

MINUTES of the Ordinary Meeting of the Horsham Rural City Council held in the Municipal Chambers, Civic Centre, Roberts Avenue Horsham on 21 May, 2018 at 5.30pm.

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

ALSO IN

ATTENDANCE: Sunil Bhalla, Chief Executive; Graeme Harrison, Director Corporate Services; Angela Murphy, Director Planning & Economic; Kevin O'Brien, Director Community Services; John Martin, Director Technical Services; Fiona Kelly, Executive Assistant.

1. Reading of prayer and the acknowledgement of country statement

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

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

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

The Mayor advised the gallery that the Council meeting will be recorded to maintain an audio archive.

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|--------------|-------------------|-------------------|------------------|
| Kath Dumesny | Cheryl Linke | Neville McIntyre | Tom Blair, VFF |
| Lauren Coman | Nick Carey | Daina Oliver, WMT | Brenda Whitworth |
| Peter Miller | Sarah Scully, TWA | Mandy Kirsopp | |

3. Apologies and request for Leave of Absence

Moved Cr Power, Seconded Cr Gulvin that leave of absence be granted for Cr Josh Koenig from 19 May, 2018 to 2 June, 2018.

CARRIED

4. Confirmation of minutes and signing thereof

Moved Cr Radford, seconded Cr Power that the Minutes emanating from the Ordinary Meeting of the Horsham Rural City Council held in the Municipal Chambers, Civic Centre, Horsham at 5.30pm on 7 May, 2018 be adopted.

CARRIED

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

NIL

Statement read by the Mayor

The Mayor, Cr Pam Clarke read out a statement which is attached to **Appendix "1"**.

Suspend Standing Orders

Moved Cr Grimble, Seconded Cr Radford that Standing Orders be suspended for Public Question Time.

CARRIED

The time being 5.38pm the Council Meeting was suspended.

6. PUBLIC QUESTION TIME

Public question received from Neville McIntyre of 101 McKenzie Creek Reserve Road, McKenzie Creek.

Graeme Harrison, Director Corporate Services read out the questions.

1. Can individual revaluation information be provided?

Response:

- *Until such time as the Valuer General has signed off on the valuations they are not final and are subject to change.*
- *A differential is applied to a category of properties and not to individual properties so the movement within and between categories is the matter of concern, NOT personal ratepayer circumstances. (This category level information has been provided on Page 9 of the Draft Budget document).*

2. It is important this year that the four new Councillors should know the effect of the 2018 Rate Strategy has on rate payers.

Response:

- *All councillors have had opportunity to discuss the way that the rating system works and all of the policy positions contained within the Rates Strategy document.*
- *We have also modelled the impacts of a change to the farm differential and the municipal charge and what that would mean across the various categories.*

3. Each year the residential sector benefits from the extra half a million in extra rates paid by the new houses being built or built the previous year and paying full rates for the first time. The new garages, carports, house renovations and the rates value of roads, kerbs, sewerage, lighting etc from the developers all contribute to these extra rates. Could you please explain to me where the extra rates from the new building approvals have gone?

Response:

- *When determining the rate in the dollar, the total valuation for “EACH” category or class of property, and all known new improvements are taken in to account. The extra value of these buildings are incorporated into the total value of all properties for council and help to reduce the rate in the dollar for all categories.*
 - *So the value of the new residential buildings are incorporated in to the total rate in the dollar.*
 - *A differential is then applied to the Farm Category of 80% to give that sector a 20% discount.*
 - *The ultimate rate charged per property is then dependent upon the final revaluation figure. (This includes new developments and general valuation increases).*
 - *It is then the relative shift in values between properties, which impacts on the final rate paid by individuals.*
4. I cannot see anywhere in the Draft Budget papers the amount of Municipal charges per sector.

Response:

- *Information regarding the Municipal Charge is presented as required by legislation. Page 40 of the Budget document shows this charge as \$287 (an increase of 2.14% for 2018-19)*
- *The number of assessments per rate category are shown in table 4.1.1 (d) on Page 39. This does not show the number of farm assessments that get an exemption from the Municipal charge, this is not a requirement.*
- *However I can say that it is approximately 50% of the total farm assessments that pay the municipal charge.*

Follow up questions from Neville McIntyre –

1. The \$96 million that the residential sector raised, raised \$471,538. Were Councillors informed or were they going to be informed that that was added onto the \$69,000 deficit making \$539,211 deficit for that residential sector?

Graeme Harrison responded. Yes, with the issues around the calculation of the rates and how they work were discussed. As I explained in my response it doesn't work that way. It's the total value of all properties divided by the total rate revenue that gives the rate in the dollar.

2. Were the Councillors told that the deficit was not actually \$68,000 it was \$530,000, that the residential sector are going down this year?

Graeme Harrison responded. The information to calculate the rate in the dollar based on the valuations and revaluations were all provided to the Councillors.

Moved Cr Radford, Seconded Cr Power that Standing Orders resume.

CARRIED

The time being 5.48pm the Council meeting resumed.

7. OTHER BUSINESS

7.1 RESUMPTION OF DEBATE ON THE MOTIONS FROM PREVIOUS MEETING

NIL

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

NIL

7.3 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NIL

7.4 COUNCILLORS QUESTIONS WITH NOTICE

NIL

7.5 ORDERS OF THE DAY

NIL

8. OTHER REPORTS

8.1 ASSEMBLY OF COUNCILLORS – RECORD OF MEETINGS

Council Briefing Meeting held on Monday 14 May, 2018 at 5.00pm in the Reception Room.

Refer to **Appendix “8.1A”**.

Recommendation

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

Moved Cr Radford, Seconded Cr Gulvin that the recommendation be adopted.

CARRIED

8.2 SEALING OF DOCUMENTS

NIL

8.3 INWARD CORRESPONDENCE

NIL

8.4 COUNCIL COMMITTEE MINUTES

8.4.1 Horsham Regional Art Gallery Committee of Management meeting held on Thursday, 3 May 2018 at 5.15pm at the Art Gallery, Wilson Street, Horsham.

Refer to **Appendix "8.4A"** for copy of minutes.

RECEIVED

9. COUNCILLORS' REPORTS

Cr Power

- 8 May – Horsham Performing Arts Company meeting.
- 9 May – Junior football interleague training at Quantong and took notice of their facilities. They have brand new facilities but Horsham City Oval, our masterpiece for Horsham and the region, are not up to standard.
- 15 May - Tidy Towns Committee meeting. The group are planning events for when the judge arrives.
- 16 May – Cr Power talked about junior football training. Sides have been selected to go to Ballarat. The Ballarat City Oval facilities are brilliant. Council should go and have a look at their facilities at Ballarat. I realise the size of our municipalities are a lot smaller.
- 18 May - Grampians Indigenous Family Violence meeting in Halls Gap. Discussed how to promote family violence. The Hoops Against Violence teams of indigenous and police officers will be here at Horsham and will pick a team to go to Ballarat during NAIDOC week to promote family violence.

Cr Grimble

- Cr Grimble requested the Mayor circulate the statement that was read out at the start of the meeting.
- Cr Grimble expressed his deepest sympathy to the family of Rod Sutherland OAM, a former Natimuk doctor and to the family of Michael O'Connor a former Pyrenees Shire Councillor and Mayor. Michael contributed to a number of committees including the Western Highway Action Committee, the Regional Waste committee and was an avid supporter of the return of passenger rail.
- Cr Grimble has had a lot of people commenting about the council budget over the past few weeks. Some of the comments were in relation to some of the flood works we have done. Most of the repair work has been very good, but there is a high crown on some roads, which causes concern for the farming sector. It wouldn't allow a field bin to travel on these roads. This is problematic for use. I have a supplementary question to Mr Harrison about the budget which relates to appendix 10.2C on page 39 relating to valuations and highlights that the residential sector is going up \$96 million and the commercial sector is going up \$35 million. When you refer that back to the total revenue by general rates it shows that the residential sector is going up \$67,000 and commercial sector is going up \$103,000 yet the rate in the dollar of those two particular classes of land are the same, they are .0049c in the dollar. The question is a bit vague for me but those figures don't marry up.
- Mr Harrison responded advising that in terms of this year what we have done is split the industrial and commercial sectors to give a clearer picture. The rate in the dollar that they pay are charged a general rate, they are charged the same rate in the dollar as residential. Commercial industrial will pay the same rate and the farm rate has a differential so its rate in the dollar will be less. The

amount of rates collected will be the rate in the dollar multiplied by the valuation.

- Cr Grimble advised he is not sure his question was answered in the right way. It wasn't relevant to the farm rate, it is only relevant to the residential and commercial rate which is the full rate of the different rate and again the valuation tells me on page 39 of the document circulated that \$96 million is the increase in valuation across the commercial sector, \$35 million is the increase across the residential sector. When I translate that to the total rate revenue from our general rates, it shows that the residential is going up \$67,000 and commercial is going up \$103,000 yet the commercial change in dollar is actually about a third of the residential and I don't understand that.
- The Mayor advised that Cr Grimble's question will be put on notice.

Cr Gulvin

No report

Cr Robinson

- Natimuk Road school crossing came up for discussion. On 13 May Cr Robinson had a conversation with a rate payer about the proposed school crossing relocation. What came out of that was a conversation about a number of ancillary issues around that area including Hillary Street with multiple and confusing speed limits, problems with transports parking in Natimuk Road including B doubles dropping trailers off and Natimuk Road being used as a used car sales lot, causing distractions to drivers and therefore threats to safety including children.
- These issues were passed onto council officers who engaged with the ratepayer. Feedback received was he was incredibly impressed with the service, they had clearly researched the issues and will work with that ratepayer and others to achieve a good outcome.
- 19 May – Community Consultation meeting with the CEO and other staff at the Horsham Plaza. Had quite a few people talk with us about a whole range of issues. It was a very worthwhile event.
- Dealt with a property access issue for a ratepayer.
- Received a number of calls about the rates strategy in particular the farming community.
- Later in this agenda we will be discussing farm sheds. I will make some comments on the process undertaken and identify some relevant issues and foreshadow a motion which should produce a good outcome for the farming community.
- Finally, there has been some discussion in the media in relation to VicRoads proposed works in O'Callaghans Parade and McPherson Street and ask the community to be patient with this. We have done some work with VicRoads and hope the outcome is ultimately better suited to our needs.

Cr Radford

- Cr Radford acknowledged the passing of Michael O'Connor and Dr O'Sullivan.
- It is important that people do have an interest in the budget. We are at the stage now that we ask people to tell us what they think of the budget and that includes the rating strategy.
- Cr Radford reported on the Horsham Police and Community Consultative meeting. The group discussed rescues at Mt Arapiles and how things could be improved. Kieran Loughran a local climber in the community talked with the group.
- 12 May - Wimmera Filipino-Australian Club Inauguration. Cr Radford stood in for the Mayor at the inauguration. The officer bearers were sworn in under oath. There was also singing and acting. Cr Radford wished them all the best.
- Once again today the Horsham area have had problems with the phone system. People who have NBN do not have a fixed wire phone so if your phone doesn't work and you're in business or for emergencies the ramifications are huge. Council need to talk with Andrew Broad, Member for Mallee about this issue. In the worst fire situations generally you can rely on the phone system, but not anymore.

Cr Pam Clarke, Mayor

- Cr Clarke thanked the Councillors who have filled in for the Mayor during the past fortnight.
- 18 May - MAV State Council meeting. It was a very busy day, moving through 65 motions on the agenda.
- 19 May - Joseph and his technicolour dream coat. Cr Clarke and her husband go to Melbourne to see shows but not sure why because our local performers and orchestra were amazing. The lead singer Jessica Durant was amazing. If you've missed the show you've missed something really great. Congratulations to everyone involved.

Moved Cr Radford, Seconded Cr Power that the Councillors' Reports be adopted.

CARRIED

Moved Cr Grimble, Seconded Cr Robinson that revaluation information be provided to individual ratepayers on request to give indicative rate burden.

CARRIED

10. OFFICERS REPORTS

10.1 CHIEF EXECUTIVE

No reports.

10.2 DIRECTOR OF CORPORATE SERVICES

No reports.

10.3 DIRECTOR OF PLANNING AND ECONOMIC

10.3.1 HORSHAM RURAL CITY COUNCIL TOURISM ADVISORY COMMITTEE TERMS OF REFERENCE

Stephen Pykett

File Ref: F15/A09/000002

Purpose

To present for adoption revised Terms of Reference for Council's Tourism Advisory Committee.

Background

Council's Tourism Advisory Committee Terms of Reference was adopted in 2016 with the change to an Advisory Committee instead of a Section 86 Committee of Council.

Issues

Tourism Advisory Committee members serve a term of 2 years with the current term due to expire in June 2018.

The Terms of Reference has been reviewed, in advance of calling for Expressions of Interest for the next Advisory Committee term to commence from July 2018. This has presented an opportunity to address a number of governance anomalies relating to the number of committee members and the mechanism for determining a quorum.

Consultation/Communication

Council's Tourism and Events unit has reviewed and revised the terms of reference in consultation with Council's Community Services Directorate and Organisational Performance Officer. This consultation has ensured consistency across Council areas and provided advice on best practice models.

The draft revised Terms of Reference has also been provided to the current Tourism Advisory Committee for review and comment and is attached as **Appendix "10.3A"**. A "tracked Changes" version is attached as **Appendix "10.3B"**.

Financial

There are no financial implications of the proposed changes.

Links To Council Plans, Strategies, Policies

Council Plan Goal 2 – Sustaining the Economy

Four year outcomes – 2.3 Increase Visitors to the Municipality

Council Plan Goal 4 – Governance and Business Excellence

Four year outcomes – 4.1 Continuously improve communication and engagement with the community through effective consultation; 4.2 Manage risk to the organisation.

Recommendation

That Council adopt the revised Terms of Reference for Council's Tourism Advisory Committee.

Moved Cr Radford, Seconded Cr Power that the recommendation be adopted.

CARRIED

10.3.2 FARM BUILDINGS/FARM SHEDS

Angela Murphy

File Ref: F04/A04/000001

Purpose

To note the guideline and application form for exemption for farm buildings from requirement to obtain a building permit and to make representations to the State Government to request a review of the Victorian Building Interim Regulations 2017 Regulation 1804 Exemptions for Class 10 building on farm land.

Background

Council, at its meeting held on 19 March 2018, resolved to rescind the 2003 Exemption for Farm Buildings from requirement to obtain a Building Permit Policy due to it being out of date and in conflict with current legislation. In other words, Council's 2003 policy (now revoked) exempted farm buildings on farm land from the requirement to obtain a building permit.

Reference is made to the Notice of Motion No 165 presented by Cr Robinson at the 3 April 2018 Ordinary meeting of Council relating to the Victorian Building Interim Regulations 2017 Regulations 1804 Exemption for Class 10 buildings on farm land. The Notice of Motion No 165 is currently laid on the table and it is the intention of this report to address the Notice of Motion.

Issues

The new classifications under the Building Code of Australia specifically for Farm Sheds and Farm Buildings came into operation in 2016. In accordance with A1.1, BCA 2016 – Volume 1, the definition of a Farm Building or Farm shed is clearly defined as a Class 7 or 8 building and must comply with the requirements of Part H3, BCA 2016 – Volume 1.

These classifications are attached as **Appendix "10.3C"**.

Following the Council meeting held on 3 April 2018, Weir Consulting was engaged to provide legal advice on the application of regulation 1804 of the Building Interim Regulations 2017, the definition of a Class 10 shed under regulation 1804, and the pros and cons of establishing a farm shed exemption policy. Regulation 1804 states that a Council may exempt a Class 10 building that is to be constructed on farm land and used for farming purposes from all or any of the requirements of these Regulations.

Attached as **Appendix "10.3D"**, is a guideline and application form for exemption which has been developed based on the legal advice and is included on Council's website as background information to support applications for farm shed exemptions from obtaining a building permit. The guideline sets out the criteria for exemption from obtaining a building permit, and highlights that the exemption is not an "as of right" exemption, and is assessed by the building surveyor on a case by case basis. Regulation 112 provides that buildings must be classified as set out in the Building Code of Australia and that if there is any doubt as to the classification, the relevant building surveyor must classify the building as belonging to the class it most closely resembles. The onus is on the applicant or owner to make enquiries on the building permit requirements for farm sheds and farm buildings.

It is fair to conclude that interpretation of the legislation across Federal and State Acts, Codes and Regulations is complex and justifies a review by the State Government to establish clarity and consistency. It is recommended that Council make representations to the State Government and the Victorian Building Authority to request a review of the legislation on Exemptions for Class 10 buildings on farm land under Regulation 1804 of the Victorian Building Regulations 2017 in conjunction with the National Construction Code and Building Code of Australia.

Consultation

Consultation has occurred with the Municipal Association of Victoria, Victorian Municipal Building Surveyors Group, shed manufacturer, Councils and legal adviser. Our research indicates that Northern Grampians Shire has a policy whereby the building surveyor has received 8 applications for exemptions and approved 5 in the last financial year. Southern Grampians Shire has a guideline whereby the building surveyor has approved approximately 80% of exemptions (10 exemptions approved for 2018 calendar year) for farm sheds, after consultation and education with prospective applicants and more broadly the shed manufacturers.

Links to Council Plans, Strategies, Policies

Goal 2 Sustaining the Economy

2.1 Cultivate opportunities for the municipality to prosper and pursue possibilities for new developments.

Recommendation

That Council:

1. Write to the Minister for Planning and the Victorian Building Authority to request a review of Victorian Building Interim Regulations 2017 Regulation 1804 Exemption for Class 10 buildings on farm land in conjunction with the National Construction Code and Building Code of Australia to address the inconsistency between State and Federal legislation.
2. Note its revocation of the “Exemption for farm buildings from requirement to obtain a building permit policy” at its Ordinary Meeting of 19 March 2018 on the basis that it is no longer consistent with the current exemption power under regulation 1804.
3. Note that:
 - a. to the extent that the resolution made on 19 March 2018 may have affected the delegation of power by Council to the CEO to issue an exemption under regulation 1804 that delegation is remade; and
 - b. that in making the fresh resolution, Council confirms that the CEO and any person to whom the power to grant the exemption is delegated by the CEO now or in the future, may exercise that power on application by the owner of farm land seeking the exemption.
4. Note the guideline and application form for exemption for farm buildings from requirement to obtain a building permit published on Council’s website and made generally available.

Moved Cr Grimble, Seconded Cr Radford that Standing Orders be suspended.

CARRIED

The time being 6.33pm the Council meeting was suspended.

Moved Cr Grimble Seconded Cr Radford that Standing Orders resume.

CARRIED

The time being 6.48 pm the Council meeting resumed.

Moved Cr Gulvin, seconded Cr Power that Notice of Motion No. 165 be lifted from the table.

CARRIED

Moved Cr Robinson, Seconded Cr Radford Notice of Motion No. 165 be withdrawn.

CARRIED

Moved Cr Grimble, Seconded Cr Robinson that Item No.10.3.2 be deferred.

CARRIED

10.3.3 SUBMISSION TO THE FEDERAL GOVERNMENTS INQUIRY INTO THE INDICATORS OF, AND IMPACT OF, REGIONAL INEQUALITY – MAY 2018

Angela Murphy File Ref: F04/A04/000001

Purpose

To endorse Council's submission to the Federal Government's Inquiry into the indicators of, and impact of, regional inequality in Australia.

Background

The Terms of Reference for the Inquiry into the indicators of, and impact of, regional inequality in Australia and focused on government policies and programs in the following areas:

- a. fiscal policies at federal, state and local government levels;
- b. improved co-ordination of federal, state and local government policies;
- c. regional development policies;
- d. infrastructure;
- e. education;
- f. building human capital;
- g. enhancing local workforce skills;
- h. employment arrangements;
- i. decentralisation policies;
- j. innovation;
- k. manufacturing; and
- l. any other related matters

Issues

Council's submission to the inquiry is attached as **Appendix "10.3E"** for Council's endorsement. The submission focuses on decentralisation, transport and connectivity infrastructure and education.

Submissions to the inquiry closed on 30 April, 2018. However, Council sought an extension to the end of May, 2018 which was agreed.

Consultation

Consultation has occurred with Longerenong College and Wimmera Development Association to help inform the issues contained in the submission to the Federal inquiry.

Financial

There are no financial implications.

Links with Council Plan

Goal 2 – Sustaining the Economy – Lead in sustainable growth and economic development.

Recommendation

That Council endorse the submission to the Federal Inquiry into the indicators of, and regional inequality in Australia.

Moved Cr Robinson, Seconded Cr Radford that the recommendation be adopted.

CARRIED

10.4 DIRECTOR OF COMMUNITY SERVICES

10.4.1 WIMMERA REGIONAL LIBRARY CORPORATION LIBRARY AGREEMENT 2018

K O'Brien

File Ref: F11/A02/000001

Purpose

To inform Council of the review of the Wimmera Regional Library Corporation Agreement between Wimmera Regional Library Corporation and Horsham Rural City Council and recommend that the 2018 agreement be signed and sealed by Council.

Background

The Wimmera Regional Library Corporation currently provides library services across six municipalities, namely Hindmarsh, Horsham, Northern Grampians, West Wimmera, Yarriambiack and part of Buloke.

The Agreement to form the Wimmera Regional Library Service between the six Local Government areas occurred in 1996 post restructure. During 2011, a Deed of Amendment to the Agreement was signed by all parties to adhere to changes imposed by the Local Government Act 1989 (as amended). Council signed the current agreement in 2014.

The Wimmera Regional Library Corporation Agreement records the terms on which the Continuing Councils will continue to operate such regional library.

Issues

The Library Agreement was reviewed by the Wimmera Regional Library Corporation at its meeting on 20 April 2018. The document has been changed due to Buloke no longer being a member of the Wimmera Regional Library Corporation as of 30 June 2018. A copy of the proposed Wimmera Regional Library Corporation Agreement is attached for Council's information (see **Appendix "10.4A"**).

Consultation/Communication

The Wimmera Regional Library Corporation Board members reviewed the agreement at the meeting on 20 April 2018.

Financial

The agreement states that each member Council is responsible for the net recurrent expenditure and capital expenditure for its library services. The proposed Council contribution for 2018/19 is \$494,963, an increase of 0.69% from the current year's contribution of \$491,576.

Links To Council Plans, Strategies, Policies

2017-2021 Health and Wellbeing Plan.

Recommendation

That the Wimmera Regional Library Corporation Agreement 2018 be signed under Council delegation.

Moved Cr Radford, Seconded Cr Power that the recommendation be adopted.

CARRIED

10.4.2 PUBLIC ART ADVISORY COMMITTEE EXPRESSION OF INTEREST

A Donovan

File Ref: F34/A06/000001

Purpose

To seek Council's determination of the membership of the Public Art Advisory Committee (PAAC).

Background

As part of Council's Committee review process, the PAAC has been reviewed to ensure principles of good governance and transparency and to ensure membership represents the diversity of Horsham.

The Draft Terms of Reference (ToR) were approved by Council on 19 March 2018 and an Expression of Interest (EOI) advertised from 19 March to 9 April 2018 through:

- A Council media release
- Flyer and poster distribution
- EOI on Council's website
- Promoted through HRCC social media and Facebook
- Direct marketing to existing Council networks
- Direct approach to Barengi Gadjin Land Council and Business Horsham

A total of six EOIs were received for the four vacant positions. As referenced in the PAAC ToR, if there are more than the required number of applicants for the available positions, nominations will be forwarded to Council for determination.

Discussion

Assessment Process

EOIs were internally assessed within the Community Development team and rated a score of 1-5 against the following selection criteria:

- Previous Committee Service experience
- Previous Community Service experience
- Community connectedness
- Rationale for service
- Relevant skills

Membership Recommendations

The following people are recommended:

- Brian Basham
- Casandra Velinos
- Annie Ferguson
- Elizabeth Dahlenberg

Next Steps

Once Council has endorsed the PAAC:

- Letters of confirmation will be sent to successful applicants via email
- Letters to unsuccessful applicants will be sent following Council's endorsement thanking them for their application
- An agreed meeting time will be discussed with new members

Consultation/Communication

The PAAC proposed membership has been assessed by Cultural Development Officer, Community Development Manager and the Recreation and Sustainability Officer.

Financial

This work was undertaken within current budget allocation. Work of establishing the PAAC to support the delivery of the Public Art Implementation Plan will occur within current budget allocations.

Links to Council Plans, Strategies, Policies

The PAAC aligns with:

- Council Plan
 - 1.1 Contribute to building a vibrant, diverse and resilient community
 - 1.3 Contribute to cultural activities that enhance our community
- Health and Wellbeing Plan
 - *Support and promote advocates and events that build community resilience and social networks for all groups*

- Arts and Cultural Plan 2014-2018
 - Art in Public Places

Recommendation

That Council endorse the following membership to the Public Art Advisory Committee: Brian Basham, Casandra Velinos, Annie Ferguson and Elizabeth Dahlenberg.

Moved Cr Grimble, Seconded Cr Robinson that Council amend the Public Art Advisory Committee Terms of Reference to increase the committee membership to a maximum of 10 and the quorum be raised to a minimum of 5.

MOTION LOST

Cr Grimble called for a division of Council

For the Motion:

Cr Power
Cr Robinson
Cr Grimble

Against the motion:

Cr Clarke
Cr Radford
Cr Gulvin

Cr Clarke was the deciding vote and voted against the motion.

Moved Cr Power, Seconded Cr Radford that Council endorse the following membership to the Public Art Advisory Committee: Brian Basham, Casandra Velinos, Annie Ferguson and Elizabeth Dahlenberg.

CARRIED

10.4.3 PUBLIC ART ADVISORY COMMITTEE EXPRESSION OF INTEREST

A Donovan

File Ref: F34/A06/000001

Recommendation

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

Moved Cr Robinson, Seconded Cr Gulvin that the recommendation be adopted.

CARRIED

10.5 DIRECTOR OF TECHNICAL SERVICES

10.5.1 HORSHAM REGIONAL LIVESTOCK EXCHANGE MASTER PLAN

John Martin File Ref: 99/01/12496A

Purpose

To present the Horsham Regional Livestock Exchange (HRLE) Master Plan and its strategic recommendations for adoption.

Background

Preparation of a master plan for HRLE was a commitment in the 2017-18 Council Plan as follows:

3.4.02 Master plan preparation for the Livestock Exchange including potential items such as: roofing to cover yards, electronic ramps to replace manual ramps, compost turner and Radio Frequency Identification (RFID), solar panels and water capture

Development of the master plan commenced in the second half of 2017. Initially, it was proposed that there would be two separate plans:

- A master plan which would focus primarily on the physical development of the site and its assets,
- An enterprise plan which would focus on the commercial and operational aspects of the Exchange.

A brief for consultants for a combined plan was subsequently prepared, as it was assessed that would lead to some economies, and consultant Outcross was appointed for the task following a quotation process. The report is attached as **Appendix "10.5A"**.

The consultant's program included the following main steps:

- Site familiarisation
- Review of operational and financial records of the site
- An engagement program with relevant stakeholders
- A review of the existing assets
- Consideration of infrastructure and process options to enhance operation of the facility.

Initially the master plan was due for completion in late 2017, however the introduction of the requirement for electronic identification (EID) of sheep took priority over this process, as there was a tight timeframe required by Government for implementation of that system. Outcross was also engaged as Council's consultant for planning the EID implementation.

A draft report was prepared by the end of 2017. Further stakeholder engagement on the draft plan was undertaken in early 2018, leading to the final draft report being considered by the HRLE Board in April 2018. The engagement process is discussed in further detail below.

Discussion

The major outcome of the Master Plan is the recommendation and justification for roofing the yards.

The report identifies a number of shortcomings with the existing open (un-roofed) saleyards in relation to:

- Animal welfare
- Human welfare (OHS)
- Infrastructure maintenance
- Cleaning
- Lighting (for night-time operations)
- Water harvesting and
- Presentation of stock.

The consultant has obtained reliable estimates for a number of options for roofing the saleyards area, with the option to roof the whole area costing \$2.55 M (ex GST). It is planned to use information from the master plan to develop a full business case to help justify funding for installation of roofing.

The report also identifies four areas of focus for the exchange to remain viable, being:

- Maintaining a fair market price
- Maintaining throughput
- Investing in capital development (primarily roofing)
- Embracing best practice.

A series of recommendations are made in the report to address these and other aspects. Five of these are considered strategic recommendations which the HRLE Board has recommended should be adopted by Council, being:

1. **Cattle Operations:** It is recommended that HRLE close the weekly cattle sales and consider acting as a transit centre for larger facilities or introducing a monthly store sale or seasonal feature sales; (p3)
2. **NLIS Compliance:** That HRLE adopt the Outcross implementation strategy to comply with the requirements of the NLIS for sheep and goats and the introduction EID for sheep and goats born in Victoria after 1 January 2017. (p3)
3. **Information Management:** It is recommended that HRLE adopt a specialist saleyard software management system; (p3)

4. **Facility development:** It is recommended that HRLE plan to construct a roof for the existing facility; (p3) and,
5. **Facility ownership:** It is recommended that the facility remains open and under the management control of HRCC. (p48)

Further recommendations are also made in the report, which the HRLE Board considers to be of an operational nature, and has recommended that these should be noted by Council, and referred back to the Board to consider how and when they might be actioned.

Consultation/Communication

The engagement program for development of the master plan included:

- A key stakeholder workshop, including representatives of buyers, sellers, truck operators and others. This included a SWOT analysis of the facility and its operations.
- A community meeting.
- Individual meetings with key stakeholders.

This program was generally quite effective, other than for the community meeting. Notice of this meeting was circulated to all properties within an approximate 2.5 km radius of the exchange. This area was targeted in relation to any potential noise or odour issues associated with the facility. There was no attendance or submissions from residents in this area, which is assumed to imply that there are no apparent impacts of the HRLE operations on these residents.

Subject to consideration by Council, it is planned to insert a page at the front of the Master Plan documenting:

- The recommendations as adopted by Council.
- Some details of additional participants in the consultation not specifically listed in the report.

Financial

An allocation of \$50,000 was made in the 2016-17 budget for preparation of a master plan and enterprise plan. The cost of the plan preparation was \$40,500.

Risk

One of the key risks identified for ongoing operations of HRLE is reduced sales numbers. There seems to be a cyclic pattern in sales numbers, with gradual declines over several years, then a sudden boost to higher numbers. The graph on p7 of the master plan shows no obvious long-term trend in sheep and lamb throughput numbers.

However, consideration of this risk has identified that changes to operational practices, in particular reduced costs of cleaning the yards, can assist in offsetting the reduced income should numbers decline. Roofing the saleyards, as recommended in the master plan, is a strategy that will help to address this risk.

Links To Council Plans, Strategies, Policies

Preparation of a master plan for HRLE was commitment 3.4.02 in the 2017-18 Council Plan.

Recommendation

That Council:

1. Adopt the Horsham Regional Livestock Exchange Master Plan.
2. Note the following strategic recommendations in the Master Plan:
 - a) **Cattle Operations:** close the weekly cattle sales.
 - b) **NLIS Compliance:** adopt the Outcross implementation strategy to comply with the requirements of the NLIS for sheep and goats and the introduction EID for sheep and goats born in Victoria after 1 January 2017.
 - c) **Information Management:** adopt a specialist saleyard software management system.
 - d) **Facility development:** plan to construct a roof for the existing facility.
 - e) **Facility ownership:** the facility remains open and under the management control of Council.
3. Refer the further operational recommendations outlined in the report to the HRLE Board for its ongoing consideration and further advice to Council.

Moved Cr Grimble, Seconded Cr Radford that the recommendation be adopted.

CARRIED

11. URGENT BUSINESS

NIL

Moved Cr Power, Seconded Cr Radford that the Council Meeting close to consider item number 10.4.2 of the Director Community Services Report deemed to be of a confidential nature in accordance with Section 89(2) of the Local Government Act, 1989.

CARRIED

The time being 7.18pm the Council meeting closed.

Moved Cr Power , Seconded Cr Radford that the Council meeting open.

CARRIED

The Council Chamber doors were opened at 7.27pm.

Moved Cr Gulvin, Seconded Cr Power that the recommendations in the closed Council meeting be adopted.

CARRIED

The meeting closed at 7.28pm.

The Mayor, Cr P Clarke
Chairperson

Council Meeting 21/05/2018

My role as mayor, and chair of council meetings, requires me to ensure that the meeting is conducted in a proper and orderly manner and that the debate and outcomes can be readily understood.

This means that I have a responsibility to ensure that our meetings are conducted in accordance with the Governance Local Law, the incorporated Meeting Procedure and the Councillor Code of Conduct each of us committed to in February 2017.

If councillor behaviour during a council meeting falls short of these important governance requirements I will **immediately and impartially** use the procedures to call to order the relevant Councillor & in the event of a failure to comply with my ruling, take such other action as I am empowered to take. Our Procedure provides that any person, including a councillor, who has been called to order by the Mayor & who fails to comply with the direction will be guilty of an offence under the local law.

I trust that during this meeting & all other meetings we conduct ourselves so as to achieve the objective of our Code of Conduct – to promote good conduct and behaviour through leadership.

I will remind you Councillors, that we all signed the Code of Conduct and you made committed to a standard of behaviour.

Councillors you also passed in the chamber our Local Law 1, thus committing to a set of statutory responsibilities, standards of behaviour in a meetings and standards of Governance.

Councillors, this is now also an OH&S issue.

Personal comments or criticisms, bully or intimidation behaviours in any form, will not be tolerated from this point.

From now on I will be working to ensure that we are a place of respect, a place of free-flowing ideas, a place where we debate the issues and do not attack the person.

Any diversion from respectful behaviour will be met with sanctions.

I will quote the section of our Local Law 1 that will be implemented if these standards of basic respect are not met.

Horsham Rural City Council Local Law 1 Governance (2017)

B4 Conduct at Meetings

B.4.5 The Chairperson may order an Authorised Officer or police to remove any person, including a Councillor, who disrupts any meeting or otherwise affects the business of the meeting, or fails to comply with a direction.

B.4.6 Any person (including a Councillor) who has been called to order by the Chairperson of any meeting and who then fails to comply with the Chairperson's direction will be guilty of an offence under Local Law -governance (2016), for failure to comply with the chairperson's direction.

Penalty: Ten 10 penalty Units

B.4.8 Should disorder escalate, the Chairperson may ask to remove any person from the room in which a meeting of Council or Special Committee is held, if the Chairperson determines that the person is behaving in an improper or disorderly manner so interrupting the orderly and lawful process of the meeting.

B.6 Duties and Discretion of the Chairperson

B.6.1 It is the Chairperson's duty to retain control and order of the meeting, to act impartially and to ensure the smooth passage of business before the meeting, allowing for fair examination of contentious matters, the duties include but are not limited to:

(g) Not accept any motion, question or statement which appears to the Chairperson to be derogatory, defamatory or embarrassing to any member, member of Council Staff, ratepayer, resident or member of the public.

Councillors and officers of this chamber, I commit to you my pledge, that I will do my best to ensure you leave this chamber with the feeling of achievement and confidence that we have debated the issues with integrity and respect.

It is my role as Mayor to try my best to protect the integrity of the decision-making process, and the integrity of this chamber and the health and wellbeing of every person here.

If for any reason you cannot comply with these standards of behaviour, standard of respect for this chamber, for your fellow councillors or for the officers that must attend, then the appropriate sanctions will be applied.