
MINUTES of the Council Meeting of the Horsham Rural City Council held in the Council Chambers and livestreamed at www.hrcc.vic.gov.au at 5.30pm on 25 September 2023.

PRESENT

Cr Robyn Gulline (Mayor), Cr Penny Flynn (Deputy Mayor), Cr David Bowe, Cr Claudia Haenel, Cr Les Power, Cr Bob Redden, Cr Ian Ross.

ALSO IN ATTENDANCE

Sunil Bhalla, Chief Executive Officer; Kim Hargreaves, Director Corporate Services; Kevin O'Brien, Director Communities and Place; John Martin, Director Infrastructure; Fiona Kelly, Executive Assistant to the CEO and Councillors.

1. PRAYER

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

2. ACKNOWLEDGEMENT OF COUNTRY STATEMENT

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

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

3. OPENING AND WELCOME

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

4. APOLOGIES

Nil

5. LEAVE OF ABSENCE REQUESTS

Nil

6. CONFIRMATION OF MINUTES

Recommendation

That the minutes emanating from the Council Meeting of the Horsham Rural City Council held in the Council Chamber, Civic Centre, Horsham at 5.30pm on 28 August 2023 be adopted.

Council Resolution

MOVED Cr Penny Flynn, Seconded Cr Les Power

That the minutes emanating from the Council Meeting of the Horsham Rural City Council held in the Council Chamber, Civic Centre, Horsham at 5.30pm on 28 August 2023 be adopted.

CARRIED

7. CONFLICTS OF INTEREST

Declarations of Interest

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

Members of Staff

Under Section 130 of the *Local Government Act 2020*, officers or people engaged under contract to the Council providing a report or advice to Council must disclose any conflicts of interests in the matter, including the type of interest.

Nil

8. PUBLIC QUESTION TIME

Nil

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<i>Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(g) – Private Commercial Information</i>	
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<i>Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(g) – Private Commercial Information</i>	

CLOSE



SUNIL BHALLA
Chief Executive Officer

REPORTS FOR COUNCIL DECISION

9. OFFICERS REPORTS

9.1 PARKING MANAGEMENT PLAN

Author's Name:	Kevin O'Brien	Director:	Kevin O'Brien
Author's Title:	Director Communities & Place	Directorate:	Communities and Place
Department:	Communities and Place	File Number:	F06/A13/000003

Officer Conflict of Interest

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

Yes No

Reason: Nil

Status

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

Yes No

Reason: Nil

Appendix

Parking Management Plan June 2021 (**Appendix 9.1A**)

Parking Management Plan Review Community Feedback Form Submissions (Redacted) (**Appendix 9.1B**)

Parking Management Plan Review Submissions Other (Redacted) (**Appendix 9.1C**)

Petition (Redacted) (**Appendix 9.1D**)

Purpose

To present the findings of the review of the Parking Management Plan (2021).

Summary

- Outline of current Central Activity District (CAD) parking arrangements
- Summary of feedback received on the current parking management plan with proposed solutions
- Petition highlighting concerns with paid parking
- Implications in relation to proposed changes
- Recommended changes

Recommendation

That Council:

1. Receive and note the petition submitted by Ms Kath Dumesny on behalf of the petitioners.
2. Note Ms Kath Dumesny's request to Council to consider the petition as part of the current parking review.
3. Having considered the community feedback and the concerns expressed in the petition, make the following changes to the 2021 Parking Management Plan:
 - a. Introduce 30-minute free parking in the Central Activity District applicable to the current 2P metered parking bays.
 - b. Introduce all day free parking and 4-hour free parking in the following locations: 4 hours unmetered, east end of Roberts Avenue on southern side between Urquhart Street and end of old Kindergarten site, all day parking unmetered , between old Kindergarten site and Whitehart Hotel; all day unmetered parking McLachlan Street (middle section), between Firebrace Street and Darlot Street (start at Bradbury Carpark); 4 hour unmetered parking in the middle section of Hamilton Street (between Grampians Community Health and Darlot Street); all day unmetered, middle section of Hamilton Street between Firebrace Street and Madden Street; all day unmetered parking, northern section of Darlot Street between McLachlan Street and May Park.
 - c. Relocate low demand meters, no longer required due to the introduction of either 4 hour unmetered or all day unmetered parking, to ensure where practicable there is no more than 30 metres between parking meters in the Central Activity District.
 - d. Free parking be made available for those with Accessible Parking Permits (Blue or Green), without having to enter the number plate into the meter or Blinky App., noting these are time limited as sign-posted.
 - e. Establishment of long vehicle bays (x2) in Ward Street in close proximity to the Horsham Town Hall to allow another space for caravans to park to access Visitor Services at the Horsham Town Hall.
 - f. Introduce 30-minute unmetered parking in front of the Post Office (4 bays).
 - g. Non-removal of on street fleet vehicle spaces (notably GWMWater and Council) to off street locations.
 - h. Investigate the introduction of tap and go and weekly/monthly/ yearly permit.

Council Resolution**MOVED Cr Bob Redden, Seconded Cr Les Power**

That Council:

1. Receive and note the petition submitted by Ms Kath Dumesny on behalf of the petitioners.
2. Note Ms Kath Dumesny's request to Council to consider the petition as part of the current parking review.
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 - c. Relocate low demand meters, no longer required due to the introduction of either 4 hour unmetered or all day unmetered parking, to ensure where practicable there is no more than 30 metres between parking meters in the Central Activity District.
 - d. Free parking be made available for those with Accessible Parking Permits (Blue or Green), without having to enter the number plate into the meter or Blinkay App., noting these are time limited as sign-posted.
 - e. Establishment of long vehicle bays (x2) in Ward Street in close proximity to the Horsham Town Hall to allow another space for caravans to park to access Visitor Services at the Horsham Town Hall.
 - f. Introduce 30-minute unmetered parking in front of the Post Office (4 bays).
 - g. Non-removal of on street fleet vehicle spaces (notably GWMWater and Council) to off street locations.
 - h. Investigate the introduction of tap and go and weekly/monthly/ yearly permit.
 - i. Request an investigation for additional parking options in the Town Hall car park for visitors and information seekers.

Council Resolution**MOVED Cr Claudia Haenel, Seconded Cr Ian Ross**

That the recommendation be deferred to the next Council meeting.

MOTION LOST

Council Resolution**MOVED Cr Bob Redden, Seconded Cr Les Power**

That Council:

1. Receive and note the petition submitted by Ms Kath Dumesny on behalf of the petitioners.
2. Note Ms Kath Dumesny's request to Council to consider the petition as part of the current parking review.
3. Having considered the community feedback and the concerns expressed in the petition, make the following changes to the 2021 Parking Management Plan:
 - a. Introduce 30-minute free parking in the Central Activity District applicable to the current 2P metered parking bays.
 - b. Introduce all day free parking and 4-hour free parking in the following locations: 4 hours unmetered, east end of Roberts Avenue on southern side between Urquhart Street and end of old Kindergarten site, all day parking unmetered , between old Kindergarten site and Whitehart Hotel; all day unmetered parking McLachlan Street (middle section), between Firebrace Street and Darlot Street (start at Bradbury Carpark); 4 hour unmetered parking in the middle section of Hamilton Street (eastern boundary of Grampians Community Health and Darlot Street); all day unmetered, middle section of Hamilton Street between Firebrace Street and Madden Street; all day unmetered parking, northern section of Darlot Street between McLachlan Street and May Park.
 - c. Relocate low demand meters, no longer required due to the introduction of either 4 hour unmetered or all day unmetered parking, to ensure where practicable there is no more than 30 metres between parking meters in the Central Activity District.
 - d. Free parking be made available for those with Accessible Parking Permits (Blue or Green), without having to enter the number plate into the meter or Blinkay App., noting these are time limited as sign-posted.
 - e. Establishment of long vehicle bays (x2) in Ward Street in close proximity to the Horsham Town Hall to allow another space for caravans to park to access Visitor Services at the Horsham Town Hall.
 - f. Introduce 30-minute unmetered parking in front of the Post Office (4 bays).
 - g. Non-removal of on street fleet vehicle spaces (notably GWMWater and Council) to off street locations.
 - h. Investigate the introduction of tap and go and weekly/monthly/ yearly permit.
 - i. Request investigation of additional parking options in the town hall car park for visitors and information seekers.

CARRIED

Cr Claudia Haenel Called for a Division of CouncilFor the motion:

Cr Robyn Gulline

Cr Bob Redden

Cr Penny Flynn

Cr Les Power

Against the motion:

Cr Claudia Haenel

Cr David Bowe

Cr Ian Ross

REPORT

Background

Council resolved in June 2021 to adopt the Parking Management Plan (**Appendix 9.1A**), commence implementation and to review as necessary. Based on the new parking meters in the CAD now being in operation for a period of 6 months and feedback provided by the community on the new parking arrangements (including the new parking meters), it was deemed an appropriate time for a review to be carried out.

A community feedback form was developed and made available to the community for a two-week period. Submissions closed on Friday 8 September. When submissions closed at 5pm Friday 8 September there were 1200 submissions received. The majority of submissions provided extra comments in addition to ranking the importance of the key issues listed.

A petition was submitted by Ms. Kath Dumesny on Friday 15 September on behalf of 895 valid petitioners. The petition ideally seeks to achieve the removal of parking meters or, if this is not possible, their permanent disuse from the entire municipality of Horsham Rural City (**Appendix 9.1D**). The petition cover letter states that they want parking meter fees set aside to make parking in the municipality more user friendly for locals and visitors alike and that the flow of traffic can be managed through timed parking strategies. Also raised as a significant issue to be considered, is one of disadvantage in regards to the disabled, elderly and frail accessing the new parking system.

Currently 33% of on street parking in CAD is free. There are 191 Council owned off street parking bays (108 all day), (69, 2 hours) and (14, 4 hours). Additional to this, there is all day parking at The Plaza, paid private parking in Darlot Street, as well as off street business parking.

Discussion

In August 2022 Council awarded a contract to Peritus Technology for the introduction of the new parking meters the amount being \$735,359.00 GST Exc. (inclusive of cost of meters, installation and 5-year contract for background licences, enforcement technology, maintenance support and support for operation of a smart city system integrated with HRCC's corporate system) plus applicable CPI increases on annual fees.

In March 2023 new parking meters and associated technology were introduced to the Horsham CAD. This has changed the way in which parking now occurs in the CAD. In particular, the majority of parking being for two hours, the introduction of two zones, new pay by plate meter technology and new meters being placed strategically across the CAD which are further apart than the previous meters with the ability to pay by cash, card and via the Blinkay Parking App.

Initially to enable the community to get used of the new arrangements there was no enforcement in place for the first three months. There continues to be an extensive education focussed campaign.

The following data is provided in regards to meter usage since the new meters were introduced (15 March 2023 to 22 August 2023).

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	Meter	Mar	Apr	May	Jun	Jul	Aug	Total
Bank card	\$5,203.70	\$3,608.10	\$6,029.30	\$5,033.30	\$4,723.80	\$4,665.20	\$3,783.00	\$33,046.40
Cash	\$13,056.70	\$6,882.90	\$11,390.30	\$12,719.00	\$12,582.40	\$11,935.40	\$10,353.20	\$78,919.90
Pay by phone		\$1,987.86	\$3,831.30	\$5,396.88	\$6,177.26	\$7,188.94	\$6,869.18	\$31,451.42
Grand Total	\$18,260.40	\$12,478.86	\$21,250.90	\$23,149.18	\$23,483.46	\$23,789.54	\$21,005.38	\$143,417.72

Any net income that comes from parking fees and fines after any direct expenses in relation to parking meter operations are deducted is transferred to the Central Business District (CBD) Reserve for its future development. The amount estimated to be transferred to the reserve in the 23/24 budget is \$90,000. Parking fee revenue for the 23/24 financial year is estimated to be \$220,000. These figures are conservative post COVID, as there is no base line revenue data to draw on in regards to meter usage to inform the current budget, as the meters were not in place when the 23-24 budget was developed.

The following is historical financial data in regards to net income transferred to the CBD Reserve from Parking Fees operations. It also notes the figures before Covid, through Covid and after Covid.

	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Car Parking fees	-\$ 402,372.43	-\$ 384,418.13	-\$ 294,124.76	-\$ 117,235.57	-\$ 222,034.24	-\$ 228,188.60
Transfer To Reserves For Capex	\$ 343,070.61	\$ 360,607.76	\$ 248,198.99	\$ 54,035.00	\$ 149,106.00	\$ -
	Pre Covid					
	During and Post Covid					
	Capex spend on new meters					

The following were the key issues identified since the new technology was introduced in March 2023. The priority ranking of these issues was determined by the recent community survey where there were 1200 submissions, with the outcome summarised as follows:

Values	Average
Paid parking is inconvenient for motorists intending to park for less than 30 minutes	2.7
Paid parking is not needed in Horsham	3.1
Meters are too far apart	4.4
The two zones are confusing	4.6
The meters operate too slowly	4.8
Not enough parking beyond two hours close to city centre	4.9
Meters are hard to locate	5.7
Instructions are not clear enough	5.8

The lowest average score is the highest ranking and therefore the highest priority issue for the community.

The following table lists the proposed solutions to the key issues identified and what the implications are if the proposed solution was supported.

Issue	Score Ranking	Proposed Solution	Implications
Paid parking is inconvenient for motorists intending to park for less than 30 minutes	1	First 30 minutes of parking to be free, noting you still need to enter your number plate into the meter or via the Blinkay App. to access free parking. Once you enter your number plate, you have 30 minutes free parking in the zone you are in, i.e. you can move from one park to another within the zone.	No paid parking for 30 minutes will result in a reduction in parking meter revenue per annum for the amount of approx. \$57,200 based on 23/24 budget. This is based on 26% of revenue for paid parking being currently received in the first 30 minutes
Paid parking is not needed in Horsham	2	Part solution proposed, i.e. introduce 30 minute free parking. Also additional non-metered parking (refer to <i>Not enough parking beyond two hours in close proximity to the CAD Issue</i>)	Paid parking is a well recognised mechanism for effective churn and ensure availability of parking for shoppers and visitors to the CBD. It generated net income (after deducting costs of \$160,000) of \$361,000 in 2018-19 (pre-Covid). This income is placed in a reserve and funds the upkeep of the CAD.
Meters are too far apart	3	Relocate low demand meters into other locations to ensure a maximum of approximately 30 metres between parking meters where practicable. It can be justified that in some locations there no longer needed to be meters with the proposal to change these to 4P unmetered or all day unmetered parking. No need to use the meter if you have an accessible parking permit (either blue or green).	There will be a small cost associated with the relocation of meters.
Two zones are confusing	4	No change to zones as it enables if you move from one zone to another, that you can have up to 4 hours in the CBD. Having a single zone will restrict parking in the metered areas to a maximum of 2 hours. More education on how zones work both on the parking meters and on the Blinkay App. Also more information as to which zone you are in.	Minor costs to provide additional information.
The meters operate too slowly	5	Do not allow the modem which connects the user to the system to hibernate. This saves approx. 10 seconds in transaction time for coins and card. Remove QR receipt option on machine as this makes it quicker for the next person to pay. Receipts if required can be requested from Council.	Additional administration for receipting if required (minimal). Reduction in the life of the batteries.
Not enough parking	6	Provide 58 All Day and 30, 4 hour parking bays in the following locations: East end of	There will be some loss in revenue by increasing the amount of non-

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beyond two hours in close proximity to the CAD		Roberts Avenue on southern side between Urquhart Street and end of old Kindergarten site, 4 hours unmetered, between Old Kindergarten site and Whitehart Hotel, all day unmetered. McLachlan Street (middle section), all day unmetered parking between Firebrace Street and Darlot Street (start at Bradbury Carpark), 4 hour unmetered parking in the middle section of Hamilton Street (between Grampians Community Health and Darlot Street), middle section of Hamilton Street between Firebrace Street and Madden Street, all day unmetered. All day unmetered parking in the northern section of Darlot Street between McLachlan Street and May Park.	metered parks in the CBD to either 4 hour or all day the estimated amount being \$21,000.
Meters are hard to locate	7	Assess if additional signage is required once meters are relocated	Minimal, extra signage required if needed.
Instructions are not clear enough	8	This was not considered a major issue, can explain two zones better in the app and also on the meter, additional instructions have already been included on the meter.	Minimal costs

Total Removal of Paid Parking

By having no paid parking in the CAD there be a loss of revenue of \$1.1 million over 5 years (based on the 23/24 budget). Council would have to bear these costs from general rates or in another way. As mentioned in the table above, the net income before Covid in 2018-19 was \$361,000. In the absence of a revenue stream from paid parking, the CBD Reserve would become redundant unless it is funded from another source.

The other issue is the current investment made in the new parking meters system being \$735,359.00 (plus applicable CPI increases on annual fees). There is no market for the used meters in the event Council decides to go with unmetered parking. Typically, meters reach the end of their operational life before being removed and replaced. The previous meters were in place for over 50 years.

Benefits

The benefits derived if the recommendations in this report are supported are:

- 30 Minutes Free Parking if having to use a metered 2-hour park in the CAD.
- An increase in 58 All Day parking bays and 30, 4 hour parking bays providing greater access to the CAD in close proximity for those wanting to park beyond 2 hours with no charge.
- No need to use the meter is you have an accessible parking permit (either blue or green)
- You will only have to walk 30 metres to use a parking meter.
- New long vehicle parks (x2) in Ward Street for vehicles with caravans to access the Visitor Information Centre in addition to the Wilson Street Long Vehicle (Caravan) Park.
- Decrease in time to use meter i.e. 40 seconds for card and 25 seconds for coins. Previously approx. 10 seconds longer.

Benchmarking with other regional cities and comparable towns

The table below shows that eleven (11) out of the thirteen (13) cities benchmarked have paid parking. It also shows the fee charged. Horsham is less than Ballarat, Bendigo and Echuca and on par with Shepparton. Noted also is that some councils have 1-hour free parking i.e. Ballarat and Warrnambool.

City	Population	Meters	Hourly Fee
Ballarat*	113762	y	3
Bendigo	122511	y	2.1
Geelong	276166	y	3.45
Horsham	20327	y	1.5
Mildura	34565	n	n/a
Shepparton	68873	y	1.5
Wangaratta	29882	y	1.1
Warrnambool*	35406	y	1.4
Wodonga	43635	n	n/a
Swan Hill	21403	y	1.3
Echuca	15031	y	1.8
Hamilton	10209	y	1.2

Options to Consider

1. Retain the current Parking Management Plan arrangements
This would result the current level of dissatisfaction by some community members continuing whilst retaining current revenue.
2. Adopt the changes as proposed in the proposed solution table (refer to discussion section)
This provides a solution to the key issues identified since the introduction of the new parking meters. This would increase overall satisfaction.
3. Remove all of the meters
Council has purchased new parking meters and installed these meters at a value of \$541,859 and has a 5-year contract with Peritus Technology the operator for ongoing support etc. (\$193,500). There would be a cost involved in ceasing this contract and also no guarantee the meters will be sold to offset the cost of the contract. If there was no paid parking, approx. 220k of revenue would need to be found elsewhere in Council's budget i.e. through rates or another source.

The net revenue from the parking meters provides funding for future development of the CBD and surrounds. It is estimated the 90k will be transferred to the reserve at then on of the 23/24 financial year. This is a conservative estimate post Covid. The net income (after deducting all staff and associated costs) before Covid in 2018-19 was \$361,000.

By removing the meters there would still need to be enforcement to ensure churn in the CBD, this would likely require additional staffing resources to ensure that cars are not remaining in bays beyond the allocated time through the chalk the tyre methodology which on occasions is not defensible when it comes to enforcement in comparison to the current technology.

Sustainability Implications

Not applicable

Community Engagement

Since the introduction of the new parking meters in March 2023, feedback has been received from customers both in written form, through our Customer Service requests system (MERIT) and verbally at the Horsham Talks Expo. A community feedback form was developed and made available to the community for a two-week period. Submissions closed on Friday 8 September. When submissions closed at 5pm Friday 8 September there were 1200 submissions received (**Appendix 9.1B**). The majority of submissions provided extra comments in addition to ranking the importance of the key issues listed. There were also other submissions received over this period of time (**Appendix 9.1C**).

A petition was submitted on Friday 15 September by Ms. Kath Dumesny (**Appendix 9.1D**). There were 895 valid petitioners (total submitters 1078) who provided the required details to be accepted. 183 petitioners were not accepted due to either not signing the petition or providing full address details as required by Council's Governance Rules. The petition has been considered as part of the overall review. This was requested in the cover letter provided with the submission as follows: "I present this parking meter feedback, and petition, to Horsham Rural City Council to be included in Discussions in the forthcoming parking review."

Innovation and Continuous Improvement

The review process in itself is about reviewing feedback from the community and improving the current approach to car parking arrangements in the CBD. There is an opportunity for the current parking meter technology to change to address some of the issues identified in the review. This requires an innovative approach from the supplier.

Collaboration

Not applicable

Financial Implications

There will be a reduction of revenue of approx. \$57,200 as a result of the introduction of free parking for 30 minutes and changing some areas in the CAD to either 4 hours or All Day unmetered, which is estimated to be \$21,000.00. There will be some other minor costs also.

Regional, State and National Plans and Policies

Not applicable

Council Plans, Strategies and Policies

HRCC Parking Strategy 2017

Parking Management Plan 2021

Car Parking Permits Policy 2021

Risk Implications

There are a range of issues that have been identified by the community in regards to the new parking meters. By not addressing these issues there will continue to be dissatisfaction with the current arrangements.

Conclusion

Council committed to reviewing the 2021 Parking Management Plan where necessary. Now that the new parking arrangements have been in place for 6 months and based on community feedback it is timely to carry out a review. This has now been completed. The recommended changes will enhance the customer experience in relation to parking arrangements in the CBD.

9.2 PUBLIC ART POLICY 2023-2027

Author's Name:	Michelle Rethus	Director:	Kevin O'Brien
Author's Title:	Creative Services & Events Lead	Directorate:	Communities and Place
Department:	Arts Culture & Recreation	File Number:	F19/A10/000001

Officer Conflict of Interest

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

Yes No

Reason: Nil

Status

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

Yes No

Reason: Nil

Appendix

Public Art Policy 2017-2021 (**Appendix 9.2A**)

Draft Public Art Policy 2023-2027 (**Appendix 9.2B**)

Purpose

To present the revised and updated Public Art Policy.

Summary

A review of the existing Public Art Policy (**Appendix 9.2A**) has been undertaken. Public Art is one function of the Creative Services team based at the Horsham Town Hall (HTH). The Public Arts Officer generally oversees the tasks and functions of this program, which have been previously been supported by the Public Arts Advisory Committee, which was discontinued post the Council Committees Review in 2020. It is proposed that successive work be guided by the overarching Public Art Policy (**Appendix 9.2B**).

Recommendation

That Council adopt the Public Art Policy 2023-2027 (**Appendix 9.2B**).

Council Resolution

MOVED Cr Claudia Haenel, Seconded Cr David Bowe

That Council adopt the Public Art Policy 2023-2027 (**Appendix 9.2B**).

CARRIED

REPORT

Background

Council developed a Public Art Policy in 2005, including setting a vision, themes and procedures to guide delivery of quality public art for Horsham Rural City Council. This policy was previously, not adopted by Council but guided the work of public art delivery. Since then, subsequent 2013-2017 and 2017-2021 Public Art Policies were developed and adopted to reflect the evolving priorities and aspirations identified both within Council and as a result of community consultation. Previously the Public Art Advisory Committee (PAAC) provided input and advice to the Public Art Officer to guide selection and review of public art projects. In 2020 the PAAC was discontinued post Council's formal review of its' Committee Structures.

The Creative Services Team has provided subsequent advice and support. For particularly complex public art projects, (like the Horsham Silo), a Project Control Group may be established.

Public Art achievements since 2013 include:

- A total of 27 works created and delivered.
- Inclusion of Horsham's Yangga Dyata Silo Art into the Wimmera Mallee Silo Art Trail.
- The expansion of mural art across private walls and businesses, including the commissioning 3 new artworks as a result of the Covid Activation grant
- Integration of public art into capital projects- including the Wimmera Riverfront development (Kinetic Sculpture), Nature and Waterplay Park (Children's artworks) and upgrades and to the toilets at the Horsham Skatepark
- Development of several Public Art Trails, including:
 - Yangga Dyata Walking on Country Trail
 - Powercor and NBN Art Box Trail.
 - Framing the Wimmera and
 - The CBD Art Trail.

Discussion

Since investing annually to a public art program, the Horsham community's appreciation and acceptance of public art has grown. The Wimmera's Silo Art Trail has further reinforced and supported economic and tourism benefits of public art.

Public art is an important part of Council's work, delivered through positive collaboration across Council teams and enhances liveability. Having clear, transparent and efficient process for Public Art delivery ensures Council continues to deliver a high quality, engaging and cost-effective Public Art that best delivers on Council's vision and objectives.

The updated Public Art Policy (2023-2027) will provide the necessary direction and guidance to ensure public art investment and projects maintain and build on the high standards and processes established.

Options to Consider

1. Adopt the 2023 Public Art Policy as presented
2. Not adopt the 2023 Public Art Policy as presented

Option 1 is recommended as the updated Policy is required to ensure clear, efficient work processes and good governance.

Sustainability Implications

As the Public Art register of works expands, an emerging challenge is the sustainable management of these assets. The Public Art Officer attends to issues/repairs and oversees the Public Art Maintenance Register. The budget for repair or upgrades to existing public art is very modest. It is recommended that Public Art assets be assessed once every 5 years, to assess condition / actions, unless otherwise stated in the commissioning contract. Public Art is currently not included in HRCC's Asset register and will ideally be included to ensure accessioning, decommissioning or repair can be appropriately scheduled.

Community Engagement

Internal feedback has been sought on the review and updating of the procedures and flowchart from numerous teams across Council. Input provided through the development of the Creative Horsham Plan has also informed the procedures (Creative Horsham is currently out for public feedback).

Innovation and Continuous Improvement

With Visitor Services now located as part of the Creative Services team at the HTH, there is more alignment between public art outcomes supported by destination and visitation promotion. Visitation collateral developed by Visitor Services will increase awareness of and improve connection to visitors' experiences of and to our Public Art assets.

Collaboration

The updating of the Public Art Policy has involved HRCC's Governance team, who oversee and quality control all of Council policies/procedures.

Financial Implications

Council currently allocates an amount of \$30,000 toward its annual Public Art Program.

Public Art is expensive to commission. The number of public art commissions able to be delivered each year is limited by budget. Seeking external and public funding to leverage HRCC's annual budget is both difficult to secure and highly competitive. An example is, the successful three Laneway Mural Projects, which were funded by the State Government's Covid Activation Fund. Each mural cost an average of \$35,000. This included commissioning the artist, project management, surface cleaning and preparation, anti-graffiti coating and signage attribution, but not maintenance. Large-scale projects, such as the Horsham Silo project, could be replicated through substantial external and private contributions, but this is highly competitive and changing in the current conditions.

Regional, State and National Plans and Policies

The value of Public Art is recognised in Council's primary arts & culture strategy- Creative Horsham. Creative Victoria's Creative State Strategy 2025 informs Creative Horsham. The Public Art Policy and procedure is also informed by guiding principles listed in the [Australia Council's Protocols for using First Nations Intellectual Property in the Arts](#) where Indigenous interest in the project is identified.

Council Plans, Strategies and Policies

Council Plan 2021-2025: Theme 1 Community

Strategy 2. A community that encourages and celebrates all cultures, heritage and diversity

Initiative and priorities: Promote and support the municipality's key tourism, events and local and cultural offerings.

Theme 2: Liveability

Strategy 2. A destination to live, work, explore and invest

Initiative and priorities: Create engaging spaces and places for social connection and wellbeing to build community resilience.

Theme 5: Leadership

Strategy 1. Good governance, through leadership and connection with community

Initiative and priorities: Implement systems, processes and use of technology that support efficient and secure business operations.

- Creative Horsham Strategy 2023-2027

This policy has been reviewed and informed by the Creative Horsham Strategy currently out for feedback.

- Open Space Strategy 2019
- Community Vision 2041
- Horsham CAD Revitalisation Streetscape Plan 2022
- Health and Wellbeing Plan

Risk Implications

Having clearly described procedure reduces risk and enables the continuation of quality public art outcomes

Conclusion

The updated and revised Public Art Policy provides a clear and transparent process enabling good governance and leadership across Council departments to enable the future delivery of a strong Public Art Program.

It is recommended that Council approve the updated Public Art Policy (2023-2027).

9.3 CREATIVE HORSHAM STRATEGY 2023 – 2026

Author's Name:	Michelle Rethus	Director:	Kevin O'Brien
Author's Title:	Creative Services & Events Lead	Directorate:	Communities & Place
Department:	Arts, Culture & Recreation	File Number:	F34/A01/000003

Officer Conflict of Interest

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

Yes No

Reason: Nil

Status

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

Yes No

Reason: Nil

Appendix

Draft Creative Horsham Strategy 2023 – 2026 (**Appendix 9.3A**)

Draft Creative Horsham Strategy 2023 – 2026 Community Response Survey Results (**Appendix 9.3B**)

Draft Creative Horsham Strategy 2023 – 2026 Feedback and Revision Summary Table (**Appendix 9.3C**)

Purpose

To present the Creative Horsham Strategy.

Summary

- The draft Creative Horsham Strategy was open for public feedback for a 5-week feedback period, from 28 June – 7 August 2023.
- An online survey, referencing the draft strategy, was developed and promoted through the Horsham Rural City Council website.
- The invitation to provide public feedback period was communicated on Facebook, through the HRCC public notices, the HRCC weekly newsletter and to the original reference group for the project.
- In total 21 responses were received. Majority feedback referenced and reinforced points made in the Strategy.
- The updated Strategy now includes this feedback and is presented to Council for adoption.

Recommendation

That Council adopt the Creative Horsham Strategy 2023-2026 (**Appendix 9.3A**).

Council Resolution

MOVED Cr Claudia Haenel, Seconded Cr David Bowe

That Council adopt the Creative Horsham Strategy 2023-2026 (**Appendix 9.3A**).

CARRIED

REPORT

Background

The Creative Horsham Strategy has been developed to continue the work commenced as part of the HRCC Arts and Cultural Plan 2014-2018. Regional Arts Victoria, was engaged as Consultant to review existing policies, undertake community engagement and draft the new Creative Horsham Strategy. The project was allocated an amount of \$20K to undertake the work.

Learnings were taken from the previous Arts and Culture Plan 2014-2018, which contained a large number of ambitious targets, not aligned to HRCC resources nor budget. As such, the objective for the new Strategy was to be realistic, consolidate work structures, align to key Council strategies, including the Council Plan, work within existing resource constraints and leverage opportunities to enable success.

The draft strategy was released for public feedback for 5 weeks, following a Council Meeting on 26 June, where the draft plan was presented. Feedback has been collated, minor edits to the plan made and the final draft plan has now been finalised for Council's consideration.

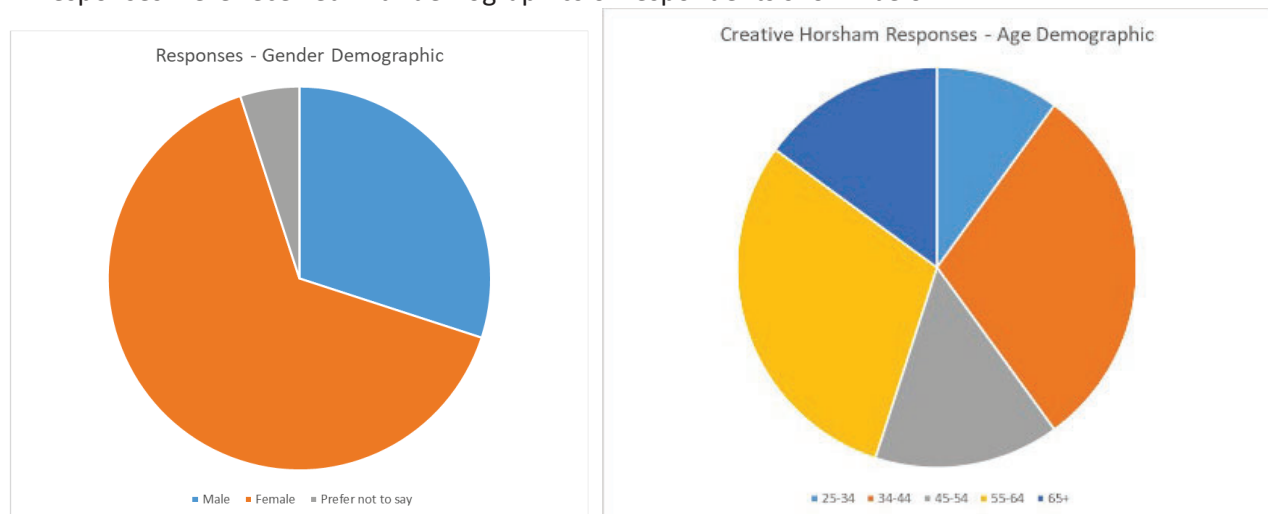
Discussion

Following the Council Meeting on 26 June, the Creative Horsham draft strategy was released for public feedback – opening on 28 June and closing on 7 August.

Opportunities to provide feedback were advertised through the HRCC's public notice page, HRCC Facebook page and direct emails to the Creative Horsham Advisory Group. BGLCAC also contacted personally and provided direct and valuable feedback on the Plan.

A survey form was established to seek responses to the five themes listed in the plan according to what respondents believe is the priority. Survey participants were asked to nominate if there was anything missing from the strategy.

21 responses were received with demographics of respondents shown below:



Responses to the survey were general. Feedback has provided staff with insight into reasons for prioritisation of themes by the small sample of respondents. Nothing was noted as missing from the strategy although some suggestions were more specific and may be considered for inclusion into Team's operational plans that are the next stage post Strategy adoption (**Appendix 9.3C**).

The 5 key themes presented in the plan included: Venues, inclusivity, accessibility and collaboration – particularly with local artists and art groups. All comments have been noted and will feed into the implementation plan.

Options to Consider

Council can choose to option to approve the Creative Horsham Strategy or opt to reject the strategy.

If not adopted there is no strategic guidance for the work undertaken by Council in this space.

Sustainability Implications

The plan will form the guiding strategy for the Cultural Services Team based at the Horsham Town Hall. This team includes the services of: Performing Arts; Visual Art (Art Gallery), Education, Public Art and Public Programming and Visitor Services

Community Engagement

This report centres on the final community engagement and all details are provided in the Discussion section. Details of submission can be found in **Appendix 9.3B**. A summary of feedback received and changes made to the draft strategy as a result can be found in **Appendix 9.3C**.

Innovation and Continuous Improvement

Not applicable

Collaboration

Extensive community engagement has been conducted in the development of the draft Creative Horsham Strategy. This commenced with the formation of an initial Project Advisory Group prior to Covid. During Covid, participation was impacted by the limitations placed of social gathering, however, feedback from members suggesting targeting and theming consultations aligned to interests and broad creative genres.

This transacted into more direct consultation through workshops and themed consultation. Resulting in participation in the 2021 Horsham Talks Expo attended by 204 people, a series of public consultation sessions with the community, co-hosted between Regional Arts Victoria and industry experts was also undertaken. A survey was distributed to the local community to collect key data from creatives and creative organisations. Staff, teams and Council Executive were also consulted as part of the Strategies' development

Throughout the process, a number of one-on-one interviews were also conducted with individuals from across the community providing detailed input which strengthened many of the concepts and contributions to the Plan and picked up opportunities pertinent to the municipality and its' creative strengths and competitive advantages.

This plan places particular and important focus on developing an ongoing and respectful relationship with Barengi Gadjin Land Council Aboriginal Corporation. This is a key relationship for Council and particularly the arts and cultural services within Council. This relationship has grown, evolved and matured over recent years and is a key current and future focus of the Strategy.

Financial Implications

The Strategy and commitments presented, focus primarily on what is achievable with existing resources, venues, spaces, people and funds. The Strategy focusses on key actions that the Cultural Services Team has at its' discretion, autonomy and control to deliver. The plan also recognises, that many actions and quick wins can be achieved in collaboration with other Teams within Council, and in partnership with community groups, artists and state based and regional cultural providers and services.

There will be times when specific arts based funding becomes available to achieve projects outside of committed programs. Opportunities to leverage existing Council resources with external funding to deliver creative outcomes, events and initiatives will be actively pursued. New and yet to be identified opportunities will likely arise outside of the existing Strategy, however, alignment to themes and guiding principles will ensure that any new opportunities are sense checked and referenced.

The Strategy's alignment to the Council Plan and other key approved strategies of Council is also important.

Regional, State and National Plans and Policies

The Federal Government has released *Revive*, its new cultural policy that sets the plan for Australia's arts and culture sectors across the next five years.

Creative Victoria released its *Creative State 2025 Strategy* which is designed to grow jobs and skills, and secure Victoria's reputation as a global cultural destination and bold creative leader. Creative State 2025 aims to engender stability, create opportunity and stimulate growth for Victoria's creative workers, businesses and industries. Creative Horsham has references to this key Victorian strategy.

Creative Horsham will be informed by its role and position as a *Regional Creative Industries Leader* in its relationship to both the Federal and State Government's strategic creative priorities.

Council Plans, Strategies and Policies

Arts and Culture is a key driver to achieving the Community Vision. Direct links are as follows:

2021-2025 Council Plan

Theme 1: Community

- Strategies:
2. A community that encourages and celebrates all cultures, heritage and diversity
 3. A community that is empowered in shaping the future of our region
 4. A region that acknowledges and engages with First Nations people on place, connection and truth

Theme 2: Liveability

- Strategies:
1. A resilient, inclusive and socially connected community,
 5. Quality opportunities and facilities that meet the health and wellbeing needs and interests of all ages, abilities and backgrounds.

Risk Implications

Not applicable

Conclusion

It is recommended that Council adopt the Creative Horsham Strategy as the guiding document for Arts & Cultural initiatives in the municipality.

9.4 2023 COMMUNITY SATISFACTION SURVEY ACTION PLAN

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

Officer Conflict of Interest

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

Yes No

Reason: Nil

Status

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

Yes No

Reason: Nil

Appendix

Nil

Purpose

To present the planned actions to address concerns raised in the 2023 Local Government Community Satisfaction Survey.

Summary

- The results of the 2023 Local Government Community Satisfaction Survey were presented to the Council meeting on 24 July 2023.
- The survey seeks opinions from residents about their living and working experiences, reflecting confidence in the Council's efforts and abilities and provides a long-term measure of performance, perception and trends in community satisfaction.
- The results indicated a decline in ratepayer satisfaction compared to the previous two years' surveys.
- When the results were presented to Council it was confirmed that an action plan would be developed to address concerns raised by community. That action plan is now presented to Council.

Recommendation

That Council receive and note the action plan to address community concerns raised in the 2023 Community Satisfaction survey results.

Council Resolution

MOVED Cr David Bowe, Seconded Cr Les Power

That Council receive and note the action plan to address community concerns raised in the 2023 Community Satisfaction survey results.

CARRIED

REPORT

Background

The 2023 Community Satisfaction Survey compiles community feedback on five key performance areas and includes comparisons to Council's results in previous years. The involvement of the majority of other Councils within the State also provides meaningful comparison data between Councils. Horsham has been classified as a Regional Centre according to the classification list with the group including Ballarat, Greater Bendigo, Greater Geelong, Horsham, 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. Wherever appropriate, results for Horsham Rural City Council for the 2023 State-wide Local Government Community Satisfaction Survey have been compared against other participating councils classified as a Regional Centre, and on a state-wide basis.

A summary of HRCC's performance when compared to the previous year's results, comparable councils (i.e. the Regional Centres) and State-wide averages, show that Council experienced a decline in all indicators since 2022.

A separate question was again asked in relation to sealed local roads to identify which local roads were an issue. Of the responses provided, many are roads managed by Regional Roads Victoria. As noted in relation to the poor results in 2020, there is a need to educate the community as to which roads are the responsibility of Council and which are the responsibility of Regional Roads Victoria. It was confirmed that this should form part of a broader action plan to address concerns raised in the 2023 survey.

Discussion

The key challenges identified in the report related to:

A declining perception of Council's overall performance

- Significant decline in community perception of the Council's overall performance in 2023, reverting to the low point recorded in 2020, losing the gains in community confidence achieved in 2021 and 2022.
- Council's performance ratings were below group averages, indicating a sharper decline compared to regional and statewide results. Service area ratings also decreased significantly.
- Council's top performing area of waste management was still lower than the group average. This relates to the State Government's 4-bin policy and associated increase in costs.

Concerns regarding sealed local roads condition

- The condition of sealed local roads was a key focus for the community with performance ratings at their lowest level recorded (indexed score of 38 out of 100).

Dissatisfaction among rural area and 50 to 64 year old residents

- Residents of the rural area and 50 to 64 year olds rated Council performance lowest on almost all service areas evaluated.
- Rural area residents are mostly concerned about the condition of rural roads, as well as investment in the city of Horsham.

Decreased Customer Service Index Score

- HRCC customer service index score decreased by 8 points from 2022 and 12 points from 2021, reflecting increasing community dissatisfaction. The current rating is the lowest in a decade and is significantly below Statewide and Regional Centres group averages.

Comparison with regional centres and statewide average

- Council's performance ratings were significantly lower than regional and statewide group averages across most service areas evaluated.
- *Concerns about Council direction*
- The 2023 results have highlighted a significant decline in community approval and confidence, particularly regarding Council direction.
- The perception of Council direction experienced a sharp drop, reaching an index score of 34, down 16 points compared to 2022. This decline raises important concerns about the community's trust in the decision-making processes and strategic direction of Council.

The Action Plan is intended to confirm to the community that Council has listened to their concerns with the below actions reflecting commitments made to address the dissatisfaction articulated in the survey results.

Topic	Actions
Council functions	<ul style="list-style-type: none"> ● Series of 'Did you know' in social media and Public Notices highlighting the day-to-day functions of Council ● Continue the Community Conversations
Infrastructure	<ul style="list-style-type: none"> ● Implement capital works dashboard for community view similar to those provided by other Councils ● Grading program –where is it up to, and future progress ● Footpath inspection program ○ Follow up of major work in past 4 years ○ Ongoing program to monitor
Roads	<ul style="list-style-type: none"> ● Use the data from the survey to inform Rural Roads Victoria of identified problem roads and advocate for their improvement on behalf of community ● Ongoing targeted campaigns around roads education (maintenance versus renewal, potholes, cost etc.) ● Online presentation about road management processes –including raising community awareness about options for reporting roads that have been subject to adverse events ● Update on flood recovery progress ● Live presentations of the online presentation at key opportunities ● Develop and implement an action plan to address community satisfaction concerns with gravel and formed roads
Customer Service	<ul style="list-style-type: none"> ● Review Customer Service Charter ● Review service level agreements to ensure all customers receive a response within an agreed period of time and actions occur within agreed timeframes and report on delivery against those timeframes ● Consider additional options such as Snap, Send, Solve ● Revisit the Council's Complaint Management Policy if/as required by the update to the Charter ● Continue to review the after-hours phone service ● Explore options for e-servicing to enable customers to access self-service options 24/7

Topic	Actions
Waste management	<ul style="list-style-type: none"> Bin review due in November to be informed by customer feedback through MERITS Opportunity to engage community for additional feedback on any options developed for change of system in place App development for waste in progress that may be incorporated into a HRCC app overtime/as required Provide details of benefits of scheme to community (e.g. reduction in landfill etc.)
Parking meters	<ul style="list-style-type: none"> Review underway with options presented for community feedback Report back to community once review complete
Reporting	<ul style="list-style-type: none"> Council to consider alternatives or additions to current reporting e.g. Council Performance Dashboard used by some other Councils
Community engagement	<ul style="list-style-type: none"> Council to develop a review and approval mechanism to ensure community engagement plans are appropriate to the level of engagement required Community engagement training to be provided in-house to all relevant officers – including training in any/all improved processes Council to explore options for automated systems in relation to community engagement practices to ensure greater consistency within and across the organisation to enhance the engagement experience for community Council to raise awareness within the community about the respective levels of engagement and process that determines level of engagement adopted
Municipal Monitor	<ul style="list-style-type: none"> Communication to the community about HRCC responses to the recommendations and issues raised in the Monitors report

Options to Consider

Council can opt not to receive the proposed Action Plan but the actions outlined above have been identified to ensure Council is responding to the community dissatisfaction articulated in the survey results.

Sustainability Implications

Not applicable

Community Engagement

The summary report from the 2023 Community Satisfaction Survey report for Horsham Rural City Council was provided as an attachment to the July Council report and was placed on Council's website following the Council meeting.

Innovation and Continuous Improvement

Council has now prepared an action plan to address the concerns raised by the community as per the commitment made when the results were presented. The action plan will part of Council's commitment to continuous improvement.

Financial Implications

The cost of actions included in the action plan to address community concerns will be incorporated into existing budget measures wherever possible with costs to Council intended to be kept minimal and within budget.

Regional, State and National Plans and Policies

The Community Satisfaction survey is a collaborative survey coordinated and conducted by JWS Research under the guidance of Local Government Victoria.

Council Plans, Strategies and Policies

Council Plan 2021-2025

Theme 5 Leadership

Risk Implications

The results from the Community Satisfaction Survey indicate that there is a further reputation risk to Council if the concerns identified in the survey report are not addressed. The action plan has been developed as a means to mitigate that risk by seeking to address the concerns raised.

Conclusion

The action plan to address community concerns raised in response to the 2023 Local Government Community Satisfaction Survey has been completed and is presented to the Council for noting.

9.5 PROPOSED COMMON SEAL AND CONDUCT AT MEETINGS LOCAL LAW No. 1 2023

Author's Name:	Kim Hargreaves	Director:	Sunil Bhalla
Author's Title:	Corporate Services	Directorate:	Office of CEO
Department:	Governance	File Number:	F25/A03/000001

Officer Conflict of Interest

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

Yes No

Reason: Nil

Status

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

Yes No

Reason: Nil

Appendix

Proposed Common Seal and Conduct at Meetings Local Law 2023 (**Appendix 9.5A**)
Local Laws Community Impact Statement (**Appendix 9.5B**)

Purpose

To present the proposed Common Seal and Conduct at Meetings Local Law 2023 to Council for release of the proposed Local Law to the community to enable engagement to be undertaken.

Summary

- Council's Local Law No1. Governance (2016) sunsets on 31 January 2026.
- The majority of that Local Law was made redundant following the introduction of the *Local Government Act 2020* and the adoption of Council's Governance Rules on 24 August 2020.
- In light of those matters, the proposed Common Seal and Conduct at Meetings Local Law 2023 has been drafted to retain only those provisions considered necessary and not addressed elsewhere.
- The provisions proposed for retention relate to:
 - The use of Council's Common Seal; and
 - Conduct at Council Meetings.

Recommendation

That Council:

1. Receive and note the proposed Common Seal and Conduct at Meetings Local Law 2023.
2. Endorse the release of the proposed Local Law and Local Laws Community Impact Statement to the community for a period of two (2) weeks in accordance with Council's Community Engagement Policy.

Council Resolution

MOVED Cr Bob Redden, Seconded Cr Penny Flynn

That Council:

1. Receive and note the proposed Common Seal and Conduct at Meetings Local Law 2023.
2. Endorse the release of the proposed Local Law and Local Laws Community Impact Statement to the community for a period of two (2) weeks in accordance with Council's Community Engagement Policy.

Amendment

MOVED Cr Claudia Haenel, Seconded Cr David Bowe

Change the period of consultation from two weeks to four weeks.

CARRIED

Council Resolution

MOVED Cr Bob Redden, Seconded Cr Penny Flynn

That Council:

1. Receive and note the proposed Common Seal and Conduct at Meetings Local Law 2023.
2. Endorse the release of the proposed Local Law and Local Laws Community Impact Statement to the community for a period of four (4) weeks in accordance with Council's Community Engagement Policy.

CARRIED

REPORT

Background

Council's Local Law No1. (Governance) was gazetted on 1 February 2016 and will therefore sunset on 31 January 2026. In accordance with clause 3 of Local Law No.1 – Governance, the purpose of that Local Law was to:

- Set the general standards expected in the Council's formal meeting processes;
- Prescribe how motions and amendments to motions before the Council are dealt with;
- To promote and encourage community participation in the system of Local Government by providing mechanisms for the Council to ascertain the community's views and expectations;
- Identify the methods by which the community can participate in Council meetings; and
- Manage the debate on matters before the Council.

At the Council meeting on 1 February 2016, when the Local Law was adopted, it was confirmed that meeting procedures would be separated into a Council Procedure (Meeting Procedure P04/143) that would be then be incorporated into the Local Law by reference to s112(1) of the *Local Government Act 1989*. This approach was adopted to enable the Local Law to be simplified and limited to governance in relation to a small range of Council activities that warrant a higher level of protection, including following the requirements of the Act to be followed where any changes are proposed. These included:

- Use of the Common Seal of Council
- The procedure for election of the Mayor
- The procedure for election of any Deputy Mayor, and
- The process for amending provisions of this procedure.

The activities and processes of Council not addressed in the Local Law were included in the Meeting Procedure. This approach enabled changes and improvements to be made more easily to the procedures to ensure they were able to be tailored to the needs of Council.

On 5 September 2016 Council resolved to conduct a review of the Meetings Procedure, applicable to Council meetings and meetings of Special Committees, within 6 months of the municipal elections held on 22 October 2016. Council commenced the review on 23 May 2017 and made recommendations to Council on 18 September 2017 for changes to the Meetings Procedure. These included changes to time limits for debate, foreshadowing motions and similar administrative processes but also confirmed the introduction of audio recording of future Council meetings. As per the previous process the revised Meetings Procedure were incorporated into Local Law No1. (Governance).

With the introduction of the *Local Government Act 2020* and the adoption of Council's Governance Rules on 24 August 2020, the majority of the Local Law No1. Governance (2016) effectively became redundant.

Discussion

The purpose of the proposed Common Seal and Conduct at Meetings Local Law 2023 is to:

- Regulate the use of Council's Common Seal;
- Create offences relating to conduct at Council meetings; and
- Repeal Council's Local Law No.1 Governance (2016).

The proposed Local Law retains the following clauses from the Local Law No.1 Governance (2016):

- Use of and penalties for misuse of Council's Common Seal; and
- Offences and Penalties relating to Conduct at Council Meetings.

Pursuant to section 14 of the *Local Government Act 2020*, Council must have a Common Seal.

The Common Seal of a Council must:

- Bear the name of the Council and any other word, letter, sign or device the Council determines should be included;
- Be kept at the Council office; and
- Be used in accordance with any applicable local law.

It is considered both appropriate and necessary to retain a Local Law (as foreshadowed by section 14 of the Act,) to protect the integrity of the Common Seal and describe when and how it may be affixed to a document.

With respect to conduct at Council meetings, the proposed clauses are intended to assist in the proper administration of Council business and the facilitation of good governance, by creating offences to regulate behaviour.

Those provisions make it an offence, at a meeting of the Council for a person to engage in the following conduct:

- For a Councillor, at the Chair's direction, to not withdraw an expression which is considered by the Chair to be defamatory, indecent, abusive, offensive, disorderly or objectionable, and to not satisfactorily apologise when called upon twice by the Chair to do so.
- For any person, not being a Councillor, who is regarded by the Chair as having engaged in improper or disorderly conduct, to not leave the meeting when requested by the Chair to do so.
- For any person to fail to obey a direction of the Chair relating to the conduct of the meeting and the maintenance of order.
- For a Councillor to refuse to leave the chamber on suspension.
- For any person to have fraudulently signed a petition or joint letter which is presented to that meeting.

Penalties

As is consistent with the drafting of Local Law within the Local Government sector generally, the proposed Local Law prescribes infringement penalties for breaches of the Local Law and also lists maximum penalties in circumstances where offences are prosecuted in Court.

The infringement penalties are listed in Schedule One of the proposed Local Law and provide for the following:

Local Law provision	Offence	Penalty Units
7.5	Using the Common Seal without Council's authority	10
8.1	Failure to withdraw an expression which is considered by the Chair to be defamatory, indecent, abusive, offensive, disorderly or objectionable, and to not satisfactorily apologise when called upon twice by the Chair to do so.	2
8.2	For any person, not being a Councillor, who is regarded by the Chair as having engaged in improper or disorderly conduct, to not leave the meeting when requested by the Chair to do so	2
8.3	For any person to fail to obey a direction of the Chair relating to the conduct of the meeting and the maintenance of order.	2
8.4	For a Councillor to refuse to leave the chamber on suspension.	2
8.5	Fraudulently signing a petition or joint letter	5

* The penalties referred to above are the penalties HRCC have opted to apply for each offence noting they are lower than the maximum amount which a Court can order a person to pay following the institution of prosecution proceedings in the Magistrates' Court as outlined in the Local Law.

Penalty units are adjusted by the State Government on 1 July each year. As of the date of writing this report, a penalty unit is currently, \$192.31.

Options to Consider

Council may decide not to adopt the proposed Common Seal and Conduct at Meetings Local Law 2023 which would allow for the retention of Local Law No1. Governance (2016) until it sunsets in 2026. This option is not recommended given Local Law No1. Governance (2016) has limited application and is largely redundant following the introduction of the *Local Government Act 2020* and Council's Governance Rules.

Sustainability Implications

Nil

Community Engagement

Community engagement will be conducted in accordance with s73(2) of the *Local Government Act 2020*. The responses from that process will be presented to Council for consideration noting the constraints referred to.

Innovation and Continuous Improvement

The review of HRCC documentation, including Local Laws, in line with legislative and regulatory changes is part of Council's commitment to continuous improvement.

Collaboration

Nil

Financial Implications

Nil

Regional, State and National Plans and Policies

Nil

Council Plans, Strategies and Policies

2021-2025 Council Plan: Theme 5 Leadership

Strategy 1: Good governance, through leadership and connection with community

Strategy 3: High organisational standards focussing on continuous improvement

Strategy 5: A safe, inclusive, and resilient culture that delivers for the community

Risk Implications

To appropriately manage corporate risks including statutory non-compliance and reputational risk, Council must effectively maintain its' Local Laws in line with contemporary best practice and aligned to its existing Governance Rules which were first adopted in August 2020 and have been reviewed since with the most recent amendments adopted in 2023.

Conclusion

The proposed Common Seal and Conduct at Meetings Local Law 2023 has been developed to reflect the appropriate processes and mechanisms for addressing key aspects of Council responsibility in line with the requirements of the *Local Government Act 2020*.

If the proposed Common Seal and Conduct at Meetings Local Law 2023 is adopted by Council, Local Law No1. Governance (2016) will be revoked.

9.6 2024 COMMUNITY LEADERSHIP PROGRAM

Author's Name:	Jacqui Parker	Director:	Kim Hargreaves
Author's Title:	Manager Governance & Information	Directorate:	Corporate Services
Department:	Governance and Information	File Number:	F06/A13/000001

Officer Conflict of Interest

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

Yes No

Reason: Nil

Status

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

Yes No

Reason: Nil

Appendix

2024 Community Leadership Program Guideline (**Appendix 9.6A**)

Purpose

To present Council with the Guideline outlining the proposal, program design, and selection process for the 2024 Community Leadership Program.

Summary

A Community Leadership Program (as per **Appendix 9.6A**) will be introduced during the first half of 2024 and seek to achieve against recommendation 3 of Council's 2023 Municipal Monitor report.

Recommendation

That Council endorse the 2024 Community Leadership Program Guideline in preparation for implementation of the program (**Appendix 9.6A**).

Council Resolution

MOVED Cr Bob Redden, Seconded Cr Les Power

That Council endorse the 2024 Community Leadership Program Guideline in preparation for implementation of the program (**Appendix 9.6A**).

CARRIED

REPORT

Background

The Municipal Monitor report provided to HRCC in March 2023 recommended that:

“Recommendation 3:

...community members and community groups appear to be interested in Council’s activities, programs, and projects through social media interactions and attendance at Council Meetings. However, this interest does not appear to be translating into candidates.

To foster community members’ interest in contesting an elected position and building knowledge of community members around the operations of Council and roles, responsibilities, and expectations of Councillors, it is recommended that Council invest in a community leadership program to support potential candidates at the 2024 election.”

In response, Officers have now obtained a brief from the Victorian Local Governance Association (VLGA) for the proposed delivery of a Community Leadership program, in satisfaction of the Monitor’s recommendation.

Discussion

Subject to Council endorsement, VLGA is positioned strongly to deliver a best practice Community Leadership Program (CLP) for HRCC. It is proposed that the CLP be delivered over a period of approximately four to five months from early 2024, with the graduation to be held by end of July 2024.

VLGA offers a strong CLP curriculum with a ‘toolkit’ of relevant skills, knowledge and theory, reinforced by hands-on learning to encourage participants to grow and seek civic leadership after graduation. The proposed content is underpinned by adult learning principles and prioritises the lived experiences and knowledge that participants will bring with them.

The proposed selection criteria for HRCC’s CLP is described in **Appendix 9.6A**. The aim is to generate an engaged, proactive and diverse pool of potential candidates to stand as candidates for Horsham Rural City Council in the October 2024 local government election. CLP graduation is timed to ensure participants with an interest in running for office will have an adequate window to meet the nomination deadline (32 days before election day) and also have time to focus on their campaigns.

Council will receive a report evaluating the effectiveness of the CLP post-election. It should be noted that the efficacy outcomes are not limited to a strong field of political candidates. The Horsham community will also benefit significantly from graduates who choose to seek out increased civic leadership opportunities in the community more generally following the program.

Selection for the program will be determined by an independent panel of three members drawn from the community. Current and past serving Councillors, and current Council staff are ineligible for participation either in the CLP or as members of the selection panel. They will however maintain preliminary involvement as program decision-makers and also have the opportunity to network with participants during the later stages of the CLP.

Options to Consider

Council may consider changes or optional extras to the Community Leadership Program and its proposed timelines, as per the attached program outline. It may also consider not delivering the CLP but should note that is contrary to the Municipal Monitor’s recommendation.

Sustainability Implications

Not applicable

Community Engagement

By its nature, this program will generate general engagement within the community through the program promotion and then direct engagement with those community members who participate in the program. The development and design of the program itself is not suitable for any expanded community engagement process, given its context as a response to the Municipal Monitor report and the relative limitations on achieving a CLP that meets suitable professional standards.

Innovation and Continuous Improvement

As per the Monitor's recommendation, the program is intended to:

"foster community members' interest in contesting an elected position and building knowledge of community members around the operations of Council and roles, responsibilities, and expectations of Councillors"

Collaboration

The City of Whittlesea has also partnered with VLGA to deliver a CLP and is being consulted on elements regarding operational design and subsequent evaluation of this program.

Financial Implications

The cost to Council for delivery of the CLP is approximately \$13,500 ex GST plus the cost of in-house events. Variation of the cost will be based on two primary factors:

- Any additional (elective) course components added to the program; and
- The level of servicing for any of the Council-led events (e.g. Graduation Ceremony).

Regional, State and National Plans and Policies

Not applicable

Council Plans, Strategies and Policies

2021-2025 Council Plan: Theme 5 Leadership:

Strategy 1: Good governance, through leadership and connection with community

Strategy 3: High organisational standards focussing on continuous improvement

Risk Implications

Not applicable

Conclusion

In an environment of community recovering following a Municipal Monitor report and challenges associated with community sentiment as revealed in the Community Satisfaction Survey 2023, the introduction of a best practice Community Leadership Program represents a positive and proactive step for HRCC.

9.7 COUNCIL ELECTION PERIOD POLICY 2024

Author's Name:	Andrea Coxon	Director:	Kim Hargreaves
Author's Title:	Governance Officer	Directorate:	Corporate Services
Department:	Governance	File Number:	F19/A10/000001

Officer Conflict of Interest

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

Yes No

Reason: Nil

Status

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

Yes No

Reason: Nil

Appendix

Council Election Period Policy 2024 (**Appendix 9.7A**)

Purpose

To present the revised Council Election Period Policy 2024 in preparation for the next Council election.

Summary

- Council adopted the previous Election Period Policy on 21 September 2020 in accordance with the *Local Government Act 2020* (the Act).
- As required under section 69 of the Act, a Council must include an election period policy in its Governance Rules.
- The policy must prohibit certain Council decisions during the election period as outlined in the Act.

Recommendation

That Council adopt the revised Council Election Period Policy 2024 (**Appendix 9.7A**) noting the updated policy will be included as a replacement Chapter 7 in the Governance Rules 2023.

Council Resolution

MOVED Cr Ian Ross, Seconded Cr Claudia Haenel

That Council adopt the revised Council Election Period Policy 2024 (**Appendix 9.7A**) noting the updated policy will be included as a replacement Chapter 7 in the Governance Rules 2023.

CARRIED

REPORT

Background

Councils must comply with special arrangements in the lead up to elections, known as the Election Period. Council adopted the current Election Period policy on 21 September 2020 in accordance with the requirements of the *Local Government Act 2020* (the Act) and included this adopted policy as a component of its Governance Rules adopted by Council 24 August 2020.

In accordance with the requirements of section 69 of the Act, Council must adopt a replacement Election Period Policy. The Election Period has special arrangements in place for the 32 days prior to Council elections. For the October 2024 elections, the Election Period commences at 12 midday on Tuesday, 24 September 2024 and concludes on 6pm Saturday, 26 October 2024 (subject to confirmation by the Minister for Local Government in accordance with section 257(1)(b) of the *Local Government Act 2020*).

Discussion

Council is required to maintain an election period policy and review it no less than 12 months before an election period begins.

The revised policy contains some minor changes in line with legislation. These changes aim to provide greater clarity to ensure Council Staff and Councillors avoid certain actions and decisions which could be seen to be influencing voters or that would have a significant impact on the incoming Council.

Revisions made to the 2024 policy include:

- Section 4.1 Election Period
- Section 4.3.5 Councillors prohibited from using photos or images, or images provided by Council for past Council activities during election period.
- Section 4.3.6 publicity/media releases will not include Councillors or quotes from Councillors
- Section 4.7 Assistance to candidates

It is not necessary to re-visit Council's Governance Rules which were adopted by Council on 26 June 2023, as the existing Council Election Period Policy 2020 can be administratively replaced by the new adopted Council Election Period Policy 2024.

Options to Consider

Council could choose not to adopt the new policy however they should not this would be in breach of the LG Act 2020.

Sustainability Implications

Nil

Community Engagement

The draft policy has been endorsed by the Executive Management Team (EMT) for progression to Council and was distributed to Councillors for feedback at the Councillor briefing held on 4 September 2023.

Innovation and Continuous Improvement

Not applicable

Collaboration

Not applicable

Financial Implications

Not applicable

Regional, State and National Plans and Policies

Not applicable

Council Plans, Strategies and Policies

2021-2025 Council Plan: Theme 5 Leadership

Risk Implications

Legislative compliance risks exist if the Election Period Policy is not updated prior to the 2024 General Election (Local Government).

Conclusion

The Election Period Policy ensures Council is transparent and accountable during the election process. It is also a requirement under the LG Act 2020 that the policy be updated in advance of a new election period.

9.8 DELEGATIONS UPDATE

Author's Name:	Andrea Coxon	Director:	Kim Hargreaves
Author's Title:	Governance Officer	Directorate:	Corporate Services
Department:	Governance	File Number:	F19/A12/000001

Officer Conflict of Interest

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

Yes No

Reason: Nil

Status

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

Yes No

Reason: Nil

Appendix

S6 Instrument of Delegation to members of Council staff (**Appendix 9.8A**)

Purpose

To approve the updated Instrument of Delegation, S6 Instrument of Delegation, Council to other Members of Council staff (S6).

Summary

- These updates are provided approximately every six months from a subscribed service by Maddocks Lawyers and Council generally updates its delegations following receipt of this information.
- This update takes into account legislative changes which were assented to or made on or after 20 January 2023.

Recommendation

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation (**Appendix 9.8A**), Horsham Rural City Council (Council) resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *S6 Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Council Resolution**MOVED Cr Claudia Haenel, Seconded Cr Les Power**

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation (**Appendix 9.8A**), Horsham Rural City Council (Council) resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *S6 Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED

REPORT

Background

A Council is a statutory entity and as such it is only able to do those things which it is authorised by statute to do. The sources of Council authority can be summarised as:

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

The formal delegation of legislated powers, duties and functions via instruments of delegation, supported by consistent policies allow Council staff to perform day to day duties and make decisions that may otherwise need to be decided upon by Council. An instrument of delegation is a written document that specifies what powers and functions are delegations and to what positions within Council. Delegations empower employees with the authority to make binding decisions on behalf of Council.

Council last reviewed and adopted by resolution of Council:

- S5 Instrument of Delegation, Council to the CEO 27 March 2023
- S6 Instrument of Delegation, to members of Council staff 27 March 2023

Discussion

This update amends the S3 Council Resolution, Delegation to members of staff and the S6 Instrument of Delegation administered by Council, with the changes outlined below.

1. Changes to the S3 Council Resolution, Delegation to members of staff (S3)

- 1.1. Insert item 2 under Recommendation of this report, when the Instrument will come into effect. The purpose of the change is to make it consistent with the S2 Council Resolution (Delegation to the Chief Executive Officer). This amendment is recommended by Maddocks Lawyers.

2. Changes to the S6 Instrument of Delegation to members of Council staff (S6)

The following change has been made to the S6:

- 2.1. Section 185L(4) of the Local Government Act 1989, the only member of staff who can be a delegate is the CEO. (pg. 36 of **Appendix 9.8A**). This amendment is recommended by Council officers.
- 2.2. Reference to ‘delivery of memorial’ has been removed from s181 of the *Planning and Environment Act 1987*. (pg. 85 of **Appendix 9.8A**). This amendment is a legislative update with s181 now referring to *Duty to apply to the Registrar of Titles to record the agreement*.

Options to Consider

Council has the option to reject the recommendations and therefore resolve not to delegate the powers, duties and functions as recommended. It should be noted this would be contrary to the advice received from Maddocks and/or the officer’s recommendations.

By not adopting the *S6 Instrument of Delegation to members of Council staff* all decisions in relation to the provisions contained in the attached instrument will be required to be made by resolution of Council.

Sustainability Implications

Nil

Community Engagement

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

Innovation and Continuous Improvement

Council uses the subscribed service by Maddocks Lawyers as part of our commitment to continuous improvement as a cost effective and efficient means to ensure our delegations continue to align with legislative and other regulatory changes.

Collaboration

Maddocks Lawyers delegation service.

Financial Implications

The financial impact of the review of delegations is limited to staff time, the cost of Maddocks Lawyers delegation service which includes access to all materials relating to delegations and authorisations and bi-annual updates and Council's subscription to the RelianSys Delegations+ system. These costs have been budgeted for within the 2023-24 budget. No additional resourcing is required to give effect to these functions.

Regional, State and National Plans and Policies

Nil

Council Plans, Strategies and Policies

2021-2025 Council Plan: Theme 1 Community and Theme 5 Leadership

Delegations and Authorisations to Members of Council Staff Guidelines

- These guidelines were last updated and adopted by EMT 9 August 2022

Risk Implications

It is essential that the instruments of delegation remain contemporary to ensure members of staff are appropriately empowered to undertake their roles. Updates to the S6 Instrument ensures ongoing legislative compliance for Horsham Rural City Council.

Conclusion

Delegations facilitate the success of good governance for the community by empowering appropriate members of staff to make decisions on behalf of Council.

9.9 ANNUAL FINANCIAL AND PERFORMANCE STATEMENTS 2022-23

Author's Name:	Ramki Subramaniam	Director:	Kim Hargreaves
Author's Title:	Finance Manager	Directorate:	Corporate Services
Department:	Finance Department	File Number:	F18/A10/000001

Officer Conflict of Interest

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

Yes No

Reason: Nil

Status

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

Yes No

Reason: Nil

Appendix

Financial Statement 2022-23 (**Appendix 9.9A**)

Performance Statement 2022-23 (**Appendix 9.9B**)

Purpose

To seek Council's in-principle approval of the Financial and Performance Statements for 2022-23 and authorise their submission to the Victorian Auditor-General's office.

Summary

- The Annual Financial and Performance Statements for 2022-23 have been prepared and presented to the auditor.
- The Annual Financial and Performance Statements for 2022-23 have been reviewed by Council's Audit and Risk Committee on 20 September 2023.
- They are now presented to Council with a recommendation from the Audit and Risk Committee that Council approves in-principle the 2022-23 Financial Statements and Performance Statement for Horsham Rural City Council, subject to any changes that are recommended or agreed by the Auditor in accordance with Section 98(2) of the *Local Government Act 2020*
- In accordance with section 98 of the *Local Government Act 2020*, nominates the Mayor, Councillor Robyn Gulline and Councillor Les Power to certify and approve the 2022-23 Financial Statements and Performance Statement in their final form.

Recommendation

That Council:

1. Provide in-principle approval of the Financial and Performance Statements for 2022-23 and authorise their submission to the Victorian Auditor-General's office [VAGO].
2. Authorise Mayor Cr Robyn Gulline and Cr Les Power to certify the Statements in their final form after any changes recommended or agreed to by VAGO or their sub-contractors, Crowe, have been made, pursuant of section 99 of the *Local Government Act 2020*.

Council Resolution

MOVED Cr Les Power, Seconded Cr Bob Redden

That Council:

1. Provide in-principle approval of the Financial and Performance Statements for 2022-23 and authorise their submission to the Victorian Auditor-General's office [VAGO].
2. Authorise Mayor Cr Robyn Gulline and Cr Les Power to certify the Statements in their final form after any changes recommended or agreed to by VAGO or their sub-contractors, Crowe, have been made, pursuant of section 99 of the *Local Government Act 2020*.

CARRIED

REPORT

Background

The Annual Financial and Performance Statements for the financial year 2022-23 were prepared and presented to the Council's external auditor, Crowe via email on 28 August 2023. The Financial Statement (**Appendix 9.9A**) and Performance Statement (**Appendix 9.9B**) have been forwarded to the Victorian Auditor-General's office for final review, and minor changes to notes and presentation of the Statements may be required/requested.

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

Discussion

The Audit and Risk Committee reviewed the Statements at its meeting on 20 September 2023. Representatives from Crowe, the external auditors appointed by the Victorian Auditor-General's Office, discussed the Statements and presented their audit findings at that meeting.

Specifically the Audit Committee adopted the following recommendations.

That the Audit and Risk Committee recommends that Council:

- Approves in-principle the 2022-23 Financial Statements and Performance Statement for Horsham Rural City Council, subject to any changes that are recommended or agreed by the Auditor in accordance with Section 98(2) of the *Local Government Act 2020*;
- Makes provision, that if there is any significant change prior to certification of the 2022-23 Financial Statements or Performance Statement, they be referred to the Audit and Risk Committee for endorsement; and
- In accordance with section 98 of the *Local Government Act 2020*, nominates The Mayor, Councillor Robyn Gulline and Councillor Les Power to certify and approve the 2022-23 Financial Statements and Performance Statement in their final form, after any changes recommended or agreed with the Auditor and the Audit and Risk Committee, have been made on behalf of Council. at Council adopt, in-principle, the Financial and Performance Statements for 2022-23.

Options to Consider

Council can decide not to provide in-principle approval for the financial statements but doing so would make Council non-compliant with the requirements of the legislation. Where there are any issues identified with the statements they will be addressed in accordance with the requirements of the Victorian Auditor-General's Office noting they will be referred back to the Audit and Risk Committee for endorsement as part of that process as outlined above.

Sustainability Implications

Not applicable

Community Engagement

Not applicable

Innovation and Continuous Improvement

Not applicable

Collaboration

Not applicable

Financial Implications

The cost of the audit is included in the 2022-23 Budget

Regional, State and National Plans and Policies

Not applicable

Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 5 – Leadership

Preparation of the Annual Financial and Performance Statements are a statutory requirement.

Risk Implications

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

Conclusion

The Financial and Performance Statements for 2022-23 have been completed in accordance with the relevant legislation and with the reference to relevant Accounting Standards. They are now presented, with the recommendation of the Audit and Risk Committee, that they be approved in-principle by the Council.

REPORTS FOR INFORMATION**9.10 INVESTMENT ATTRACTION AND GROWTH DEPARTMENT REPORT**

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

Officer Conflict of Interest

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

Yes No

Reason: Nil

Status

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

Yes No

Reason: Nil

Appendix

Spendmapp Report July 2023 (**Appendix 9.10A**)

Purpose

To present the Investment Attraction and Growth Department Report for July 2023.

Summary

The Investment Attraction and Growth Department Report provides the progress and outcomes achieved through the delivery of the Investment Attraction Strategy and Implementation Plan during the reporting period.

Recommendation

That Council receive and note the Investment Attraction and Growth Department Report for July 2023.

Council Resolution

MOVED Cr Claudia Haenel, Seconded Cr David Bowe

That Council receive and note Item No's:

9.10 Investment Attraction and Growth Department Report for July 2023

9.11 Chief Executive Officer's Operational Report for September 2023

CARRIED

REPORT**Background**

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

Discussion

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

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

Actions are measured by goals and set timelines. The timelines are indicated by years which relate to financial years.

Year 1 - 2022-2023

Year 2 - 2023-2024

Year 3 - 2024-2025

Year 4 - 2024-2025

Year 5+ 2025+

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

INVESTMENT ATTRACTION

Council Priorities	Action	Goal Measured by	Progress
3.5.1 (2 years)	Prepare submission of the EES for the Avonbank mining project to ensure that the licence reflects world best practice	Statutory Planning to prepare submission for consideration by council	Avonbank Mineral Sands Project EES Hearing commenced 31 July and will conclude 24 August 2023
3.6 (ongoing)	Widely promote the advantages of establishing solar and wind farms in the Horsham region	Website updated and investment prospectus developed	ESCO Pacific held a community drop in session in July. The business team met with ESCO who provided an update. Planning to commence construction end of 2023.
2.10 (ongoing)	Undertake regular meetings between the Wimmera Development Association and Investment Attraction Department to inform and discuss economic development opportunities	10 forums held per year	Meeting held in July between WSM Development and HRCC Investment & Business Development Team 1/10 meetings held at 14/7/23

STATUTORY PLANNING AND STRATEGIC PLANNING

Strategic Planning

Conservation Management Plan for the Horsham Theatre (Cinema)

Conservation Studio was the successful consultant appointed for the preparation of the Conservation Management Plan (CMP) for the Horsham Theatre.

Conservation Studio undertook an inspection of the theatre on 15 and 16 June to assist them in assessing the heritage fabric and condition of the building.

Community consultation is intended to take place in late July to assist Conservation Studio in understanding the social significance (community value) of the building for Horsham residents.



Council Priorities	Action	Goal Measured By	Progress
(4 years)	Prepare a Conservation Management Plan for the Horsham Cinema	Management plan endorsed by Council	Consultant appointed and site visit undertaken.
2.10.2 (2 to 3 years)	Develop and implement a Housing Affordability and Diversity Strategy	Strategy developed and implemented through a planning scheme amendment	Fee proposals are being assessed.
2.10.3 (2 years)	Prepare and implement the Horsham South Structure Plan (Stage 2)	Plan adopted by Council	Refining a draft future urban structure.

Planning Applications Determined

Below are the number of Planning Permits issued for the month of July 2023 and a comparison with the same period last year.

Type	JULY 2023		JULY 2022	
	No.	*Value \$	No.	*Value \$
Miscellaneous Domestic	0	0	-	0
Industrial/Commercial	2	100,000	4	429,327
Subdivisions	1 (2 Lots)	400,000	1 (2 lots)	80,000
Other	0	0	0	0
Total	3	500,000	5	509,327

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

Total number of planning permits issued in the Horsham Rural City Council area from 1 July 2023 to 31 July 2023 is 3 compared to 5 in the same period in 2022-2023.

Planning permits issued for subdivision have permitted 2 new lots from 1 July 2023 to 31 July 2023 compared to 2 in the same period in 2022-2023.

Building Services

Below are the number of building permits issued for the month of **July 2023** and a comparison with the same period last year.

Permits issued by Horsham Rural City Council for this Municipality

Type	2023		2022	
	No.	Value \$	No.	Value \$
Dwellings	-	-	-	-
Alterations to Dwellings	-	-	-	-
Dwelling resitings	-	-	-	-
Misc Domestic (Carports, Garages etc)	2	30,689	1	14,376
Removal/Demolish	1	27,808	-	-
Industrial/Commercial	-	-	-	-
Signs	-	-	-	-
Total	3	58,497	1	14,376

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

Type	2023		2022	
	No.	Value \$	No.	Value \$
Dwellings	2	824,701	6	2,852,080
Alterations to Dwellings	1	42,460	2	55,632
Dwelling resitings	-	-	-	-
Misc Domestic (Carports, Garages etc)	3	126,584	5	144,829
Removal/Demolish	-	-	-	-
Industrial/Commercial	6	2,458,831	7	6,859,723
Signs	-	-	-	-
_Sub Total	12	3,452,576	20	9,912,264

A total of **3** Building Permits has been issued by the Horsham Rural City Council at a total value of **\$58,497** from **1 July 2023 to 31 July 2023** compared to **1** Building Permit at a total value of **\$14,376** for the same period in 2022-2023.

Private Building Surveyors have issued **12** Building Permits at a total value of **\$3,452,576** from **1 July 2023 to 31 July 2023** compared to **20** at a total value of **\$9,912,264** for the same period in 2022/2023.

BUSINESS DEVELOPMENT & TOURISM**SPENDMAPP**

Spendmapp report for July 2023 (**Appendix 9.10A**)

*data is from bankcard transactions and may not capture all Ag Industry

Grampians Tourism Update Report

Industry Partner Program 2023 - 2024

Grampians Tourism Regional Tourism Board and in partnership with the four LGAs, the key goal is to increase the value of the visitor economy in the Grampians via destination marketing, industry and product development partnerships and investment attractions.

Grampians Tourism benefits deliver:

- Destination marketing activity to enhance marketing efforts, build reach and drive visitation.
- Strong digital presence through our consumer site: www.visitgrampians.com.au
- Large following on our social media channels: [Facebook](#) and [Instagram](#)
- Access to media and trade famils.
- Ongoing Industry Forums across our four regions plus new workshops facilitated by little BIG Marketing, our digital agency.
- Access to industry training and resources via a Grampians Tourism (GT) Partner Portal on their new corporate website, available later this year.
- Advocacy and representation to peak industry bodies including Tourism Australia, Visit Victoria and the Victoria Tourism Industry Council (VTIC).
- Regular industry communication to keep well informed.
- Data and insights to drive robust decision-making.

Business Visitations for the Month of July 2023

Month Visitation	Retail Services	Hospitality & Accommodation	Event contacts	Over all contacts for the month
February	13	8	15	36
March	35	6	12	53
April	20	13	10	43
May	15	8	4	27
June	28	4	5	37
July	71	17	15	103
Total	182	56	61	299

Occupied Businesses:

Street and Number of Businesses	June FY 22/23 Businesses Occupied	July FY 22/23 Businesses Occupied	July FY 22/23 Businesses Vacant	July FY 22/23 Percentage Businesses Occupied
Darlot St – 43 car wash and businesses operating from a house included	41	41	2	95%
Firebrace St - 99	91	90	9	91%
Hamilton St - 17	15	15	2	88%
Wilson St – 34	28	29	5	85%
Pynsent St – 28 Cinema included	22	22	6	79%
Roberts Ave – 27 Coles included	26	25	2	93%
McLachlan St – 24 CFA & GWM included	22	23	1	96%
Total 272 Post February 2022 there were 262 shops identified in the study area	245/272	245/272	27	90%

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

Council Priorities	Action	Goal Measured by	Progress
3.1.2 (3 years)	Seek investment for opportunities highlighted in the Wartook Valley Strategy	3 new tourism products developed	<ul style="list-style-type: none"> Industry partnership program. Working alongside the Regional Tourism Board GT, delivering the key goals/benefits. Communications directly with local tourism operators, goal is to increase value of the visitor economy and enhance marketing activity that drives visitation.
2.1.2 (ongoing)	Design, promote, participate and support municipal activities and events as scheduled including NAIDOC, Volunteers, International Women's Day & Seniors Week	Events reported on in the Investment Attraction and Growth monthly Council Report	New software from Geografia called Placemapp will allow us to track data from mobile phones in order to give us an accurate indication of event attendees. The App is in the pilot phase at the moment, however will be finalised in the coming months.

Horsham Rural City Council**Council Meeting**

Council Priorities	Action	Goal Measured by	Progress
(ongoing)	Ensure constant communication through e-mails and business newsletters with tourism operators and local businesses regarding what is happening in the region	A minimum of 10 business newsletters distributed annually 4 business forums are held annually	1 business newsletter was sent in July The newsletter received 357 opens and 21 clicks.
(ongoing)	Attract businesses to lease vacant shops in the Horsham city centre through the Wimmera Business Centre	Vacant shops reduced from 24 shops to 20 in the first year and maintained at or below 18 shops for the succeeding years	See table above (Occupied Businesses)

New and Closing Businesses

The Business Team visited a number of new (5) and closing businesses (3) this month to ensure they felt supported by Council and to see if there was anything we could assist with. These visits were well received.

Options to Consider

Not applicable – no decision required

Sustainability Implications

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

Community Engagement

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

Innovation and Continuous Improvement

Report provides overview of activity and assists with continuous improvement.

Collaboration

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

Financial Implications

Nil

Regional, State and National Plans and Policies

Not applicable – no direct relationship or requirements

Council Plans, Strategies and Policies

2021-2025 Council Plan: Theme Three Sustainability

Horsham Rural City Council will actively lead in sustainable growth and development of the community and the economy. Strategy 2: A sustainable economy where local business, agriculture, tourism and other diverse industries thrive.

Risk Implications

Not applicable – no decision required

Conclusion

The monthly Investment Attraction and Growth Department report provides the opportunity to give Council and the community an insight into the projects being undertaken to grow our municipality and Horsham as a regional city.

9.11 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 Conflict of Interest

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

Yes No

Reason: Nil

Status

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

Yes No

Reason: Nil

Appendix

Nil

Purpose

To present the Chief Executive Officer's Operational Report for September 2023.

Summary

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

Recommendation

That Council receive and note the Chief Executive Officer's Operational Report for September 2023.

Refer to item 9.10 for Council Resolution

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

Wimmera Southern Mallee Regional Partnership Meeting (WSMRP): The CEO attended WSMRP meetings on 30 August and 1 September 2023 to review Partnerships advocacy priorities.

Joint State-Local Government CEO Forum: CEOs, Municipal Association of Victoria and Local Government Victoria attended the forum held on 6 September 2023. Discussions were held on the 2024 local government elections, preventing corruption in local government and an LGV update.

Wimmera Regional CEO Meeting: The CEOs from Horsham, West Wimmera, Buloke and Hindmarsh met on Thursday 14 September 2023. Acting Regional Director for Grampians Region, Department of Energy, Environment and Climate Action (DEECA) provided an update to the group.

HRCC/RDV Meeting: The CEO attended a meeting with Regional Development Victoria on Thursday 21 September 2023. Discussions included emerging investment opportunities in Horsham.

Funding Opportunities:

Nil

B. Community Engagement

Community Conversations: Councillors and Senior Officers met with the Quantong community at the Recreation Reserve on Monday 18 September 2023. The meeting was an opportunity for the community to raise local issues and questions for Council.

C. Projects and Events

Young Mayors Youth Council: The Horsham Young Mayors Youth Council Swearing in Ceremony was held on Thursday 31 August 2023 in the Council Chambers.

Skate/Scott/BMX Competition: On Sunday 17 September the Skate/Scoot/BMX Competition was held at the Horsham Skate Park. There were around 30 competitors on the day and a crowd of about 120 were on hand to watch the competition. Competitors ranged in age from 6 to people in their 20's, with one skateboarder travelling from Torquay to compete. The day was facilitated by Renton Millar from Shredability, who is also a senior World Skate Judge. The day was supported by FReeZA, Grampians Community Health, Headspace, Uniting Wimmera, Wimmera Proactive Policing, GWMWater and The Lions club who provided the crowd with a BBQ lunch.

Book Week: Book Week celebrations were held at Wimmera Libraries at the end of August. Horsham, Edenhope and Kaniva Libraries all held lively sessions in which not just the kids, but even the librarians were dressed as their favourite book characters.

D. Staff Matters

Careers in Council: During the week of 11 September 2023 the Youth team, in partnership with the Wimmera Southern Mallee LLEN welcomed 20 local High School students from Murtoa College into Council to learn more about careers, available pathways, traineeships and apprenticeships and the role of Council in the community. The theme of the day was pathways and lifelong learning - encouraging the young people to think about the varied skills required over their careers, and thinking with an open mind about their future.

Financial Implications

Not applicable

Links To Council Plans, Strategies, Policies

2021-2025 Council Plan

Theme 5 - Leadership

Consultation/Communication

Not applicable

Risk Implications

Not applicable

Environmental Implications

Not applicable

Human Rights Implications

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

Conclusion

That Council receive and note the Chief Executive Officer's Operational Report for September 2023.

10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS

Cr Robyn Gulline, Mayor

Committee Representation	
01/09/23	Joint Councillor and Officer VLGA Governance Advisory Network (GAN) Meeting (virtual)
11/09/23	Regional Cities Victoria meeting with IBAC's David Wolf re Operation Sandon findings
20/09/23	Audit and Risk Committee meeting
Other Council Activities	
31/08/23	Swearing in of new Horsham Youth Council
01/09/23	Eureka Village morning tea and tour
01/09/23	Creation Official Opening at Horsham Art Gallery
02/09/23	Oasis Father's Day at Horsham Neighbourhood House
06/09/23	Old Riverside School Site Recreation Reserve AGM
07/09/23	Legacy Centenary Torch Relay
12/09/23	HRCC Careers in Council – welcomed Year 10 students from Murtoa College
14/09/23	R U Ok? Day morning tea at Horsham Neighbourhood House
14/09/23	Tim Shaw's retirement from Wimmera Southern Mallee LLEN
19/09/23	"Defying the Drift" Program at Longerenong College

Cr Penny Flynn

Committee Representation	
Date	Description
14/09/23	ALGWA Vic Finance Subcommittee Meeting – Online
Other Council Activities	
31/08/23	Horsham Youth Council Swearing in Ceremony – Council Chamber
01/09/23	Creation Official Opening – Horsham Regional Art Gallery
21/09/23	Council Planning Workshop – Council Chambers

Cr David Bowe

Other Council Activities	
31/08/23	Horsham Youth Council Swearing in Ceremony – Council Chambers
04/09/23	Council Briefing – Council Chambers
07/09/23	Municipal Association of Victoria (MAV) Sexual Harassment Prevention Workshop - online
07/09/23	Corruption risks in local councils: Operation Sandon special report - IBAC webinar
07/09/23	Victorian Local Governance Association (VLGA) & Local Government Information Unit (LGIU) Global Executive Panel: Harmonious council decision making – Setting up councils for success - online
11/09/23	Council Briefing – Council Chambers
14/09/23	R U OK Day – Horsham Neighbourhood House
18/09/23	Quantong Community Conversations - Quantong Recreation Reserve

Cr Claudia Haenel

Committee Representation	
Date	Description
07/09/23	Municipal Association of Victoria - Professional Development Reference Group Meeting
Other Council Activities	
30/08/23	Coffee with Cr. Claudia
30/08/23	From the Battlefield to the Boardroom Leadership Workshop – Horsham RSL
31/08/23	Horsham Young Mayors Youth Council Swearing in Ceremony
31/08/23	Chat Cr. Claudia – Horsham RSL
01/09/23	Creation Official Opening HRAG
02/09/23	Parliament of Victoria WE Lead Bendigo 2023
04/09/23	DCA event - RISE Project Information Session Webinar
04/09/23	Council Briefing Meeting
05/09/23	Conversation at the Crossroads via zoom
06/09/23	Coffee with Cr. Claudia
07/09/23	MAV & VEOHRC Sexual Harassment Prevention Workshop
07/09/23	VLGA & LGiU Global Executive Panel: Harmonious council decision making – Setting up councils for success. Chris Eddy and Kathryn Arndt moderate Q&A style discussion with a panel comprising leaders in this space from across Australia and the UK: -Monica Barone, Chief Executive Officer, City of Sydney Australia, Alison McCullagh, Chief Executive, Fermanagh and Omagh District Council, Northern Ireland. <ul style="list-style-type: none"> • The concept of decision-making in a group setting, with council leaders from Australia and around the globe sharing their experiences on ensuring good governance and harmonious decision making • Communities look to councils to make decisions in their best interests. While elected officials may not always agree, acting with integrity,

Horsham Rural City Council**Council Meeting**

	<p>impartiality, lawfully and with respect to others when making decisions are the principles of good leadership and good governance. But what happens when things aren't quite working as they should? How can we ensure good governance and that good decisions are made?</p> <p>Key areas of discussion included:</p> <ul style="list-style-type: none"> • How to make good decisions in group settings <p>Good governance practises How to effect councillor behaviour and conduct</p>
08/09/23	Parliament of Victoria tour Melbourne
11/09/23	Council Briefing Meeting
14/09/23	Australian Institute of Business – Master of Business Administration Professional networking event Melbourne
20/09/23	Coffee with Cr. Claudia
21/09/23	Council Planning Workshop
21/09/23	Chat with Cr. Claudia – Horsham RSL
22/09/23	GWM Stakeholder Workshop
25/09/23	Council Meeting

Council Resolution**MOVED Cr Les Power, Seconded Cr Bob Redden**

That the Councillor Reports and Acknowledgements be received.

CARRIED

11. URGENT BUSINESS

Nil

12. PETITIONS AND JOINT LETTERS

Nil

13. PROCEDURAL BUSINESS

13.1 INFORMAL MEETINGS OF COUNCILLORS – RECORD OF MEETINGS

- Council Briefing meeting held on Monday 4 & 11 September 2023 at 5:00pm.
- Quantong Community Conversations held on Monday 18 September 2023 at 5:30pm
- Councillor Planning Workshop held on Thursday 21 September 2023 at 9:00am

Refer to **Appendix 13.1A**

13.2 SEALING OF DOCUMENTS

Nil

13.3 INWARD CORRESPONDENCE

Nil

13.4 COUNCIL COMMITTEE MINUTES

- Wimmera Intermodal Freight Terminal Advisory Committee held on 17 May 2023
- Older Persons Advisory Committee held on 6 September 2023

Refer to **Appendix 13.4A**

Recommendation

That Council receive and note agenda items:

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

Council Resolution

MOVED Cr Les Power, Seconded Cr Bob Redden

That Council receive and note agenda items:

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

CARRIED

14. NOTICE OF MOTION

Nil

15. CONFIDENTIAL MATTERS

Council Resolution

MOVED Cr Les Power, Seconded Cr Ian Ross

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

CARRIED

The time being 7.41pm, the meeting closed to the public.

Council Resolution

MOVED Cr Ian Ross, Seconded Cr Penny Flynn

That the meeting move into open Council.

CARRIED

The time being 7.48pm, the meeting opened to the public.

Council Resolution

MOVED Cr Claudia Haenel, Seconded Cr Les Power

That the resolution from Item 15.2 be brought into open Council.

CARRIED

15.2 CONTRACT VP344941 SUPPLY AND DELIVERY OF TWO NEW DUAL CONTROL 6x4 SIDE LOADER GARBAGE TRUCK WITH NO TRADE-IN

Council Resolution

MOVED Cr Claudia Haenel, Seconded Cr Les Power

That Council accepts the tender of Ballarat Isuzu for supply and delivery of two, new dual-control 6x4 side loader garbage trucks at a cost of \$910,329.60 excluding GST.

CARRIED

CLOSE

After dealing with Confidential Matters, the meeting closed at 7.49pm

DocuSigned by:

Robyn Gulline

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The Mayor, Cr Robyn Gulline

Chairperson