

MINUTES of the Ordinary Meeting of the Horsham Rural City Council held in the Municipal Chambers, Civic Centre, Roberts Avenue Horsham on Tuesday 3 April, 2018 at 5.30pm.

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

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 Mr Sunil Bhalla, Council's Chief Executive Officer and those in attendance to the Council Meeting.

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

David Bowe	Kath Dumesny	Tom Blair	Bev Bell
Ken Schilling	Kerrie Bell	Kevin Schultz	Russell Peucker
Maurice Dumesny	Allan Mills	Cheryl Linke	Ivan Smith

3. Apologies and request for Leave of Absence

Moved Cr Radford, Seconded Cr Koenig that leave of absence from Cr Clarke from 17 April to 4 May 2018 be granted.

CARRIED

4. Confirmation of minutes and signing thereof

Moved Cr Radford, seconded Cr Gulvin 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 19 March, 2018 be adopted.

CARRIED

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

Cr Radford declared a Conflict of Interest, under Section 79(2)(C) at Item No. 7.5.1 and 10.4.2 (in open Council) relating to the YMCA Contract. Cr Radford is involved with the YMCA Community Action Group.

Cr Power declared a Conflict of Interest, under Section 79(2)(C) at Item No. 7.5.1 and 10.4.2 (in open Council) relating to the YMCA Contract. Cr Power is involved with the YMCA Community Action Group.

6. PUBLIC QUESTION TIME

NIL

7. OTHER BUSINESS

7.1 RESUMPTION OF DEBATE ON THE MOTIONS FROM PREVIOUS MEETING

NIL

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

NIL

7.3 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

7.3.1 NOTICE OF MOTION NO. 165

Given by Cr John Robinson

TAKE NOTICE that it is my intention to move the following motion at the Ordinary Meeting of the Horsham Rural City Council, to be held at the Civic Centre, Roberts Avenue, Horsham on Tuesday, 3 April, 2018.

“That under the Victorian Building Interim Regulations 2017 – Regulation 1804 ‘Exemption for Class 10 buildings on farm land’ – Council exempt from a building permit all buildings on designated farm land that are classed under the National Construction Code (NCC) as Class 10a, 10b or 10c buildings provided that the building or buildings conform to the following:

- (a) are a non-habitable building or structure,**
- (b) (i) are not used as a car park (NCC Class 7a),**
 - (ii) are not used for storage, or display of goods or produce for sale by wholesale (NCC Class 7b),**
- (c) are not a laboratory, or a building in which a handicraft or process for the production, assembling, altering, repairing, packing, finishing, or cleaning of goods or produce is carried on for trade, sale or gain (NCC Class 8)”.**

Rationale

Recent advice provided to Council that a Class 10 building is not applicable for farm sheds or farm buildings under the Building Code of Australia and that the past capacity for Council to grant exemptions is therefore no longer available is not supported by relevant legislation, codes or authorities.

Section 1804 of the Building Interim Regulations (Vic) 2017 is a valid and current regulation signed by Planning Minister Richard Wynne 23/5/2017.

- Section 1804 empowers the relevant Council to make the exemptions sought in this motion.

The Australian Building Codes Board (ABCB) is the national regulator and administers the National Construction Code.

- The NCC describes the attributes of Class 7, 8 and 10 buildings.

Contrary to recent statements by this Council the NCC provides that farm sheds or buildings can be Class 10a.

- Documentation (dated 15/3/2018) from ABCB and readily available to this Council ratifies this position.
- The ABCB provide explanatory material including a photograph of a Class 10a compliant farm shed.

On 28 March 2018 an inquiry with the Victorian Building Authority ratified the position that Council still has the power to grant exemptions for farm buildings as per above.

Copies of relevant statutes, position statements etc will be provided at the meeting or earlier if Councillors wish.

The Mayor and Ms Murphy have advised us that the position causing the withdrawal of our capacity to grant exemptions is caused by legislation. That is indicated in advice provided to myself and Council in an email from Ms Murphy dated 16 March 2018.

I am not an expert in building codes and regulations. Would you ascertain and advise the specific Act(s) and Sections / sub-sections the Mayor is relying on. My reading is that the advice provided is not correct.

At the planning meeting prior to the last ordinary meeting I expressed my concern regarding the withdrawal of the exemptions. I stated that I believed that we were not on good grounds and urged that we not form a position and not go to the community until the position was clarified.

From the audio of the last ordinary meeting it appears to me that little discussion took place and there is no indication of any work to clarify the position.

I am also disappointed that regardless of the final position there has been no apparent engagement with the farming sector who will be significantly impacted by the recent policy change on what has been a long standing arrangement. This is completely unacceptable.

Cr John Robinson

CIVIC CENTRE
HORSHAM 3400
29 March 2018

Moved Cr Robinson, Seconded Cr Grimble that Notice of Motion No. 165 be adopted.

Moved Cr Koenig, Seconded Cr Gulvin that Item No. 7.3.1 “lay on the table”.

CARRIED

7.4 COUNCILLORS QUESTIONS WITH NOTICE

NIL

Cr Power and Cr Radford declared a Conflict of Interest, pursuant to Section 79 of the Local Government Act, 1989 in respect of item 7.5.1 and left the Council Chamber at 6.08pm.

7.5 ORDERS OF THE DAY

7.5.1 YMCA CONTRACT EXTENSION PROPOSAL

File Ref: 55/01/0921

Background

The YMCA Contract Extension Proposal report was listed on the Council agenda at its Ordinary Meeting on Monday 19 March, 2018, but as there was not a quorum the report “laid on the table” until the next Ordinary Meeting of Council to be held on Tuesday 3 April, 2018.

Refer to Director Community Services Item No. 10.4.2 on page 22 for report on this matter.

Recommendation

That this item be “lifted from the table” and dealt with at this current Council meeting at Item No. 10.4.2 of the Director Community Services.

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

CARRIED

Cr Power and Cr Radford returned to the Council Chamber at 6.09pm after the vote was taken.

8. OTHER REPORTS

8.1 ASSEMBLY OF COUNCILLORS – RECORD OF MEETINGS

Council Briefing meeting held on Monday 26 March, 2018 at 5.00pm in the Reception Room followed by a community meeting at the Kalkee Recreation Reserve at 7.30pm.

Details Budget meeting held on Tuesday 27 March, 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 Bicycle Advisory Committee Meeting held on Wednesday 14 February 2018 at 5.00 pm in the Civic Centre, Roberts Ave, Horsham.

RECEIVED

8.4.2 Horsham Regional Livestock Exchange Board of Management Meeting held on Thursday, 15 February 2018 at 5.00pm at the Livestock Exchange, Western Highway, Horsham.

RECEIVED

8.4.3 Wimmera Southern Mallee Regional Transport Group Meeting held on Friday, 9 March, 2018 at 12.00pm in the Reception Room, Council Offices, Horsham.

Moved Cr Grumble, Seconded Cr Koenig that Item No. 8.4.3 be received.

CARRIED

8.4.4 Municipal Emergency Management Planning Committee Meeting held on Wednesday, 14 March, 2018 at 10.30am in the Reception Room, Council Offices, Horsham.

Moved Cr Grumble, Seconded Cr Radford that Item No. 8.4.4 be received.

CARRIED

Moved Cr Grumble, Seconded Cr Radford that Council request a further report from the Director Technical Services in relation to the Emergency Management Legislation Bill 2018.

CARRIED

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

9. COUNCILLORS' REPORTS

Cr Robinson

- 26 March - Kalkee community meeting. The meeting was exceptionally well attended and it was great to be there. Issues raised included the poor state of gravel roads which are a safety issue, high land values, rating differentials and farming shed permits.
- Welcome to Mr Sunil Bhalla, Council's new CEO.

Cr Power

- 26 March – Council Briefing Meeting followed by a meeting with the Kalkee community at the Kalkee Recreation Reserve.
- 27 March - Budget Review meeting which was very informative. Thank you to Graeme Harrison and his staff for preparing the review.
- Chaired the junior football netball club meeting. The district league football season starts next week. A lot more young people are involved in this sport. It is good to see children getting away from mobile devices and playing sport.

Cr Grimble

- Cr Grimble welcomed Sunil Bhalla and his family to the Horsham Rural City Council. The community will embrace your leadership and look forward to working with you. Welcome to the Wimmera and Horsham.

Cr Gulvin

No report.

Cr Koenig

- Cr Koenig thanked Council for accepting his apology at the last Council meeting due to illness.
- 13 March - WDA Board Meeting at Longerenong College and listened to speakers. The college are gaining students from abroad.
- 26 March - Council Briefing Meeting.
- 27 March - Budget Review Meeting.
- 29 March - Youth Strategy Meeting. The consultants are working with the community. Horsham has an aging population and it is important not to lose our youth.
- Farm to Fork evening in Roberts Place. It was a great event and Roberts Avenue was full. This is a progressive initiative.
- Cr Koenig caught up with a gentleman in relation to Dudley Cornell Oval and discussed future opportunities.

- Cr Koenig welcomed the new CEO Sunil Bhalla and is looking forward to meeting with him.

Cr Radford

- Cr Radford acknowledged the Natimuk Show. This is a great little event for their town. The show finished off with fireworks.
- 27 March - Budget Review Meeting. The Council are making important budget decisions.
- 27 March - Wimmera Sports Stadium meeting to review community feedback. Council has received a letter from the Basketball Association pointing out their concerns. Council are looking forward to having a round table meeting with the Basketball Association.
- 3 April - Welcome afternoon tea for Mr Bhalla.

Cr Clarke, Mayor

- 20 March – Meeting with Jess Grimble, Wimmera Mail-Times Editor about the Western Rail project.
- 22 March – Audit Committee Meeting.
- 23 March - Horsham College Deb Ball. Thirty five couples were presented. It is the first time they have had two ladies partnered. It was wonderful to see the students practice and learn the discipline. Cr Clarke appreciated standing with Emma Kealy and Rob Pyers to present the students.
- 24 March - Opened Diversity Day at the Town Hall. It was a celebration of our community. We have some amazing talent in the community. Nearly 300 people attended the event.
- 24 March – Country Music Festival. About 850 people attended the evening event. The patronage was about 5% increase from last year.
- 26 March – Had an exciting discussion about the Western Rail project.
- 26 March – Council Briefing Meeting followed by a meeting with the Kalkee community.
- 27 March – Western Rail Project meeting at Dunkeld. It was a constructive meeting. The group are thinking of ways to get the message out and they want to know how rail impacts on people.
- 27 March - Budget Review Meeting.
- 28 March - Drew the winning Easter raffle ticket for the City of Horsham Lions Club.
- 28 March - Farm to Fork evening. It was good to see quality produce at the market.
- Cr Clarke hoped that everyone had a very happy Easter.
- Cr Clarke welcomed Mr Bhalla to our Council. Mr Bhalla will be able to look at the Council with fresh eyes. This is good for an organisation.

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

CARRIED

10. OFFICERS REPORTS

10.1 CHIEF EXECUTIVE

Moved Cr Grimble, Seconded Cr Radford that this item be received.

CARRIED

10.2 DIRECTOR OF CORPORATE SERVICES

10.2.1 INQUIRY INTO THE SUSTAINABILITY AND OPERATIONAL CHALLENGES OF VICTORIA'S RURAL AND REGIONAL COUNCILS – FINAL REPORT

K Bell

File Ref: F14/A03/000002

Purpose

To inform Council that the Victorian State Government have tabled their Final Report on the *Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils* and to provide a summary of the key findings and 14 recommendations set out in the report. A full copy of the report is available from the [Parliament of Victoria](#) website.

Background

In May 2015, the Environment, Natural Resources and Regional Development Committee (ENRRDC) was asked to examine the sustainability and operational challenges facing Victoria's rural and regional councils.

The Committee, over the course of the inquiry, collected information from the Victorian rural and regional councils recording experiences, knowledge and ideas from a variety of people and organisations. A total of 69 written submissions were received and 8 public hearings were held across the State.

Horsham Rural City Council prepared and lodged a submission to the Inquiry which was endorsed by Council at its meeting on 5 September 2016 (**Appendix "10.2A"**). Throughout the Final Report by the ENRRDC there are several references to issues and concerns raised in Horsham Rural City Council's submission.

Issues

The Committee found that the great diversity of demographic factors, physical characteristics and the location of municipalities impacts on how much revenue each council can raise and how much it needs to pay to fulfil its responsibilities to communities

The Committee have identified that changes need to be made in four key areas:

- **A need for a new approach to funding** – an increase in funding from other sources to reduce the dependency on rates
- **Council responsibilities should be reconsidered and reviewed** – develop a clear set of core responsibilities
- **Identify and implement efficiencies** – share services and facilities
- **Manage community expectations** – inform the community of the full range of services and infrastructure Council manages, their costs and how they are funded

Recommendations from the Report

Recommendation 1: *That the State Government evaluate the rating system to identify changes that would improve its fairness and equity, while continuing efforts to reduce the overall rates burden. This could include:*

- (a) considering whether mandatory differential categories should be implemented*
- (b) reconsidering the rule that the lowest rate can be no less than 25 per cent of the highest rate*
- (c) considering whether rates for agricultural land should be calculated in a different way to other categories of land to reduce the very high rates paid by some farmers.*

Recommendation 2: *That the Local Government Performance Reporting Framework be amended to include measures of the financial and social impact of rates on the community.*

Recommendation 3: *That the State Government seek, through the Council of Australian Governments, an increase in the Financial Assistance Grant pool to compensate for inflation and population growth between 2013 -14 and 2016 -17.*

Recommendation 4: *That the State Government seek, through the Council of Australian Governments, a guarantee from the Commonwealth Government that the Financial Assistance Grant pool will be indexed in future years in line with inflation and population growth.*

Recommendation 5: *That the State Government seek, through the Council of Australian Governments, changes to Commonwealth legislation to reduce the proportion of the Financial Assistance Grant pool that must be distributed to councils based on their population, so that a larger proportion can be distributed based on councils' need.*

Recommendation 6: *That the State Government establish a new grants program designed to assist small rural councils to deliver core services. Grants through this program should be:*

- (a) ongoing, to provide certainty to councils and assist with planning*
- (b) untied, so councils can use the money according to local priorities*
- (c) distributed by the Victoria Grants Commission according to councils' needs without councils being required to apply for the grants or provide co-contributions.*

Recommendation 7: *That the State Government conduct a detailed review of councils' current responsibilities. This review should:*

- (a) identify what services councils are currently delivering and what types of infrastructure they are currently managing*

(b) identify which responsibilities councils are best suited to manage and which could be better managed by other levels of government (for example, roadside weed and pest animal control, floodplain management and flood mitigation infrastructure should be considered)

(c) develop a clear set of core responsibilities that councils are expected to undertake

(d) develop minimum service levels for councils' core responsibilities.

Recommendation 8: *That Local Government Victoria continue and expand efforts to facilitate councils finding efficiencies. This should include supporting information sharing between councils and facilitating shared service and resource arrangements where appropriate (including joint purchasing, shared service delivery, sharing staff and sharing equipment).*

Recommendation 9: *That the State Government make grants available for councils wishing to investigate and establish shared service and resource arrangements or to bring in experts to identify potential efficiencies. The grants should assist councils with the costs of identifying potential arrangements and working with other councils to put them in place. To be eligible for these grants, councils should be required to have independent experts review their operations to identify efficiencies at least once every four years and to make the results of these reviews publicly available.*

Recommendation 10: *That the State Government continue and expand efforts to grow the population and economy of regional Victoria, especially in the more remote rural areas. Among other things, these efforts should include job opportunities and infrastructure to make areas liveable and to enable businesses to succeed.*

Recommendation 11: *That councils take more opportunities to communicate the level of subsidy provided by councils for services. For example, councils should consider including information when people pay indicating how much of the service is covered by user charges and how much it is subsidised from other sources.*

Recommendation 12: *That, following the review of council responsibilities set out in Recommendation 7, the Local Government Performance Reporting Framework be amended to require councils to report on the proportion of their expenditure used to deliver core services and infrastructure compared to the amount spent on discretionary services and infrastructure.*

Recommendation 13: *That Local Government Victoria work together with other government bodies to investigate data-sharing processes that could reduce the reporting burden on local councils without compromising accountability.*

Recommendation 14: *That, when establishing grants programs requiring co-contributions, the Government consider additional use of varying funding ratios for different council categories, including setting no co-contribution requirements for small rural councils, where possible and appropriate.*

Consultation/Communication

The Final Report into this Inquiry was tabled by Parliament on 27 March 2018, the day this report was written. There will no doubt be considerable communications in the coming months on the Findings and Recommendations of this Inquiry.

Financial

The 14 recommendations made by the Committee are intended to strengthen the financial position of rural and regional Councils by reviewing revenue sources, identifying efficiencies, focusing on core responsibilities and managing community expectations. The financial impact to our Council is yet to be determined.

Links To Council Plans, Strategies, Policies

Council Plan Goal 4 - Governance and Business Excellence
Excel in communication, consultation, governance, leadership and responsible use of resources.
Increase overall score in the Community Satisfaction Survey.

Provided for information of Council.

Moved Cr Robinson, Seconded Gulvin that the report be received.

CARRIED

10.3 DIRECTOR OF PLANNING AND ECONOMIC

10.3.1 MANAGEMENT OF CORELLAS

A Murphy File Ref: F01/A01/000001

Purpose

To provide an update to Council on the management of corellas in Horsham Rural City Council.

Background

As Council will be well aware, corellas have been part of the Wimmera landscape for years with numbers fluctuating at different times of the year depending on the weather conditions, food availability and season.

Historically, the Department of Environment, Land, Water and Planning (DELWP) have played a role in direct program delivery of management and control of corellas. However, the State Government's role has shifted to provision of information and advice, and not direct service delivery or direct ongoing control of problem wildlife. Responsibility for management of corellas has been left to local government to facilitate, without resources from government to support the program.

Council, at its meeting held on 5 February, 2018 resolved that the Acting Chief Executive contact our neighbouring Councils to address the matter of corellas damage.

Issues

The Acting Chief Executive met with other Wimmera Council representatives on 8 February 2018 where there was general agreement to share information and approaches to corella management. Council officers have also met with DELWP to seek their support with a corella control program, however, as previously stated their role is to provide advice and information.

In terms of the current season, Council engaged a drone operator for a two week period to trial the scaring of birds away from Horsham City Oval, Coughlin Park and the Horsham Lawn Tennis Courts where damage to the oval surfaces have occurred. This action appeared to work early on in the trial, but overall the program was not successful. At the same time, Council has offered a scare gun to sporting groups and has encouraged sporting groups to obtain a populous place permit (for a built up area) to destroy corellas causing damage to infrastructure particularly the ovals.

Council proposes to work with DELWP and other stakeholders during the current calendar year to develop an integrated management plan for the next season. This integrated management plan will be developed in collaboration with key stakeholders such as DELWP and the sporting groups to implement a workable, achievable cost effective plan.

As stated by Ian Temby, Wildlife Management Consultant, “there is no simple solution to reduce the problems associated with corellas roosting in towns or urban areas, and no easy way to get rid of them. Each problem needs to be assessed and dealt with in a specific way. Any successful strategy will combine elements to deal with individual problems and will require the cooperation of the community, a commitment to undertake and persist with the strategy until the goals are achieved, and the capacity and willingness to adapt or vary the strategy to manage unexpected responses from the corellas. Some people regard corellas as a pest, while others enjoy their presence.”

Consultation

Consultation and advice has been sought through DELWP, neighbouring Councils and sporting groups

Financial

The cost of the two week drone program trial was \$4,200, together with staff time to co-ordinate, and staff resources to repair the damage to the ovals. The proposed integrated management plan for corellas will articulate the estimated cost of delivering a program and will need to be flexible depending on Council resources and priorities.

Links to Council Plans, Strategies, Policies

Goal 2 Sustaining the Economy

Provided for information of Council.

Moved Cr Grimble, Seconded Cr Koenig that the report be received.

CARRIED

10.3.2 INDUSTRIAL ESTATES UPDATE

A Murphy File Ref: F15/A07/000002

Recommendation

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

Moved Cr Koenig, Seconded Cr Radford that this item be considered in Closed Council (“Committee”).

CARRIED

10.4 DIRECTOR OF COMMUNITY SERVICES

10.4.1 COUNCIL LEADERSHIP STATEMENT TO SUPPORT THE PREVENTION OF VIOLENCE AGAINST WOMEN AND CHILDREN

M Stewart

File Ref: F10/A07/000001

Purpose

To recommend to Council the adoption of an updated leadership statement to support the prevention of violence against women and children.

Background

In 2014, Council made a leadership commitment and statement to the prevention of violence against women. The Act@Work program was then introduced in 2017 as part of a region-wide strategy. Act@Work aims to address inequality as it is one of the main drivers of violence against women. An action plan was developed as part of the Act@Work Program, which committed to a review the of the 2014 leadership statement.

Issues

The family violence incident rate in Horsham Rural City per 100,000 of population (October 2015 – September 2016) was more than double the Victorian average (2730.6 v. 1,302.1). Horsham has consistently had the highest rate of family violence incidents in the Grampians Region (2011 to 2016). Since 2012, Horsham has consistently been in the top 10 worst performing Local Government Areas across the State in relation to family violence.

While most victims are aged 35 years and over, more than 27 per cent of Horsham Rural City victims were aged less than 25 years. Comparison of per population rates of victims aged less than 25 years indicate that Horsham Rural City population in this age group are much more likely to be victims compared to the regional Victoria average.

The risk of violence is worse for Aboriginal and Torres Strait Islander women, rural/regional women, culturally and linguistically diverse women, women with disabilities and the elderly because they already face other systems of oppression and discrimination which compound their experience of violence.

Violence against women is preventable by ensuring respect and equality between women and men. Horsham Rural City Council has a leadership role in the community and can influence culture and social norms through our interaction with individuals, families, organisations and community to eliminate attitudes that support violence.

Our leadership and participation in this work is critical to ensure safe, inclusive and respectful communities.

Proposed Leadership Statement

“Horsham Rural City Council is committed to creating a safe, equal and respectful community that supports the prevention of (or is free from) violence against women and children.

Violence against women is preventable by ensuring respect and equality between women and men. Horsham Rural City Council has a leadership role in the community and can influence cultural and social norms through our interaction with individuals, families, organisations and community to eliminate attitudes that support violence. Council has an obligation to ensure a safe, equal and respectful workplace and to support employees.

Council is committed to addressing the drivers of gender inequality through the full range of our functions and responsibilities. Our work is underpinned by Council’s membership of the CoRE Alliance; by our Act@Work Action Plan and by actions listed in the Council Plan; Health and Wellbeing Plan and other Council strategies.”

Consultation/Communication

This statement was developed in consultation with the Council’s Act@Work working group.

Financial

There is no direct financial implication of the adoption of the Statement.

Links to Council Plans, Strategies, Policies

Council has made commitments to address the drivers of gender inequality through Council’s membership of the CoRE Alliance (Communities of Respect and Equality); by our active participation in the Act@Work Action Plan and by actions listed in the Council Plan; Health and Wellbeing Plan and other Council strategies.

Gender Equity Considerations

It is acknowledged that violence is also perpetrated against men. Family violence is highlighted as a significant issue in the community. However, the issues of violence against women needs to be addressed separately due to statistics that highlight how significant this issue is for Horsham Rural City. This can be addressed through challenging gender stereotypes and positive male role modelling.

Recommendation

That Council adopt the proposed new Leadership Statement for prevention of violence against women and children.

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

CARRIED

Cr Radford and Cr Power declared a Conflict of Interest, pursuant to Section 79 of the Local Government Act, 1989 in respect of item 10.4.2 and left the Council Chamber at 7.17pm.

10.4.2 YMCA CONTRACT EXTENSION PROPOSAL

K O'Brien

File Ref: 55/01/0921

Purpose

To provide a report with a recommendation to finalise contract extension negotiations with the YMCA in relation to Contract 12/046: Management and Operation of Horsham Aquatic Centre.

Background

Council entered into a contract with the YMCA in July 2012 for management of the Horsham Aquatic Centre for a three-year term, with two further options, each for an additional three years. The first of these options was taken up by the YMCA, which extended the original contract until 30 June 2018.

In December 2017, the YMCA submitted an initial contract extension proposal for the second three-year option as per the conditions of the contract. Since then discussions have taken place with the YMCA regarding the proposal, in particular regarding the new contract cost and the proposal to introduce a 24/7 Gymnasium.

Negotiations have taken place with the YMCA, Acting CEO (Graeme Harrison) and Director Community Services (Kevin O'Brien) after more detailed financial information and proposed Key Performance Indicators (KPIs) were provided by the YMCA. A detailed analysis was undertaken of the gross margins associated with each of the service activities and the changes in key items of expenditure such as salaries and YMCA overheads. From that analysis it was accepted that the figures reflected a reasonable position going forward. Following these negotiations, we have reached what officers consider to be an acceptable position.

The contract documentation states the following aims:

To engage a management agency for the Horsham Aquatic Centre who will develop an effective and accountable management relationship with Council to provide sporting and recreational facilities of the highest standard that:

- Seek to cater for the needs of all sections of the local community and visitors as far as practicable;
- Are utilised for fun and enjoyment, social connection, health and fitness, education and training, relaxation and competition;
- Are innovate and creative in the range of leisure opportunities available to users;

- Encourage and support residents, local organisations and groups to participate in a range of recreational activities;
- Demonstrate sound business acumen, industry best practice and a focus on quality services;
- Deliver on Council's goals as included within the Council Plan;
- Recoup the operational cost of the facility while maintaining a high quality, affordable service; and provide an environment that is functional and safe.

Discussion

If approved by Council the YMCA contract extension proposal increases the current annual contract payment of \$100,848 to the following:

2018/19	2019/20	2020/21
\$250,000	\$255,000	\$260,100
Profit share – YMCA 100% Loss share – YMCA 100%	Profit share – YMCA 100% Loss share – YMCA 100%	Profit share – YMCA 100% Loss share – YMCA 100%

The YMCA has also agreed to the following conditions:

- No business changes to the current operation
- YMCA to fund a 24/7 fit out of the facility including enhanced facility surveillance systems (\$65,000 approximate upfront capital investment)
- Council will own the assets at the end of the end of the three year contract.
- Upgraded facility surveillance system
- Three-year extension period concluding 30th June 2021

The justification for the profit/loss share arrangement is that YMCA is taking the risk of the 24/7 Gym model by making the capital investment; therefore, it is fair that the YMCA should take any profit that occurs through this investment. The 100% contractor profit/loss share arrangement reduces Council financial exposure.

Issues

Increase in Local Competition

A recent shift in local competition has seen the rise of private fitness and swimming lesson providers allowing increased options at lower price points for the community. As such, the YMCA has experienced significant and unanticipated financial shortfalls over the previous three years.

On average, there have been 116 less members per month in the 2016/17 financial year compared to the average number of members in the previous three years (2012/13, 2013/14 and 2014/15 financial years). This has resulted in a loss of income. A similar story with swimming memberships with an average reduction of 117 per month in 2016/17 financial year compared to the average of the previous three years (2012/13, 2013/14 and 2014/15 financial years), which also resulted in a significant loss of income in the 2016/17 financial year.

Current Service Delivery Model

The contract extension proposal was discussed at the December and January Council Briefing. Council indicated it did not want to reduce the current service levels as per the current contract.

24/7 Gym Model

At the December Council Briefing there was a request for more information to be provided in relation to a proposed 24/7 Gym model, in particular as to whether it would bring former members back to the facility. The YMCA subsequently carried out a survey of ex members, casuals and the general community. In summary, in relation to the 24/7 Gym model, overall 58% of 327 respondents to the survey would welcome the increase in hours.

The YMCA sees the introduction of the 24/7 model as more of a membership retention strategy rather than leading to increased memberships (which may also occur). The YMCA argues that by introducing the 24/7 model it will meet the broader needs of the community, which are changing constantly requiring more flexibility in the way current services are delivered. The YMCA are willing to fund the capital amount required to set up the 24/7 Gym.

Financial Analysis

A detailed analysis was carried out of the YMCA financial model for the final contract extension period. Overheads are budgeted to increase by an average of 2.33% per annum. There is expected to be a significant increase in Aquatic Education revenue as a result of changes in the structure of the program and additional marketing. Also casual aqua aerobics, recreational swim and group fitness attendances are expected to increase.

Development of new Key Performance Indicators

The YMCA has agreed to develop new KPIs, which would be reported on a monthly basis to the contract manager. Targets are to be finalised before the contract commences.

Consultation/Communication

- Monthly reports are provided to Council in relation to YMCA's performance.
- There is an Advisory Committee meeting bi-monthly that provides feedback on the operation of the facility.
- A number of meetings have been held with the YMCA in relation to the contract extension proposal.
- The YMCA has carried out a specific survey in relation to the 24/7 gym model to provide an opportunity for former members, casual members and the general community to provide feedback on current service provision.

Financial

The 2017/18 & proposed 2018/19 Budget for the overall running of the Horsham Aquatic Centre is as follows:

Item	2017/18	2018/19 (proposed)
Aquatic Centre Building Maintenance	54,000	56,000
Aquatic Centre Grounds Maintenance (Materials)	800	1,000
Aquatic Centre Grounds Maintenance (Plant Hire)	3,100	3100
Aquatic Centre Grounds Maintenance (Wages)	12,900	13,400
Aquatic Centre Major Plant Maintenance (Scheduled and Reactive)	47,000	47,000
Contractors (YMCA)	100,848	250,000
Contractors Other	9,152	9,000
Electricity	163,000	183,000
Fire Services Levy	10,500	10,000
Gas Charges	71,500	81,500
General Rates	48,000	48,000
Insurance	13,000	13,000
Materials Purchased	700	700
Other Sundry Expenses (Miscellaneous when required)	10,000	10,000
Water Charges	35,000	42,600
Outdoor Pool Maintenance	4,000	4,000
Total	\$583,500	\$772,300

The actual contract payment to the YMCA in the 2017/18 financial year is \$100,848.00. This has remained the same for the past three years. Any proposed increases in Fees and Charges are subject to approval by Council as per contract conditions.

There is a proposal to install Solar Panels at the Horsham Aquatic Centre. The timing of this is unknown at this point as are the exact expected savings. Installation would be dependent upon the receipt of a state government grant.

It also needs to be noted the YMCA's commitment to reduce energy has been highlighted in their proposal letter. As part of an ongoing commitment to the sustainable operation the Horsham Aquatic Centre, the YMCA will also commit to support council to explore energy related efficiency initiatives which can potentially reduce the level of energy consumption at the facility.

The YMCA has proposed an increase in the contract payment as follows, 2017/18 arrangements have been included for comparison purposes:

2017/18	2018/19	2019/20	2020/21
\$100,848	\$250,000	\$255,000	\$260,100
Profit share – YMCA 50%, 50% Council. Loss share –YMCA 100%	Profit share – YMCA 100% Loss share – YMCA 100%	Profit share – YMCA 100% Loss share – YMCA 100%	Profit share – YMCA 100% Loss share – YMCA 100%

It is to be noted that the proposed 2018/19 contract figure above does not include the additional funding required to extend the outdoor pool’s hours on a trial basis in the 2018/19 season as per the recent petition to Council, the amount being \$8,609.84. This would occur through a contract variation. This amount is included in the overall budget as “contractors other” in the Financial section above.

Links To Council Plans, Strategies, Policies

- Council Plan 2017-2021
- Municipal Public Health and Wellbeing Plan 2017-2021
- Horsham Aquatic Centre Master Plan 2017
- Early Years Plan 2014

Conclusion

The additional proposed cost to the YMCA Contract is due to changes in the market because of new gym providers and competition in relation to swimming lessons.

The introduction of the 24/7 model invests in an innovative service model which will better meets community needs with no Council contribution and the possibility of generating additional memberships.

Recommendation

That Council accepts YMCA’s contract extension offer as follows:

- Contract fees

2018/19	2019/20	2020/21
\$250,000	\$255,000	\$260,100
Profit share – YMCA 100% Loss share – YMCA 100%	Profit share – YMCA 100% Loss share – YMCA 100%	Profit share – YMCA 100% Loss share – YMCA 100%

- No business changes to the current operation.
- YMCA to fund a 24/7 fit out of the facility including enhanced facility surveillance systems (\$65,000 approximate upfront capital investment).
- Upgraded facility surveillance systems.
- Three-year extension period concluding 30 June 2021.

Moved Cr Grimble, Seconded Cr Robinson that the report be received.

CARRIED

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

CARRIED

Cr Radford and Cr Power returned to the Council Chamber at 7.23pm after the vote was taken.

10.5 DIRECTOR OF TECHNICAL SERVICES

10.5.1 CREATION OF NEW ADVISORY COMMITTEE

Mandy Kirsopp

File Ref: 99/01/05957A

Purpose

To create a new Advisory Committee known as the Dudley W Cornell Reserve Advisory Committee.

Background

The North Park Committee of Management was established in 1984. In 2001, the reserve was renamed Dudley W Cornell Park in recognition of the community work undertaken by the long-serving secretary of the committee, Mr Dudley Cornell. Mr Cornell was secretary of the committee from 1984 – 2006.

The purpose and operation of the committee was reviewed in 2016 as part of a larger project involving Council's special committees. The review identified that the committee had been in recess since 2014 and that bookings, invoicing and maintenance requirements at the reserve were being managed by the Technical Services' Department.

In July 2016, Council approved the revocation of the Committee.

Issues

In the 2016 report to Council it was noted that "it is anticipated that an Advisory Committee will eventually be established to provide a consultative mechanism for the community surrounding and using the reserve."

The Kalkee Road Children's Hub has recently been completed, generating increased activity in the area. The Salvation Army Community Patch (vegetable and fruit garden) is developing and funding has been obtained from Sport and Recreation Victoria for a female friendly change facility.

A master plan is being developed for the Dudley W Cornell Reserve. The master plan will guide future development within the reserve.

The draft Terms of Reference for the Advisory Committee have been developed and are attached as **Appendix "10.5A"**. The purpose of the committee will be to provide advice and recommendations on:

- Planning for the precinct that complements the local environment and represents best practice in integrated urban and recreational design,
- Prioritisation of developments, ensuring changes are coordinated and reflect the needs of the community and users of the reserve,

- Improvements to the safety of users and community members accessing the reserve
- Opportunities to maximise club and community usage of the reserve.

The membership of the committee is proposed to comprise the following:

- Community representatives (2)
- Colts Cricket Club
- Horsham Soccer Club
- Horsham Little Athletics Centre
- Wimmera Primary Schools Sporting Association
- Horsham Community Patch
- Horsham Primary School - Rasmussen Rd campus
- Kalkee Road Children's Hub
- Horsham Rural City Council, Councillor

Consultation/Communication

Meetings have occurred with representatives of key user groups of the reserve in October 2017 and February 2018.

Representatives of the following clubs have been consulted:

- Colts Cricket Club
- Horsham Soccer Club
- Horsham Little Athletics Centre
- AFL Wimmera Mallee
- Primary School Sports Association
- Salvation Army Community Patch

Financial

Bookings for the reserve and all maintenance associated with the upkeep of the reserve have been handled directly by Council since 2014.

The establishment of an Advisory Committee creates an additional workload for staff in the Recreation and Sustainability Department (Technical Services) because of evening meetings and liaison with community groups.

Links To Council Plans, Strategies, Policies

The establishment of an Advisory Committee links with the Council Plan Four Year priority 1.2 – develop a safe, active and healthy community, encouraging participation

Gender Equity Considerations

Attempts will be made to establish a committee with an equal representation of men and women.

Recommendation

1. That the Terms of Reference for Dudley W Cornell Reserve Advisory Committee **Appendix "10.5A"** be adopted and that the recruitment process for members of the committee commence.
2. That Council nominate a Councillor representative for the Committee.

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

CARRIED

10.5.2 BICYCLE ADVISORY COMMITTEE STRATEGIC PLAN

Martin Duke File Ref: F01/A01

Purpose

This report advises Council on progress made by the recently formed Bicycle Advisory Committee.

Background

On 7 August 2017, Council adopted a Terms of Reference for the Bicycle Advisory Committee. The Committee has subsequently been developing its role and has adopted the attached Strategic Plan **Appendix "10.5B"** and the related Background Document **Appendix "10.5C"**.

Issues

The Committee is now working on an Implementation Plan. Once this is in place they will have a structured process to advise Council in the planning and delivery of bicycle needs, and provide valuable insights and perspectives on cycling in our community. Specifically, as outlined in the Strategic Plan, improving interconnecting networks, improving recreation off-road routes and increasing awareness of safe commuting and recreational cycling.

Consultation/Communication

The committee members (listed below) are a great representation of the community at this stage, but the Committee intends reviewing its membership once the Strategic matters are confirmed.

Ms Alethea Sedgman	Councillor
Mr Gary Aitken	Wimmera River Improvement Committee
Mr Alan Bedggood	Cycling Community
Ms Janine Harfield	Health Sector
Dr Grant Hollaway (Chair)	Cycling Community
Mr Rudy Panozzo	Cycling Community
Ms Gillian Vanderwaal	Cycling Community

Financial

There are no direct costs associated with the running of the Advisory Committee. The committee makes recommendations and provides a forum for community feedback to council officers.

Links To Council Plans, Strategies, Policies

Goal 1 – Community and Cultural Development

Aim for 1.2 – Develop a safe, active and healthy community, encouraging participation

1.4 - Develop the municipality as a desirable place to live, work and enjoy for people of all ages and abilities

What we'll do –

1.2.10 Plan and progressively construct shared cycling and walking track paths along the Wimmera River – from Riverside Bridge to Horsham Weir – both sides, including improvements to lighting and other facilities

Goal 2 – Sustaining the Economy

Aim for 2.2 Support initiatives for improved transport services in and around the municipality

What we'll do –

2.3.02 Pursue opportunities for improvements at the Police Paddock Reserve/Horsham North including walking and bike tracks in the vicinity

2.3.06 Investigate opportunities and plan for possible bike trails, Green Lake to Horsham, Horsham to Natimuk, Wartook to Zumsteins

Goal 3 – Asset Management

3.4.01 Develop infrastructure that encourages greater participation and use of alternate transport options to the city (e.g. walking, cycling and public transport).

Recommendation

That Council note the Bicycle Advisory Committee Strategic Plan.

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

CARRIED

11. URGENT BUSINESS

NIL

Moved Cr Robinson, Seconded Cr Gulvin that the Council Meeting close to consider item number 10.3.1 of the Director Planning and Economic Report deemed to be of a confidential nature in accordance with Section 89(2) of the Local Government Act, 1989.

CARRIED

The time being 7.39pm the Council meeting closed.

Moved Cr Robinson, Seconded Cr Koenig that the Council meeting open.

CARRIED

The Council Chamber doors were opened at 7.49pm.

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

CARRIED

The meeting closed at 7.50pm.

The Mayor, Cr P Clarke
Chairperson