2) of the *Planning and Environment Act 1987*, as the Responsible Authority, is not satisfied that the owner of any land benefited by the restriction, will be unlikely to suffer loss of amenity and loss arising from the change in neighbourhood character as a consequence of variation to the restriction.

REPORT

Background

The proposal is to subdivide the land so as to create two lots and to vary Restriction 1 on Plan of Subdivision 449841W, so as to remove the reference to Lot 275 being burdened by this restriction and include Lot 275 in Restriction 2. The reason for seeking this variation is to allow a dwelling to be constructed on each lot created.

The restriction applying to Lot 275 PS449841W states:

The registered proprietor or proprietors for the time being on any lot on this plan shall not: Construct or cause to be constructed any dwelling other than one single dwelling containing a floor area or aggregate floor area of not less than 150 square metres within the outer walls thereof on Lots 273 to 285 inclusive and on Lots 287, 288, 290, 292 and 294.

Discussion

A detailed assessment of the proposal against the Horsham Planning Scheme provisions is contained in the Delegation Report (**Appendix "9.3A"**).

The subject land is located in the General Residential Zone where the purpose of the Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework
- To encourage development that respects the neighbourhood character of the area
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The creation of two lots will assist in providing the opportunity to encourage a diversity of housing types. An assessment of the proposal against Clause 56 of the Horsham Planning Scheme demonstrates the proposal meets the objectives of Clause 56.

Covenant variation

Section 60 (2) of the *Planning and Environment Act 1987* states that:

(2) The responsible authority must not grant a permit which allows the removal or variation of a restriction (within the meaning of the Subdivision Act 1988) unless it is satisfied that the owner of any land benefited by the restriction (other than an owner who, before or after the making of the application for the permit but not more than three months before its making, has consented in writing to the grant of the permit) will be unlikely to suffer—

- (a) Financial loss; or*
- (b) Loss of amenity; or*
- (c) Loss arising from change to the character of the neighbourhood; or*
- (d) Any other material detriment—*

As a consequence of the removal or variation of the restriction.

Clause 52.02 of the Horsham Planning Scheme states a permit is required before a person proceeds under Section 23 of the *Subdivision Act 1988* to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.

The purpose of Clause 52.02 of the Horsham Planning Scheme is to enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

A detailed assessment of the proposal to vary the restriction is detailed in the Delegation Report (**Appendix “9.3A”**).

Having considered all of the relevant matters pursuant to Section 60(2) of the *Planning and Environment Act 1987*, it is considered the owner of any land benefited by the restriction will be unlikely to suffer financial loss or any other material detriment.

It is, however, considered the Responsible Authority cannot be satisfied that the owner of any land benefited by the restriction will be unlikely to suffer loss of amenity and loss arising from the change in neighbourhood character as a consequence of the removal or variation of the restriction.

Financial Implications

Defending the Responsible Authority’s decision in VCAT should an application for review of the responsible authority’s decision be made.

Links To Council Plans, Strategies, Policies

2019-2023 Council Plan

Four-Year Outcome 2.1 – Cultivate opportunities for the municipality to prosper and pursue possibilities for new development

Consultation/Communication

As required under Section 52 of the *Planning and Environment Act 1987*, notice of the application was given to adjoining owners/occupiers and beneficiaries of the covenant. In addition, public notice was placed in the Wimmera Mail-Times and a sign placed on the site.

Three objections have been received. A consultation meeting was held between the applicant’s representative and objectors. No objections were withdrawn.

Risk Implications

Challenge of decision in VCAT.

Environmental Implications

Not applicable

Human Rights Implications

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

Conclusion

As with all planning decisions, they must be balanced against the policy provisions of the Planning Scheme and any requirements of the *Planning and Environment Act 1987*. As noted in the above assessment, it is considered that, although the proposal to subdivide the land meets the requirements relating to subdivision in the General Residential Zone, and the beneficiaries of the covenant will be unlikely to suffer financial loss or any other material detriment as a result of the variation to the covenant, the Responsible Authority cannot be satisfied that the owner of any land benefited by the restriction will be unlikely to suffer loss of amenity and loss arising from the change in neighbourhood character as a consequence of variation to the restriction. Accordingly, it is recommended that a Notice of Refusal to grant a permit be issued.

9.4 COMMUNITY SATISFACTION SURVEY 2020

Author's Name:	Graeme Harrison	Director:	Graeme Harrison
Author's Title:	Director Corporate Services	Directorate:	Corporate Services
Department:		File Number:	F14/A05/000001

Officer Direct or indirect Conflict of Interest

In accordance with *Local Government Act 1989* – Section 80C:

Yes No

Reason: Nil

Status

Information classified confidential in accordance with *Local Government Act 1989* – Section 77(2)(c):

Yes No

Reason: Nil

Appendix

Horsham Rural City Council Community Satisfaction Survey Summary Report 2020 (**Appendix "9.4A"**)

Purpose

To receive and note the results of the 2020 Local Government Community Satisfaction Survey.

Summary

- Reporting of the summarised results from the 2020 Community Satisfaction Survey.
- Results have declined further from 2019 across all measures except customer service.
- An action plan will be developed.

Recommendation

That Council receive and note the 2020 Horsham Rural City Council Community Satisfaction survey results.

REPORT

Background

Horsham Rural City Council has again participated in the Local Government Community Satisfaction survey. The survey is co-ordinated by Department of Environment, Land, Water and Planning (DELWP) on behalf of Victorian Councils and was undertaken by JWS Research. The survey provides Council with some of the key performance indicators required under the Planning and Reporting Regulations (2014). The survey included compulsory questions and Council selected two additional free text questions and one tailored question with regard to sealed local roads.

The survey is conducted by Computer Assisted Telephone Interviewing, which is a representative random probability survey of residents aged 18+ years, and seeks to target the surveys to the gender and age profile of the community. The survey is undertaken from publicly available phone records, including up to 40% mobile phone numbers, to cater to the diversity of residents in the Council, particularly young people. Sixty-three of the 79 Councils across the state participated in this 2020 survey, with the other 16 Councils choosing to conduct their own alternative surveys.

Four hundred completed interviews were achieved from 17 February to 30 March 2020. Horsham has been classified for the purposes of this year's survey as a Regional Centre which includes Bendigo, Geelong, Latrobe, Mildura, Wangaratta, Warrnambool and Wodonga.

The main objective of the survey is to assess the performance of Council across a range of measures, and to seek insight into ways to provide improved or more effective service delivery.

Discussion

Core Measures

Council's core measures compared to the previous year, Regional Centres and State-wide averages are shown in the following table:

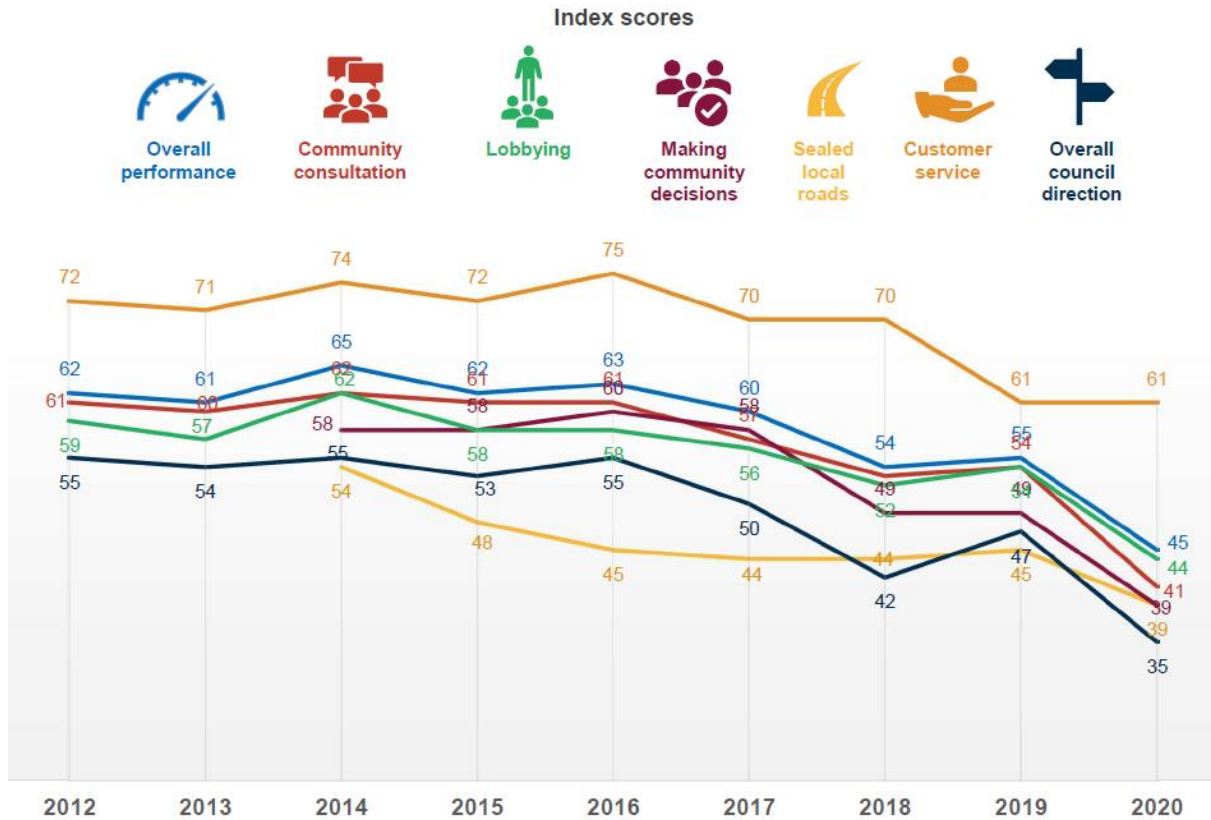
Summary of Horsham Rural City Council performance



Services	Horsham 2020	Horsham 2019	Regional Centres 2020	State-wide 2020	Highest score	Lowest score
Overall performance	45	55	56	58	Women	Men
Overall council direction	35	47	50	51	Aged 18-34 years	Rural Area residents
Customer service	61	61	70	70	Aged 65+ years, Aged 35-49 years	Rural Area residents, Men, Aged 50-64 years, Aged 18-34 years
Lobbying	44	54	52	53	Aged 65+ years, Women	Men
Consultation & engagement	41	54	51	55	Women, Aged 18-34 years	Rural Area residents
Community decisions	39	49	50	53	Women, Aged 18-34 years	Aged 35-49 years
Sealed local roads	39	45	55	54	Aged 65+ years	Rural Area residents

The graph below details trends over time for Horsham Rural City Council in each of the core performance areas:

Summary of core measures



This graphically highlights the downward trend from 2016-2018. This trend stopped in 2019, but has again dropped significantly in 2020.

The survey report (**Appendix “9.4A”**) provides detailed analysis for each of the Core Measures.

A separate question was asked with respect to sealed local roads to identify which local roads were an issue. Of the 153 instances of roads being named, 120 are Regional Roads Victoria (RRV) (formerly VicRoads) or 78%. Educating the community as to the difference between a RRV road and a Council Road will need to take place.

An action plan will be developed in the coming weeks once the analysis of the feedback is completed.

Financial Implications

The survey participation costs of \$12,530 were included as part of the 2019-20 Council Budget.

Links to Council Plans, Strategies, Policies

2019-2023 Council Plan

Four-Year Outcomes:

4.1 – Continuously improve communication and engagement with the community through effective consultation

4.4 – Achieve high standards of organisational performance

Consultation/Communication

The full survey results are quite detailed in terms of demographic breakdown and content, and are available to Council through a portal. The summary report (**Appendix "9.4A"**) is attached for public information. The Councillors, Executive Management Team and Departmental Managers have had an individual briefing with the survey provider, JWS Research, and discussed the results. An action plan will be developed and communicated in the near future.

Risk Implications

The measures of Community Engagement and Overall Council Performance are included on the Know Your Council website for comparison with all other Councils across the state. The inclusion here presents a reputational risk to Council if the poor performance is not addressed.

Environmental Implications

Not applicable

Human Rights Implications

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

Conclusion

The Local Government Community Satisfaction Survey for 2020 has been completed and the report is presented for noting by the Council.

9.5 PERIOD OF APPLICABILITY FOR THE COUNCIL PLAN

Author's Name:	Graeme Harrison	Director:	Graeme Harrison
Author's Title:	Director Corporate Services	Directorate:	Corporate Services
Department:	Governance	File Number:	F19/A11/000001

Officer Direct or indirect Conflict of Interest

In accordance with *Local Government Act 1989* – Section 80C:

Yes No

Reason: Nil

Status

Information classified confidential in accordance with *Local Government Act 1989* – Section 77(2)(c):

Yes No

Reason: Nil

Appendix

Nil

Purpose

To receive and note the report on Council's approach to the period used for the adopted Council Plan.

Summary

- A question from a member of the public was received on 24 February 2020 regarding Horsham Rural City Council's approach to adopt a rolling Council Plan, rather than a plan just fixed for the 4 year term of Council.
- At the same meeting, Council resolved "That Council seek clarity from the Municipal Association of Victoria around the validity of the Council Plan as highlighted by a member of the public, and that advice be provided as a report to Council and to the Audit and Risk Committee."
- The *Local Government Act 1989*, Section 125 (2) (b) refers to "strategies for achieving the objectives for at least the next 4 years".
- The *Local Government Act 2020* Section 90, essentially uses the same words as Section 125 of the 1989 Act.
- The words "at least the next 4 years" imply a greater term may be considered.
- Council has an adopted a Planning and Budgeting framework that clearly states it will take the approach to have a rolling 4 year Council Plan. This framework will be reviewed as part of the implementation of the new *Local Government Act 2020*.

Recommendation

That Council:

1. Receive and note the report on the period of applicability of the Council Plan.
2. Note that Council is not in breach of any sections of the *Local Government Act 1989* or *Local Government Act 2020* by adopting a rolling 4 year Council Plan.

REPORT

Background

At the Council meeting on 24 February 2020, a member of the public asked a question with respect to the dating of Council Plans and the period to which they apply. A response was provided that Council could look to name them differently in the future if the future Council so desired, but the member of the public did not agree with the response.

Following on from this, a motion from the floor was moved and Council resolved the following:

That Council seek clarity from the Municipal Association of Victoria around the validity of the Council Plan as highlighted by a member of the public, and that advice be provided as a report to Council and to the Audit and Risk Committee.

Council sought advice from the Municipal Association of Victoria, but did not receive any authoritative advice. In turn, they advised that they do not provide legal advice but are there to advocate on behalf of Councils and to provide broad governance advice. As a result, Council has sought and been provided legal advice from Macquarie Lawyers stating that Council is not in breach of the *Local Government Act 1989* or *Local Government Act 2020* in terms of taking a rolling approach to the Council Plan.

The objective of any strategic planning exercise is to give some substance to future direction for the organisation. The Strategic Plan should inform the Strategic Resource Plan (SRP) and any Long Term Financial Plan (LTFP), and provide a framework that can guide decisions being made about the future.

It is government's role to provide long term vision for the communities they serve and not just to think in political cycles. Any subsequent political cycle can elect to change the direction as they see fit in accordance with their electoral mandate. To further recognise the need for longer term planning, the new *Local Government Act 2020* will now require Councils to have a 10 year Long Term Financial Plan that will clearly extend beyond the 4 year Council term.

It is worth noting that no Council can bind a future Council's decisions. At any time, a Council can resolve to do anything within its powers.

At any time a Council Plan, SRP, LTFP, Municipal Strategic Statement, other plans and strategies will have objectives that reach beyond the term of the current Council. In fact this year, as occurs each election cycle, this Council will adopt a budget that goes beyond its Council term. This is a fact within the political system.

Discussion

A. *Local Government Act 1989*

The following are relevant sections from the *Local Government Act 1989*:

Section 125 – Council Plan

(1) A Council must prepare and approve a Council Plan within the period of 6 months after each general election or by the next 30 June, whichever is later.

- (2) A Council Plan must include—
- (a) the strategic objectives of the Council;
 - (b) strategies for achieving the objectives for at least the next 4 years;
 - (c) strategic indicators for monitoring the achievement of the objectives;
 - (d) a Strategic Resource Plan containing the matters specified in section 126;
 - (e) any other matters which are prescribed by the regulations.
- (7) At least once in each financial year, a Council must consider whether the current Council Plan requires any adjustments in respect of the remaining period of the Council Plan.

Section 126 – Strategic Resource Plan (SRP)

- (2) The Strategic Resource Plan must include in respect of at least the next 4 financial years—

Use of the term “at least the next 4 years” clearly implies that a Council Plan is to be for a minimum 4 year period, it does not say that it must be for the 4 year Council term. This aligns with the language also used for the SRP that is also for “at least the next 4 financial years”. Section 125 (2) (d) says the Council Plan must contain the SRP.

B. Local Government Planning and Reporting Regulations (2014)

The following is the relevant provision in relation to the SRP in the Planning and Reporting Regulations:

Part 2 – Division 1 – Regulation 6 – The financial statements

For the purposes of section 126(2)(a) of the Act, the financial statements included in a Strategic Resource Plan must—

- (a) contain a statement of capital works for the financial years to which the financial statements relate; and*
- (b) be in the form set out in the Local Government Model Financial Report.*

These regulations enshrine the use of the Local Government Model Financial Report.

C. Local Government Model Financial Report

A template is provided by Local Government Victoria for the Model Budget. This template requires Councils to provide the SRP in a particular format that includes the financial statements for the current year, plus the next year’s budget and the following 3 years. These 4 years then constitute the SRP that must be included in the Council Plan in accordance with Section 125(2)(d) of the *Local Government Act 1989*.

D. Local Government Act 2020

The following are relevant sections from the *Local Government Act 2020*:

Section 88 – Community Vision

- (2) *The scope of the Community Vision is a period of at least the next 10 financial years.*

Section 89 – Strategic planning principles

- (1) *A Council must undertake the preparation of its Council Plan and other strategic plans in accordance with the strategic planning principles.*
- (2) *The following are the strategic planning principles –*
 - (a) an integrated approach to planning, monitoring and performance reporting is to be adopted;*
 - (b) strategic planning must address the Community Vision;*

Section 91 – Financial Plan

(2) The scope of a Financial Plan is a period of at least the next 10 financial years.

Section 92 – Asset Plan

(2) The scope of an Asset Plan is a period of at least the next 10 financial years.

Section 94 – The Budget

(1) A Council must prepare and adopt a budget for each financial year and the subsequent 3 financial years by –

(a) 30 June each year; or

(b) Any other date fixed by the Minister by notice published in the Government Gazette.

(2) A Council must ensure that the budget gives effect to the Council Plan and contains the following - ...

All the above requirements clearly demonstrate the need for Council to think beyond the 4 year Council term and align its planning processes within the 10 year requirement for the Community Vision.

E. Council's Planning and Budgeting Framework

Council views the Council Plan as a rolling 4 year plan that is updated regularly, but at the commencement of the 4 year Council term it will have a more significant review, to ensure that the input from new Councillors is taken into account in the setting of the strategic direction for the following 4 year period of the Council term.

This then ensures alignment of the Council Plan with the requirements of the SRP and provides the strategic basis on which the SRP can in fact be developed.

Financial Implications

The cost of this report has been the time of Council Officers and the cost of the legal advice.

Links To Council Plans, Strategies, Policies

2019-2023 Council Plan

Goal 4 – Governance and Business Excellence

Consultation/Communication

This report was received by Council's Audit and Risk Committee at its 11 June 2020 meeting, in accordance with the Council resolution.

Risk Implications

Not applicable

Environmental Implications

Not applicable

Human Rights Implications

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

Conclusion

The newly elected Council post October 2020 will have the opportunity to review Council's Planning and Budgeting Framework and develop a Community Vision and a new Council Plan, taking on board the requirements of the new *Local Government Act 2020* and any subsequent Ministerial Guidelines that may be issued.

9.6 COMMUNITY SPORTS INFRASTRUCTURE STIMULUS PROGRAM

Author's Name:	Susan SurrIDGE	Director:	Graeme Harrison
Author's Title:	Co-ordinator Community Relations and Engagement	Directorate:	Corporate Services
Department:	Governance and Information	File Number:	F15/A07/000017

Officer Direct or indirect Conflict of Interest

In accordance with *Local Government Act 1989* – Section 80C:

Yes No

Reason: Nil

Status

Information classified confidential in accordance with *Local Government Act 1989* – Section 77(2)(c):

Yes No

Reason: Nil

Appendix

Sport and Recreation Victoria Community Sports Infrastructure Stimulus Program Funding Guidelines (Appendix "9.6A")

Purpose

To note and endorse an application to the Sport and Recreation Victoria (SRV) Community Sports Infrastructure Stimulus Program for the development of Horsham Regional Water Play Park.

Summary

- The SRV Community Sports Infrastructure Stimulus Program is a one-off grant opportunity for large, regionally significant projects.
- The program is highly competitive as there is only \$64million available across the State.
- This application provides a unique opportunity to progress the 'game changing' Regional Water Play Facility, with a small contribution from Council.

Recommendation

That Council:

1. Note and endorse the application to the Sport and Recreation Victoria Community Sports Infrastructure Stimulus Program for the development of the Horsham Regional Water Play Park.
2. Provide its contribution of \$350,000 towards the project from the recently announced Federal Government Local Roads and Community Infrastructure Program grant allocation of \$1.4million.

REPORT

Background

In late May 2020, SRV announced a one-off funding program designed to inject economic stimulus into the Victorian economy as we move to the recovery phase of COVID-19. This funding round has less than a four-week turnaround, with applications due by Friday 19 June 2020.

The Guidelines (**Appendix “9.6A”**) indicate the following key requirements:

- Grant requests must be between \$1million and \$10million
- Minimum Council contribution of 10% (can include Federal funding)
- Projects must be ‘shovel ready’ to start construction within six months of signing the funding agreement.

The Horsham Regional Water Play Park has been identified as the most competitive project for this grants round. The project will provide a new regional level water play facility – the first water play park in the Wimmera Southern Mallee region (catchment population 50,000+). The nature themed water play facility to be constructed along the Wimmera River in central Horsham will provide an exciting outdoor recreation facility, free and accessible for all ages and capabilities.

Discussion

A recent briefing with Senior Officers from SRV, Grampians Region confirmed the following:

- This is a unique opportunity to advance major projects that will have a regional impact for a very small local contribution.
- The funding round will be highly competitive with assessment focused on economic stimulus, jobs and increased participation.
- From the list of major projects that could commence construction within six months, the Regional Water Play Park is the most competitive project, and exciting new regional attraction and outdoor recreation space that would provide a lasting positive outcome from COVID-19 in our region.

Council considered a report on Federal and State Government Grant Funding Opportunities for Infrastructure Projects at the Council meeting on 1 June 2020. At that meeting, the following resolutions were passed by Council.

That Council:

1. *Endorse the major, minor (<\$1 million) and road infrastructure priority project listings as attached (**Appendix “9.4A”, “9.4B” and “9.4C”**)*
2. *Seek opportunities to access COVID-19 recovery stimulus funding from the State and Federal Governments for major, minor (<\$1 million) and road infrastructure priority projects as attached (**Appendix “9.4A”, “9.4B” and “9.4C”**).*

Extract from Appendix 9.4A – Major Projects

<p>City to River Riverfront Activation project – Area A & D</p>	<ul style="list-style-type: none"> • Development of Regional Water Play Park • Supporting carpark and roadworks • Riverfront Activation nodes X 2 • Upgrade to Rowing Club facilities (including public amenities upgrade) 	<p>\$1.478million</p> <p>\$1.535million</p> <p>\$0.58million</p> <p>\$1.291million</p>	<ul style="list-style-type: none"> • City to River Masterplan - Precinct 1 Riverfront Activation • Open Space Strategy
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Following this resolution, TRACT Landscape Designers were engaged to undertake the detailed concept and schematic designs required as supporting material for the funding application. A QS report outlining the project budget is also required.

Financial Implications

The initial budget for the funding application is \$2,978,000 (ex GST) with a proposed Council contribution of \$350,000, with the balance funding through the SRV grant. Council's contribution can be provided through the recently announced Federal Government Local Roads and Community Infrastructure Program which has provided a grant allocation of \$1.4million to Council.

Links To Council Plans, Strategies, Policies

2019-2023 Council Plan

Goal 1 – Community and Cultural Development

Goal 2 – Sustaining the Economy

This project is directly linked to the endorsed City to River Masterplan, with resolution to proceed to concept and schematic design for the Riverfront Precinct as follows:

9.5 Riverfront Sub-Precinct – Commence implementation of concept and schematic design for the riverfront improvements, including the splash park and site selection for the café/restaurant.

Consultation/Communication

The design work of TRACT for the water play park has been based on over 550 comments from the City to River engagement process, which strongly supported a water play park and natural themed development of the riverfront.

The Riverfront Activation Community Reference Group (CRG) have reviewed the initial concept plans for the Riverfront Precinct (including the Water Play Park), and their views have been taken into consideration in the final Concept design for the Water Play Park. The CRG has endorsed the submission. Council is currently working with the CRG to plan the public engagement phase.

Risk Implications

This is a funding opportunity only, in a highly competitive state funding round. The Water Play Project will only proceed if the application is successful.

Environmental Implications

The Water Play Park has important environmental design components that will be addressed as part of the detailed construction drawings i.e. water reticulation, lighting, draining, landscaping. A Cultural Heritage Management Plan is currently being developed for the entire Precinct 1 Riverfront area.

Human Rights Implications

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

Conclusion

Council endorsement of the application to the Sport and Recreation Victoria Community Sports Infrastructure Stimulus Program for the development of the Horsham Regional Water Play Park and allocation of \$350,000 as its contribution from the recently announced Federal Government Local Roads and Community Infrastructure Program grant allocation of \$1.4million is now sought.

9.7 CHIEF EXECUTIVE OFFICER'S OPERATIONAL REPORT

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

Officer Direct or indirect Conflict of Interest

In accordance with *Local Government Act 1989* –
Section 80C:

Yes No

Reason: Nil

Status

Information classified confidential in accordance
with *Local Government Act 1989* – Section 77(2)(c):

Yes No

Reason: Nil

Appendix

Nil

Purpose

To receive and note the Chief Executive Officer's Operational Report for June 2020.

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 June 2020.

REPORT

Background

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

Discussion

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

A. Advocacy/Funding Announcements

Regional Cities Victoria: The Mayor and Chief Executive Officer attended a Regional Cities Victoria meeting on 11 June 2020 via zoom. Dr Rob Grenfell, Health Director, Health and Biosecurity at CSIRO was guest speaker and talked about CSIRO's search for a COVID-19 vaccine.

Grampians Tourism (GT): The Recovery Taskforce which includes the Chair and Chief Executive Officer of GT and Chief Executive Officers of member Councils met on 11 June 2020 to consider destination marketing campaigns for the GT region. With the international borders expected to remain closed in the near future, there is an increased emphasis on targeting domestic visitors to the region. An update on the COVID-19 impact on regional tourism and the recovery planning was also provided to the Mayors and CEOs of the member Councils by the GT CEO.

Rural Council's Corporate Collaboration (RCCC) Meeting: The RCCC Board which includes the Chief Executive Officers of Hindmarsh, West Wimmera, Buloke, Yarriambiack, Loddon and Horsham had its meeting on 11 June 2020. Local Government Victoria has provided a verbal approval to the Business Case addendum for the transformation project which allows the procurement process to commence.

Wimmera Regional CEO Meeting: The Chief Executive Officer met via zoom with the Chief Executive Officers of Buloke, West Wimmera, Hindmarsh, Yarriambiack and Northern Grampians on 11 June 2020. The Regional Director from Regional Development Victoria provided a State Government update.

B. Community Engagement

Building a Better Wimmera Southern Mallee: The Chief Executive Officer participated in a regional roundtable held via zoom on Tuesday 2 June 2020 and involving the Wimmera Southern Mallee Regional Partnership, Regional Development Advisory Committee and Wimmera Southern Mallee Regional Development Australia Committee. The purpose of the roundtable was to ensure government understands the impacts of the coronavirus pandemic on Wimmera Southern Mallee's rural and regional communities and the opportunities and challenges we face in driving socioeconomic recovery.

C. Projects and Events

Civic Centre Carpark Works: The accessible carpark in front of the Civic Centre in Roberts Avenue needs updating to meet current standards and improve usability. Willmore Contracting will be raising the level of the road pavement, re-align the kerb and upgrade the access path. Four parking bays directly in front of the Civic Centre will remain available to the public during the works. Works should be completed by the end of this week, weather permitting.

Pedestrian Crossing Works: Works to build a pedestrian crossing outside Wimmera Base Hospital's main entrance has commenced. The crossing will provide a much safer location for patients and visitors to cross Baillie Street at the entrance to the hospital as well as other facilities in the area.

Firebrace Street Works: Footpath alteration works at the corner of Firebrace Street and Roberts Avenue were carried out to reduce the gradient of the ramp that runs from the traffic lights to the paved footpath at 68 Firebrace Street. This section of footpath is now much smoother and safer for pedestrians.

D. Staff Matters

Civic Centre Customer Service: The Civic Centre Customer Service area reopened to the public on Tuesday 9 June 2020. Council still has an obligation as directed by the State Government, that where staff can work from home, they will continue to do so.

Financial Implications

Not applicable

Links To Council Plans, Strategies, Policies

2019-2023 Council Plan
Goal 4 – Governance and Business Excellence

Consultation/Communication

Not applicable

Risk Implications

Not applicable

Environmental Implications

Not applicable

Human Rights Implications

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

Conclusion

That Council receive and note the Chief Executive Officer's Operational Report for June 2020.

10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS

Cr Mark Radford, Mayor

- 1 June 2020 – Letter of support for the Natimuk Fringe Festival
- 1 June 2020 - ‘Share your Care’ Briefing for promoting Foster Care (Zoom)
- 1 June 2020 – Aboriginal Advisory Committee Meeting (Zoom)
- 1 June 2020 – Council Meeting (Virtual)
- 2 June 2020 – ABC Radio Interview
- 2 June 2020 – Nine News Interview (Overland Train) (Virtual)
- 2 June 2020 - 3WM Radio Interview
- 2 June 2020 – Horsham Times Interview x2
- 3 June 2020 – WIN News Interview (Budget) (Virtual)
- 4 June 2020 – Murray Bridge News Interview (Overland Train)
- 4 June 2020 – Wimmera Mail-Times Interview
- 4 June 2020 – Business Horsham Forum (Virtual)
- 5 June 2020 – WSM Media/Council Liaison Meeting (Virtual)
- 5 June 2020 – Business Visit to Victoria Hotel
- 9 June 2020 – Meeting with Graeme Arnott, Author
- 9 June 2020 – Council Briefing Meeting
- 10 June 2020 – Grampians Tourism Mayors/CEOs Meeting (Virtual)
- 10 June 2020 – Performance Review Meeting (Virtual)
- 11 June 2020 - Regional Cities Victoria with Dr Rob Grenfell (Virtual)
- 11 June 2020 – Meeting with Public Transport Minister re Overland Service (Virtual)
- 11 June 2020 – Audit and Risk Committee (Virtual)
- 12 June 2020 – Business Visits
- 12 June 2020 – WSM Media/Council Liaison Meeting (Virtual)
- 12 June 2020 – Letter of congratulations to Cr Bruce Meyer, OAM
- 12 June 2020 – Letter of congratulations to Mr Gary Aitken, OAM
- 15 June 2020 – CEO Performance Review (Virtual)
- 15 June 2020 – Community Satisfaction Survey presentation (Virtual)
- 16 June 2020 – ABC Radio interview
- 16 June 2020 – WIN News interview (Overland) (Virtual)
- 16 June 2020 – WDA Leadership Webinar (Virtual)
- 16 June 2020 – Meeting with Marc Sleeman, Grampians Tourism CEO
- 17 June 2020 – Meeting with Margaret Millington
- 17 June 2020 – COVID-19 Agencies Group (Virtual)
- 18 June 2020 – Horsham Police and Community Consultative Committee
- 18 June 2020 – Regional Cities Victoria Meeting (Virtual)
- 18 June 2020 – Meeting with Dr Anne Webster MP re Overland Service
- 18 June 2020 – Council Budget live Q&A Session (Virtual)
- 19 June 2020 – Serviceton Summit Overland Webinar (Virtual)
- 17 June 2020 – Learning to Unlearn Webinar (Virtual)

11. URGENT BUSINESS

12. PETITIONS AND JOINT LETTERS

13. PROCEDURAL BUSINESS

13.1 ASSEMBLY OF COUNCILLORS – RECORD OF MEETINGS

Council Briefing Meeting held on Tuesday 9 June 2020 at 5.05pm via Zoom (video conferencing)

Council Briefing Meeting held on Monday 15 June 2020 at 5.00pm via Zoom (video conferencing)

Refer to **Appendix “13.1A”**

13.2 SEALING OF DOCUMENTS

Wimmera Regional Library Corporation 2020 Agreement and Service and Funding Agreement 2020 - 2023

13.3 INWARD CORRESPONDENCE

Nil

13.4 COUNCIL COMMITTEE MINUTES

Nil

Recommendation

That Council receive and note agenda items:

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

14. NOTICE OF MOTION



MINUTES OF AUDIT & RISK COMMITTEE

Thursday 11 June 2020

via Zoom 3.01pm

(To Note: Due to the continuing restrictions of the COVID-19 Coronavirus Pandemic, the meeting was conducted via Zoom to all committee and Exofficio members)

File Ref: F18/A13/000001

1. PRESENT

Committee Members:

Mr Richard Trigg (Chair)
 Mr Vito Giudice
 Mr Mark Knights
 Cr Mark Radford
 Cr David Grimble

Also in Attendance:

(Exofficio)

Mr Sunil Bhalla, Chief Executive Officer
 Mr Graeme Harrison, Director Corporate Services
 Mrs Heather Proctor, Manager Finance
 Ms Diana McDonald, Co-ordinator Governance
 Ms Kathie Teasdale, RSD Audit
 Mr Chris Kol, McLaren Hunt Financial Group (In attendance for S.9 Audit Reports)

Additional Council Officer Attendees:

Mr Robert Letts, Business Partner, Risk & HR (In attendance for S.10.3 Risk Management)

2. WELCOME

Richard Trigg welcomed all to the meeting.

3. APOLOGIES

Nil

4. CONFLICT OF INTEREST

Nil

5. CONFIRMATION OF MINUTES – 19 March 2020

Moved Mark Knights seconded Cr David Grimble that the minutes of the meeting held on 19 March 2020 be confirmed as an accurate record.

CARRIED

6. BUSINESS ARISING FROM PREVIOUS MINUTES**6.1 Council Plan Timeframe & Report**

Advice received was tabled and discussed.

6.2 Final Procurement Policy (Adopted by Council 11 May 2020)

For information of the Committee.

Moved Vito Giudice seconded Cr Mark Radford that the above reports be received.

CARRIED

7. CEO UPDATE**7.1 Emerging Issues**

Sunil discussed:

- Organisation Restructure
- Visitor Services Review
- Home Support Services Expression of Interest
- Federal and State Government Economic Stimulus

7.2 Any new level of Risk/Fraud and Corruption/Protected Disclosures

Nil

7.3 Declaration of any Conflicts of Interest

Nil

7.4 BCP and COVID-19

The CEO Sunil Bhalla provided an update on the Council's response to the COVID-19 pandemic and the Business Continuity Plan (BCP) team's response and ongoing management of the pandemic's requirements for the organisation. Sunil mentioned that a key component was to place a freeze on job vacancies and to redeploy staff affected by COVID-19.

8. CORRESPONDENCE

Nil

9. AUDIT REPORTS**9.1 RSD Internal Audit – Risk Review & Audit Plan**

Kathie Teasdale provided an update on the Risk Review and Audit Plan. Cr Grimble requested bringing the Community Engagement review forward to better coincide with the requirements of the Local Government Act 2020.

ACTION: To follow up with RSD Audit in regard to rescheduling the Community Engagement Internal Audit.

9.2 RSD Internal Audit Progress Report (June 2020)

Report discussed.

Moved Cr Mark Radford seconded Vito Giudice that the Committee receives the RSD's Internal Audit – Risk Review & Audit Plan and the Internal Audit Progress Report (June 2020)

CARRIED

9.3 Internal Audit Actions Report – Council

In total 4 items were completed for the quarter (11 completed the previous quarter). Nil high risks, three medium risks and one low risk.

One additional audit (in-house assessment) is currently underway for the last quarter:

- Victorian Ombudsman’s Investigation of Alleged Improper Conduct by Executive Officers at Ballarat City Council (May 2020). This will be finalised and tabled for discussion and information of the Committee.

There are now 24 actions overdue from a total of 58 outstanding (approx 41% overdue), there was 27 overdue last quarter. Noting that again for this quarter there are currently no high risk actions overdue.

Moved Cr Mark Radford seconded Cr David Grimble that the Committee receives the Internal Audit Actions report.

CARRIED

9.4 Interim Management Letter – Year ending 20 June 2020

Chris Kol discussed the Interim Management Letter noting that the revised Audit Strategy identified COVID-19 as a specific risk to be considered. The interim Auditor visits were conducted via a remote secure platform with no identified issues from the 2020 interim visit. There is still some outstanding items from previous years.

The year end timelines will be similar to last years and it is anticipated that the audit will be conducted remotely, but there may be some onsite follow up attendance as required.

Moved Cr Mark Radford seconded Vito Giudice that the Committee receives the Interim Management Report

CARRIED

10. SCHEDULED ITEMS

10.1 Compliance & Legislation

10.1.1 Draft Budget (2020/2021) Report

Graeme Harrison discussed the preparation of Council’s draft 2020/2021 budget and that it is currently out for community consultation <https://oursay.org/horshamruralcitycouncil/budget2020-2021>

Report Noted

10.2 Reporting

10.2.1 Quarterly Performance Report – 31 March 2020

The quarterly financial report was tabled for the three monthly period from January to March 2020.

Moved Vito Giudice seconded Cr David Grimble that the Committee receives the Quarterly Report.

CARRIED

10.3 Risk Management

10.3.1 Risk Management Committee Meeting Minutes

Key points from Risk Management Committee Meeting May 2020:

- Strategic Risks currently being reviewed with the Council’s Internal Auditor RSD, and will be tabled at the next Audit & Risk Committee meeting
- Public Liability Insurance premiums rising by 18%

10.3.2 Risk Management Framework & Strategy

Risk Framework and Strategy reviews provided for the information of the Committee

10.3.3 Insurance Update Report

Report provided to the Committee

10.3.4 Insurance Renewals Update

Update included with 10.3.1

Moved Cr David Grimble seconded Cr Mark Radford that the Committee receives the above Risk Management reports.

CARRIED

10.4 Governance**10.4.1 Local Government Act 2020 Implementation & Local Government Victoria Transitional Arrangements**

Council is preparing a range of project plans to undertake the various legislative compliance required as part of the New Local Government Act 2020 with the first key deliverables due on 1 September 2020. These include Governance Rules, Councillor Expense Policy, Delegated Committees and Asset Committees, Audit & Risk Charter and Committee and a Public Transparency Policy.

10.4.2 New Conflict of Interest Procedure (Staff)

Council has recently reviewed its Conflict of Interest Procedure (Staff) which has been updated and expanded to reflect current best practice, including the introductions of a Conflict of Interest Form.

10.4.3 HRCC Analysis – Ombudsman’s Investigation of Alleged Improper Conduct by Executive Officers at Ballarat City Council

Horsham Rural City Council’s in-house assessment and analysis of the above Victorian Ombudsman’s report is currently underway and will be tabled at the next Audit and Risk Committee Meeting.

10.4.4 Audit Committee Considerations in a COVID-19 Environment

This report from John Gavens was provided for the information of the Committee.

10.4.5 Policies reviewed and adopted (13 March 2020 – 4 June 2020)

There were nine policies and procedures reviewed and/or updated for the above period.

Moved Vito Giudice seconded Cr Mark Radford that the Committee receives the above Governance reports.

CARRIED

11. GENERAL BUSINESS**11.1 “Draft” Audit & Risk Committee Charter (In compliance with section 53(1) of the Local Government Act 2020)**

Because of the mandatory timelines of the new Local Government Act 2020 it was agreed that a special Audit & Risk Committee meeting be scheduled to review the new Charter and requirements.

ACTION: Schedule an additional out of session Audit & Risk Committee Meeting.

11.2 Depot Contamination Remediation Works Update

Information provided to the Committee and reports noted.

11.3 Rural Councils Corporate Collaboration (RCCC) Project Overview

Graeme provided information regarding the RCCC project and the stages it was up to.

Report Noted

12. CONFIDENTIAL DISCUSSION

12.1 Horsham City to River Review

The Confidential Audit conducted was discussed by the Committee.

13. INTERNAL AUDITOR CONFIDENTIAL DISCUSSION

13.1 Meeting with Internal Auditors excluding Officers

Nil

14. NEXT MEETING

The next meeting of the Audit and Risk Committee will be held on Thursday 10 September 2020 commencing at the revised time of 3.00pm streamed via Zoom.

Noting that there will also be an additional out of session meeting scheduled via Zoom to consider the Audit & Risk Committee Charter and the HRCC analysis of the Victorian Ombudsman’s Investigation of Alleged Improper Conduct by Executive Officers at Ballarat City Council. Date and time to be advised.

15. CLOSURE

Meeting closed at 5.27pm

GRAEME HARRISON
Director Corporate Services

Minutes signed as correct: (Chair)

Mr Richard Trigg

Date:

Delegation Report



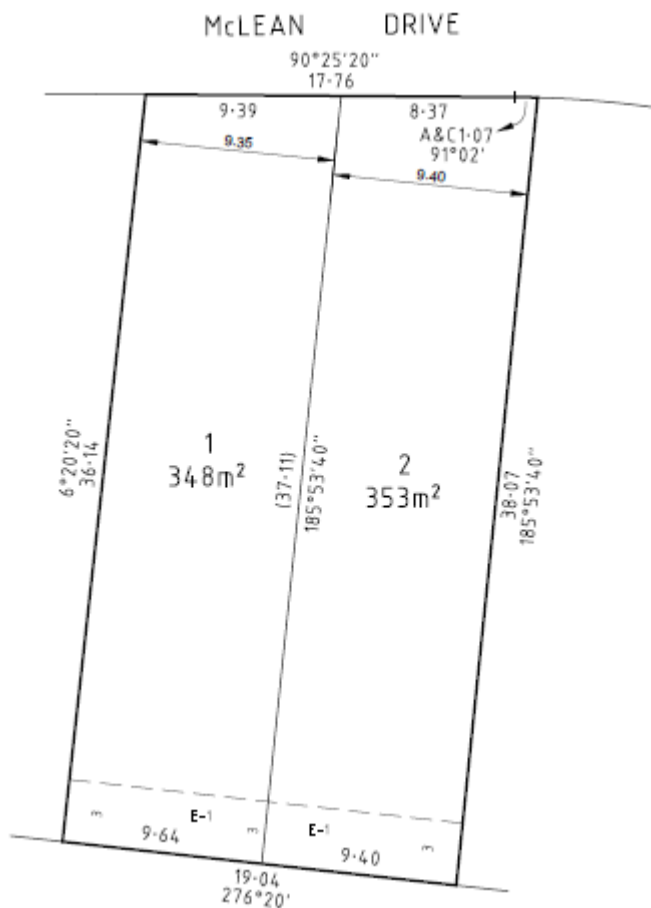
Application is for:	To subdivide the land so as to create two lots and to vary Restriction 1 on Plan of Subdivision 449841W so as to remove the reference to Lot 275 being burdened by Restriction 1 and include Lot 275 in Restriction 2.
Applicant's Name:	Wes Davidson
Owner's Name:	M & P Clarke Pty Ltd
Date Received:	10/01/2020
Statutory Days:	Over 60 days
Application Number:	PA2000001
Planner:	N J Carey
Land/Address:	15 McLean Drive HORSHAM – LOT: 275 PS: 449841W
Zoning:	GRZ1 General Residential Zone - Schedule 1
Overlays:	Design and Development Overlay - Schedule 3
Under what clause(s) is a permit required?	<p>Under Clause 32.08-3 a permit is required to subdivide land.</p> <p>Under Clause 52.02 a permit is required before a person proceeds:</p> <ul style="list-style-type: none"> - Under Section 23 of the <i>Subdivision Act 1988</i> to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant. - Under Section 24A of the <i>Subdivision Act 1988</i>. - Under Section 36 of the <i>Subdivision Act 1988</i> to acquire or remove an easement or remove a right of way.
Restrictive covenants on the title?	Yes
Current use and development:	Vacant urban land
Ad Required	Yes
Signs Required	Yes
Reason	Sec 52 (1AA) of the <i>Planning and Environment Act 1987</i> requires that in addition to notifying adjoining owners/occupiers,

	<p>notification of an application to vary a restrictive covenant must also include</p> <p>(a) placing a sign on the land which is the subject of the application; and</p> <p>(b) publishing a notice in a newspaper generally circulating in the area in which that land is situated.</p> <p>It is also a requirement to notify the beneficiaries of a restrictive covenant.</p>
--	--

Proposal

The proposal is to subdivide the land so as to create two lots and to vary Restriction 1 on Plan of Subdivision 449841W so as to remove the reference to Lot 275 being burdened by this restriction and include Lot 275 in restriction 2.

The reason for seeking this variation is to allow for a dwelling to be constructed on each lot created.



Subject site & locality

An inspection of the site and the surrounding area has been under taken.

The site has a total area of 701 square metres and is currently vacant.

The main site/locality characteristics are:

- An emerging residential area with a mixture of vacant lots and established single storey dwellings. Given the nature of Restrictions 1 and 2, McLean Drive will, when fully developed, comprise wholly of single dwellings on lots of a similar area to the subject site.

Permit/Site History

There is no specific history of the subject site aside from the subdivision which created the lot. Although there is no impediment to assessing an application for subdivision, should the land be subdivided any proposal to construct the second dwelling on a newly created lot will require a variation to the covenant.

Public Notification

The application was advertised pursuant to Section 52 of the Act. As the proposal is to vary a restriction, notification was given to adjoining owner/occupiers and the beneficiaries of the restriction. In addition a sign was placed on the site and a notice placed in the Wimmera Mail Times. Following notification three objections have been received. At the time of writing this report no objections have been withdrawn. The objections raise the following matters;

- The subdivision potential that exists along with this proposal may result in a heavy traffic area and cause congestion. Additional vehicles parked in the street and increased traffic.
- Expectation of limited amount of subdivisions and 15 McLean Drive was not one of them.
- Negative impact on property values.

Consultation

A consultation meeting was held between the applicant's representative and the objectors on the 12 March 2020. The meeting did not result in any objections being withdrawn.

Referrals

No mandatory referrals to referral authorities were required under Sec 55 of the Act.

Internal referrals were undertaken to Council's Infrastructure Department. A response was received from Council's Infrastructure Department stating that they had no objection subject to conditions.

Assessment

Subdivision

Clause 56 Assessment

Objective	Comments
<p>Clause 56.03-5 Standard C6 Neighbourhood character objective To design subdivisions that respond to neighbourhood character.</p>	<p>Complies ✓</p> <p>The neighbourhood is residential in character. Both proposed lots will have an 8.37 and 9.39m frontage to McLean Drive providing active street frontages as per the other lots in the residential subdivision.</p> <p>It is considered the subdivision will not detrimentally impact on the character of the area.</p>
<p>Clause 56.04-2 Standard C8 Lot area and building envelopes objective To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</p>	<p>Complies ✓</p> <p>The lot area of each lot is greater than 400m² and capable of containing a building envelope of 10m x 15m.</p> <p>The application provided a plan demonstrating the land is capable of containing a building envelope of 10m x 15m.</p>
<p>Clause 56.04-3 Standard C9 Solar orientation of lots objective To provide good solar orientation of lots and solar access for future dwellings.</p>	<p>Complies ✓</p> <p>The orientation of the lots is, in part, predetermined by the existing lot orientation.</p>

Objective	Comments
<p>Clause 56.04-5 Standard C11 Common area objectives To identify common areas and the purpose for which the area is commonly held.</p> <p>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</p> <p>To maintain direct public access throughout the neighbourhood street network.</p>	<p>Complies ✓ There is no common property proposed.</p>
<p>Clause 56.06-8 Standard C21 Lot access objective To provide for safe vehicle access between roads and lots.</p>	<p>Complies ✓ The site is currently serviced by a sealed road. Each lot is able to be serviced by direct access from McLean Drive.</p>
<p>Clause 56.07-1 Standard C22 Drinking water supply objective To reduce the use of drinking water.</p> <p>To provide an adequate, cost-effective supply of drinking water.</p>	<p>Complies ✓ Town water is be supplied through the existing water main.</p>
<p>Clause 56.07-2 Standard C23 Reused and recycled water objective To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</p>	<p>Complies ✓ Not required as part of subdivision but may be considered as part of building permit process.</p>
<p>Clause 56.07-3 Standard C24 Waste water management objective To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</p>	<p>Complies ✓ The site is sewerred and can be connected to the existing sewer system.</p>

Objective	Comments
<p>Clause 56.07-4 Standard C25 Urban run-off management objectives To minimise damage to properties and inconvenience to residents from urban run-off.</p> <p>To ensure that the street operates adequately during major storm events and provides for public safety.</p> <p>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</p>	<p>Complies ✓ Each allotment is required to connect to the existing urban stormwater system to the satisfaction of Council.</p>
<p>Clause 56.08-1 Standard C26 Site management objectives To protect drainage infrastructure and receiving waters from sedimentation and contamination.</p> <p>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</p> <p>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p>	<p>Complies ✓ Given that the proposal represents a two lot subdivision of an existing lot there will be limited works required. It is unlikely that there will be any sedimentation or contamination resulting from the subdivision.</p>
<p>Clause 56.09-1 Standard C27 Shared trenching objectives To maximise the opportunities for shared trenching.</p> <p>To minimise constraints on landscaping within street reserves.</p>	<p>Complies ✓ Shared trenching can be utilised when available.</p>

Objective	Comments
<p>Clause 56.09-2 Standard C28 Electricity, telecommunications and gas objectives</p> <p>To provide public utilities to each lot in a timely, efficient and cost effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p>	<p>Complies ✓</p> <p>Public utilities (water, sewer and electricity) are available to the site and must be connected prior to Statement of Compliance.</p>
<p>Clause 56.09-3 Standard C29 Fire hydrants objective</p> <p>To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</p>	<p>Complies ✓</p> <p>The subdivision is residential infill and existing services are available for firefighting purposes.</p>
<p>Clause 56.09-4 Standard C30 Public lighting objective</p> <p>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</p> <p>To provide pedestrians with a sense of personal safety at night.</p> <p>To contribute to reducing greenhouse gas emissions and to saving energy.</p>	<p>Complies ✓</p> <p>The subdivision is residential infill and there is existing public lighting in McLean Drive.</p>

The intent of the relevant State and Local Policies is to seek to ensure that sufficient supply of land is available for future development demand, giving consideration to the constraints of service limitations, cost of extending infrastructure and the protection of agricultural land and the natural environment. The consolidation, redevelopment and intensification of existing urban areas within defined settlement boundaries is therefore encouraged. The current proposal supports the intensification of land having access to existing infrastructure services while meeting provisions of the General Residential Zone. The proposed two lot subdivision is considered to have merit when consideration is given to the broader state and local policies related to subdivision to provide for future residential development.

Clause 11.01-1R (Settlement - Wimmera Southern Mallee) of the Planning Scheme includes a strategies to support the regional city role of Horsham as the key population and employment centre for the region, provide for easy access to housing, education, employment and community facilities, particularly in Horsham and district towns and provide an ongoing supply of infill and greenfield residential land, particularly in Horsham and district towns.

Clause 11.01-1S (Settlement) seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians.

Clause 16.01-2S (Location of residential development) seeks to increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas. Furthermore, the clause seeks to also ensure adequate supply of redevelopment opportunities within established areas, identify opportunities for increased residential densities to help consolidate urban areas and facilitate residential development of allotments with access to existing infrastructure.

The site is suitably zoned (GRZ) and serviced to accommodate further subdivision and residential development. The proposal is considered to provide for a positive response to the both the State and Local planning policies discussed above, ensuring that the creation of additional allotments is both of a scale and in a location that will provide for additional serviced residential land suitable for development.

The purpose of the General Residential Zone is:

- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth in location offering access to services and transport.

Under Clause 32.08-3, a permit is required to subdivide land in the GRZ1. The decision guidelines applying to subdivision in the GRZ1 have been considered and can be supported for the following reasons:

- The pattern of subdivision is not out of character with the surrounding residential area. The areas of the created lots exceed 400sqm. There are existing lots within the vicinity of the site in Seater Close which are of similar size and shape to the lots proposed
- Each newly created allotment will be able to readily meet the minimum garden area set out in Clause 32.08-4.
- The proposed subdivision is deemed to comply with the relevant provisions of Clause 56 (Residential Subdivision).

- The proposed lots will be required to be connected to reticulated services servicing the area as part of permit conditions should a permit be issued.
- The proposed subdivision provides an opportunity for a variety of lot sizes. The proposed development is considered to be supported by the purpose of the GRZ1 provisions.

Accordingly it is conserved that the subdivision so as to create two lots is supported by the provisions of the Horsham Planning Scheme.

Variation to covenant

Legislative provisions

The decision making process in relation to the variation of a restriction is governed by section 60(2) of the Act. Section 60(2) applies to restrictions created on or after 25 June 1991 and reads as follows:

(2) The responsible authority must not grant a permit which allows the removal or variation of a restriction (within the meaning of the Subdivision Act 1988) unless it is satisfied that the owner of any land benefited by the restriction (other than an owner who, before or after the making of the application for the permit but not more than three months before its making, has consented in writing to the grant of the permit) will be unlikely to suffer—

(a) Financial loss; or

(b) Loss of amenity; or

(c) Loss arising from change to the character of the neighbourhood; or

(d) Any other material detriment—

As a consequence of the removal or variation of the restriction.

In addition to section 60(2) of the Act, in making a decision on the application it is a requirement to consider the decision guidelines at Clause 65 and the decision guidelines at Clause 52.02. The decision guidelines at Clause 52.02 require the responsible authority to consider the interests of affected people.

In *Hill v Campaspe SC (includes Summary) (Red Dot) [2011] VCAT 949 (19 May 2011)* the then Deputy President of the Tribunal, Helen Gibson indicated that variation to a covenant affects the property law rights of the owners of land with the benefit of the covenant.

Clause 52.02

The purpose of Clause 52.02 is to enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

It is a requirement that the responsible authority must be satisfied that the owner of any land benefited by the restriction will be unlikely to suffer those matters noted in Section 60(2) of the Act. It is also important to note that any relevant loss or detriment must flow from the proposed variation of the covenant. In this case, the assessment must be whether a relevant owner will be unlikely to suffer a relevant loss or detriment as a direct result of the variation. The matters under Section 60 (2) that must be considered are addressed in turn below;

In considering the proposal to vary the covenant, the applicant has not provided a development proposal. The variation to the covenant will allow two dwellings to be erected on the lot. In terms of an assessment against the provisions of Sec 60 (2) of the Act it is considered that notwithstanding no development plans have been provided, an assessment in relation to amenity and character can be made on the following basis:

- Restrictions apply to the building materials.
- The existence of dwellings on similar sized lots within the immediate area that were required to adhere to the restrictions. An analysis of existing similar development in Seater Close provides a guide as to what form of development is likely to occur on the lots created as a result of the subdivision.

Financial loss

Although often difficult to quantify whether a financial loss will occur as a result of a specific action such as use or development of land or as is the case here, the variation of a restriction, the fact that the applicant wishes to allow for the construction of two dwellings on Lot 275 does not necessarily imply that the beneficiaries of the restriction will suffer financial loss.

No evidence has been provided to demonstrate that there will be financial loss. The test as to whether loss or detriment occurs is that it is to be “unlikely”. It is not a test of being satisfied that such loss or detriment is a mere possibility.

The issue of loss of property value was considered in *Kacinskas v Greater Geelong CC [2014] VCAT 424 (11 April 2014)* where Member Bennett stated;

“If adjoining land is devalued because of detriment to its amenity, it is the detriment to the amenity that is considered in relation to planning permit applications, not the resulting devaluation”.

Accordingly it is considered unlikely that a financial loss to beneficiaries of the restriction will flow from the proposed variation.

Loss of amenity and loss arising from change to the character of the neighbourhood

The Macquarie dictionary definition of amenity is:

features, facilities, or services of a house, estate, district, etc., which make for a comfortable and pleasant life.

Neighbourhood character and understanding character is being able to describe how the features of an area come together to give that area its own particular character. The area is a new subdivision where in addition to the lot being subject to a covenant limiting development to one dwelling per lot also includes restriction on the type of dwelling to be constructed and the material that any dwelling can be constructed of. Adhering to the existing restriction will result in a streetscape characterised by single dwellings on lots with a consistent frontage. By creating two lots with smaller frontages to the street and the resulting increase in the number of dwellings it can be concluded that it is not unlikely that the beneficiaries of the covenant will suffer a loss of amenity and loss arising from change to the character of the neighbourhood.

Any other material detriment

In relation to what constitutes material detriment in the context of S60 (2)(d) *in Russell v City of Caulfield & Anor (1992) 8 AATR 309* the Administrative Appeals Tribunal stated;

“In the Tribunal’s view then, having regard to all of the above, material detriment in Section 60 (2) means important detriment, detriment of much consequence, viewed on an objective basis. It does not include trivial or inconsequential detriment.”

It is considered that any changes that may result from the variation to the restriction will not result in any other detriment of consequence (material detriment).

In addition to the specific requirements of Sec 60 (2) of the Act, Sec 60 (1) of the Act requires a responsible authority to consider the following matters;

- (a) The relevant planning scheme; and*
- (b) The objectives of planning in Victoria; and*
- (c) All objections and other submissions which it has received and which have not been withdrawn; and*
- d) Any decision and comments of a referral authority which it has received; and*
- (e) Any significant effects which the responsible authority considers the use or development may have on the environment or which the or which the responsible authority considers the environment may have on the use or development; and*
- (f) Any significant social effects and economic effects which the responsible authority considers the use or development may have*

As required by the Act, all of these matters have been considered in reaching the recommendation in this report.

Clause 65

The decision guidelines in Clause 65 provide that because a permit can be granted does not imply that a permit should or will be granted. The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause. Clause 65.01 provides that before deciding on an application or approval of a plan, the Responsible Authority must consider, as appropriate:

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*

In *Rozen v Macedon Ranges SC* the Supreme Court of Victoria considered the meaning of “acceptable outcomes” within the terms of Clause 65. Osborn J said:

[171] The test of acceptable outcomes stated in the Clause is informed by the notions of net community benefit and sustainable development. An outcome may be acceptable despite some negative characteristics. An outcome may be acceptable because on balance it results in net community benefit despite achieving some only of potentially relevant planning objectives and impeding or running contrary to the achievement of others.

[172] The weight to be given to the various considerations which may be relevant on the one hand, and to particular facts bearing on those considerations on the other hand, is not fixed by the planning scheme but is essentially a matter for the decision maker.

[173] Furthermore, the potential complexity of issues raised by a particular application renders the question of what would be the optimal form of development for use in a particular case fundamentally difficult of resolution and one on which different minds might reasonably differ.

All of these matters, as appropriate, have been considered in the assessment of the application. It is considered that although the proposal to subdivide the land is not contrary to the restrictive covenant, it is not possible to be satisfied that the proposed variation will be unlikely to result in the beneficiaries of the covenant to suffer a loss of amenity or loss arising from change to the character of the neighbourhood as a consequence of the removal or variation of the restriction.

Accordingly the responsible authority must refuse the application.

CONCLUSION

As noted in the above assessment it is considered that although the proposal to subdivide the land meets the requirements relating to subdivision in the General Residential Zone it is considered that although the beneficiaries of the covenant will be unlikely to suffer financial loss, or any other material detriment as a result of the variation to the covenant, the Responsible Authority cannot be satisfied that the owner of any land benefitted by the restriction will be unlikely to suffer loss of amenity and loss arising from the change in neighbourhood character as a consequence of variation to the restriction.

Recommendation.

That Council as the Responsible Authority having caused notice of Planning Application No. PA2000001 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 and Section 60 (2) of the *Planning and Environment Act 1987* decides to issue a Refusal to Grant Planning Permit for a two (2) lot subdivision and variation of restrictive covenant at 15 McLean Drive (Lot 275 PS 449841W), Horsham on the following grounds:

1. The proposal fails to meet the requirements of Section 60(2) of the Planning and Environment Act 1987, as the Responsible Authority is not satisfied that the owner of any land benefitted by the restriction will be unlikely to suffer loss of amenity and loss arising from the change in neighbourhood character as a consequence of variation to the restriction.

2020 Local Government Community Satisfaction Survey

Horsham Rural City Council

Coordinated by the Department of
Environment, Land, Water and Planning
on behalf of Victorian councils



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Background and objectives

The Victorian Community Satisfaction Survey (CSS) creates a vital interface between the council and their community.

Held annually, the CSS asks the opinions of local people about the place they live, work and play and provides confidence for councils in their efforts and abilities.

Now in its twenty-first year, this survey provides insight into the community's views on:

- councils' overall performance with benchmarking against State-wide and council group results
- community consultation and engagement
- advocacy and lobbying on behalf of the community
- customer service, local infrastructure, facilities and
- overall council direction.

When coupled with previous data, the survey provides a reliable historical source of the community's views since 1998. A selection of results from the last nine years shows that councils in Victoria continue to provide services that meet the public's expectations.

Serving Victoria for 21 years

Each year the CSS data is used to develop this State-wide report which contains all of the aggregated results, analysis and data. Moreover, with 21 years of results, the CSS offers councils a long-term measure of how they are performing – essential for councils that work over the long term to provide valuable services and infrastructure to their communities.

Participation in the State-wide Local Government Community Satisfaction Survey is optional. Participating councils have various choices as to the content of the questionnaire and the sample size to be surveyed, depending on their individual strategic, financial and other considerations.



Key findings and recommendations



Horsham Rural City Council – at a glance

Overall council performance

Results shown are index scores out of 100.



Horsham 45









State-wide 58



Regional Centres 56

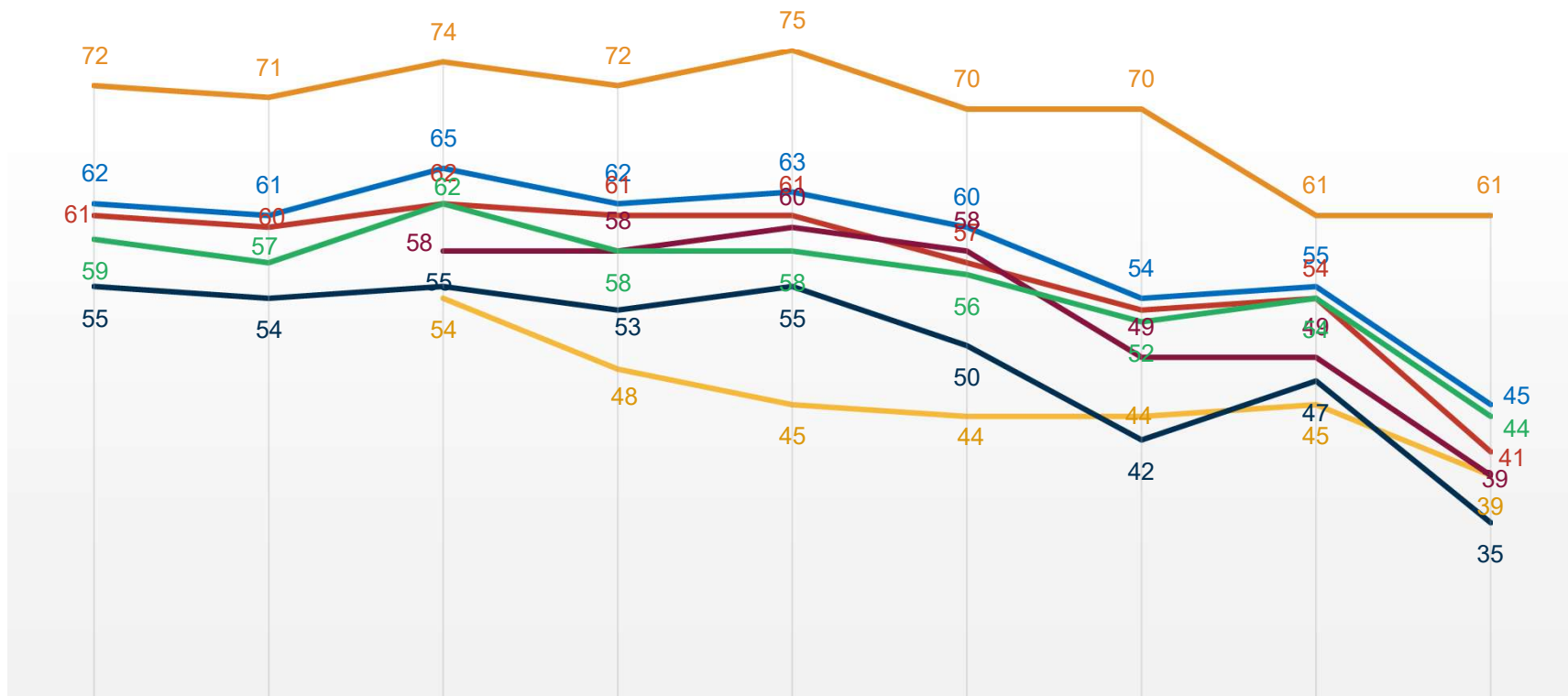
Council performance compared to State-wide and group averages

	Areas where Council performance is significantly higher	The three areas where Council performance is significantly lower by the widest margin
Compared to State-wide average	None	<ul style="list-style-type: none">  Sealed local roads  Consultation & engagement  Community decisions
Compared to group average	None	<ul style="list-style-type: none">  Sealed local roads  Consultation & engagement  Community decisions



Summary of core measures

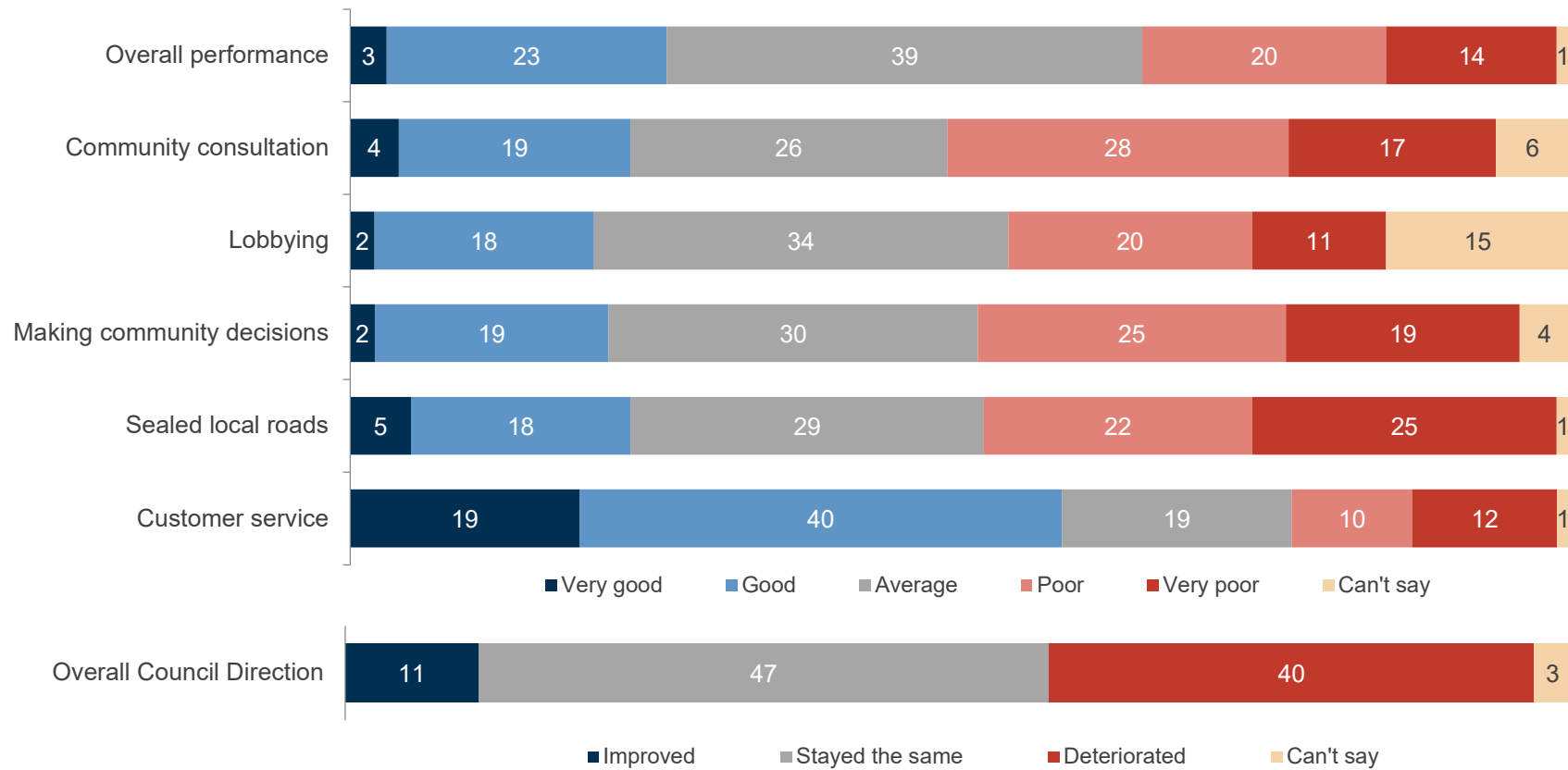
Index scores












Summary of core measures

Core measures summary results (%)





Summary of Horsham Rural City Council performance

Services	Horsham 2020	Horsham 2019	Regional Centres 2020	State-wide 2020	Highest score	Lowest score
 Overall performance	45	55	56	58	Women	Men
 Overall council direction	35	47	50	51	Aged 18-34 years	Rural Area residents
 Customer service	61	61	70	70	Aged 65+ years, Aged 35-49 years	Rural Area residents, Men, Aged 50-64 years, Aged 18-34 years
 Lobbying	44	54	52	53	Aged 65+ years, Women	Men
 Consultation & engagement	41	54	51	55	Women, Aged 18-34 years	Rural Area residents
 Community decisions	39	49	50	53	Women, Aged 18-34 years	Aged 35-49 years
 Sealed local roads	39	45	55	54	Aged 65+ years	Rural Area residents

Significantly higher / lower than Horsham Rural City Council 2020 result at the 95% confidence interval. Please see Appendix A for explanation of significant differences and index scores.



Focus areas for the next 12 months

Overview

Council's rated performance on all service areas evaluated has declined significantly in the last year. The exception to this pattern is on customer service. Council's performance on most areas has been trending down over time, though there were some signs of stabilisation in 2019. This year, there is a clear, across the board, trend of dissatisfaction among residents, with ratings across all service areas at their lowest point to date.

Focus areas

While Council should look to improve perceptions among all service areas, particular attention should be paid to those areas where the most significant declines have occurred. Consultation and engagement suffered the most and is also the most frequently cited area that residents say Council needs to improve upon. Council needs to demonstrate that they have the interests of residents in mind and consult with residents on relevant matters.

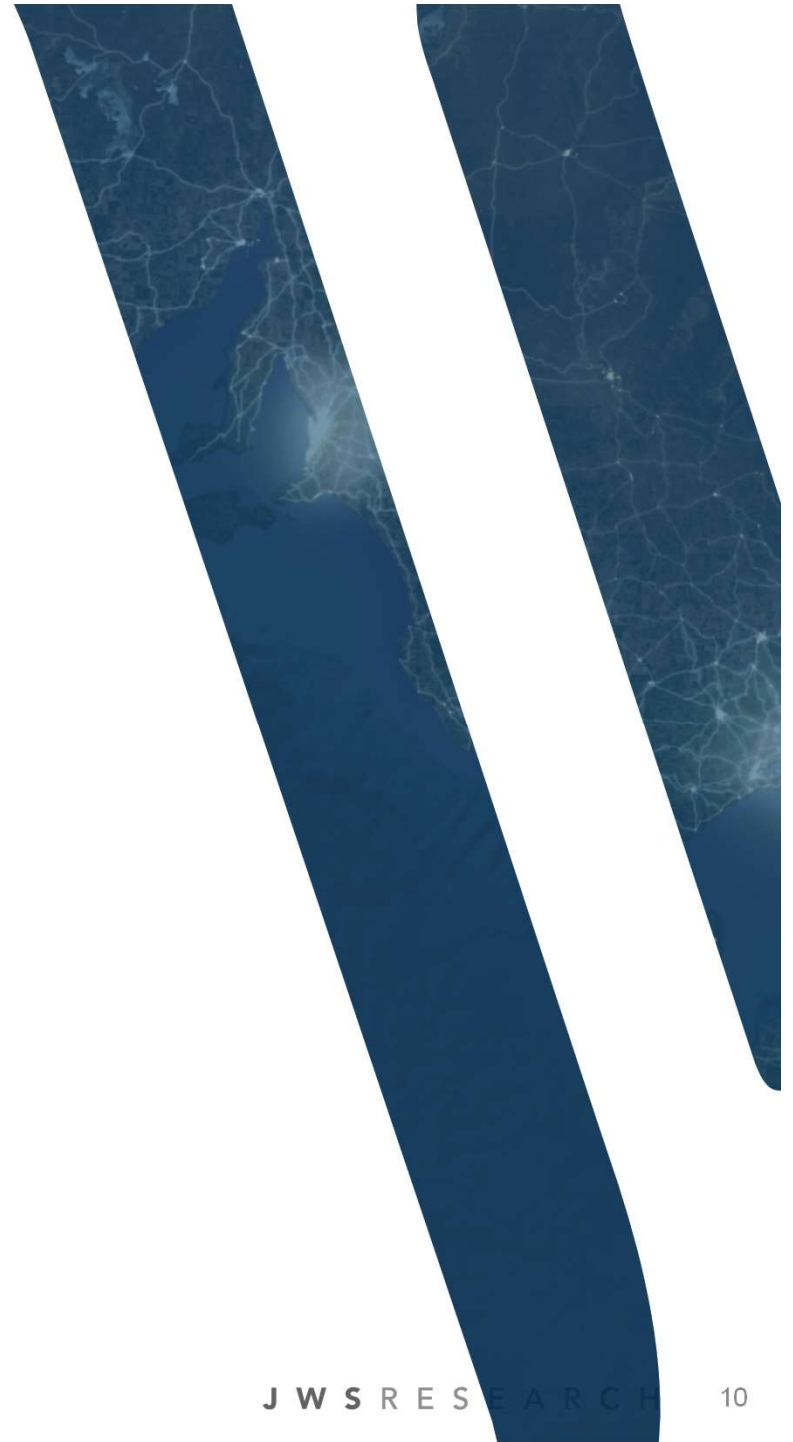
Comparison to state and area grouping

Council performs significantly lower than the State-wide and Regional Centre group averages on all service areas evaluated.

A need to rebuild

Over the past 12 months, community sentiment toward Council performance has deteriorated. Statistically significant declines have occurred across most service performance measures, and across all demographic and geographic groups. Moving forward, it will be important to rebuild positive perceptions of Council among residents and demonstrate that Council is once again moving in the right direction.

DETAILED FINDINGS





Overall performance



Overall performance

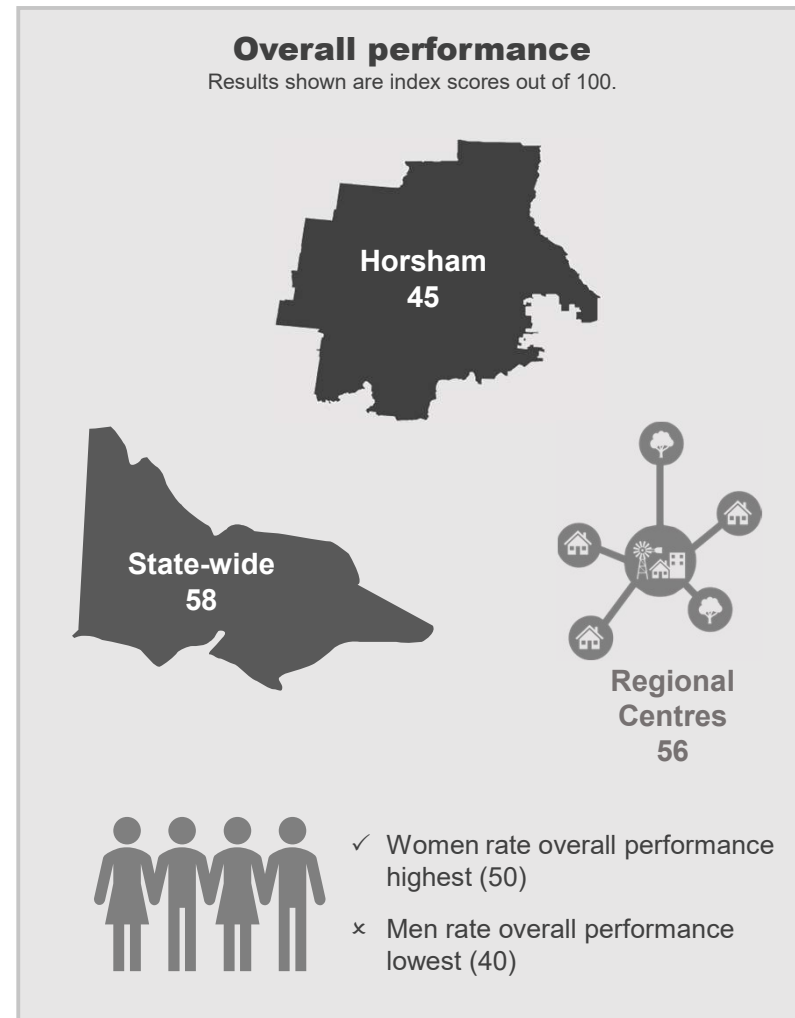
The overall performance index score of 45 for Horsham Rural City Council represents a significant ten-point decline on the 2019 result, the sharpest drop in overall performance ratings to date.

- Overall performance is at its lowest level recorded.
- Ratings have been on a downward trend from a peak index score of 65 in 2014.

Horsham Rural City Council’s overall performance is rated statistically significantly lower (at the 95% confidence interval) than the average rating for councils in the Regional Centres group and State-wide (index scores of 56 and 58 respectively).

- Perceptions among almost all demographic and geographic cohorts declined significantly in the past year.
- Men (index score of 40) rate overall performance significantly lower than the Council average. Conversely, women are significantly more positive in their views (index score of 50).

More residents rate Horsham Rural City Council’s overall performance as ‘very poor’ or ‘poor’ (34%) than those who rate it as ‘very good’ or ‘good’ (26%). A further 39% sit mid-scale, rating Council’s overall performance as ‘average’.





Overall performance

2020 overall performance (index scores)

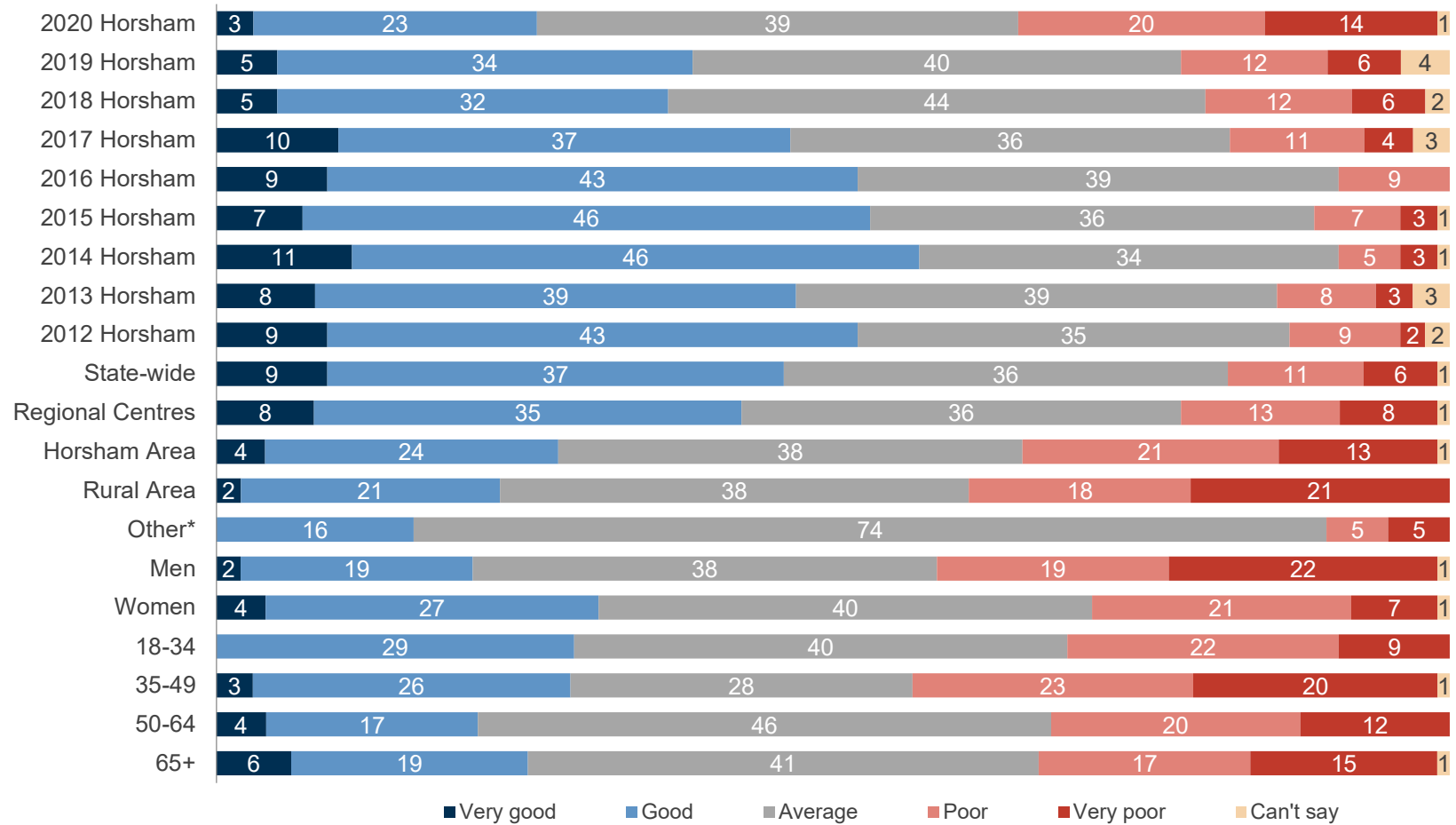
		2019	2018	2017	2016	2015	2014	2013	2012
State-wide	58▲	60	59	59	59	60	61	60	60
Regional Centres	56▲	58	58	57	n/a	n/a	n/a	n/a	n/a
Other	51*	52	54	52	62	53	68	n/a	55
Women	50▲	60	57	63	64	64	66	62	62
18-34	48	57	58	66	62	63	63	63	67
Horsham Area	46	58	55	61	65	64	66	n/a	63
65+	46	58	57	61	64	65	69	59	65
Horsham	45	55	54	60	63	62	65	61	62
50-64	45	50	48	58	64	60	60	61	56
35-49	42	53	53	53	61	57	65	59	60
Rural Area	41	46	52	56	56	56	59	n/a	60
Men	40▼	49	51	56	62	59	64	59	62

Q3. ON BALANCE, for the last twelve months, how do you feel about the performance of Horsham Rural City Council, not just on one or two issues, BUT OVERALL across all responsibility areas? Has it been very good, good, average, poor or very poor?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8
 Note: Please see Appendix A for explanation of significant differences.
 *Caution: small sample size < n=30



Overall performance

2020 overall performance (%)



Q3. ON BALANCE, for the last twelve months, how do you feel about the performance of Horsham Rural City Council, not just on one or two issues, BUT OVERALL across all responsibility areas? Has it been very good, good, average, poor or very poor?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8
 *Caution: small sample size < n=30



Review of service areas



Council rates lowest – relative to its performance in other areas – in the areas of sealed local roads and community decisions (each with an index score of 39).

Ratings on all service areas declined significantly in 2020, taking each to their lowest point to date.

- Council rates significantly lower than the State-wide and Regional Centres group averages on all service areas.
- Perceptions among most demographic and geographic cohorts declined significantly, though Rural Area residents tend to be most critical.

Council rates lowest – relative to its performance in other areas – in the areas of sealed local roads (down six points on 2019) and community decisions (down ten points), both with index scores of 39.

- Sealed road maintenance is also a commonly cited area for improvement among residents (16%).

Perceptions of community consultation and engagement (index score of 41) have deteriorated the most, down 13 index points in the last year.

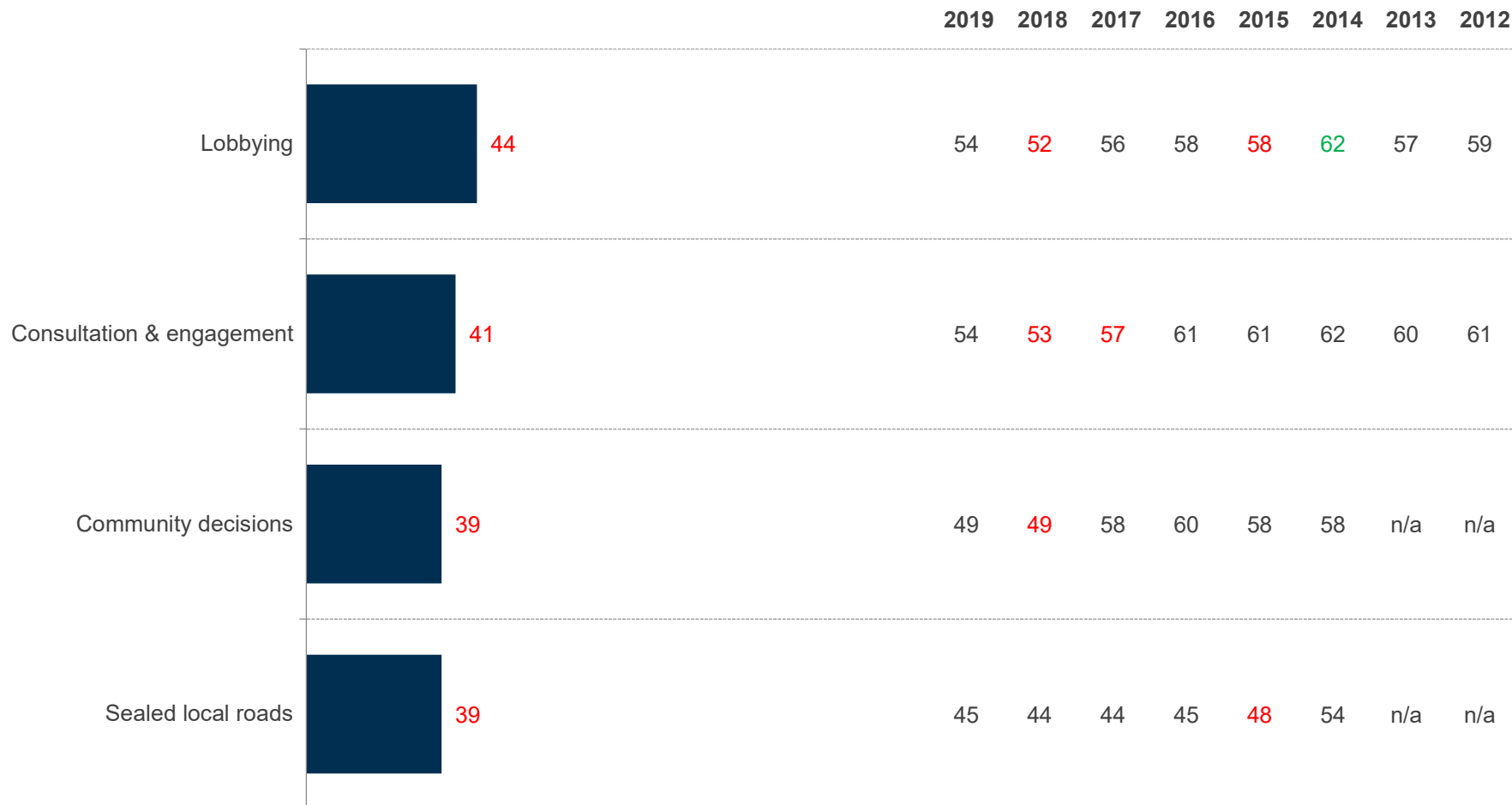
- Almost one in three residents (29%) nominate community consultation as the area that Council needs to improve the most, demonstrating a clear need to improve perceptions in this area.

Ratings of Council's lobbying have deteriorated by 10 points (index score of 44).



Individual service area performance

2020 individual service area performance (index scores)

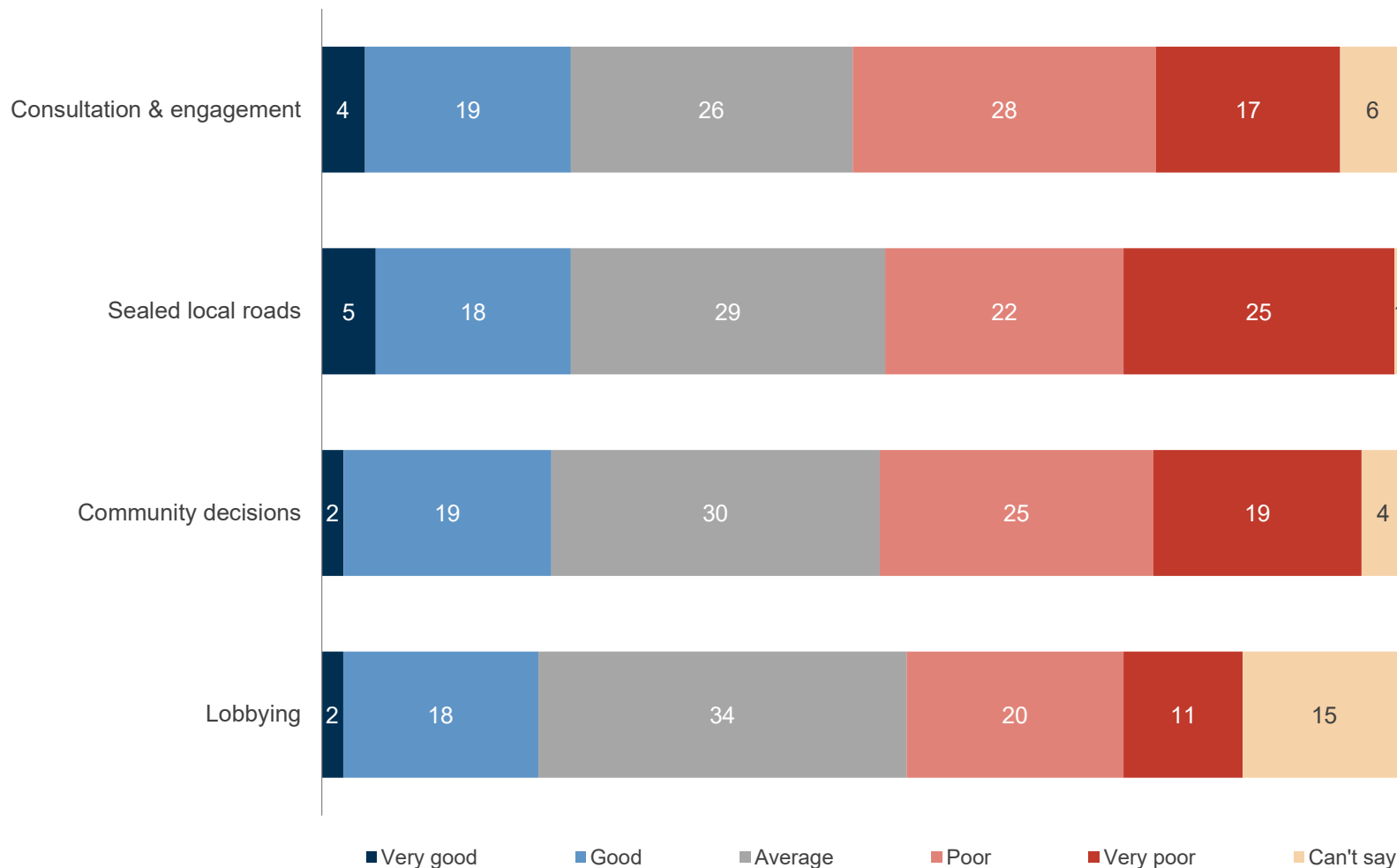


Q2. How has Council performed on [RESPONSIBILITY AREA] over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8
 Note: Please see Appendix A for explanation of significant differences.



Individual service area performance

2020 individual service area performance (%)

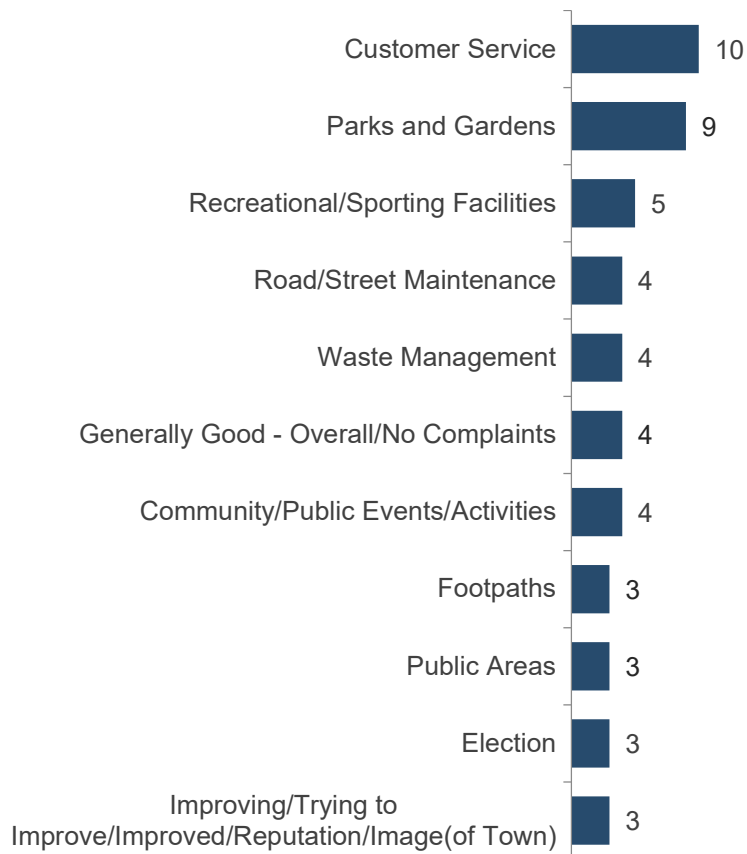


Q2. How has Council performed on [RESPONSIBILITY AREA] over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8

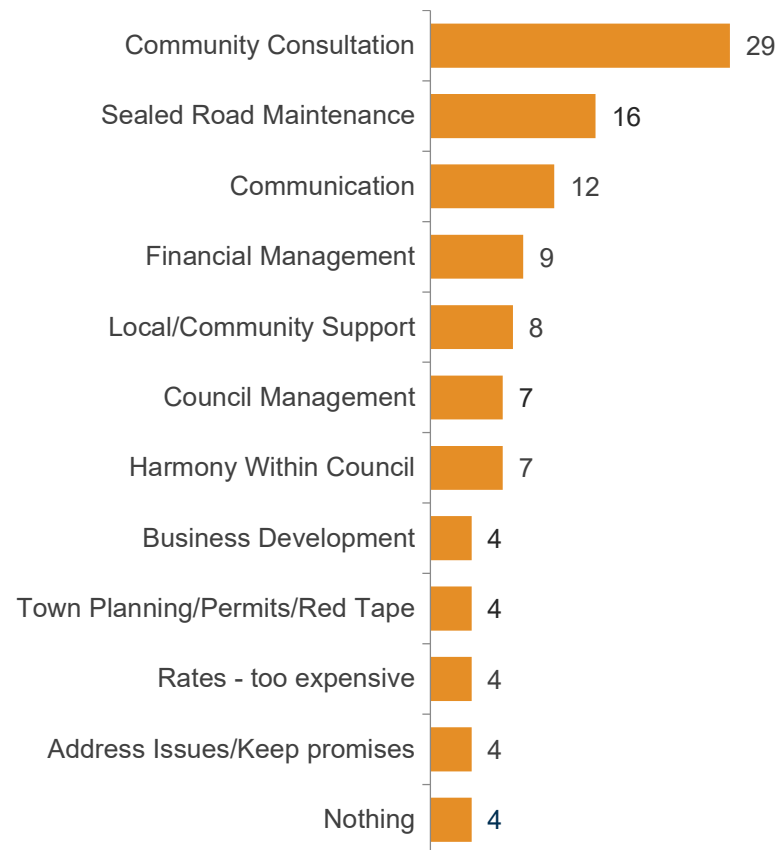


Best things about Council and areas for improvement

2020 best things about Council (%)
- Top mentions only -



2020 areas for improvement (%)
- Top mentions only -



Q16. Please tell me what is the ONE BEST thing about Horsham Rural City Council? It could be about any of the issues or services we have covered in this survey or it could be about something else altogether?

Base: All respondents. Councils asked state-wide: 25 Councils asked group: 3

Q17. What does Horsham Rural City Council MOST need to do to improve its performance?

Base: All respondents. Councils asked state-wide: 40 Councils asked group: 7

A verbatim listing of responses to these questions can be found in the accompanying dashboard.



Customer service



Contact with council and customer service

Contact with council

Just under three in five Council residents (57%) have had contact with Council in the last 12 months. Rate of contact is relatively unchanged from last year.

- Residents aged 65 years and over have significantly lower rates of contacting Council (46% compared to 57% on average).



Among those who have had contact with Council, 59% provide a positive customer service rating of 'very good' or 'good', including 19% of residents who rate Council's customer service as 'very good'.

Customer service

Council's customer service index of 61 is unchanged from 2019, unable to regain any ground following the significant decline last year. Council's performance in this area remains at its lowest point to date.

- There are no significant differences in perceptions of customer service compared to last year among any of the demographic or geographic cohorts.

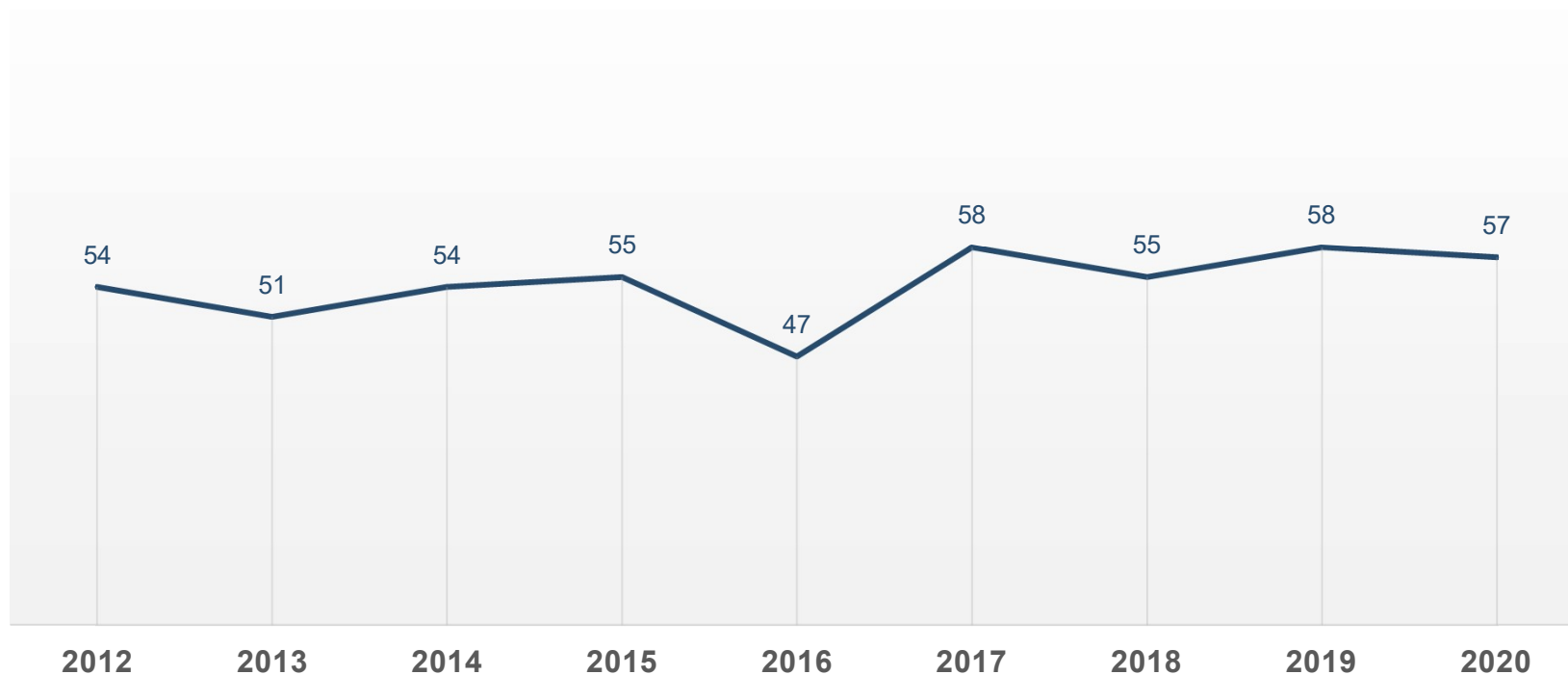
Customer service is rated significantly lower than the State-wide and Regional Centres group averages (index scores of 70).

Despite this, among those residents who have had contact with Council, 59% provide a positive customer service rating of 'very good' or 'good'.



Contact with council

2020 contact with council (%)
Have had contact



Q5. Over the last 12 months, have you or any member of your household had any contact with Horsham Rural City Council? This may have been in person, in writing, by telephone conversation, by text message, by email or via their website or social media such as Facebook or Twitter?
Base: All respondents. Councils asked state-wide: 36 Councils asked group: 4



Contact with council

2020 contact with council (%)

	2019	2018	2017	2016	2015	2014	2013	2012	
35-49	66	62	59	69	58	66	57	59	66
State-wide	63▲	61	61	58	58	60	61	60	61
Women	60	56	53	60	48	49	55	52	59
18-34	60	63	54	55	32	51	60	47	51
50-64	60	67	61	61	50	62	63	54	52
Regional Centres	59	58	56	56	n/a	n/a	n/a	n/a	n/a
Horsham Area	58	56	52	56	45	49	54	n/a	50
Horsham	57	58	55	58	47	55	54	51	54
Rural Area	55	64	60	65	51	72	60	n/a	65
Men	53	59	57	56	45	62	54	49	49
Other	46*	58	68	54	49	79	40	n/a	63
65+	46▼	46	48	48	46	47	40	42	47

Q5. Over the last 12 months, have you or any member of your household had any contact with Horsham Rural City Council? This may have been in person, in writing, by telephone conversation, by text message, by email or via their website or social media such as Facebook or Twitter?

Base: All respondents. Councils asked state-wide: 36 Councils asked group: 4

Note: Please see Appendix A for explanation of significant differences.

*Caution: small sample size < n=30



Customer service rating

2020 customer service rating (index scores)

		2019	2018	2017	2016	2015	2014	2013	2012
Other	79*▲	63	73	81	73	59	88	n/a	70
Regional Centres	70▲	72	72	72	n/a	n/a	n/a	n/a	n/a
State-wide	70▲	71	70	69	69	70	72	71	71
65+	63	64	67	73	76	80	85	68	76
35-49	63	60	67	67	75	71	80	73	74
Women	63	65	72	76	78	74	76	76	72
Horsham Area	61	64	70	71	78	74	77	n/a	72
Horsham	61	61	70	70	75	72	74	71	72
18-34	59	57	78	76	75	69	66	74	72
50-64	59	65	66	67	73	67	69	69	67
Men	59	57	67	64	72	71	72	66	72
Rural Area	59	52	67	66	67	72	65	n/a	73

Q5c. Thinking of the most recent contact, how would you rate Horsham Rural City Council for customer service? Please keep in mind we do not mean the actual outcome but rather the actual service that was received.

Base: All respondents who have had contact with Council in the last 12 months.

Councils asked state-wide: 62 Councils asked group: 8

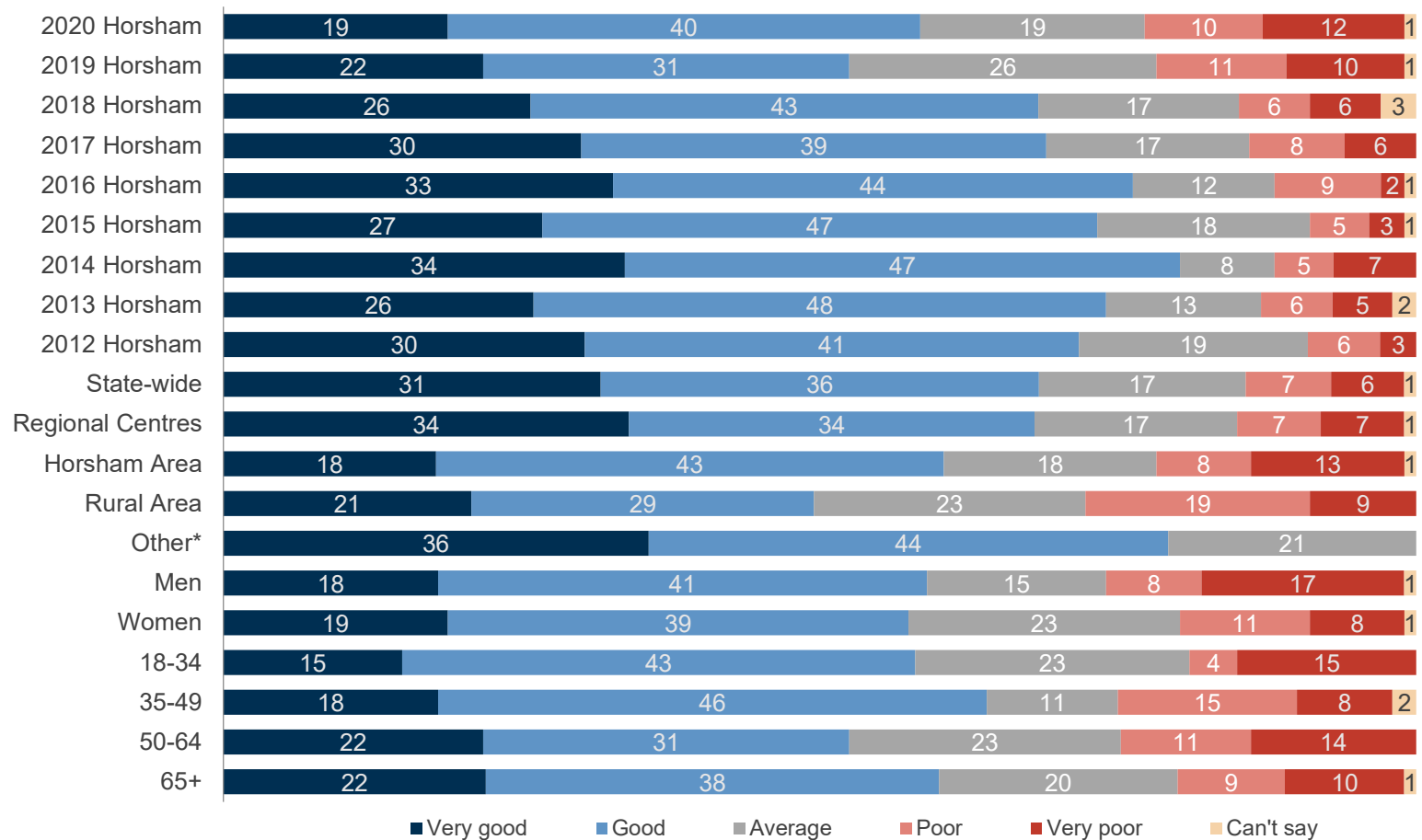
Note: Please see Appendix A for explanation of significant differences.

*Caution: small sample size < n=30



Customer service rating

2020 customer service rating (%)



Q5c. Thinking of the most recent contact, how would you rate Horsham Rural City Council for customer service? Please keep in mind we do not mean the actual outcome but rather the actual service that was received.
 Base: All respondents who have had contact with Council in the last 12 months.
 Councils asked state-wide: 62 Councils asked group: 8
 *Caution: small sample size < n=30



Communication



Communication

A diverse range of communication are cited as preferred including social media (22%), newsletters via mail (20%) and newsletters via email (20%).

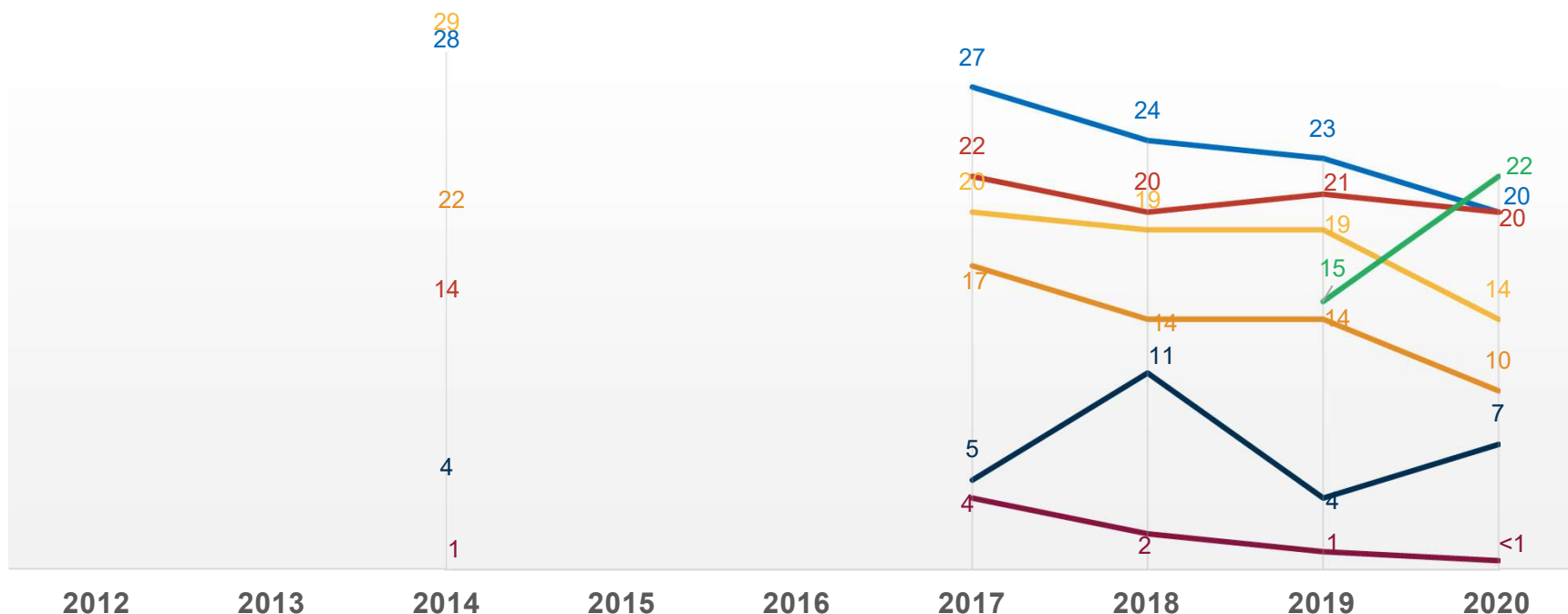
- Preference for social media has seen the greatest change since 2019, up seven percentage points.
- Preferred form of communication among under 50s is social media (39%), also experiencing a sharp increase in favourability this year.
- Preferred form of communication among over 50s includes newsletter sent via mail (24%), advertising in a local newspaper (22%) and newsletter via email (21%). Preference for communication via newsletter as a local paper insert is waning among this group (down to 16% from 21% last year).





Best form of communication

2020 best form of communication (%)

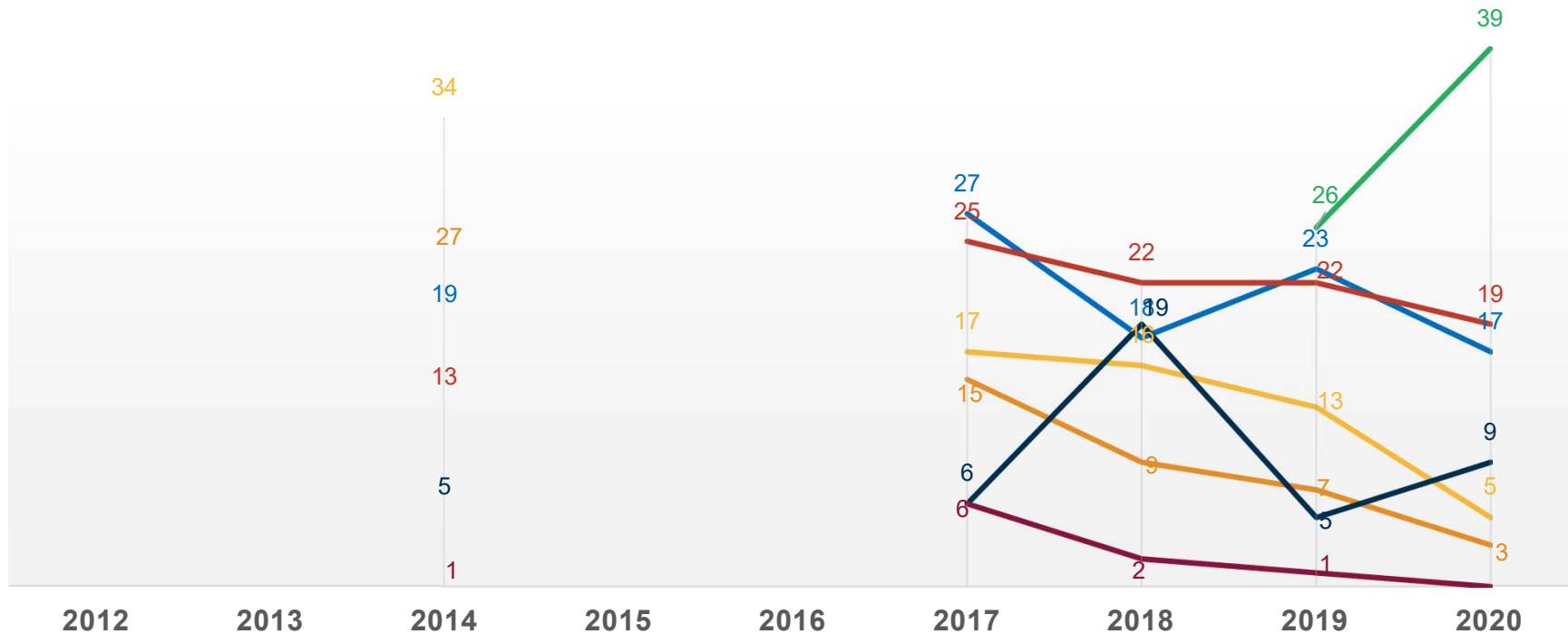


Q13. If Horsham Rural City Council was going to get in touch with you to inform you about Council news and information and upcoming events, which ONE of the following is the BEST way to communicate with you?
 Base: All respondents. Councils asked state-wide: 33 Councils asked group: 6
 Note: 'Social Media' was included in 2019.



Best form of communication: under 50s

2020 under 50s best form of communication (%)

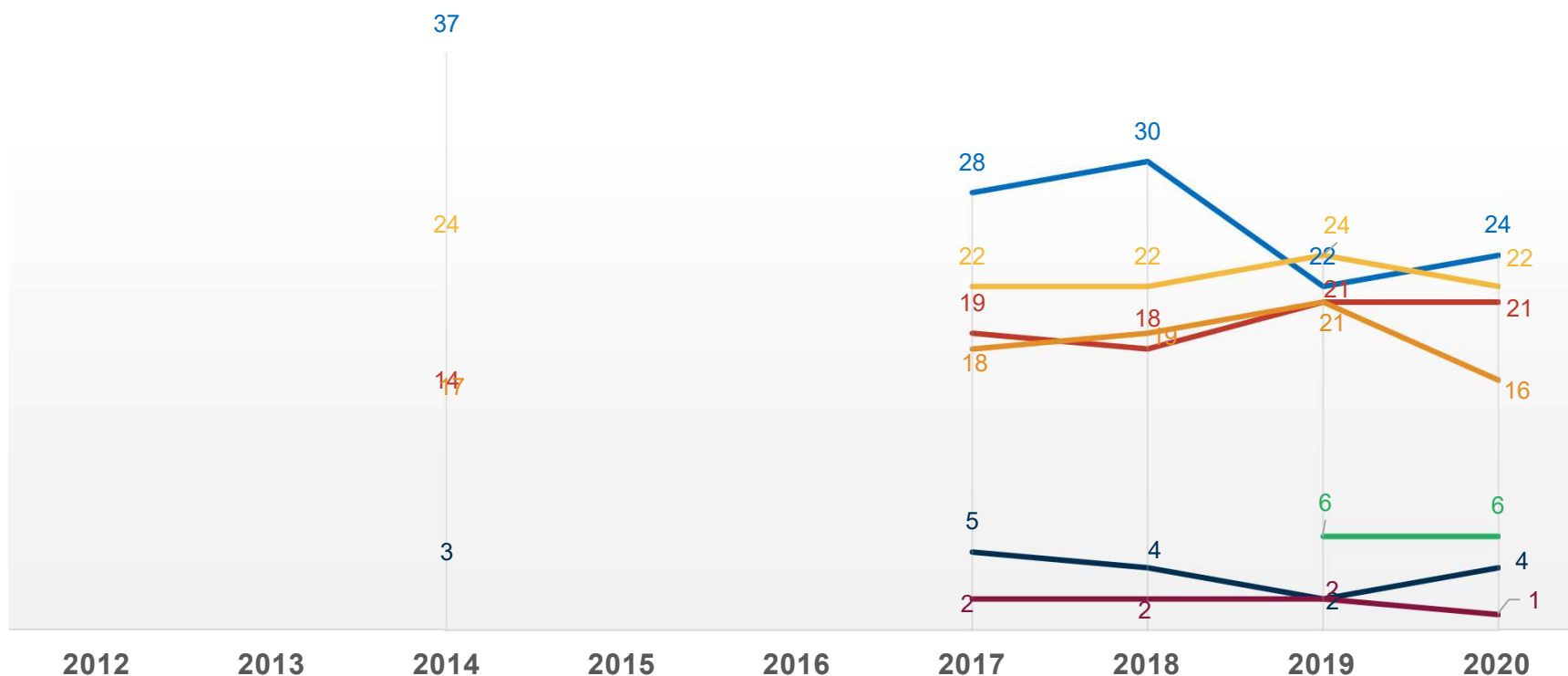


Q13. If Horsham Rural City Council was going to get in touch with you to inform you about Council news and information and upcoming events, which ONE of the following is the BEST way to communicate with you?
 Base: All respondents aged under 50. Councils asked state-wide: 33 Councils asked group: 6
 Note: 'Social Media' was included in 2019.



Best form of communication: over 50s

2020 over 50s best form of communication (%)



Q13. If Horsham Rural City Council was going to get in touch with you to inform you about Council news and information and upcoming events, which ONE of the following is the BEST way to communicate with you?
 Base: All respondents aged over 50. Councils asked state-wide: 33 Councils asked group: 6
 Note: 'Social Media' was included in 2019.



Council direction



Council direction

Perceptions of Council's overall direction have declined significantly by 12 points to an index score of 35, the lowest rating to date. Over the last 12 months, 47% of residents believe the direction of Council's overall performance has stayed the same, down nine percentage points on 2019.

- 11% believe the direction has improved (down four points on 2019) in the last 12 months.
- 40% believe it has deteriorated, almost doubling from 2019 (up 18 points).
- The most satisfied with council direction are those aged 18 to 34 years.
- The least satisfied with council direction are Rural Area residents, men and residents aged 65 years and over.





Overall council direction last 12 months

2020 overall direction (index scores)

	2019	2018	2017	2016	2015	2014	2013	2012
State-wide	53	52	53	51	53	53	53	52
Regional Centres	52	53	55	n/a	n/a	n/a	n/a	n/a
Other	46*	56	52	45	45	42	57	n/a
18-34	53	44	56	55	55	47	58	57
Women	39	51	44	54	58	56	55	54
Horsham Area	36	49	43	52	56	55	55	n/a
Horsham	35	47	42	50	55	53	55	54
50-64	35	40	36	47	55	51	54	54
35-49	35	42	42	45	50	47	59	48
65+	31	48	43	51	58	56	59	54
Men	31	42	39	46	51	50	55	53
Rural Area	28	36	37	45	52	47	54	n/a

Q6. Over the last 12 months, what is your view of the direction of Horsham Rural City Council's overall performance?

Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8

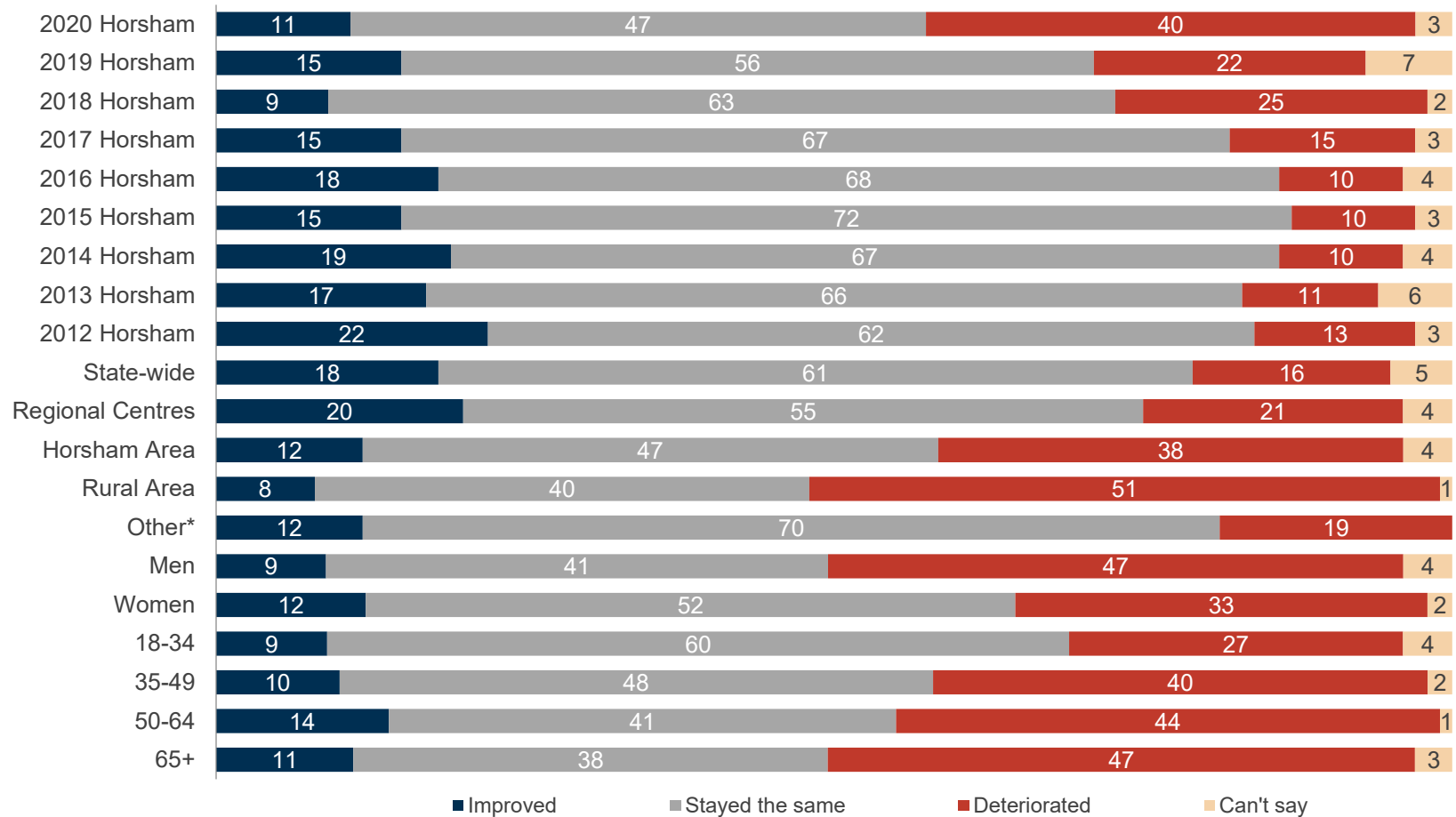
Note: Please see Appendix A for explanation of significant differences.

*Caution: small sample size < n=30



Overall council direction last 12 months

2020 overall council direction (%)



Q6. Over the last 12 months, what is your view of the direction of Horsham Rural City Council's overall performance?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8
 *Caution: small sample size < n=30



Individual service areas



Community consultation and engagement performance



2020 consultation and engagement performance (index scores)

	2019	2018	2017	2016	2015	2014	2013	2012
State-wide	56	55	55▲	54	56	57	57	57
Other	47	46	58	73	58	66	n/a	60
Regional Centres	54	55	54	n/a	n/a	n/a	n/a	n/a
Women	56	55	59	63	63	63	62	61
18-34	58	59	62	61	63	63	63	63
35-49	50	49	53	56	58	60	60	59
Horsham Area	56	54	57	61	62	62	n/a	62
Horsham	54	53	57	61	61	62	60	61
65+	56	53	59	63	64	66	58	65
50-64	47	49	54	62	57	57	60	56
Men	51	51	55	58	58	61	58	61
Rural Area	47	51	57	58	58	58	n/a	58

Q2. How has Council performed on 'Community consultation and engagement' over the last 12 months?

Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8

Note: Please see Appendix A for explanation of significant differences.

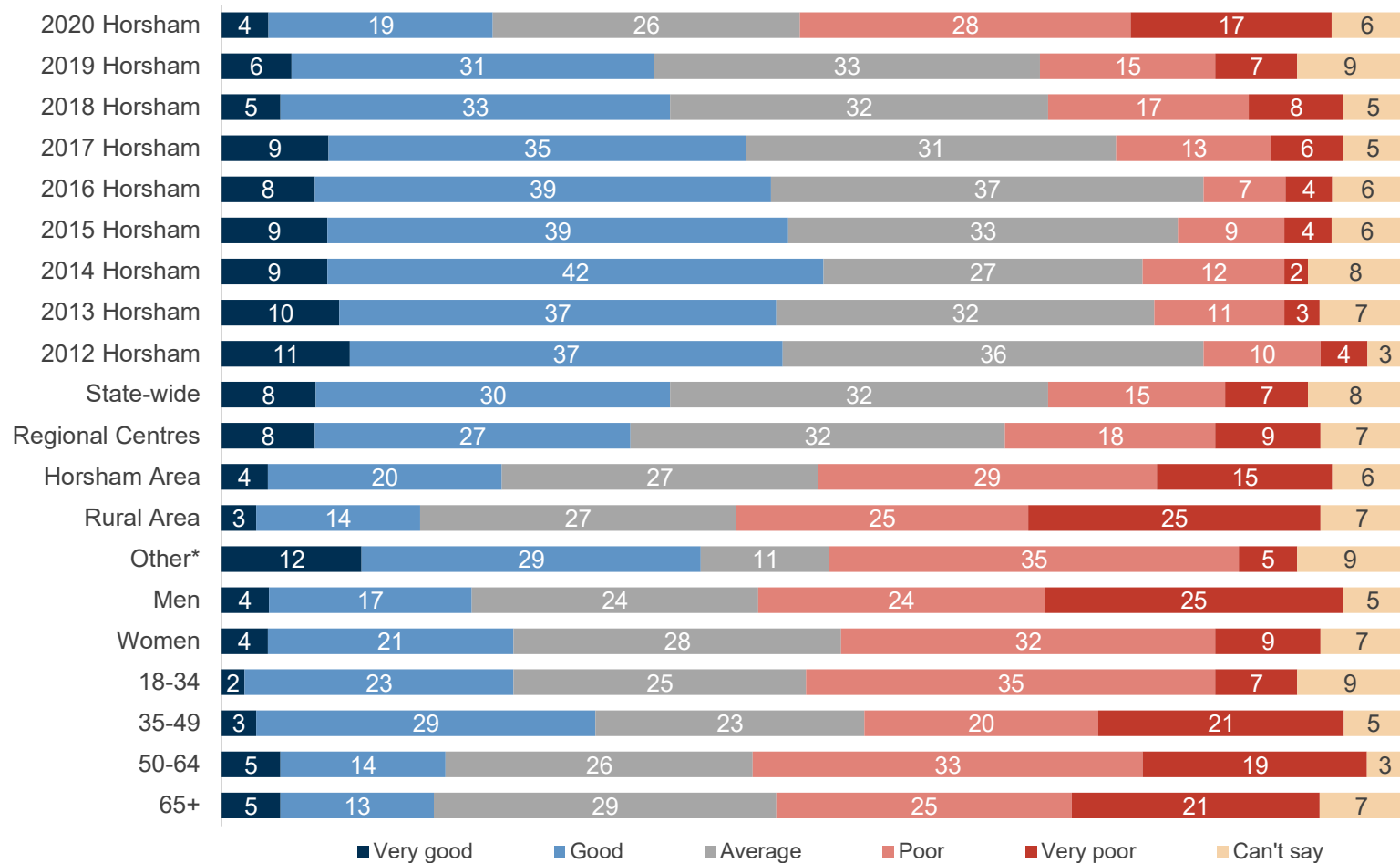
*Caution: small sample size < n=30



Community consultation and engagement performance



2020 consultation and engagement performance (%)



Q2. How has Council performed on 'Community consultation and engagement' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8
 *Caution: small sample size < n=30



Lobbying on behalf of the community performance



2020 lobbying performance (index scores)

	2019	2018	2017	2016	2015	2014	2013	2012
State-wide	54	54	54	53	55	56	55	55
Regional Centres	54	54	54	n/a	n/a	n/a	n/a	n/a
Other	59	48	52	51	47	62	n/a	50
65+	56	53	59	59	63	65	57	63
Women	58	54	58	59	61	62	60	59
Horsham Area	56	53	57	59	60	62	n/a	60
50-64	49	49	55	58	55	57	56	55
Horsham	54	52	56	58	58	62	57	59
35-49	54	48	50	53	55	61	55	55
18-34	56	56	62	60	59	63	62	64
Rural Area	48	51	55	55	54	60	n/a	60
Men	51	50	55	56	55	61	55	60

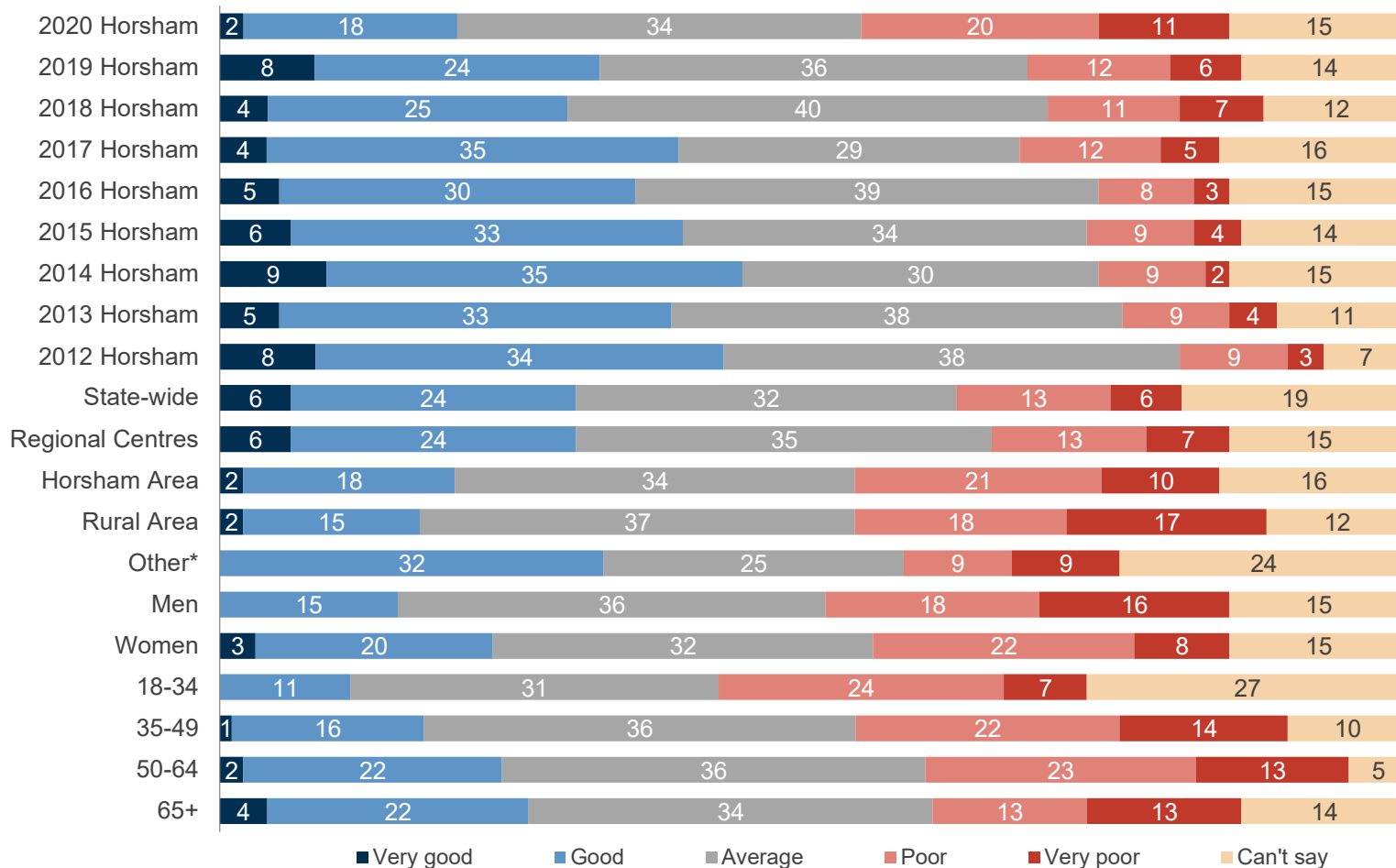
Q2. How has Council performed on 'Lobbying on behalf of the community' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8
 Note: Please see Appendix A for explanation of significant differences.
 *Caution: small sample size < n=30



Lobbying on behalf of the community performance



2020 lobbying performance (%)



Q2. How has Council performed on 'Lobbying on behalf of the community' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8
 *Caution: small sample size < n=30

Decisions made in the interest of the community performance



2020 community decisions made performance (index scores)

	2019	2018	2017	2016	2015	2014	2013	2012
State-wide	55	54	54	54	55	57	n/a	n/a
Regional Centres	52	52	52	n/a	n/a	n/a	n/a	n/a
Other	48	54	54	55	54	66	n/a	n/a
Women	53	50	62	64	60	59	n/a	n/a
18-34	51	48	64	62	60	57	n/a	n/a
65+	51	52	59	63	59	63	n/a	n/a
Horsham Area	52	51	59	62	60	59	n/a	n/a
Horsham	49	49	58	60	58	58	n/a	n/a
50-64	46	47	55	59	56	53	n/a	n/a
Rural Area	40	44	55	54	54	55	n/a	n/a
Men	45	48	54	57	56	58	n/a	n/a
35-49	48	51	53	56	56	59	n/a	n/a

Q2. How has Council performed on 'Decisions made in the interest of the community' over the last 12 months?

Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8

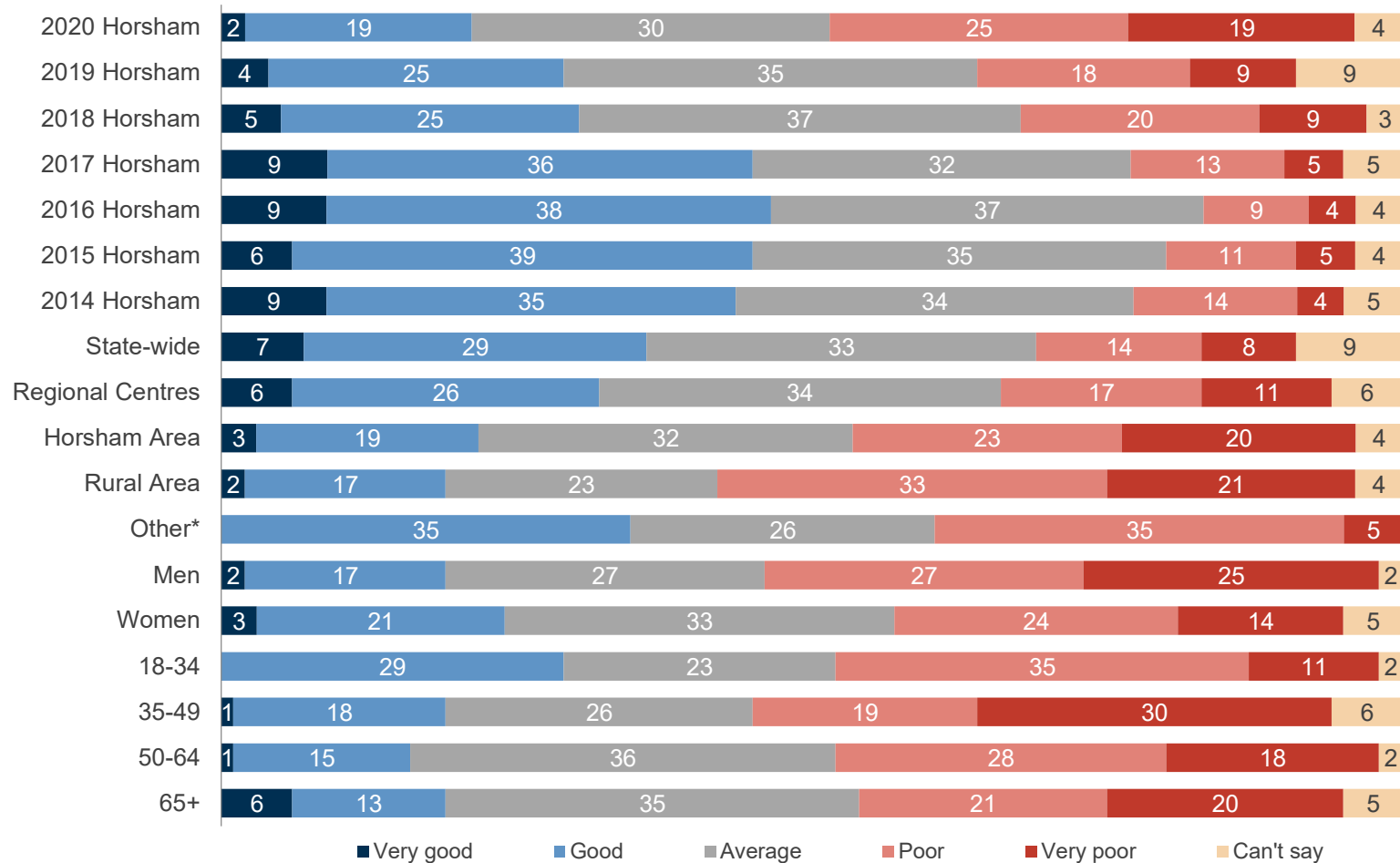
Note: Please see Appendix A for explanation of significant differences.

*Caution: small sample size < n=30

Decisions made in the interest of the community performance



2020 community decisions made performance (%)



Q2. How has Council performed on 'Decisions made in the interest of the community' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8
 *Caution: small sample size < n=30

The condition of sealed local roads in your area performance



2020 sealed local roads performance (index scores)

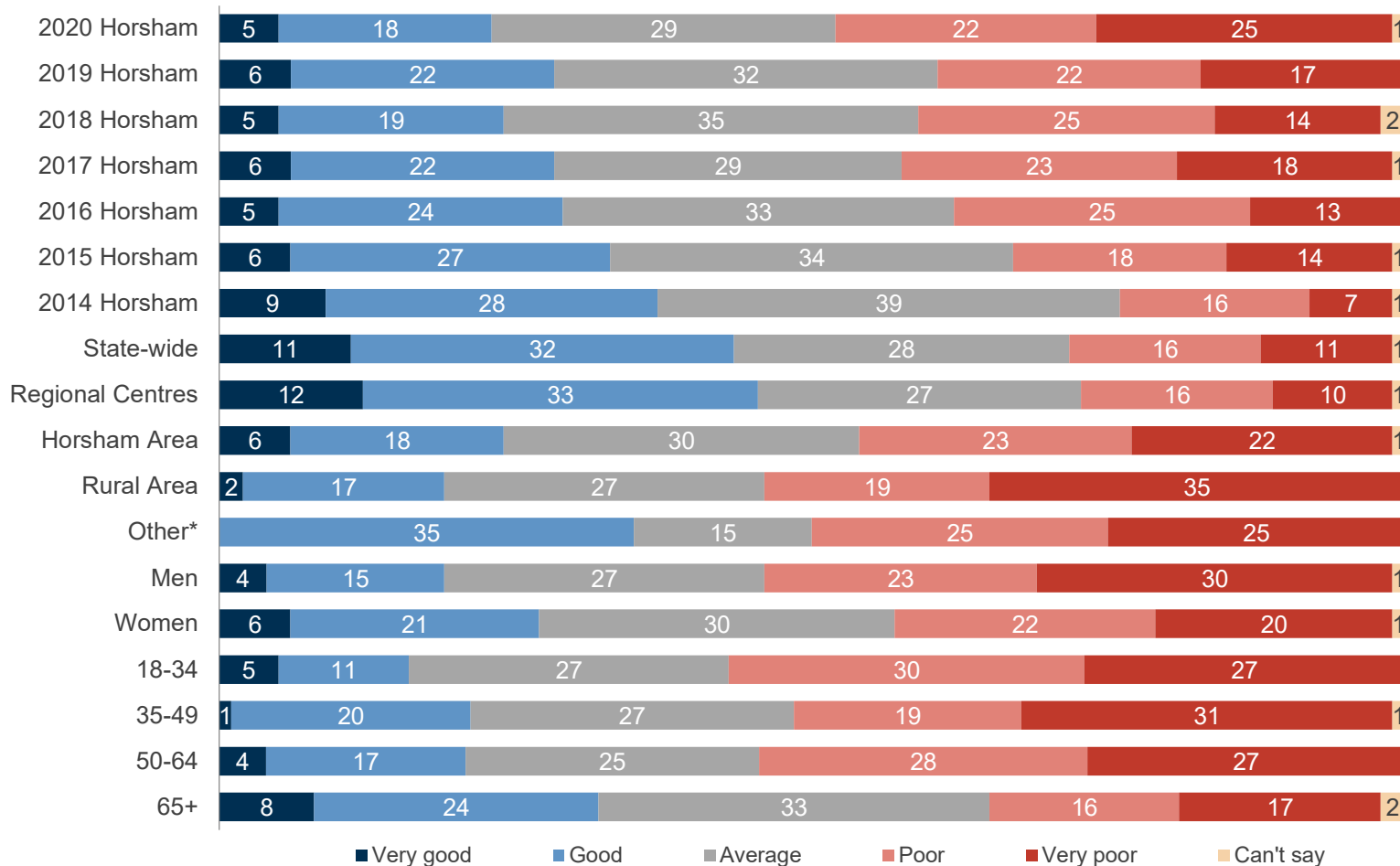
	2019	2018	2017	2016	2015	2014	2013	2012
Regional Centres	57	54	53	n/a	n/a	n/a	n/a	n/a
State-wide	56	53	53	54	55	55	n/a	n/a
65+	50	47	46	53	55	59	n/a	n/a
Women	48	45	46	47	52	54	n/a	n/a
Horsham Area	48	47	46	49	51	55	n/a	n/a
Other	42	34	42	25	43	54	n/a	n/a
Horsham	45	44	44	45	48	54	n/a	n/a
50-64	45	39	44	42	45	52	n/a	n/a
35-49	39	41	40	41	42	54	n/a	n/a
Men	41	42	41	44	44	53	n/a	n/a
18-34	43	46	43	44	48	49	n/a	n/a
Rural Area	35	36	36	40	41	49	n/a	n/a

Q2. How has Council performed on 'The condition of sealed local roads in your area' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8
 Note: Please see Appendix A for explanation of significant differences.
 *Caution: small sample size < n=30

The condition of sealed local roads in your area performance



2020 sealed local roads performance (%)



Q2. How has Council performed on 'The condition of sealed local roads in your area' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8
 *Caution: small sample size < n=30



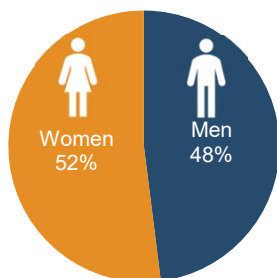
Detailed demographics



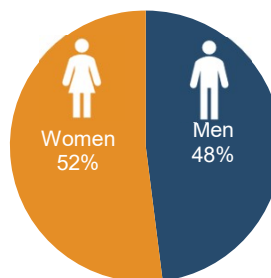
Gender and age profile

2020 gender

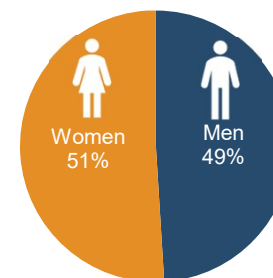
Horsham



Regional Centres

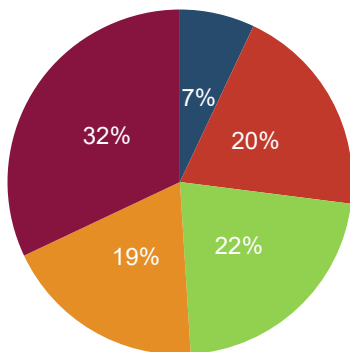


State-wide

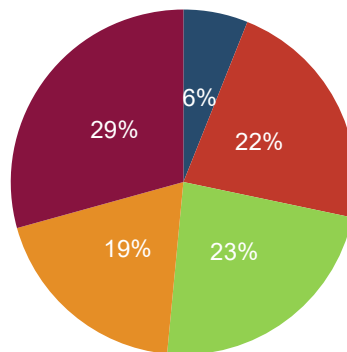


2020 age

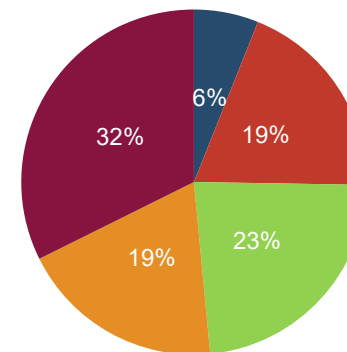
Horsham



Regional Centres



State-wide



■ 18-24 ■ 25-34 ■ 35-49 ■ 50-64 ■ 65+

■ 18-24 ■ 25-34 ■ 35-49 ■ 50-64 ■ 65+

■ 18-24 ■ 25-34 ■ 35-49 ■ 50-64 ■ 65+

S3. [Record gender] / S4. To which of the following age groups do you belong?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 8
 Please note that for the reason of simplifying reporting, interlocking age and gender reporting has not been included in this report. Interlocking age and gender analysis is still available in the dashboard and data tables provided alongside this report.

Appendix A: Index scores, margins of error and significant differences



Appendix A: Index Scores



Index Scores

Many questions ask respondents to rate council performance on a five-point scale, for example, from 'very good' to 'very poor', with 'can't say' also a possible response category. To facilitate ease of reporting and comparison of results over time, starting from the 2012 survey and measured against the state-wide result and the council group, an 'Index Score' has been calculated for such measures.

The Index Score is calculated and represented as a score out of 100 (on a 0 to 100 scale), with 'can't say' responses excluded from the analysis. The '% RESULT' for each scale category is multiplied by the 'INDEX FACTOR'. This produces an 'INDEX VALUE' for each category, which are then summed to produce the 'INDEX SCORE', equating to '60' in the following example.

Similarly, an Index Score has been calculated for the Core question 'Performance direction in the last 12 months', based on the following scale for each performance measure category, with 'Can't say' responses excluded from the calculation.

SCALE CATEGORIES	% RESULT	INDEX FACTOR	INDEX VALUE
Very good	9%	100	9
Good	40%	75	30
Average	37%	50	19
Poor	9%	25	2
Very poor	4%	0	0
Can't say	1%	--	INDEX SCORE 60

SCALE CATEGORIES	% RESULT	INDEX FACTOR	INDEX VALUE
Improved	36%	100	36
Stayed the same	40%	50	20
Deteriorated	23%	0	0
Can't say	1%	--	INDEX SCORE 56

Appendix A: Margins of error



The sample size for the 2020 State-wide Local Government Community Satisfaction Survey for Horsham Rural City Council was n=401. Unless otherwise noted, this is the total sample base for all reported charts and tables.

The maximum margin of error on a sample of approximately n=401 interviews is +/-4.8% at the 95% confidence level for results around 50%. Margins of error will be larger for any sub-samples. As an example, a result of 50% can be read confidently as falling midway in the range 45.2% - 54.8%.

Maximum margins of error are listed in the table below, based on a population of 15,300 people aged 18 years or over for Horsham Rural City Council, according to ABS estimates.

Demographic	Actual survey sample size	Weighted base	Maximum margin of error at 95% confidence interval
Horsham Rural City Council	401	400	+/-4.8
Men	175	193	+/-7.4
Women	226	207	+/-6.5
Horsham Area	301	307	+/-5.6
Rural Area	85	78	+/-10.7
Other	15	14	+/-26.2
18-34 years	44	107	+/-14.9
35-49 years	79	87	+/-11.1
50-64 years	103	76	+/-9.7
65+ years	175	129	+/-7.4

Appendix A: Significant difference reporting notation



Within tables and index score charts throughout this report, statistically significant differences at the 95% confidence level are represented by upward directing green (▲) and downward directing red arrows (▼).

Significance when noted indicates a significantly higher or lower result for the analysis group in comparison to the 'Total' result for the council for that survey question for that year. Therefore in the example below:

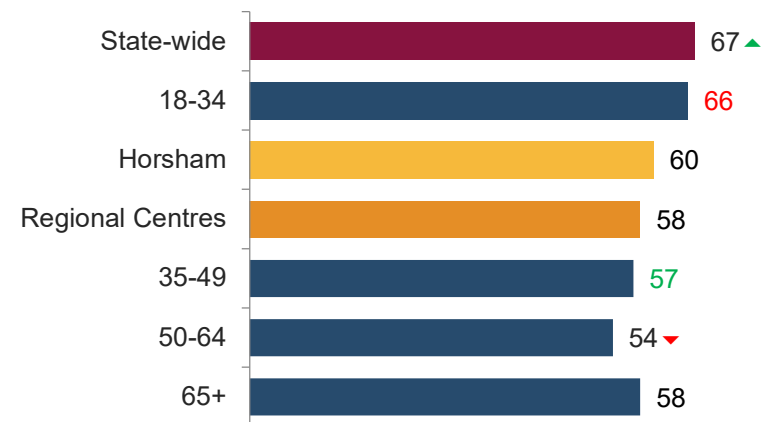
- ▲ The state-wide result is significantly higher than the overall result for the council.
- ▼ The result among 50-64 year olds is significantly lower than for the overall result for the council.

Further, results shown in green and red indicate significantly higher or lower results than in 2019.

Therefore in the example below:

- The result among 35-49 year olds in the council is **significantly higher** than the result achieved among this group in 2019.
- The result among 18-34 year olds in the council is **significantly lower** than the result achieved among this group in 2019.

**Overall Performance – Index Scores
(example extract only)**



Appendix A: Index score significant difference calculation



The test applied to the Indexes was an Independent Mean Test, as follows:

$$Z \text{ Score} = (\$1 - \$2) / \text{Sqrt} ((\$5^2 / \$3) + (\$6^2 / \$4))$$

Where:

- \$1 = Index Score 1
- \$2 = Index Score 2
- \$3 = unweighted sample count 1
- \$4 = unweighted sample count 2
- \$5 = standard deviation 1
- \$6 = standard deviation 2

All figures can be sourced from the detailed cross tabulations.

The test was applied at the 95% confidence interval, so if the Z Score was greater than +/- 1.954 the scores are significantly different.



**Appendix B:
Further project
information**

Appendix B: Further information



Further information about the report and explanations about the State-wide Local Government Community Satisfaction Survey can be found in this section including:

- Background and objectives
- Analysis and reporting
- Glossary of terms

Detailed survey tabulations

Detailed survey tabulations are available in supplied Excel file.

Contacts

For further queries about the conduct and reporting of the 2020 State-wide Local Government Community Satisfaction Survey, please contact JWS Research on

(03) 8685 8555 or via email:
admin@jwsresearch.com



Appendix B: Survey methodology and sampling

The 2020 results are compared with previous years, as detailed below:

- 2020, n=401 completed interviews, conducted in the period of 30th January – 22nd March.
- 2019, n=400 completed interviews, conducted in the period of 1st February – 30th March.
- 2018, n=400 completed interviews, conducted in the period of 1st February – 30th March.
- 2017, n=400 completed interviews, conducted in the period of 1st February – 30th March.
- 2016, n=400 completed interviews, conducted in the period of 1st February – 30th March.
- 2015, n=400 completed interviews, conducted in the period of 1st February – 30th March.
- 2014, n=400 completed interviews, conducted in the period of 31st January – 11th March.
- 2013, n=400 completed interviews, conducted in the period of 1st February – 24th March.
- 2012, n=400 completed interviews, conducted in the period of 18th May – 30th June.

Minimum quotas of gender within age groups were applied during the fieldwork phase. Post-survey weighting was then conducted to ensure accurate representation of the age and gender profile of the Horsham Rural City Council area.

Any variation of +/-1% between individual results and net scores in this report or the detailed survey tabulations is due to rounding. In reporting, '—' denotes not mentioned and '0%' denotes mentioned by less than 1% of respondents. 'Net' scores refer to two or more response categories being combined into one category for simplicity of reporting.

This survey was conducted by Computer Assisted Telephone Interviewing (CATI) as a representative random probability survey of residents aged 18+ years in Horsham Rural City Council.

Survey sample matched to the demographic profile of Horsham Rural City Council as determined by the most recent ABS population estimates was purchased from an accredited supplier of publicly available phone records, including up to 60% mobile phone numbers to cater to the diversity of residents within Horsham Rural City Council, particularly younger people.

A total of n=401 completed interviews were achieved in Horsham Rural City Council. Survey fieldwork was conducted in the period of 30th January – 22nd March, 2020.

Appendix B: Analysis and reporting



All participating councils are listed in the State-wide report published on the DELWP website. In 2020, 62 of the 79 Councils throughout Victoria participated in this survey. For consistency of analysis and reporting across all projects, Local Government Victoria has aligned its presentation of data to use standard council groupings. Accordingly, the council reports for the community satisfaction survey provide analysis using these standard council groupings. Please note that councils participating across 2012-2020 vary slightly.

Council Groups

Horsham Rural City Council is classified as a Regional Centres council according to the following classification list:

- Metropolitan, Interface, Regional Centres, Large Rural & Small Rural.

Councils participating in the Regional Centres group are:

- Greater Bendigo, Greater Geelong, Horsham, Latrobe, Mildura, Wangaratta, Warrnambool and Wodonga.

Wherever appropriate, results for Horsham Rural City Council for this 2020 State-wide Local Government Community Satisfaction Survey have been compared against other participating councils in the Regional Centres group and on a state-wide basis. Please note that council groupings changed for 2015, and as such comparisons to council group results before that time can not be made within the reported charts.

Appendix B: 2012 survey revision



The survey was revised in 2012. As a result:

- The survey is now conducted as a representative random probability survey of residents aged 18 years or over in local councils, whereas previously it was conducted as a 'head of household' survey.
- As part of the change to a representative resident survey, results are now weighted post survey to the known population distribution of Horsham Rural City Council according to the most recently available Australian Bureau of Statistics population estimates, whereas the results were previously not weighted.
- The service responsibility area performance measures have changed significantly and the rating scale used to assess performance has also changed.

As such, the results of the 2012 State-wide Local Government Community Satisfaction Survey should be considered as a benchmark. Please note that comparisons should not be made with the State-wide Local Government Community Satisfaction Survey results from 2011 and prior due to the methodological and sampling changes. Comparisons in the period 2012-2020 have been made throughout this report as appropriate.

Appendix B: Core, optional and tailored questions



Core, optional and tailored questions

Over and above necessary geographic and demographic questions required to ensure sample representativeness, a base set of questions for the 2020 State-wide Local Government Community Satisfaction Survey was designated as 'Core' and therefore compulsory inclusions for all participating Councils.

These core questions comprised:

- Overall performance last 12 months (Overall performance)
- Lobbying on behalf of community (Advocacy)
- Community consultation and engagement (Consultation)
- Decisions made in the interest of the community (Making community decisions)
- Condition of sealed local roads (Sealed local roads)
- Contact in last 12 months (Contact)
- Rating of contact (Customer service)
- Overall council direction last 12 months (Council direction)

Reporting of results for these core questions can always be compared against other participating councils in the council group and against all participating councils state-wide. Alternatively, some questions in the 2020 State-wide Local Government Community Satisfaction Survey were optional. Councils also had the ability to ask tailored questions specific only to their council.

Appendix B: Analysis and reporting



Reporting

Every council that participated in the 2020 State-wide Local Government Community Satisfaction Survey receives a customised report. In addition, the State government is supplied with this State-wide summary report of the aggregate results of 'Core' and 'Optional' questions asked across all council areas surveyed, which is available at:

<http://www.delwp.vic.gov.au/local-government/strengthening-councils/council-community-satisfaction-survey>.

Tailored questions commissioned by individual councils are reported only to the commissioning council and not otherwise shared unless by express written approval of the commissioning council.



Appendix B: Glossary of terms

Core questions: Compulsory inclusion questions for all councils participating in the CSS.

CSS: 2020 Victorian Local Government Community Satisfaction Survey.

Council group: One of five classified groups, comprising: metropolitan, interface, regional centres, large rural and small rural.

Council group average: The average result for all participating councils in the council group.

Highest / lowest: The result described is the highest or lowest result across a particular demographic sub-group e.g. men, for the specific question being reported. Reference to the result for a demographic sub-group being the highest or lowest does not imply that it is significantly higher or lower, unless this is specifically mentioned.

Index score: A score calculated and represented as a score out of 100 (on a 0 to 100 scale). This score is sometimes reported as a figure in brackets next to the category being described, e.g. men 50+ (60).

Optional questions: Questions which councils had an option to include or not.

Percentages: Also referred to as ‘detailed results’, meaning the proportion of responses, expressed as a percentage.

Sample: The number of completed interviews, e.g. for a council or within a demographic sub-group.

Significantly higher / lower: The result described is significantly higher or lower than the comparison result based on a statistical significance test at the 95% confidence limit. If the result referenced is statistically higher or lower then this will be specifically mentioned, however not all significantly higher or lower results are referenced in summary reporting.

Statewide average: The average result for all participating councils in the State.

Tailored questions: Individual questions tailored by and only reported to the commissioning council.

Weighting: Weighting factors are applied to the sample for each council based on available age and gender proportions from ABS census information to ensure reported results are proportionate to the actual population of the council, rather than the achieved survey sample.

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Community Sports Infrastructure Stimulus Program

APPLICATION GUIDELINES



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MESSAGE FROM THE MINISTER FOR COMMUNITY SPORT

Coronavirus (COVID-19) has impacted Victorians right across the State and community sport has not been immune to those impacts.

However, as Victorians we can be proud that community sport provides a great opportunity for social inclusion and can strongly contribute to Victoria's economic recovery.

The Victorian Government recently announced the \$2.7 billion *Building Works* package, designed to support shovel-ready projects to get thousands of people back to work.

Through the support of this package I'm proud to launch the \$68 million *Community Sports Infrastructure Stimulus Program* which will fast-track investment into critical shovel-ready community sport and recreation infrastructure projects across Victoria by investing between \$1 million and up to \$10 million in successful projects.

Community sport and recreation makes a significant contribution to Victoria's economy and that's why the Victorian Government is fast-tracking projects from new indoor sports stadiums to new sports precincts, active recreation facilities and aquatic centres. These investments will support local economies by creating economic activity and hundreds of jobs for planners, architects, engineers, project managers, builders, carpenters, plumbers, electricians, maintenance staff, facility managers and operational personnel. Sourcing local materials will also enable many more Victorian businesses to thrive in these uncertain times.

And of course, it's not just local economies that will benefit, but community sport will benefit from thousands of new participation opportunities that will be created along with supporting home-grown talents and developing facilities to host local, regional, state and national events when it is safe to do so.

That's why we're keen to support projects that make a real difference to local communities especially initiatives that open more doors to participation for disadvantaged communities, which is what *Active Victoria* is all about. This program complements our record investment into community sports infrastructure since 2014 of over \$915 million including the *Local Sports Infrastructure Fund*, *World Game Facilities Fund* and *Community Cricket Program*.

I encourage Victorian communities to work with their Local Government Authorities and Alpine Resort Boards to submit applications for projects by Friday 19 June 2020.

I look forward to seeing new and exciting projects from the *Community Sports Infrastructure Stimulus Program* benefitting Victorians.

THE HON ROS SPENCE MP
Minister for Community Sport



COMMUNITY SPORTS INFRASTRUCTURE STIMULUS PROGRAM

1.1. Background

Coronavirus (COVID-19) has resulted in far reaching implications for the Victorian community and generating jobs and economic activity will be critical to the revival of Victoria's economy.

The \$68 million *Community Sports Infrastructure Stimulus Program* will support Victoria's economy by working with Local Government Authorities, Alpine Resort Boards and sporting organisations to fast-track shovel-ready community sport and active infrastructure projects across Victoria.

The program is part of the Victorian Government's \$2.7 billion *Building Works* package, designed to support shovel-ready projects to get thousands of people back to work.

The program is underpinned by the Department of Jobs, Precincts and Regions' priorities of ensuring the state's economy benefits all Victorians by creating more jobs for more people, building thriving places and regions and nurturing inclusive communities.

The Victorian Government is committed to supporting greater participation opportunities for all Victorians. There are significant groups of Victorians whose participation in sport and active recreation is well below the state average. Aboriginal Victorians, people with a disability, seniors, disengaged young people, culturally and linguistically diverse (CALD) communities, women and girls, LGBTI+ people and socio-economically disadvantaged all have significantly lower levels of participation.

1.2. Outcomes of the Program

The desired outcomes of the program are to:

- Provide a stimulus to local economic activity by planning, building and operating new or redeveloped significant community sport and active recreation infrastructure
- Respond to demand for new participation opportunities by considering strategic and well-planned projects that have broad community and sector support
- Improve diversity and inclusion by increasing participation by disadvantaged and under-represented groups identified in *Active Victoria*.

1.3. Organisational Eligibility

Only Local Government Authorities (LGAs) and the Alpine Resort Boards are eligible to apply for this program.

Eligible organisations are encouraged to consider a range of opportunities including partnerships that develop projects in schools and on Crown land.

Volunteer Committees of Management on Crown land should contact their respective LGA to discuss their proposed project being considered by this program.

1.4. Project Eligibility

Funding may be provided for the construction and/or upgrade of significant community sport and active recreation infrastructure that is ready to commence construction within six (6) months of executing a funding agreement with the Department of Jobs, Precincts and Regions. This may include but is not limited to:

- Multi-sports precincts that include the delivery of sports fields, sports courts and pavilions
- Regional or strategic single-sport precincts such as netball or football facilities
- New indoor multi-sport stadiums or new indoor courts
- New or redeveloped aquatic leisure centres including development of new water or dry program spaces
- New or redeveloped outdoor seasonal pools
- Active recreation spaces such as significant play spaces and shared recreation trails
- New sports fields, sports courts and surfaces that increase capacity or improve safety, including provision of sports lighting
- Pavilions including change rooms for participants that are female friendly and accessible
- Packaging of similar projects across multiple sites are permissible. For example, this may include grouping play spaces or sports lighting installations across multiple sites.
- Significant additional scope to existing projects to provide new participation opportunities. This may include new elements to a project that otherwise could not be delivered.

Along with recipients being required to commence construction within six (6) months of executing a funding agreement, projects will need to be completed within two years unless the project is of significant scale where completion within that timeframe isn't practical.

1.5. What will not be funded

- Applications submitted after the closing date will not be considered eligible and will not be assessed unless an extension has been requested and approved in writing by Sport and Recreation Victoria before the closing date
- Projects that have already been funded by the Victorian Government unless significant new and additional scope is identified
- Facilities where little or no public access is available
- Purchase of land
- Requests for retrospective funding, where projects have commenced construction or are completed prior to the execution of a funding agreement

- Buildings considered temporary or not permanent in nature or intended use
- Repair of facilities where the damage can be covered by insurance
- Equipment
- Requests for ongoing operational costs
- Routine or cyclical maintenance
- Projects that do not meet relevant sport or Australian standards.

Applications already being considered under the *2020-21 Local Sports Infrastructure Fund*, *2019-20 World Game Facilities Fund*, *2019-20 Community Cricket Program* or funded through *Local Sports Grants* are not eligible, unless the application is for additional scope not included within those projects.

Further, projects that have been supported through the *Community Sports Infrastructure Loans Scheme* are not eligible for funding.

1.6. Funding

Eligible applicants can submit up to **three (3)** applications.

Applications for funding from this program must be between **\$1 million** and **\$10 million**.

A 10 percent minimum local financial contribution of the funding amount sought is required to be committed and confirmed by LGAs or Alpine Resort Boards, for each application submitted. For example, a grant request of **\$1 million** should be matched with a contribution of at least **\$100,000**.

Contributions should be commensurate with the applicant's financial capacity and support for the project. Applicants cannot utilise other State Government funding as part of the minimum financial contribution. Local contributions may include funding from LGAs or other organisations such as clubs and the Federal Government.



Projects with a mix of funding, including confirmed and appropriate financial contributions will be highly regarded.

In-kind contributions will not be considered in determining the total project cost.

Applications may seek project management and non-construction expenses of up to 7.5 percent of the total project cost (exclusive of GST) or a maximum amount of \$500,000, whichever is lower. For example, a project with a \$6 million total project cost may include up to \$450,000 in the request towards project management and non-construction expenses.

The department reserves the right to negotiate a lower than requested funding amount for submitted applications.

1.7. Timelines

APPLICATIONS OPEN	APPLICATIONS CLOSE	OUTCOMES ADVISED	FUNDING AGREEMENTS EXECUTED FOR SUCCESSFUL PROJECTS
28 May 2020	19 June 2020	Late July 2020	July 2020 onwards
			

1.8. Application process

Eligible applicants must submit an application and supporting documents via the Sport and Recreation Victoria website for each individual application.

<https://sport.vic.gov.au/grants-and-funding/our-grants/community-sports-infrastructure-stimulus-program>

Applications must be submitted by **11.59pm, Friday 19 June 2020**.

Applications submitted after the closing date will not be considered eligible and will not be assessed unless an extension has been requested and approved in writing by Sport and Recreation Victoria before the closing date.

Applicants are required to liaise with their local Sport and Recreation Victoria representative to discuss their project idea/s prior to submission. Further questions on this program can also be directed to communityinfrastructure@sport.vic.gov.au



1.9. Assessment Criteria

CRITERIA	DESCRIPTION
The project provides suitable local economic stimulus benefits	<p>How will the project support a post-coronavirus (COVID-19) recovery in your municipality or region including providing significant new economic activity, which includes:</p> <ul style="list-style-type: none"> • job creation during construction and operation • supply chain opportunities including materials and maintenance • other economic benefits such as hosting future events that provide a visitor economy benefit
The application demonstrates strong sport and active recreation participation outcomes	<p>Describe the sport and active recreation participation issues the project addresses and the outcomes that will result from the project.</p> <p>Evidence of need and these benefits can be demonstrated through supporting documentation (eg feasibility studies, Schedule of Use or similar, letters of support)</p>
The application demonstrates strong sport and active recreation participation outcomes for disadvantaged and under-represented communities and cohorts	<p>Describe the new sport and active recreation opportunities and initiatives that improve inclusion and diversity by disadvantaged and under-represented communities and cohorts, including Aboriginal Victorians, people with a disability, seniors, disengaged young people, culturally and linguistically diverse communities, women and girls, LGBTIQ people and socio-economically disadvantaged communities.</p> <p>Evidence of these benefits can also be demonstrated through supporting documentation (eg Schedule of Use or similar, letters of support)</p>
The project scope is clear and is well designed and informed by Universal Design principles and Environmentally Sustainable Design considerations	<p>Provide a clear scope of works proposed to be completed as part of this project</p> <p>Outline how Universal Design principles will be implemented in project planning and how Environmentally Sustainable Design considerations are reflected in the project budget</p>
The application demonstrates the project is ready to commence construction within six (6) months	<p>Outline the planning undertaken so far to demonstrate project readiness and the steps you will take to begin the project within six (6) months, including how the project will move to the construction phase. This should be supported by a Project Management Framework, CEO letter or council resolution confirming support for the project. Projects with a council resolution will be prioritised</p>
The project is supported by local stakeholders and key organisations that will benefit from the project	<p>Describe the previous community and stakeholder consultation undertaken for the project. Provide evidence of support through consultation reports, and current/previous letters of support from stakeholders such as tenant clubs and local stakeholders.</p> <p>Note: letters of support from State Sporting Associations are not required</p>

Applications **must** be supported by the Mandatory Documents in Appendix 1.

Priority will be given to projects that:

- Will result in significant new economic benefits in the form of local economic activity and job creation through construction, operation and supply chain benefits. Applications prioritising local contractors which benefit the immediate economy will be prioritised.
- Provide evidence of the ability to commence construction within six (6) months of executing a funding agreement through the provision of mandatory documentation such as schematic plans and current cost plans (not more than 12 months old)
- Support communities with high levels of socio-economic disadvantage and communities that may be unable to generate funds required for large community infrastructure projects.
- Have experienced natural disasters (such as bushfires), and communities experiencing strong population growth.
- Include a mix of other confirmed funding contributions from project beneficiaries.

1.10. Resources and Additional Information

Additional guidelines, tools and resources can be found on the Sport and Recreation Victoria website to support your Application.

<https://sport.vic.gov.au/grants-and-funding/our-grants/community-sports-infrastructure-stimulus-program>

2.

CONDITIONS THAT APPLY TO APPLICATIONS AND FUNDING

2.1. Funding Agreements

Successful funding applicants must enter into a Funding Agreement with the Department of Jobs, Precinct and Regions within one (1) month of receiving a funding agreement for a successful project, or the funding offer may be withdrawn.

The Minister for Community Sport reserves the right to withdraw funds for projects that do not commence within six (6) months of execution of a funding agreement without recipients demonstrating due cause.

Funds must be spent on the project as described in the application and outlined in the Funding Agreement unless changes are agreed in writing through a formal variation.

Variations to the project will need to be agreed to with Sport and Recreation Victoria. Some scope changes may require the approval of the Minister for Community Sport.

LGAs and Alpine Resort Boards must inform the participating organisations where applicable, of all funding arrangements and obligations regarding the grant.

The Local Jobs First policy will apply to projects where the value of the grant is above the threshold values of:

- i. \$3 million or more in metropolitan Melbourne, and
- ii. \$1 million or more in regional Victoria, or

Important details on this policy can be found at **Appendix 2**.

Local Jobs First requirements will be built into all funding agreements where these thresholds apply.

Tenders for stimulus projects will be required to advertise for additional workers through the *Working for Victoria* platform in the first instance.

Facility tenant clubs are expected to adhere to the Fair Play Code (or related state sporting association Code of Conduct). Evidence of this adherence will be required as a funding agreement milestone.

The department reserves the right to add milestones or requirements to funding agreements that obligate the recipient to meet as a result of funding provided through this program. This may include, but not be limited to recognition, signage, participation in campaigns or activities consistent with State Government objectives or policies as outlined in *Active Victoria*.

Depending on the project this may include:

- Facility Management and Governance Plans
- Adherence to Healthy Choices Guidelines
- Demonstration of policies, practices and programs that support gender equality.

2.2. Acknowledging the Victorian Government's support and promoting success

Successful applicants will need to adhere to the *Sport and Recreation Victoria Infrastructure Grants Acknowledgement and Publicity Guidelines*.

APPENDIX 1

Mandatory Documents

MANDATORY DOCUMENTS INCLUDE:

Quantity survey, tender price or independent qualified expert report (not more than 12 months old)

Site specific schematic plans and aerial map showing the location of the project developed with stakeholder input including clear measurements (not applicable for modular construction projects). *Note: Concept plans, hand drawn plans, generic plans or plans from previous projects will not be accepted*

Evidence confirming any additional funding required to complete the project. Where funding from a club is indicated current bank statements demonstrating financial capacity for the contribution must be provided alongside a letter from an authorised officer of the club/organisation committing to a specific funding amount

Evidence of community engagement process and outcomes, including broader community and user groups

Letter from CEO or council resolution confirming that the project will be ready to proceed to construction within six (6) months of approval and that applicant funding is available to deliver the project. **Projects with a council resolution will be prioritised**

Project Management Framework or other detailed project plan with timelines demonstrating how the project can move from schematic designs to construction within six (6) months

Where relevant

Detailed area schedule for prefabricated/modular construction projects only

Lighting plans (including lux charts that are site specific for projects incorporating lighting)

Evidence of landowner consent consultation and support for non-LGA land such as Crown Land

A legally binding land-use agreement is required for any projects located on private land

For projects on school land, a minimum of a completed Joint Use Proposal to enter into a *Community Joint Use Agreement* is required with letters from both regional and central offices of Department of Education and Training

DESIRABLE

Business or feasibility planning documents (as a way of demonstrating need)

Schedule of Use or similar document demonstrating how participation will increase for specific clubs/groups

Environmentally Sustainable Design reports

Letters of support from local organisations that indicate the project scope, funding contribution and how the group either supports or benefits from the project. **Note: letters of support from State Sporting Associations are not required**

Soil testing/Geotechnical reports where relevant

Technical and/or Access Audits (where these have been completed)

Evidence that the Aboriginal Heritage Planning Tool has been completed (where this is applicable)

APPENDIX 2

Local Jobs First Policy

1. Overview

- (a) The Local Jobs First Policy (**LJF Policy**) issued under the *Local Jobs First Act 2003* supports businesses and workers by ensuring that small and medium size enterprises are given a full and fair opportunity to compete for both large and small government contracts, helping to create job opportunities, including for apprentices, trainees and cadets. The LJF Policy is implemented by Victorian Government departments and agencies to help drive local industry development.
- (b) The LJF Policy comprises the Victorian Industry Participation Policy (**VIPP**) and the Major Projects Skills Guarantee (**MPSG**).
 - i. VIPP seeks to ensure that small and medium-sized business are given full and fair opportunity to compete for government contracts.
 - ii. MSPG is a policy that provides job opportunities for apprentices, trainees and cadets on high value construction projects.
- (c) Local Jobs First applicable projects include but are not limited to:
 - i. purchase of goods and/or services, regardless of the method of procurement (including individual project tenders, State Purchase Contracts, supplier panels);
 - ii. construction projects (incorporating design and construction phases and all related elements), including individual projects, Public Private Partnerships, Alliance Contracts, Market Led Proposals, supplier panels and auctions; and
 - iii. grant and loan projects, including grant agreements or loan arrangements to private, non-government and local government organisations for a single or group of projects.
- (d) The LJF Policy applies to grant projects where the value of the grant is above the threshold values of:
 - i. \$3 million or more in metropolitan Melbourne, and
 - ii. \$1 million or more in regional Victoria, or

For further information, grant applicants should refer to the LJF Policy and Guidelines which can be found at www.localjobsfirst.vic.gov.au.

2. Definitions

Agency means Sport and Recreation Victoria within the Department of Jobs, Precincts and Regions.

Contestable Items means goods or services in a procurement process where there are competitive international and local suppliers. 'Competitive' means the suppliers are able to offer comparable goods or services that meet the specifications provided in this [Request for Grant Proposal / Grant Application]. Contestable items can be goods or services at any stage of a project, including maintenance.

Department has the meaning given in s 3(1) the *Local Jobs First Act 2003*.

Funding Agreement means the funding grant contract entered into between the Agency and the Grantee.

Guidelines means the Local Jobs First Supplier Guidelines, available at www.localjobsfirst.vic.gov.au.

ICN means Industry Capability Network (Victoria) Limited of Level 11, 10 Queens Road, Melbourne VIC 3004 ACN 007 058 120.

3. Consultation with Industry Capability Network (ICN) Victoria

- (a) To increase opportunities for local businesses within their project, successful grant recipients (Grantees) are required to consult with ICN regarding opportunities for local businesses, particularly with regard to Contestable Items. This is to better target the application of LJF towards areas of contestable procurement.
- (b) Successful Grantees are required to consult with ICN after the Grant Funding Agreement has been executed. Payment of monies under the Grant Funding Agreement may be based upon Grantees' compliance with the consultation requirement.
- (c) The consultation requirement involves the following steps:
 - i. The Agency will advise the Grantee that they must submit an Interaction Reference Number Form (IRN Form).
 - ii. Grantees must register with ICN online at www.icnvic.org.au/ljf and go through the IRN Form submission process. The IRN Form requires Grantees to provide an indication of the nature of the grant activities to be undertaken or project being designed, and the likely services or the activity to be required.

- iii. ICN will review the Grantee's IRN Form and contact the Grantee to discuss opportunities for local industry.
- iv. Grantees must negotiate with ICN to determine how opportunities for local businesses or Contestable Items will be provided for in the project. This may involve ICN contributing to or reviewing draft designs or participating in particular project meetings.
- v. Consultation with ICN can take between 30 minutes and a few hours, depending upon the nature of the Contestable Items in the procurement activity.
- vi. Once consultation is complete, ICN will issue the Grantee with an Interaction Reference Number (IRN) and a reference letter. The reference letter will set out any agreements reached between ICN and the Grantee during consultation.
- vii. The Grantee must submit their IRN to the Agency's representative within 20 business days of the Grant Funding Agreement being executed to demonstrate to the Agency that they have consulted with ICN, and that ICN is satisfied local industry will be considered in the design of the project.



These guidelines are subject to changes at the discretion of the Minister for Community Sport.

Authorised by the Victorian Government
Department of Jobs, Precincts and Regions
1 Spring Street Melbourne Victoria 3000
Telephone (03) 9651 9999

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ASSEMBLY OF COUNCILLORS REGISTER**COUNCIL BRIEFING MEETING VIA ZOOM (VIDEO CONFERENCING)
TUESDAY 9 JUNE 2020 AT 5.05PM**

PRESENT: Cr MA Radford, Mayor; Cr P Clarke, Cr A Gulvin, Cr L Power, Cr J Robinson; Sunil Bhalla, Chief Executive Officer; Graeme Harrison, Director Corporate Services; John Martin, Director Infrastructure; Kevin O'Brien, Director Communities and Place; Heather Proctor, Finance Manager (item 3.1 only); Zac Gorman, Management Accountant (item 3.1 only); Mandy Kirsopp, Co-ordinator Recreation and Open Space (item 4.1 only); Nick Carey, Acting Co-ordinator Statutory Planning and Building Services (item 4.2 only)

APOLOGIES: Cr DA Grimble, Cr J Koenig

1. WELCOME AND INTRODUCTION

Cr Radford welcomed everyone.

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

Cr Clarke advised conflict of interest regarding item 4.2.

3. PRESENTATION

3.1 Finance and Performance Committee

Discussed

4. COUNCIL MEETING REPORTS FOR DISCUSSION

4.1 Sunnyside Park Masterplan

Discussed

4.2 Planning Permit McLean Drive, Horsham Rural City Council

Cr Clarke left the meeting for this item

Discussed

Cr Clarke returned to the meeting

4.3 Council Plan

Discussed

4.4 Dogs in Botanical Gardens

Discussed

5. FOR INFORMATION ONLY

5.1 City to River Stage Implementation

Discussed

5.2 2020 Local Government Elections – Electoral Service Agreement

Discussed

5.3 Distribution of Funds from Natimuk Land Sale

Discussed

6. GENERAL DISCUSSION

Meeting closed 7.05pm

ASSEMBLY OF COUNCILLORS REGISTER**COUNCIL BRIEFING MEETING VIA ZOOM (VIDEO CONFERENCING)
MONDAY 15 JUNE 2020 AT 5.00PM**

PRESENT: Cr MA Radford, Mayor; Cr P Clarke, Cr DA Grimble, Cr A Gulvin, Cr J Koenig, Cr L Power, Cr J Robinson; Sunil Bhalla, Chief Executive Officer; Graeme Harrison, Director Corporate Services (from 5.40pm); John Martin, Director Infrastructure (from 5.30pm – 6.15pm); Kevin O'Brien, Director Communities and Place (from 5.30pm); Kerrie Bell, Manager Governance and Information (from 5.30pm – 6.15pm)

APOLOGIES: Nil

1. WELCOME AND INTRODUCTION

Cr Radford welcomed everyone.

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

Nil

3. CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

Councillors and Chief Executive Officer only in attendance for this item.

CEO Performance Review Report presentation by Amanda Stevens, Fisher Leadership.

4. COMMUNITY SATISFACTION SURVEY RESULTS

Presentation by Mark Zuker from JWS Research.

5. DISCUSSION

- YMCA pool opening times
- State Government possible funding for a major regional project
- Natimuk Lake
- Overland train

Meeting closed 7.30pm