



HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
PUBLIC MINUTES

TUESDAY 17 JULY 2018

SENIOR CITIZENS ROOM

76 VINCENT STREET

DAYLESFORD

6:00PM

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MINUTES

TUESDAY 17 JULY 2018

Senior Citizens Room

76 Vincent Street, Daylesford

Commencing 6:00PM

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BRUCE LUCAS
INTERIM CHIEF EXECUTIVE OFFICER
17 JULY 2018

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

We would like to acknowledge we are meeting on Jaara people country, of which members and elders of the Dja Dja Wurrung community and their forebears have been custodians for many centuries.

On this land, the Jaara people have performed age old ceremonies of celebration, initiation and renewal.

We acknowledge their living culture and their unique role in the life of this region.

2. OPENING OF MEETING

PRESENT: Mayor Cr John Cottrell, Cr Don Henderson, Cr Kate Redwood AM, Cr Sebastian Klein, Cr Neil Newitt

IN ATTENDANCE: Mr Bruce Lucas Interim Chief Executive Officer, Mr Grant Schuster GM Community and Corporate Services, Mr Carl Telfer Acting GM Community and Corporate Services, Ms Katherine Toom Coordinator Governance and Information

STATEMENT OF COMMITMENT

“WE THE COUNCILLORS OF HEPBURN SHIRE
DECLARE THAT WE WILL UNDERTAKE ON EVERY OCCASION
TO CARRY OUT OUR DUTIES IN THE BEST INTERESTS
OF THE COMMUNITY
AND THAT OUR CONDUCT SHALL MAINTAIN THE STANDARDS
OF THE CODE OF GOOD GOVERNANCE
SO THAT WE MAY FAITHFULLY REPRESENT
AND UPHOLD THE TRUST PLACED IN THIS COUNCIL BY THE
PEOPLE OF HEPBURN SHIRE”

3. APOLOGIES

Cr Fiona Robson

Cr Greg May

4. DECLARATIONS OF CONFLICTS OF INTEREST

Cr Kate Redwood AM declared a conflict of interest with the confidential item on the agenda.

5. CONFIRMATION OF MINUTES

RECOMMENDATION

5.1.1. That the Minutes of the Ordinary Meeting of Council held on 19 June 2018 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.

MOTION

5.1.1. *That the Minutes of the Ordinary Meeting of Council held on 19 June 2018 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

Moved: Cr Don Henderson

Seconded: Cr Sebastian Klein

Carried

6. NOTICES OF MOTION

Nil

7. ITEMS OF URGENT BUSINESS

Nil

8. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor John Cottrell, Holcombe Ward

No written report provided

COUNCILLOR REPORTS

Councillor Don Henderson, Creswick Ward

I attended the launch of an art piece in Clunes named Lunaris. I was particularly pleased to see the connection of this art piece which could be said connected Clunes to the universe beyond our local space. I am sure that this piece will attract much interest and even more pleasing is the support of local people for this project piece.

Along with Cr Newitt I was part of a meeting to further develop an application for World heritage listing of the goldfields between Ballarat and Bendigo. This will involve 13 municipalities. I was surprised when I said that Hepburn Shire had already contributed to be told that in fact we had not. I then discovered that despite Council resolution to contribute that this had not happened.

Creswick Museum Special committee has currently an exhibition relating to Norman Lindsay and was not surprised given the very high regard that the Creswick museum has that very precious and rare items had been loaned. The book *The Magic Pudding* by Norman Lindsay was a feature of the exhibition. It was a bit sad to see a great exhibition housed in a building that is looking so tired and in fact with windows rotted and in need of urgent repairs. The committee were going to turn on the historic lights but like the heating in the hall they were not working. The heaters in the hall which is the approved meeting place in Creswick for community have needed replacement or repair for at least 6 years with some only running at half heat, one which when turned on requires a genius to turn off and another that people use a coat hanger if and when they get it to work to stay on. A short walk down the footpath to the East on a wet day is a problem because the guttering has been rusted out for a number of years.

I was surprised to hear from a number of community members that the Creswick Trails project that was reported by officers to be going well has in fact struck a major hurdle and despite hundreds of thousands of dollars spent on consultants and

design not one sod has been turned. I was not aware when council recently let the contract for the first stages of this problem.

I am hoping that now some of these issues have been raised in an official Council meeting that we may see some progress.

Councillor Neil Newitt, Cameron Ward

Bit of a mixed bag this month

Clunes public art

Starting out in Clunes - I attended, along with the Mayor and Cr Henderson, the unveiling of Lunaris - the latest addition to the shire's public art acquisition. Artist Joanne Mott unveiled Lunaris on a damp day in Clunes. Nethertheless around 60 people turned up for the opening.

This new artwork by Joanne Mott, combines land art and augmented reality to respond to the geology, landscape and history of Clunes and its relationship with the moon.

Those that attended were keen to download the app and explore the artwork. They seemed eager to promote the piece and were supportive of councils roll out of public art across the shire.

Many people were involved in delivering this piece for the community - I'd like to acknowledge the Hepburn shire public art panel which is made up of volunteers from within the shires art community. I thank them for their willingness to contribute to the community.

Goldfields world heritage

Developing a masterplan for world heritage listing

Along with Cr Henderson and Economic Development officer Rebecca Pedretti I attended a workshop meeting meeting to further develop a masterplan for world heritage listing of the central Victorian goldfields region.

I know we as council are supportive of the concept, however, it was rewarding to hear of the commitments our neighbouring councils also have to the plan. And of the many benefits and flow on to our communities, through economic returns and through the strengthening of our sense of place. The session resolved to continue toward a listing submission and seek key support through each layer of government as well as champions through our communities and wider business support.

Film extras in Clunes

Over 500 people and several media outlets descended on Clunes for the chance to sign up for the next Ned Kelly movie.

Interest will focus on the Clunes town hall, 145 this year as the film calls for a dance/ballroom scene. I hope this focus on the town hall will help bring support to find the necessary funding to complete the restorations on this much used and loved building.

Monash statue in Canberra

Recently, whilst in Canberra I visited the Australian war memorial. The day happened to be on the centenary of the battle of Hamal. This was the day chosen to unveil a statue of General Sir John Monash in the gardens of the Australian war memorial - only the 3rd person to be so immortalised.

Standing there, listening to Dr Brendon Nelson in his capacity as director of the War memorial, I again heard of the incredible achievements of Monash in the battle of Hamal, and it's role in bringing an end to the war.

It seems that there is a renewed and growing awareness of the importance of Monash, both to his war effort and to his roles in civilian life. Whilst standing there watching the unveiling of the statue, I could only hope we have a chance to deliver a similar response when we have the ability to restore Monash's Wheelers Bridge, near Lawrence. I continue to encourage us to find a way to preserve and restore this reminder of his impact on our community.

Councillor Kate Redwood AM, Birch Ward

Congratulations to the organisers of Hepburn's NAIDOC event – Ellen's Walk for Reconciliation - held on Sunday 15 July. The Dja Dja Wurung Aboriginal Clans Corporation, the Great Dividing Trail Association and Hepburn Shire Council organised and delivered an event that was extraordinary and memorable. A group of about 100 of us, including the mayor John Cottrell, gathered in the crater of Mt Franklin, commencing with a smoking ceremony and welcome to country, and then we walked up the side of the crater to the highest point to look out across visible features of Dja Dja Wurung country, and then we walked across country to the Franklinford cemetery and finally to Clarke's Pool. Barry Golding AM led the walk and provided explanations of various sites and features along the way. We learnt a great deal about the years of the Protectorate and its presence here and its impact on Aboriginal people.

Community recycling has continued to be a preoccupation over the last month. It is pleasing to see progress being made by Council officers in the planning of a major education campaign in the Shire to address the very poor allocation of waste between

the landfill bin and the recycling bin. 40% contamination is not a situation we can be proud of and it is good that Council's officers are addressing this. It also relates to the complaints of the residents of Langley Court who I met with earlier in the month. One of their major problems is the paper and plastics blown or carried by birds onto their properties, from the shed on the MURF where waste is being transported and then repacked in larger trucks. If the paper and plastics in this waste stream were correctly put in the recycling bins then this would go some way to ameliorating this problem. Not the only solution, but one that is within our control as a community.

Other recycling initiatives that are on the way include the sorting of glass by colour. We are about to have a trial commence at the transfer station. Sorted glass can be sold for around \$80 per ton -better than having to pay the recipient for it!

The repair café is also going ahead. This will be located in the Senior Citizens Centre and will repair small electrical appliances and items that can be sewn.

Other events during the month included:

Biggest Morning Tea organised by the special needs group at the Daylesford Neighbourhood Centre

Hepburn Wind grants committee, assessing applications in current funding round

Langdon Court residents meeting re their request to move the transfer station, and expressing strong concern regarding the negative impact of the transfer station and MURF on their lives

Catch up with a/CEO

5000 Club thank you for the Council grant, which was a well attended and happy occasion

Rotary President change over dinner attended by about 50 locals and supporters including the Mayor attended the function held at the Woodstore Daylesford

Yandoit Ward meeting well run by Nikki Marshall and raising lots of issues for follow up but particularly happy comments about the Clydesdale bridge repair

Ballarat NAIDOC function attended by around 200 indigenous people and strongly supported by Ballarat Council

Council workshop on the rewrite of the Planning Scheme led by Professor Michael Buxton

Councillor Briefing

Audit of the maintenance needs of the ARC

Meeting with Mary Anne Thomas regarding various local issues including homelessness/housing

Launch in Creswick Town Hall of the Magic Pudding centenary exhibition, attended also by the Mayor who spoke, Catherine King our Federal member, who spoke, and Cr Henderson

Bastille Day function in Daylesford Town Hall attended and greatly enjoyed by about 100. The Brass Band was wonderful as was the singing of Dr Ip. Congratulations to the U3A organising group

Hepburn NAIDOC event – Ellen’s Walk for Reconciliation

DIAC meeting to discuss preferred site for the heated pool in Daylesford and strategies for funding

Discussions re biodiversity strategy.

Councillor Sebastian Klein, Coliban Ward

I attended the Artisanal Agriculture forum at Victoria Park Recreation Reserve.

Despite concerns about the term “artisanal”, the attendees, some 100 or so were passionate and dedicated to rejecting a food economy based on multinational corporations and the vagaries of commodity markets and free-trade, and instead creating local food markets which more resemble agriculture of the past 10,000 or more years and ensure that farmers are paid a working wage. As a result these farmers are able to treat their livestock more humanely, ensure the sustainability of land management practices and make for tastier, fresher and more nutritious food.

It was important to hear from these farmers about how regulations designed for industrial scale agriculture and food production is hindering the growth of the local farming industry and local employment. Great as well to see how well invested council is in this conversation with the Mayor, CEO and Economic Development Manager all in attendance to talk about the future of agriculture and livestock industries in Hepburn Shire.

It is fantastic to see this interest in a diverse economy and even to see that a thriving, unique farming industry is a complement and not a competition with the clear focus on tourism of recent decades.

Transport in Trentham – great to see the culmination of years efforts by many community members but particularly Will Morris who of course presented a petition on this matter to Council some months ago. Mary-Anne Thomas presented not just on a new service to and from Woodend, a new service to and from Kyneton and

adjustments to the morning and evening runs which will ensure that commuters can get to and from Melbourne in time for work.

Along with other Councillors, I attended the planning scheme workshop with Michael Buxton, one of Victoria's pre-eminent planning experts. He was emphatic that for those Councils on the fringes of Melbourne's growth, now is a critical moment – to decide what we want for the future of the shire: that if we allow for the pattern of growth as it has occurred in recent years under an obsolete planning scheme we will see a diffuse urban-style development, or alternatively that we can put in to place the controls to ensure that the amenity, the environment and the farming areas of our shire are protected into the future.

RECOMMENDATION

8.1.1. That Council receives and notes the Mayor's and Councillors' reports.

MOTION

8.1.1. *That Council receives and notes the Mayor's and Councillors' reports.*

Moved: Cr Kate Redwood AM

Seconded: Cr Neil Newitt

Carried

9. PUBLIC PARTICIPATION TIME

This part of the Ordinary Meeting of Council allows for the tabling of petitions by Councillors and Officers and 30 minutes for the purpose of:

- Responding to questions that have been submitted by members of the community.
- Allowing members of the community to address Council.

Community members are invited to submit written questions to the Chief Executive Officer by 12 noon on the day of the Council Meeting. If you wish to address Council you must provide a brief synopsis of your address in writing to the Chief Executive Officer by 12 noon on the day of the Council Meeting.

Questions received may be taken on notice and responded to later. Likewise, some questions of an operational nature may be responded to through usual administrative procedure. Separate forums and Council processes are provided for deputations or for making submissions to Council.

9.1. PETITION

No petitions have been received this month in accordance with Local Law 1.

9.2. QUESTIONS

Community members are invited to submit written questions to the Chief Executive Officer by 12 noon on the day of the Council Meeting.

Questions received may be taken on notice and responded to later. Likewise, some questions of an operational nature may be responded to through usual administrative procedure. Separate forums and Council processes are provided for deputations or for making submissions to Council.

Question 1 – Dr Michael Veal (Asked by Mr Ray Martin)

Council should be congratulated for the steady and supportive efforts to have the “Creswick MTB Mecca” proposal funded to \$2.56 million dollars in April of 2017. However residents and end users are frustrated that earth has not yet been turned on the project. Can the council inform us of any delays or issues with the project and what the council is doing to get the project on track?

Answer 1 – Mayor John Cottrell

The Creswick MTB mecca is a priority project for Council and we are committed to delivering the project in a timely manner. While we recognise the frustration some residents have and understand why they would feel frustrated, there are some complicating factors that must be considered. The main one being that the proposed trail network rests on land managed by six different organisations. Each land manager has their own set of conditions and concerns that must be addressed before land access can be granted. This is taking longer to finalise than we had originally anticipated, getting six organisations across the line.

We have awarded the contract for the construction of the Pump Track as part of the trail head proposed for Hammon Park. This site is managed by Council and is being progressed. The detail design of the track and associated park infrastructure are currently being finalised so that construction can commence in September.

Council staff are currently reviewing the project scope, schedule and resource plan to best determine how trails construction may commence at the soonest possible date. Results of this work will be communicated to the Project Reference Group which is made up of local community members, including Cr Henderson and Cr May, and the wider community when it is completed.

Question 2 – Mr Rod Kirby

From the minutes of the past several Ordinary Meetings of Council, it would seem that Hepburn Shire Council is repeatedly using S5.11.9(b), 5.11.10, 5.11.11 of Local Law No.1 (Meeting Procedures) to prevent ratepayers from asking or receiving answers to their questions.

Does Council acknowledge that to use Local Law No.1 for this purpose (ie: gagging ratepayers) is in breach of S28 of the Federal Crimes Act (Interfering with political liberty) and does Council acknowledge that Federal laws such as S28 of the Crimes Act take precedence over Local Law No.1?

Answer 2 – Mayor John Cottrell

No, Council does not believe it is in breach of section 28 of the Commonwealth Crimes Act 1914.

Question 3 – Mr Rod Kirby

Does Hepburn Shire Council acknowledge that, as Australians, we all enjoy the rights and liberties bestowed upon us by the Constitution of the Commonwealth of Australia, and that this same Constitution is superior to Local Law No.1?

Answer 3 – Mayor John Cottrell

Yes, we do all enjoy the rights and liberties of our Constitution.

Council is not aware of any concern of superiority between Local Law No 1 and the Commonwealth Constitution. Both laws have their role and work separately.

Supplementary Question – Mr Rod Kirby

Do you acknowledge that we, as Australian citizens or constituents are bound by the Constitution?

Answer - Mayor John Cottrell

Both Laws are applicable but work separately.

Question 4 – Mr Bill McClenaghan

At its last meeting, Council made no determination on a planning permit application for an NBN tower in Glenlyon; there being no motion moved either for approval with conditions or refusal to grant the permit. In my time on Council, I have never known this situation to happen as Council usually is well briefed prior to the meetings, has clarified the issues and is in a position to make a determination at the subsequent meeting. What is more astounding is that Council failed to determine the matter with the imminent approach of the 60 day statutory time limit for deciding the matter. This means now that the permit applicant may apply to VCAT for a decision instead. If so, Council will be asked to notify VCAT what decision it would have made when able to do so and so the entire matter will come back to Council to deal with again, presumably with the same Officer Report and recommendation as before.

Please indicate whether the applicant has applied to VCAT for a determination and outline the current status of this planning application.

Answer 4 – Mayor John Cottrell

The applicant has not applied to VCAT for a determination. The application is still current (live) and officers continue to liaise with the applicant on possible amendments to the plans as a result of objectors' concerns.

Depending on further information and discussion between officers and the applicant, it is anticipated that the matter will be determined at the August (2018) Ordinary Meeting of Council.

Supplementary Question – Mr Bill McClenaghan

Would this be considered a new planning application?

Supplementary Answer – Mayor John Cottrell

No, this would be as an amendment to the existing application.

Question 5 – Mr Bill McClenaghan

The quality and safety of the Daylesford streetscape is important for our many visitors and locals alike and footpaths are certainly focal points where local and visitors mix in their daily movements through the town. One issue that has become more evident in recent weeks is the condition of Council's waste receptacles. Many of these metal structures housing internal bins have defective door locks and the doors are always partly or wholly open or even swinging in the breeze. This not only looks shabby but is also a danger to the public as these doors could easily injure someone walking by. Council has policies and procedures for managing risk and for public safety yet numerous bins in the main streets of Daylesford have remained in this defective condition for some time now. A saying in OH&S is that "if you walk past it, you accept it" and many Council staff and Councillors do walk past these bins on a daily basis. Certainly the public can make service requests to have the bins repaired but it is up to Council to be pro-active and keep its public facilities safe and functional at all times.

Please explain the process that Council has in place that should be getting followed, to identify public safety hazards and to have them rectified.

Answer 5 – Mayor John Cottrell

You highlight a very important point and we thank you for that. We acknowledge the issue raised and agree that it is up to Council to be proactive and keep its public facilities safe and functional.

Council has a scheduled program of road and footpath inspections, primarily focussed on our Road Management Plan requirements including trip hazards. Issues such as bin enclosures and furniture are not currently part of these inspections. We will review these inspections and look at how we can expand the scope to identify broader public safety risks.

Specifically with respect to the bins, Council has engaged an external contractor to empty public receptacles on a routine schedule Shire wide. Any defect or issue with the condition of the metal structures that house internal bins should be reported by the contractor within our *Closing the Loop* customer request system as they arise. That is part of their obligation. One such request was received and dealt with back in November 2017.

Council will undertake an inspection of all waste receptacles and address issues identified as soon as reasonably practicable.

Point of Order – Cr Kate Redwood AM

Not asking the submitted question.

Mayor John Cottrell ruled in favour of the Point of Order raised and directed Mr Johns to proceed with his questions as submitted.

Question 6 – Mr Bryan Johns

Why do Council say they will do one thing and do something totally different?

Answer 6 – Mayor John Cottrell

Council has no intention to act differently to our statements. We are sorry if you believe that has occurred.

As was requested of you last month, please submit to us in writing details where you believe this has occurred. Please provide us specific details and we will consider that.

Question 7 – Mr Bryan Johns

Why are some Council Officers exempt from following Council's own rules?

Answer 7 – Mayor John Cottrell

It is not clear what rules you are referring to.

As was requested of you last month, please submit to us in writing details where you believe Council officers have not followed our rules. Please provide us specific details and we will consider that.

9.3. REQUESTS TO ADDRESS COUNCIL

Mr Rod Kirby addressed the Council regarding the application of Local Law No. 1

Mr Dennis Trehwella addressed the Council regarding community consultation in the Shire.

10. STATUTORY PLANNING REPORTS

10.1. PLANNING APPLICATION 1873 - USE OF THE LAND FOR A DWELLING AT UNIT 226, 1500 MIDLAND HIGHWAY CRESWICK (RACV GOLDFIELDS RESORT)

ACTING GENERAL MANAGER INFRASTRUCTURE

In providing this advice to Council as the Coordinator Planning, I Nathan Aikman have no interests to disclose in this report.

PURPOSE

The purpose of this report is to provide Council with a briefing on the application for the use of the land for a dwelling at Unit 226, 1500 Midland Highway Creswick. (RACV Goldfields Resort)

BACKGROUND

An application was lodged 8 December 2017 to use one of the rooms within the RACV Goldfields Resort for a dwelling.

The application was lodged following a complaint that the land was being used for the purpose proposed as part of this application without planning approval.

Following an inspection of the site, it was found that the owner of the room had installed a washing machine, a dryer and cooking appliances that were incorrectly vented and the land was being used as the primary place of residence of the residents that constituted the use of the land for a dwelling.

During the notification of the proposal and as noted earlier, a total of 11 objections were lodged including objections from the owner's corporation and the owner and operator of the complex itself. 1 letter of support was also received.

The building is almost entirely used for the purpose of short stay accommodation in line with approval that was sought to establish the building on the site which was provided through Planning Permit 2003/7632. This permit was issued for the purpose of a residential hotel, licensed premises, convention centre and restaurant.

The site is zoned Special Use Zone Schedule 2 and is affected by the Development Plan Overlay Schedule 3, Bushfire Management Overlay and Environmental Significance Overlay.

A planning permit is required under the provisions of the Special Use Zone to use the land for the purpose of a dwelling

In the fruition of the resort itself a development plan was approved as required by Clause 43.04-1 of the Scheme. This approved development plan identified that the building, that this application seeks to use part of for a dwelling, was identified as a

land to be used as a hotel. Following the adoption of the development plan, Planning Permit 2003/7632 sought approval to use the building as a residential hotel.

ISSUE/DISCUSSION

Relevant State and Local Planning Policy Framework

The following clauses of the SPPF and LPPF are considered relevant to this application	
Clause 16.01-2 – Location of residential development	This clause is relevant and has the following objective: <i>‘To locate new housing in or close to activity centres and in urban renewal precincts and sites that offer good access to jobs, services and transport.’</i>
Clause 16.01-4 - Housing diversity	This clause is relevant and has the following objective: <i>‘To provide for a range of housing types to meet increasingly diverse needs.’</i>
Clause 17.03-1 - Facilitating tourism	This clause is relevant and has the following objective: <i>‘To encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination.’</i>
Clause 21.05 – Settlement and Housing	This clause is relevant and includes the following objective: <i>“To achieve a sustainable urban form for towns by containing most future development within the urban growth boundaries shown on service town Structure Plans”</i>
Clause 14.02-1 - Catchment planning and management	This clause is relevant and has the following objective: <i>To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.</i>

Zones and Overlays

Special Use Zone – Schedule 2

The site is located within the Special Use Zone Schedule 2 pursuant to Clause 37.01 of the Hepburn Planning Scheme. (Scheme)

A planning permit is required to use the land for the purpose of a dwelling pursuant to Clause 1.0 of Schedule 2 to the Special Use Zone.

Development Plan Overlay Schedule 3

The site is affected by the Development Plan Overlay Schedule 3 pursuant to Clause 43.04 of the Scheme. Any permit issued within the area affected by the Development Plan Overlay Schedule 3, must be generally in accordance with the approved development plan.

A Development Plan has been prepared and approved which defines the building that the site is located within being designated as being a 'hotel'

Environmental Significance Overlay Schedule 1 and Bushfire Management Overlay

A planning permit is not required under the provisions of either of these overlays.

Discussion regarding proposal and relevant planning provisions

Of the above identified policy identified within the SPPF and LPPF there is limited immediately evident planning policy providing guidance in relation to an application such as this. Clauses 16.01-2 and 17.03-1 identify that the housing should be directed into existing towns close to facilities and to ensure that tourist facilities are encouraged to maximise their potential to ensure that visitation helps towards the economic development of the State and Municipality. Further, the purpose of the Special Use Zone Schedule 2 is to '*...provide for the use and development of the Creswick golf course and associated uses.*'

The main hotel building has operated for a significant period of time for the use of the land for a residential hotel. The definition of a residential hotel pursuant to Clause 74 of the Scheme is:

'Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.'

The resort building continues to be used in line with the definition of a residential hotel.

The building that the room is located within is not designed to be used for long term accommodation or a dwelling, and was never envisaged as being used for this purpose. It is considered that on balance of the existing use of the land, the previous

approvals that have enable the resort building itself to be built and the planning policy relevant to the application that the proposed use should not be supported.

It is noted that further consideration as to whether the proposed use of the land for a dwelling with the complex is appropriate under other legislation such as the *Building Act 1993* may also have to be considered in the future outside of the assessment of the application.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

This application meets Council's obligations as Responsible Authority under the *Planning and Environment Act 1987*.

FINANCIAL IMPLICATIONS

Any application determined by Council or under delegation of Council and which is subject to appeal rights and may incur costs at VCAT if appealed.

RISK IMPLICATIONS

N/A

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

N/A

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The application has been advertised by sending notification of the proposal to adjoining and adjacent owners and occupiers and a notice on the land. As a result, no objections have been received.

CONCLUSION

The application proposes to use a room within the RACV Goldfields Resort for the purpose of a dwelling. The original permit that provided the approval to construct the resort building envisaged that the building would be used for the purpose of a residential hotel and was provided with the facilities that envisaged such a use. Further the development plan that was approved under the provisions of the Development Plan Overlay identifies that the building is to be used for the purpose of a hotel. While a permit can be applied to use the land for the purpose of a dwelling, this does not necessarily mean that a permit should be issued. A large number of objections were received to the application that further exemplifies the inappropriateness of the proposed use.

OFFICER'S RECOMMENDATION

10.1.1. That Council, having caused notice of the planning application PA 1873 to be given under Section 52 of the Planning and Environment Act 1987, and having considered all the matters required under Section 60 of the Act decides to issue a Refusal to Grant a Permit in respect of the land known and described as 226/1500 Midland Highway, Creswick for the use of the land for a dwelling for the following reasons:

- The application does not implement Clause 16.01-2 (Location of residential development) as the proposal seeks to use the land for a dwelling in a location outside of the main activity centre of the township of Creswick
- The application does not implement Clause 17.03-1 (Facilitating tourism) as the proposal limits the ability of a major tourism development from maximising the economic, social and cultural benefits it provides the Municipality.
- The application does not provide for the use and development of the Creswick golf course and associated uses in line with the purpose of Schedule 2 to the Special Use Zone as it proposed to use the land for a dwelling in an area not designated for such use.

The proposal is inconsistent with the Decision Guidelines at Clause 65 of the Hepburn Planning Scheme and results in a poor planning outcome for the area.

MOTION

10.1.1. That item 10.1 is deferred for consideration at the Ordinary Meeting of Council on Tuesday 21 August 2018; in respect of the land known and described as 226/1500 Midland Highway, Creswick for the use of the land for a dwelling to allow for the applicant and objectors to be given the opportunity to address Council.

Moved: Cr Sebastian Klein

Seconded: Cr Neil Newitt

Carried

Point of order – Cr Sebastian Klein

No interruption from the gallery

Mayor Cottrell upheld the point of order raised.

ATTACHMENT 1 - PLANS – PLANNING APPLICATION 1873

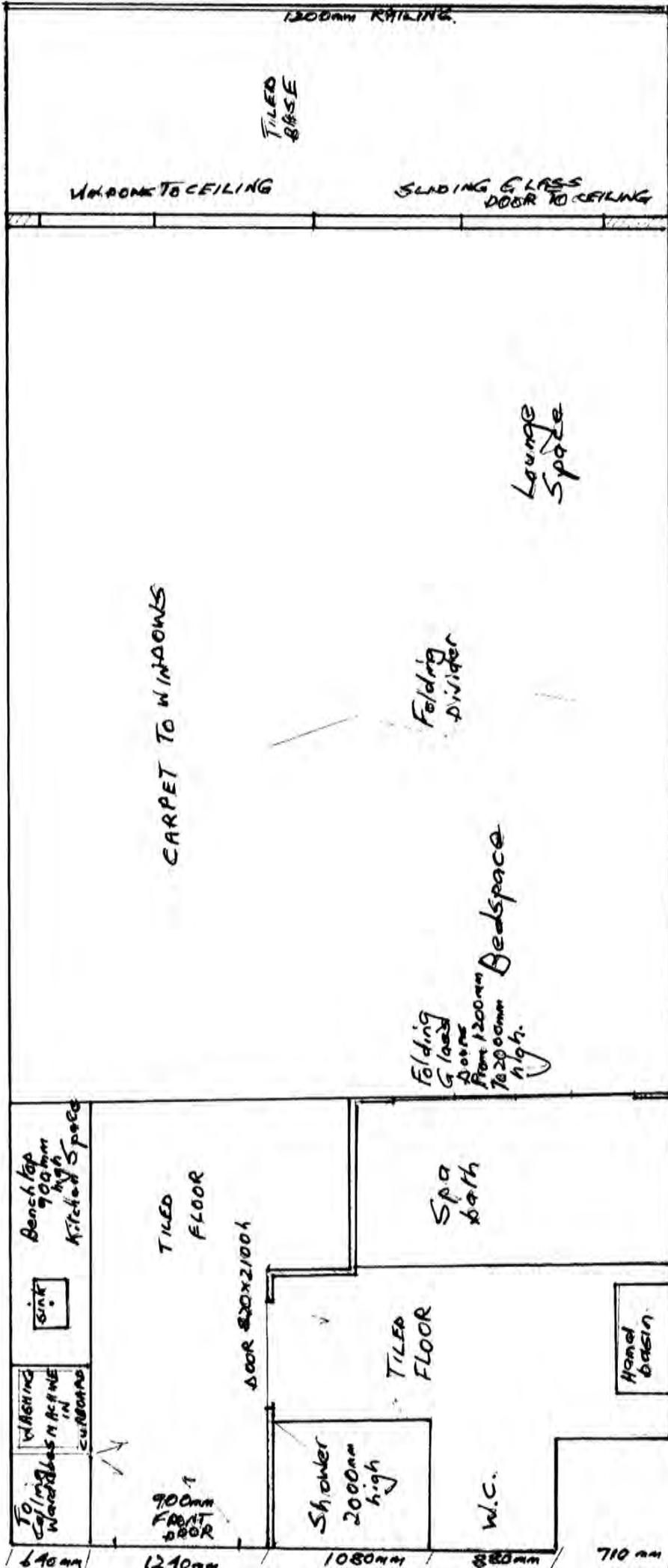
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11. OFFICERS' REPORTS

11.1. INTERIM CHIEF EXECUTIVE OFFICER'S REPORT

The report presented is included within the minutes as attachment 2.

OFFICERS RECOMMENDATION

11.1.1 That Council receives the Interim Chief Executive Officer's Report for July 2018.

11.1.1. That Council receives the Interim Chief Executive Officer's Report for July 2018.

Moved: Cr Neil Newitt

Seconded: Cr Sebastian Klein

Carried

ATTACHMENT 2 - INTERIM CEO REPORT – JULY 2018

CHIEF EXECUTIVE OFFICER REPORT

Presented at the Ordinary Meeting
of Council on 17 July 2018

The CEO Report is a monthly report to inform Council and the community of current issues, initiatives and projects undertaken across Council.

CEO Update

At our last Ordinary Council meeting on 19 June 2018, Councillor's appointed Evan King as our new Chief Executive Officer. I am delighted to welcome Evan to the team and his poise and calm approach will be a great asset and he will provide strong leadership for Hepburn Shire.

Evan is coming to us from the Pyrenees Shire where he held the position of Director Corporate and Community Services and commences at Hepburn Shire Council on Monday 23 July 2018.

BUDGET ADOPTED

At the June Council meeting, the 2018-19 Budget was adopted. A great deal of work goes into pulling the budget together from across the organisation. We are now busily planning for the delivery of the projects so the work continues.

TOUR OF THE REX

Following last month's announcement regarding the delay to the Rex project, we invited Gina Lyons from the Cinema Group for a tour of the Rex to provide an overview of the construction and progress to date.

Separately, some colleagues and I took Evan King, the new CEO, for a tour of the Rex to give him an overview of Council's new administration hub.

CRESWICK MOUNTAIN BIKE TRAILS

I spent an afternoon in Ballart work-shopping the progression of the Creswick Mountain Bike Trails project with Regional Development Victoria and Parks Victoria to collectively discuss the complex elements of the Creswick Trails project, particularly around project resourcing and how to find the best pathway through some of the complex land management and asset renewal challenges.

TRENTHAM HUB POSTAL SURVEY

The Trentham Hub postal survey is officially underway. The survey packs were finalised and mailed out at the start of July by our returning officer Mr Ron Ritchie. While inducting library staff as Assistant Returning Officers, two community members arrived with completed surveys in hand.



PERFORMANCE EXCELLENCE PROGRAMME (PEP)

The organisation has been completing our Staff Mid Year “PEP” talks. This is a great opportunity to ‘check-in’ how each staff member is progressing with their Objectives and Training & Development plan with their supervisor.

COUNCILLOR WORKSHOP - HEPBURN PLANNING SCHEME

We were fortunate to have Emeritus Professor Environment and Planning, RMIT University – Michael Buxton to run a follow up planning workshop.

I participated in the workshop with Councillors, and Michael discussed what Council can consider and prompted much thought about Hepburn’s unique attributes that should be protected when reviewing and updating our planning scheme.

5000 CLUB RECOGNITION

Cr Kate Redwood and I were invited for lunch at the 5000 Club in Daylesford last Friday in recognition of a community grant provided by Council. Loretta Little and all the volunteers at the 5000 Club do a wonderful job providing a free weekly three course meal to members of our community. The lunch provides community members with a hot meal, but also social interaction



RURAL SOUTH CENTRAL MAV REPRESENTATIVES, MAYORS & CEO'S SESSION

The Mayor and I attended this forum in Torquay where we were briefed by MAV on a range of issues including the Local Government Bill and funding opportunities to support regional priority projects. Each of the attending Local Government representatives also provided updates on local issues and priorities.

MAGIC PUDDING EXHIBITION LAUNCH

Last Friday evening the Creswick Museum Committee launched the Magic Pudding Exhibition which was officially opened by Catherine King MP, Federal Member for Ballarat.

The exhibition features images from the original version of The Magic Pudding book, drawings of Ned Kelly, Pirates, and animals by Norman Lindsay and the model of Captain Cook's Endeavour that Norman Lindsay made is on loan from the National Gallery of Victoria.

The exhibition will continue until October 2018 and i would recommend visiting the exhibition.

THE REX / HEPBURN HUB PROJECT

The documented scope has been developed to guide the project audit of The REX / Hepburn Hub Project. This has been done in consultation with Councils Audit and Risk Advisory Committee. The project brief is being finalised for the procurement process to be commenced later this week in accordance with Councils Procurement Policy.

As has been previously reported, works at the Rex were ceased in June and the site has been secured. This has included the removal of site offices, scaffolding and other equipment on hire and securing delivery of various materials that had been purchased. Following advice from Councils Planning Department some minor works are going to be undertaken in the coming of weeks to secure the installation of the internal lift previously purchased and being delivered shortly and the placement of stair treads on to the existing structure to prevent deformation / deterioration of the of dressed timber delivered to the site.

11.2. RECONCILIATION ACTION PLAN

GENERAL MANAGER COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Community Development Officer, I Robert Ball have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider adopting the Reconciliation Action Plan (RAP) and approving its implementation over 12 months from July 2018.

BACKGROUND

In 2016-2017, Council committed to developing a Reconciliation Action Plan (RAP) to provide a direction for reconciliation activities across the Shire.

In September 2017, Council appointed the RAP Community Reference Group to provide advice and input into the development of the RAP and represent the interests of the Aboriginal and Torres Strait Islander community in the Shire.

The RAP Community Reference Group has provided valuable input into the Draft RAP. An organisational wide internal working group has also contributed to content of the Draft RAP. Atkinson Consulting Group (ACG) was appointed to provide cultural brokerage and specialist advice to guide the development of the Draft RAP. ACG's Director, Graham Atkinson, is a recognised Dja Dja Wurrung Elder and former Chair of the Dja Dja Wurrung Clans Aboriginal Corporation.

At the December 2017 Councillor Briefing, Councillors were updated on the Draft RAP's development. Following this, a presentation on the Draft RAP's actions was delivered to Council in February 2018. At this meeting Council recommended a process of public consultation on the Draft RAP. A process of public consultation was implemented from 23 March - 19 April 2018. Community engagement activities included drop-in information sessions, access to Draft RAP via Council's website online, and promotion through social and print media.

The RAP has been guided by Reconciliation Australia's RAP Framework, which sets out the steps and provides a framework to prepare reconciliation initiatives. Council has gained conditional endorsement from Reconciliation Australia for the RAP.

ISSUE/DISCUSSION

The RAP sets a 12 month plan of actions for Council to implement. By adopting a RAP, Council aims to build better relationships between the wider Australian community and Aboriginal and Torres Strait Islander Australians for the benefit of all Australians.

The RAP prepared for Council is a Reflect RAP. The Reflect RAP provides the foundational support for reconciliation across the Shire and within the organisation. Future RAPs and actions will build on the successes and actions set out in the Reflect RAP.

The RAP begins with an introduction that outlines the vision for reconciliation. Following this, it provides a background to Council's service delivery and capacity to engage in reconciliation including building on activities already undertaken. Then, the RAP lists all the actions and their associated deliverables, delivery dates and the responsible officers or community partners.

The RAP presented to Council aims to offer a view of **content only**. Layout design and original artwork for the RAP is currently being developed by Raquel Kerr, a Traditional Owner of the Djaara People, who will be acknowledged in the final RAP.

Following Council's endorsement of the RAP and completion of layout design the RAP will be presented to Reconciliation Australia for final endorsement. Then, the RAP will be launched publicly and made available for distribution throughout Hepburn Shire.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2021:

Strategic Objective – Active and Engaged Communities.

Key Strategic Activity:

3.9 Implement Reconciliation Action Plan actions.

FINANCIAL IMPLICATIONS

Council has allocated a fund of \$14,500 to resource the implementation of the Draft RAP priority projects for the 2018/19 financial year.

RISK IMPLICATIONS

A RAP is a strategic document that supports Council's Business Plan. It includes practical actions that will drive Council's contribution to reconciliation both internally and in the communities throughout the Hepburn Shire. These depend upon partnerships and collective action. Some actions may be impacted by the capacity of partners, and retention of staff and volunteers.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Each RAP action will be implemented by Council in partnership, both internally across Council business units and externally with community partners, to begin its

reconciliation journey. RAP actions will drive reconciliation initiatives that build strong relationships and respect within Council and the community.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Draft RAP was open to public consultation from 23 March - 19 April 2018. Community members were encouraged to provide feedback in a variety of ways. The Draft RAP was made available from Council's website for a four week period. Community engagement opportunities were posted on social media platforms and promoted in a local newspaper. Community drop-in information sessions were held in Daylesford Creswick. While the level of community participation was low, on the whole feedback was positive and demonstrated community support for the Draft RAP. Feedback was considered and integrated into the draft as appropriate or if possible.

CONCLUSION

The Reconciliation Action Plan is a project included in the Council Plan 2017-2021. It is a strategic document that sets a path for Council and community partners for reconciliation initiatives. It is recommended that Council commits to the Reflect RAP and spends the next 12 months strengthening relationships with Aboriginal and Torres Strait Islander stakeholders and develops a vision for reconciliation.

OFFICER'S RECOMMENDATION

11.2.1. That Council adopts the Reconciliation Action Plan for implementation from July 2018 to July 2019.

MOTION

11.2.1. That Council adopts the Reconciliation Action Plan for implementation from July 2018 to July 2019.

Moved: Cr Kate Redwood AM

Seconded: Cr Don Henderson

Carried

ATTACHMENT 3 - PROPOSED RECONCILIATION ACTION PLAN

DRAFT
Hepburn Shire Council
Reflect Reconciliation Action Plan
July 2018 – July 2019

DRAFT

Contents:

1. Introduction

Our Vision for Reconciliation
Our Acknowledgement for Reconciliation
Our Business
About the Reconciliation Action Plan
Our Partnerships and Current Activities
Our Reconciliation Action Plan

2. Actions and Deliverables

Relationships
Respect
Opportunities

DRAFT

Our Vision for Reconciliation

Hepburn Shire Council's vision for reconciliation is to promote unity, respect and understanding between Aboriginal and Torres Strait Islander peoples and other community members.

We aim for all community members to be provided the same, quality services from our organisation. We aim to promote awareness and respect across the community to build a better future for Aboriginal and Torres Strait Islander peoples. Council aspires for all staff, Councillors and community members to refer to Council as "Our Council."

With our Reconciliation Action Plan (RAP), Council seeks to ensure reconciliation is at the core of our organisation and a foundation to all our services.

DRAFT

Our Acknowledgement for Reconciliation:

Council recognises the Dja Dja Wurrung peoples as the Traditional Owners of the land on which the Shire is predominantly located. Council also recognises the many other Aboriginal and Torres Strait Islander community members across the Shire who make up the vibrant communities to which our organisation provides services.

We commit to working positively today and in the future with the Dja Dja Wurrung peoples and other Aboriginal and Torres Strait Islander community members to learn, acknowledge and move forward together with the whole Hepburn Shire community.

Council envisages that a process of reconciliation begins when we as a community become informed about our history. The history of the Shire is typically associated with squatters, Swiss Italian settlers, gold seekers and timber getters. Our Shire has a rich Aboriginal past, present and future. Our organisation acknowledges that there is more than one voice or one memory making up the story of Hepburn Shire. Council seeks to recognise and promote the collections of stories that make up the shared history of the Shire.

We acknowledge the name of our Local Government Area and organisation references John Hepburn, one of the first European squatters to this region. The events that followed Hepburn's arrival disrupted the Dja Dja Wurrung way of life and the ecology of this region. As such, Hepburn Shire Council acknowledges our leadership role and responsibility in promoting reconciliation in the community. Council issues the following statement to respectfully acknowledge the Aboriginal and Torres Strait Islander history within our Shire.

The landscapes of Hepburn Shire hold memories and stories from over thousands of generations of Dja Dja Wurrung and other Aboriginal and Torres Strait Islander peoples. Oral stories, passed through these generations, describe the Creation that pays respect to Bunjil, who took the form of the wedge tailed eagle, and bestowed the lore of the land to Dja Dja Wurrung ancestors. Mindi, the giant serpent, travelled through tree tops and is known as the punisher of lore or tradition. Waa, the crow, is another important deity for the Dja Dja Wurrung.

Dja Dja Wurrung country extends north from the Great Dividing Range including Mount Franklin and the current towns of Creswick and Daylesford in the southeast, to Castlemaine, Maldon, Bendigo, Boort and Donald in the northwest, and Navarre Hill and Mount Avoca to the southwest. It covers the catchments of the Avoca, Loddon and Coliban Rivers.

Mount Franklin, or Lalgambook to the Dja Dja Wurrung peoples, was an iconic Aboriginal meeting place. Aboriginal corroborees have been held at Mount Franklin and elsewhere in Dja Dja Wurrung country for one thousand generations until very recent times. The Daylesford Museum has hundreds of artefacts collected from around the mountain.

Aboriginal and Torres Strait Islander peoples maintain a distinctive relationship with the Australian environment. For instance, Dja Dja Wurrung peoples intimately know the stories of country, the water, birds, plants, animals, the trees, the rocks, the wind, the fire and the mountains. Prior to European contact, complex land management and cultivation occurred across this region and the continent to support readily available, predictable food sources. These cultural practices are honoured with continued ceremonies on country.

The rich volcanic grasslands in the north of the Shire supported one of the highest densities of Aboriginal people in Australia. The grasslands were carefully managed with fire and other practices by Aboriginal peoples. When Major Thomas Mitchell arrived to the area in 1836, he commented that the grasslands resembled a 'park-like alternation of open forest' and there was 'no need for the pioneer to axe these noble trees: the land lay open for the herds and flocks, open even for the plough.' Mitchell wrongly declared the lands vacant and called the country *Australia Felix* – referring to fortune and abundance.

Formal British colonisation of Australia started in 1788 but other peoples from Asia and Europe had visited these shores for hundreds of years before. Contact in Dja Dja Wurrung country, including the Hepburn Shire region, began in 1837, soon after Major Mitchell surveyed the region. In 1838, John Hepburn's family squatted near present day Smeaton. The act of Hepburn 'taking up a station' and squatting on so called 'vacant lands of the Crown' is based on the now discredited legal fiction of *terra nullius*, that the land was 'empty' and 'there for the taking.'

In early 1838, Hepburn was one of the first of many to follow in the 1836 footsteps of Mitchell, overlanding from Sydney to 'squat' with his thousands of sheep on the very grasslands created and maintained by Aboriginal people and Dja Dja Wurrung ancestors. The lands were a Dja Dja Wurrung cultivated landscape.

The pressure on Aboriginal people from the squatters on their lands in the then Colony of Port Philip led the British Government to set up a Protectorate System comprising four Protectorates in the Colony. In 1841, the Crown established the Loddon Aboriginal Protectorate near

Baringhup. In 1842, it moved to Franklinford where ancestors of the Dja Dja Wurrung and people from other nations in north-western Victoria were gathered and initially renamed the Loddon Tribe.

The Protectorate at Franklinford operated between 1841-1849. From the closure of the Franklinford Protectorate in 1849, some Aboriginal peoples remained near the site. In 1864, under the direction of the Central Board for the Protection of Aborigines, they were forcibly moved to Coranderrk, near present day Healesville. Today, many descendants of the Dja Dja Wurrung people can trace their heritage back to their ancestors at the Franklinford mission. In 1995, the Franklinford site was identified as being of very high historical significance to Aboriginal and European people, as one of the longest operating institutionalised Aboriginal establishments of the first half of the 19th century.

In 1851, news about the discovery of gold in Central Victoria triggered a massive influx of settlers into Dja Dja Wurrung country. Incredible wealth and fortunes were extracted from Dja Dja Wurrung country. Dja Dja Wurrung ancestors were excluded from reaping any benefit well into the 21st century. The gold rush settlers continued to displace Dja Dja Wurrung ancestors from their traditional lands.

Throughout Australia, Aboriginal and Torres Strait Islander peoples have been displaced from their traditional lands since first contact including through successive Stolen Generations dating back to the Protectorate days. Aboriginal and Torres Strait Islander community members within our Shire thus have links to traditional country around the continent.

Council acknowledges the fundamental disruption to Aboriginal and Torres Strait Islander cultures, economies and well-being since first contact. This disruption has been met with incredible resilience, resistance and struggle. Hepburn Shire Council recognises the resilience in Aboriginal and Torres Strait Islander peoples across Australia whose descendants proudly survive today.

*Please refer to Appendix 1 for references and further reading.

Our Business:

The Shire of Hepburn is a local government organisation located in the Central Highlands region of Victoria, about 110 kilometres north-west of Melbourne. The boundaries are formed by Central Goldfields and Mount Alexander Shires in the north, Macedon Ranges Shire in the east, Moorabool Shire in the south, and the City of Ballarat and Pyrenees Shire in the west. The Shire spans roughly 1470 square kilometres, reaches 70 kilometres east to west and 40 kilometres north to south. The Shire lies at the southern area of Dja Dja Wurrung country as recognised in the Recognition and Settlement Agreement 2013.

Our organisation employs approximately 180 full time, part time and casual staff. The organisation is not currently aware of any staff who identify as Aboriginal and/or Torres Strait Islander people.

Hepburn Shire Council delivers local government services to the Hepburn Shire Local Government Area (LGA). A number of services we provide include libraries, pools, road maintenance and construction, community planning, walking and cycling paths, bridges, drainage, domestic animal management, community events, strategic land and natural environment planning, public health inspections, and many others. Council sets the overall direction for the municipality through long-term planning. We adopt a strategic view of the future we wish to achieve for our community and make plans and policies to achieve this. Council sets building and planning codes that engage cultural heritage elements. We monitor social and community issues and operate within the *Local Government Act 1989* to deliver our services at the highest standard for all community members.

Our Council Plan 2017-2021 highlights Council's vision to provide excellent service delivery for our community. Council aspires for all Councillors, staff and community to refer to Hepburn Shire Council as "Our Council." Council will maintain, promote, protect and enhance the district's unique social, cultural, environmental and heritage characteristics. We will strive to gain maximum advantage for our community by protecting and enhancing our natural and built environment.

We acknowledge as part of our services, alongside the Dja Dja Wurrung, we hold joint responsibility of public lands, Dja Dja Wurrung country and other significant Aboriginal and Torres Strait Islander sites. Council also works under state legislation that requires consultation with the Traditional Owners of the Shire in environmental and statutory planning, and natural resource management. This legislation includes the Traditional Owner Settlement Act 2010 and the Recognition and Settlement Agreement 2013 between the State of Victoria and the Dja Dja Wurrung Clans Aboriginal Corporation.

Council also adheres to the Aboriginal Heritage Act 2006 (the Act). Under the Act, our planning unit has a responsibility to ensure development is contained within areas of Aboriginal Cultural Heritage and sites of significance. Also, in any review of the Hepburn Planning Scheme, Council should consider the recognition, and where applicable, the protection of Aboriginal culturally sensitive areas.

Our Reconciliation Action Plan

Council's RAP provides a direction for reconciliation activities in the Shire. Council seeks to build better relationships between the wider Australian community and Aboriginal and Torres Strait Islander Australians for the benefit of all Australians.

Hepburn Shire seeks to develop more meaningful relationships with the Traditional Owners of the Shire, the Dja Dja Wurrung People. Council envisages working alongside the Dja Dja Wurrung Clans Aboriginal Corporation, who represent the interests and needs of the Dja Dja Wurrung people, to achieve the goals outlined in their Country Plan, "Dhelkunya Dja."

The 2017-2021 Council Plan specifically references to implement the actions that result from this Reflect RAP and future RAPs. The actions and vision for our RAP program will be delivered across the Shire as a whole. The RAP will be reviewed at the end of the 12-month term in order to prepare and plan for future RAPs.

Council committed to developing a RAP in 2016-2017. Council began to recognise Aboriginal and Torres Strait Islander cultures locally by holding Acknowledgement of Country proceedings at Ordinary Council meetings over 15 years ago. Council has also raised the Aboriginal flag at multiple Council facilities and hosted Welcome to Country ceremonies at a number of Council run events.

The RAP was developed by the Hepburn Shire Council internal RAP Working Group and the RAP Community Reference Group with assistance from the Dja Dja Wurrung Clans Aboriginal Corporation. Our RAP was developed in partnership with Atkinson Consulting Group.

The RAP Community Reference Group was appointed in September 2017 to represent the interests, concerns and ideas of Aboriginal and Torres Strait Islander community members in the development of the RAP. Committee members identify as Aboriginal or Torres Strait Islander and also non-Aboriginal or Torres Strait Islander. The members of this committee are Barry Golding, Anne Stewart, Rod Poxon, Nathan McGuire, Gary Lawrence, Kylie Mookhoek, Peter Sago and the Hepburn Shire Council Mayor.

Our RAP is championed by our RAP Working Group including the roles of Community Development Officer, General Manager Community and Corporate Services, Special Projects Manager, Manager Aged and Disability Services, Manager Economic and Community Development and Manager Strategic Project Delivery.

Our Partnerships and Current Activities:

Council hosts annual NAIDOC week celebrations and partners with our libraries and community groups to raise awareness of Aboriginal and Torres Strait Islander cultures and histories. We encourage and introduce our staff to NAIDOC week by promoting our events and community events during NAIDOC week. In 2017, Council collaborated with the Daylesford Museum to celebrate and raise awareness for National Reconciliation Week (NRW).

Our Aged and Disability Services Unit have adopted a Diversity Plan that includes actions to support better outcomes for Aboriginal and Torres Strait Islander clients by providing accessible, culturally safe and respectable services. A large number of Aged and Disability services staff have also completed Aboriginal and Torres Strait Islander cultural awareness training.

In addition, a survey was released in 2017 within the organisation to understand our staff's level of knowledge regarding Aboriginal and Torres Strait islander histories, cultures and protocols. The results of the survey indicated our staff would like opportunities to learn more about the Aboriginal and Torres Strait Islander history in our Shire and support the organisation's leading role in promoting reconciliation. Ongoing evaluation of staff knowledge of Aboriginal and Torres Strait Islander histories and cultures is planned to continue as the actions related to staff Aboriginal and Torres Strait Islander cultural awareness in this RAP are implemented.

Our libraries participate in many reconciliation activities including special exhibitions of Aboriginal and Torres Strait Islander history books and local storytelling sessions with young people.

About the Reconciliation Action Plan

Reconciliation Action Plans (RAP) are about organisations from every sector turning good intentions into real actions and rising to the challenge of reconciling Australia. A RAP is a business plan that uses a holistic approach to create meaningful relationships, enhanced respect and promote opportunities with Aboriginal and Torres Strait Islander Australians.

The RAP program includes four types of RAPs, each offering a different level of engagement and support. A Reflect RAP is for organisations starting out their reconciliation journey and assists in raising awareness and support for RAPs within and outside of an organisation. Hepburn Shire Council's Reflect RAP commits to completing the following actions over the next 12 months to ensure we are well positioned to implement effective and mutually beneficial initiatives as part of future RAPs. Our future RAPs will build on the successes achieved through this Reflect RAP under the themes of Relationships, Respect and Opportunities. The actions outlined below fall within these key themes and are specific to our business, service delivery and sphere of influence.

DRAFT

Actions and Deliverables:

Relationships:

<u>Action</u>	<u>Deliverable</u>	<u>Timeline</u>	<u>Responsibility</u>
1. Maintain an internal RAP Working Group to monitor and track the implementation of our RAP	<ul style="list-style-type: none"> Establish a Terms of Reference for the Working Group to outline how the RAP will be monitored and implemented. 	July 2018	Community Development Officer
	<ul style="list-style-type: none"> Working Group oversees the endorsement and launch of the RAP. 	July 2018	Community Development Officer
2. Develop and maintain external relationships with Aboriginal and Torres Strait Islander peoples	<ul style="list-style-type: none"> Identify and develop contact details and information of Aboriginal and Torres Strait Islander peoples, communities and organisations within our LGA to enable greater engagement between Council and its Aboriginal and Torres Strait Islander residents, and to help build relationships that will contribute to development of future RAPs. 	August 2018	Community Development Officer, RAP Community Reference Group
	<ul style="list-style-type: none"> Develop a resource list of other RAP organisations or other like-minded organisations to assist with our reconciliation activities. 	August 2018	Community Development Officer, RAP Community Reference Group
3. Participate in and celebrate National Reconciliation Week (NRW)	<ul style="list-style-type: none"> Organise event(s) to recognise and celebrate NRW. 	27 May – 3 June 2019	Community Development Officer, RAP Community Reference Group
	<ul style="list-style-type: none"> Support an external NRW event. 		
	<ul style="list-style-type: none"> RAP Working Group members participate in regional reconciliation forums. 		
	<ul style="list-style-type: none"> RAP Working Group attends an external NRW event. 		

	<ul style="list-style-type: none"> • Encourage our staff to attend a NRW event. 		
	<ul style="list-style-type: none"> • Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff and community. 		
	<ul style="list-style-type: none"> • Register all Council's NRW events on Reconciliation Australia's website to capture support and participation. 		
4. Raise internal staff awareness of our RAP	<ul style="list-style-type: none"> • Develop and implement activities to raise awareness amongst all staff across the organisation about our RAP commitments including: • Hosting all staff meeting at Mount Franklin and liaise with Dja Dja Wurrung Clans Aboriginal Corporation (DDWCC) on cultural presentation and tour of site. 	September 2018	Community Development Officer, Manager Economic and Community Development
	<ul style="list-style-type: none"> • Develop and implement actions to engage and inform key internal stakeholders of their responsibilities within the RAP such as: • Presenting to all areas of Council to ensure employees have an understanding of RAP commitments. 	August 2018	
	<ul style="list-style-type: none"> • Publish reconciliation activities in CEO updates as they occur. 	June 2019	
5. Promote and raise external awareness of our RAP	<ul style="list-style-type: none"> • Communicate RAP achievements through print and online media. 	July 2019	Communications Officer

	<ul style="list-style-type: none"> • Hold a RAP launch event in partnership with community groups to deliver information on our RAP. 	July 2018	Community Development Officer
6. Identify and acknowledge overlapping actions and goals between Council Plan and the Dja Dja Wurrung Clans Aboriginal Corporation (DDWCAC) Country Plan, Dhelkunya Dja	<ul style="list-style-type: none"> • Develop a list of overlapping goals and potential collaborative projects with the DDWCAC to inform future RAPs. 	March 2019	Community Partnerships Coordinator, DDWCAC CEO, General Manager Corporate and Community Services
	<ul style="list-style-type: none"> • Brief Councillors on potential collaborative projects. 	April 2019	Community Partnerships Coordinator, Manager Economic and Community Development
7. Engage with DDWCAC to investigate co-naming sites and increased Traditional Owner acknowledgement across the Shire	<ul style="list-style-type: none"> • Liaise with DDWCAC to develop a list of potential sites for co-naming and locations to increase signage acknowledging the Traditional Owners of the Shire. • Agree on processes for new projects and buildings to incorporate local Aboriginal words and artworks. 	November 2018	Major Projects Manager, Dja Dja Wurrung CEO

Respect:

<u>Action</u>	<u>Deliverable</u>	<u>Timeline</u>	<u>Responsibility</u>
8. Deliver cultural learning and development opportunities within Council	<ul style="list-style-type: none"> Develop a plan for increasing awareness of Aboriginal and Torres Strait Islander cultures, histories and achievements within Council including: Conducting a review of cultural awareness training needs and develop training program. 	October 2018	Community Development Officer, People and Performance Officer
	<ul style="list-style-type: none"> Develop and implement staff online or face to face Aboriginal and Torres Strait Islander cultural awareness training program with initial delivery to Leadership Team. 	December 2018	Manager People and Performance, Community Development Officer
	<ul style="list-style-type: none"> Review and update Council's staff induction processes to include key elements of Aboriginal and Torres Strait Islander cultural awareness training program. 	January 2018	Manager People and Performance, Community Development Officer,
	<ul style="list-style-type: none"> Undertake survey to measure our staff's level of knowledge and understanding of Aboriginal and Torres Strait Islander cultures, histories and achievements after implementation of cultural awareness training. 	June 2019	Community Development Officer, People and Performance Officer
9. Continue to participate in, celebrate and develop NAIDOC week activities	<ul style="list-style-type: none"> Raise awareness and share information amongst our staff of the meaning of NAIDOC week which includes information about the local Aboriginal and Torres Strait Islander peoples and communities. 	July 2018, July 2019	Community Development Officer, Events Officer, RAP Community Reference Group
	<ul style="list-style-type: none"> RAP Working Group members participate in an external NAIDOC week event. 	July 2018, July 2019	Community Development Officer
	<ul style="list-style-type: none"> Introduce our staff to NAIDOC Week by promoting community events in our local area. 	July 2018, July 2019	Community Development Officer
10. Raise internal understanding of Aboriginal	<ul style="list-style-type: none"> Develop and implement a plan to raise awareness and understanding of the meaning and significance behind. 	September 2018	Community Development Officer, Manager

and Torres Strait Islander cultural protocols	Acknowledgement of Country and Welcome to Country protocols.		Strategic Project Delivery
	<ul style="list-style-type: none"> • Scope and develop a list of local Traditional Owners of the lands and waters within our organisation's sphere of influence. 	September 2018	Community Development Officer, Manager Development and Community Safety
	<ul style="list-style-type: none"> • Formalise processes for internal and external meetings and events for Acknowledgement of Country and Welcome to Country protocols (including any local cultural protocols). 	August 2018	Community Development Officer
	<ul style="list-style-type: none"> • Install signs to acknowledge Traditional Owners upon entering the Shire and at significant locations such as Mount Franklin. 	March 2019	Manager Strategic Project Delivery
11. Celebrate/recognise Aboriginal and Torres Strait Islander dates of significance	<ul style="list-style-type: none"> • Investigate Aboriginal and Torres Strait Islander significant dates and celebrations in which Council can participate in partnership with the Aboriginal and Torres Strait Islander community and local community groups. 	November 2018	Community Development Officer

Opportunities:

<u>Action</u>	<u>Deliverable</u>	<u>Timeline</u>	<u>Responsibility</u>
12. Promote Aboriginal and Torres Strait Islander employment	<ul style="list-style-type: none"> Capture baseline data on current Aboriginal and Torres Strait Islander staff to inform future employment and development opportunities. 	September 2018	Manager People and Performance, People and Performance Officer
	<ul style="list-style-type: none"> Develop a business case for Aboriginal and Torres Strait Islander employment within Council. 	July 2019	
	<ul style="list-style-type: none"> Include in all employment advertising a statement encouraging Aboriginal and Torres Strait Islander peoples to apply. 	August 2018	
13. Promote inclusion of Aboriginal and Torres Strait Islander suppliers	<ul style="list-style-type: none"> Develop a business case for procurement from Aboriginal and Torres Strait Islander owned businesses. 	November 2018	Community Development Officer, Economic Development Officer
	<ul style="list-style-type: none"> Develop an understanding of the mutual benefits of procurement from Aboriginal and Torres Strait Islander owned businesses by: <ul style="list-style-type: none"> Identifying and documenting types of purchases where there are mutual benefits of procurement from Aboriginal and Torres Strait Islander owned businesses. 	November 2018	Manager Finance and Information Technology, Manager Strategic Project Delivery, Economic Development Officer
	<ul style="list-style-type: none"> Liaise with Aboriginal and Torres Strait Islander businesses such as Dja Dja Wurrung Enterprises Pty Ltd to understand their capacity to deliver relevant services to Council. 		Manager Strategic Project Delivery, Economic Development Officer
	<ul style="list-style-type: none"> Notify Aboriginal and Torres Strait Islander businesses on relevant upcoming procurement opportunities. 		Manager Strategic Project Delivery, Economic Development

			Officer
	<ul style="list-style-type: none"> Add Aboriginal and Torres Strait Islander evaluation criteria in next Procurement Policy Review. 		Manager Finance and Information Technology
14. Provide incentives for community groups to engage with reconciliation within the Shire	<ul style="list-style-type: none"> Provide a community grants category for activities or resources that support reconciliation in the Shire. 	July 2018	Community Services Project Support Officer
15. Investigate opportunities to promote community dialogue on Aboriginal and Torres Strait Islander histories in our Shire.	<ul style="list-style-type: none"> Hold community forums and information sharing sessions on Australia wide and Shire specific historic topic such as the 26 January. 	October 2018	RAP Community Reference Group, Community Development Officer
	<ul style="list-style-type: none"> Investigate opportunities to incorporate Dja Dja Wurrung elements into Council's civic events. 		

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APPENDIX 1: Bibliography and Further Reading List

The following books, articles and historical documents were referenced throughout our RAP document. We encourage anyone to find these materials, many of which are available at the Daylesford Museum, Hepburn Libraries and the Dja Dja Wurrung Clans Aboriginal Corporation.

- Attwood, B. (2017) *The Good Country: The Dja Dja Wurrung, the Settlers and the Protectors*. Monash University Publishing, Clayton.
- Clarke, I. D. (Ed.) (1998) *The Journals of George Augustus Robinson, Chief Protector, Port Phillip Aboriginal Protectorate, Volume 1: 1 January 1839 - 30 September 1840*. Heritage Matters, Melbourne. (pp. 163-185, Robinson's diary of 11 to 29 February, 1840 in southern Dja Dja Wurrung country)
- DDWCAC: Dja Dja Wurrung Clans Aboriginal Corporation (2014a) families of Dja Dja Wurrung, with Jessica Hodgens, *Djuwima-Djarra : Sharing Together: Dja Dja Wurrung : Our Story*. DDWAC, Bendigo.
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- Haw, P. & Munro, M. (2010) *Footprints Across the Loddon Plains: A Shared History*. Boort Development Incorporated, Boort.
- Head, Lesley. (2000) *Second Nature: The History and Implications of Australia as Aboriginal Landscape*. Syracuse University Press, New York.
- Morphy, H. & Morphy, F. (2006) "Tasting the Waters: Discriminating Identities in the Waters of Blue Mud Bay." *Journal of Material Culture*. Vol. 11: 67-85.
- Morrison, E. (1965) *Early Days in the Loddon Valley: Memoirs of Edward Stone Parker 1802-1865*. Yandoit.
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- Morrison, E. (1971) *The Loddon Aborigines: "Tales of Old Jim Crow"*. Abco Print, Daylesford.
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- PROV: Public Records Office, Victoria (1983) *Victorian Aborigines 1835-1901: A Resource Guide to the Holdings of the Public Records Office*. PROV, Victoria.
- Quinlan, L. M. (1967) *Here my Home: The Life and Times of John Stuart Hepburn 1803-1860, Master Mariner, Overlander, Founder of Smeaton Hill, Victoria*. Oxford University Press, London.
- Rhodes, D. (1985) *An Historical and Archaeological Investigation of the Loddon Aboriginal Protectorate Station and Mount Franklin Aboriginal Reserve*, Occasional Report No. 46, Aboriginal Affairs Victoria.
- Tully, J. (1997) *DjaDja Wurrung Language of Central Victoria, including place names*. Australian Print Group, Maryborough.

DRAFT

(Back Cover)

Contact Details:

Hepburn Shire Council - Community Development Officer

shire@hepburn.vic.gov.au

03 5348 2306

11.3. LIABILITY MUTUAL INSURANCE SCHEME (PUBLIC AND PRODUCTS LIABILITY INSURANCE AND PROFESSIONAL INDEMNITY INSURANCE) RENEWAL 2018-2019

ACTING GENERAL MANAGER INFRASTRUCTURE

In providing this advice to Council as the Manager Strategic Asset Management, I Steve Millard have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to approve the renewal of Council's Liability Mutual Insurance for 2018-2019 through MAV Insurance.

BACKGROUND

Under section 76A of the *Local Government Act 1989* ('Act'), Council is required to hold both public and products liability insurance and professional indemnity insurance. Council complies with this requirement by participating in the Liability Mutual Insurance Scheme approved by the Minister for Local Government (section 76A (2) of the Act) administered by MAV Insurance.

Broadly, these insurances cover Council in the event of claims by third parties for injury (including death), damages or other losses that may be suffered as a result of Council's negligence or breach of its duty of care.

ISSUE/DISCUSSION

Council received a Renewal Proposal from MAV Insurance for 2018-2019 in May 2018 which was completed and returned to MAV Insurance in order to determine premiums.

Under the Scheme, all participating councils are covered for \$600m public and products liability and \$600m for professional indemnity.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

As the Minister for Local Government has approved participation by Victorian councils in a mutual liability scheme, Council is not required to tender for this service under section 186 of the Act even though the premium will exceed \$150,000.

FINANCIAL IMPLICATIONS

The premium for these classes of insurance for 2018-2019 has been determined by MAV Insurance. Based on Council's previous claims history and revenue, Council's premium has been set at \$177,874 (excluding GST), a 6.1% increase over its 2017-2018 premium and \$6,924 over the 2018-19 budget amount. Whilst Council did not

have any new claims during the 2017-2018 period, this level of increase is reflective of premium movements this year brought about by a 'tightening' of local and worldwide insurance markets generally.

RISK IMPLICATIONS

Insurance is considered to be essential for the prudent management of Council's affairs and is a primary control in relation to the mitigation of many risk items on Council's Risk Register.

Major claims under these classes of insurance may run to several millions of dollars.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

No environmental/social/economic implications noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

No community or stakeholder engagement required nor undertaken.

CONCLUSION

It is a statutory requirement for all Victorian councils to take out and maintain public and products liability insurance and professional indemnity insurance in order to protect the financial interests of the community.

OFFICER'S RECOMMENDATION

That Council resolves to authorise the Chief Executive Officer to:

11.3.1. Place Council's public and products insurance and public liability insurance with MAV Insurance for the period 2018-2019; and

11.3.2. Approve payment of the premium for public and products liability insurance and professional indemnity insurance for 2018-2019 for an amount of \$177,874 (excluding GST).

MOTION

That Council resolves to authorise the Chief Executive Officer to:

- 11.3.1. *Place Council's public and products insurance and public liability insurance with MAV Insurance for the period 2018-2019; and*
- 11.3.2. *Approve payment of the premium for public and products liability insurance and professional indemnity insurance for 2018-2019 for an amount of \$177,874 (excluding GST).*

Moved: Cr Don Henderson

Seconded: Cr Sebastian Klein

Carried

**11.4. RECORD OF ASSEMBLIES OF COUNCILLORS
GENERAL MANAGER COMMUNITY AND CORPORATE SERVICES**

In providing this advice to Council as the Coordinator Governance and Information, Katherine Toom have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to receive and note Assemblies of Councillors.

BACKGROUND

The Local Government Act 1989 defines Assembly of Councillors as

...a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:

- *the subject of a decision of the Council; or*
- *subject to the exercise of a function, duty of power of the Council that has been delegated to a person or committee –*

but does not include a meeting of the Council, a special committee of the Council, as audit committee established under Section 139, a club, association, peak body, political party of other organisation.

ISSUE / DISCUSSION

The Local Government Act 1989 (as amended) requires the record of an Assembly of Councillors to be:

Reported at an Ordinary Meeting of the Council; and incorporated in the minutes of that Council Meeting.

For this purpose, the following records of Assemblies of Councillors are reported:

Date	Location	Committee Name
5/06/2018	Senior Citizens Room Daylesford	Council Briefing
12/06/2018	The Rex & Council Chambers Daylesford	Council Briefing
19/06/2018	The Warehouse Clunes	Councillor/CEO Meeting
19/06/2018	The Warehouse Clunes	Pre-Council Meeting Briefing

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Local Government Act 1989, Section 80A

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

There are implications with regards to Council's compliance with the *Local Government Act 1989* (as amended) if written records of Councillor Assemblies are not reported to Council.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The inclusion of the attached record of Councillor Assemblies in the Council Agenda and their availability to the public will increase awareness of the activities of Council and could increase community involvement in decision making at Council level.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Using Council's adopted Community Engagement Framework, International Public Participation Consultation, this report presents information via the Council Agenda.

CONCLUSION

Information provided for noting.

OFFICER'S RECOMMENDATION

11.4.1. That Council receives and notes the Records of Assemblies of Councillors for the month of June 2018.

MOTION

11.4.1. *That Council receives and notes the Records of Assemblies of Councillors for the month of June 2018.*

Moved: Cr Neil Newitt

Seconded: Cr Sebastian Klein

Carried

ATTACHMENT 4 - RECORDS OF ASSEMBLIES OF COUNCILLORS

RECORD OF ASSEMBLY OF COUNCILLORS

This record is required under Section 80A of the *Local Government Act 1989*

Title of Meeting: Council Briefing – Budget 2018/19

Date: Tuesday, 5 June 2018

Time: 6:15pm – 6:45pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify)

Councillors present:

Cr John Cottrell
 Cr Don Henderson
 Cr Kate Redwood AM
 Cr Sebastian Klein
 Cr Greg May
 Cr Neil Newitt
 Cr Fiona Robson

Members of Council Staff present:

Interim CEO Bruce Lucas
 GM Community and Corporate Services Grant Schuster
 Acting GM Infrastructure Carl Telfar
 Other, please specify:
 Manager Finance & IT Trafford Thompson

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
Nil	

Matters Considered: Budget 2018/19

Agenda Attached

Name and title of Officer responsible for this written record:

CEO Aaron van Egmond
 GM Community & Corporate Services Grant Schuster
 GM Infrastructure Bruce Lucas
 Other, please specify:

Signature: 

Note: This form MUST be completed by the attending Council Officer and returned immediately to Governance Officer for filing.

RECORD OF ASSEMBLY OF COUNCILLORS

This record is required under Section 80A of the *Local Government Act 1989*

Title of Meeting: Council Briefing
Date: Tuesday, 12 June 2018
Time: 11:00am – 6:00pm

Venue: Council Chamber Daylesford (12 noon – 6pm) & The Rex Daylesford (11am-12 noon)
 Senior Citizens Centre Daylesford
 Other (specify)

Councillors present:

<input checked="" type="checkbox"/> Cr John Cottrell	<input checked="" type="checkbox"/> Cr Greg May
<input checked="" type="checkbox"/> Cr Don Henderson	<input checked="" type="checkbox"/> Cr Neil Newitt
<input checked="" type="checkbox"/> Cr Kate Redwood AM	<input checked="" type="checkbox"/> Cr Fiona Robson
<input checked="" type="checkbox"/> Cr Sebastian Klein	

Members of Council Staff present:

<input checked="" type="checkbox"/> Interim CEO Bruce Lucas	<input checked="" type="checkbox"/> Other, please specify:
<input checked="" type="checkbox"/> GM Community and Corporate Services Grant Schuster	Major Projects Manager Richard Howell, Safety Systems Facilitator Julie Townsend, Special Projects Manager Kathleen Brannigan, Manager Community & Economic Development Amanda Western, Project Officer Angeline Dooley, Biodiversity Officer Brian Bainbridge, Community Development Officer Rob Ball, Manager Development and Community Safety Justin Fiddes, Statutory Planner Alan Todd, Manager Strategic Asset Management Steve Millar
<input checked="" type="checkbox"/> Acting GM Infrastructure Carl Telfar	

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
Nil	

Matters Considered:

Agenda Attached

Name and title of Officer responsible for this written record:

GM Community & Corporate Services
Grant Schuster

Signature: *Grant Schuster*

Note: This form **MUST** be completed by the attending Council Officer and returned immediately to Governance Officer for filing.

▶ COUNCILLOR BRIEFING AGENDA
12 JUNE 2018

Tuesday 12 June 2018
Council Chamber, Daylesford Town Hall
11:00 am – 5:30 pm

INVITED:

Councillors	Councillor Don Henderson Councillor Fiona Robson Councillor Greg May Councillor John Cottrell Councillor Kate Redwood AM Councillor Neil Newitt Councillor Sebastian Klein
Officers	Bruce Lucas – Interim Chief Executive Officer Grant Schuster – GM Community and Corporate Services Carl Telfer – Acting GM Infrastructure

CHAIR: Mayor John Cottrell

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.	11.00 am	Site Tour	The Rex	Major Projects Manager	4
2.	12.00 pm	Report	Daylesford Town Hall and Pool Upgrade – Concept Plans	Manager Special Projects	5
	12.30 pm		Lunch		
3.	1.00 pm	Presentation	Audit and Risk Advisory Committee Annual Presentation to Council	Ms Carol Pagnon, Ms Rachelle Tippet and Mr Trevor Shard	21
4.	1.45 pm	Presentation	The Rex	Interim CEO	38
5.	2.15 pm	Presentation	2018 Villers-Bretonneux Scholarship	Miss Lilli Bowyer, Daylesford	39

No	Time	Type	Agenda Item	Presenter	Page No
				Secondary College Student and Vice-Principal, Penelope Ellis	
6.	2.30 pm	Report	Naming of Government Road Trentham	Rates and Finance Officer	41
7.	2.45 pm	Report	Biodiversity Strategy Community Reference Group Recommendations	Biodiversity Officer	49
	3.00 pm		Break		
8.	3.15 pm	Report	Expansion of the Solar Savers Program	Sustainability Officer	56
9.	3.30 pm	Report	Contract HEPBU RFT2018.3- New Trentham Netball Change Room Facility Funding	Project Officer	68
10.	3.45 pm	Report	Community Grants Program Guidelines 2018-2019- Report	Manager Community and Economic Development	72
11.	4.00 pm	Report	Daylesford Holiday Park- Proposal for Permanent Residents – DVHP Pty Ltd	Manager Strategic Asset Management	83
12.	4.30 pm	Report	Creswick Swimming Pool – Next Steps	Manager Special Projects	87
13.	4.45 pm	Report	Use and Development for The Installation of Telecommunications Facility (NBN) Comprising a Sixty Metre Lattice Tower, Associated Equipment, Equipment Shelter, Associated Earthworks, Removal Of Seven Native	Statutory Planer	89

▶ COUNCILLOR BRIEFING AGENDA
12 JUNE 2018

No	Time	Type	Agenda Item	Presenter	Page No
			Trees in Accordance with Endorsed Plans at 22 Loddon Drive Glenlyon		
14.	5.00 pm	Report	Local Government Bill Update and Revising Local Law Number 1 – Meeting Procedures	GM Community and Corporate Services	93
	5.30pm		CLOSE OF MEETING		

RECORD OF ASSEMBLY OF COUNCILLORS

This record is required under Section 80A of the *Local Government Act 1989*

Title of Meeting: Councillor/CEO Meeting
 Date: 19 June 2018
 Time: 2:00 – 3:30pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other – The Warehouse Clunes

Councillors present:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Cr John Cottrell | <input checked="" type="checkbox"/> Cr Greg May |
| <input checked="" type="checkbox"/> Cr Don Henderson | <input checked="" type="checkbox"/> Cr Neil Newitt |
| <input checked="" type="checkbox"/> Cr Kate Redwood AM | <input checked="" type="checkbox"/> Cr Fiona Robson |
| <input checked="" type="checkbox"/> Cr Sebastian Klein | |

Members of Council Staff present:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Interim CEO Bruce Lucas | <input type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> Acting GM Infrastructure Carl Telfar | |
| <input type="checkbox"/> GM Community & Corporate Services
Grant Schuster | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered:

Agenda Attached

Name and title of Officer responsible for this written record:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Interim CEO Bruce Lucas | <input type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> Acting GM Infrastructure Carl Telfar | |
| <input type="checkbox"/> GM Community & Corporate Services
Grant Schuster | |

Signature:



Note: This form MUST be completed by the attending Council Officer and returned immediately to Governance Officer for filing.

COUNCILLOR & CEO MEETING

Tuesday 19-06-2018

The Warehouse Clunes

2:00 - 3:30PM

PRESENT: Councillors John Cottrell, Don Henderson, Greg May, Kate Redwood AM, Fiona Robson, Neil Newitt, Interim CEO Bruce Lucas

CHAIR: Councillor John Cottrell

APOLOGIES:

No.	Time	Agenda Item	Presenter
1.	2:00pm	Relevant items for discussion following Councillor only time	Cr John Cottrell
2.		Council policy on banning plastic items such as bags, straws, cups from Council funded events – follow up	Cr Kate Redwood AM
3.		MOU with Hepburn Wind – follow up	Cr Kate Redwood AM
4.		Proposed for Council to run education articles on recycling through Council's page in the Advocate in the light of the 40% contamination currently observed in bins of recyclables.	Cr Kate Redwood AM
5.		Neighbourhood mulching scheme – Council to purchase a middle size mulcher to support community mulching of green waste at designated sites across the Shire on designated dates	Cr Kate Redwood AM
6.		Request for Council to have worm farms available again for purchase from the Transfer Stations	Cr Kate Redwood AM
7.		The Rex Update	Bruce Lucas
8.		International Roaming for Cr May's Trip	Cr Greg May
9.		Our Say subscriptions & value for money	Cr Don Henderson

RECORD OF ASSEMBLY OF COUNCILLORS

This record is required under Section 80A of the *Local Government Act 1989*

Title of Meeting: Pre-Council Meeting Briefing

Date: Tuesday, 19 June 2018

Time: 3:40pm – 5:40pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify) – The Warehouse, Clunes

Councillors present:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Cr John Cottrell | <input checked="" type="checkbox"/> Cr Greg May |
| <input checked="" type="checkbox"/> Cr Don Henderson | <input checked="" type="checkbox"/> Cr Neil Newitt |
| <input checked="" type="checkbox"/> Cr Kate Redwood AM | <input type="checkbox"/> Cr Fiona Robson |
| <input checked="" type="checkbox"/> Cr Sebastian Klein | |

Members of Council Staff present:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Interim CEO Bruce Lucas | <input checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> GM Community and Corporate Services
Grant Schuster | Special Projects Manager Kathleen
Brannigan, Manager Development and
Community Safety Justin Fiddes, Manager
Finance & IT Trafford Thompson |
| <input checked="" type="checkbox"/> Acting GM Infrastructure Carl Telfar | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
Nil	

Matters Considered: Council Meeting Agenda – 19/06/2018

Agenda Attached

Name and title of Officer responsible for this written record:

- GM Community & Corporate Services
Grant Schuster

Signature: 

Note: This form **MUST** be completed by the attending Council Officer and returned immediately to Governance Officer for filing.

12. COUNCIL SPECIAL COMMITTEES (SECTION 86)

12.1. MINUTES OF SPECIAL COMMITTEES (SECTION 86)

GENERAL MANAGER COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Coordinator Governance and Information, I Katherine Toom have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to note the minutes and recommendations from Council's Special Committees (Section 86).

BACKGROUND

Special Committees are established by Council under section 86 of the *Local Government Act 1989* and their function and responsibilities outlined in an Instrument of Delegation. Under the Instruments of Delegation, special committees are required to maintain minutes of meetings held and provide a copy of the minutes to Council for review.

ISSUE/DISCUSSION

Please see listed below the minutes and other reports of Special Committees, as provided by the committees over the past month, for your information:

- Glenlyon Recreation Reserve Special Committee – 14-3-2018
- Creswick Museum Special Committee – 7-5-2018
- Creswick Museum Special Committee – 4-6-2018
- Creswick Museum Special Committee – 2-7-2018
- Lee Medlyn Home of Bottles Special Committee – 18-6-2018

These minutes have been previously provided to Councillors under separate cover.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Nil

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Nil

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Members of the community are represented on these committees.

CONCLUSION

Minutes and reports have been provided for noting.

OFFICER'S RECOMMENDATION

12.1.1. That Council receives and notes the minutes of the Special Committees (Section 86) which have been distributed under separate cover:

- Glenlyon Recreation Reserve Special Committee – 14-3-2018
- Creswick Museum Special Committee – 7-5-2018
- Creswick Museum Special Committee – 4-6-2018
- Creswick Museum Special Committee – 2-7-2018
- Lee Medlyn Home of Bottles Special Committee – 18-6-2018

MOTION

12.1.1. That Council receives and notes the minutes of the Special Committees (Section 86) which have been distributed under separate cover:

- *Glenlyon Recreation Reserve Special Committee – 14-3-2018*
- *Creswick Museum Special Committee – 7-5-2018*
- *Creswick Museum Special Committee – 4-6-2018*
- *Creswick Museum Special Committee – 2-7-2018*
- *Lee Medlyn Home of Bottles Special Committee – 18-6-2018*

Moved: Cr Neil Newitt

Seconded: Cr Kate Redwood AM

Carried

13. COUNCIL ADVISORY COMMITTEES

Nil

14. CONFIDENTIAL ITEMS

14.1. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

That pursuant to the provisions of Section 89(2) of the Local Government Act 1989, the meeting be closed to the public in order to consider:

- (d) Contractual matters; and
- (h) Any other matter which the Council or special committee considers would prejudice the Council or any person.

RECOMMENDATION

14.1.1. That the meeting be closed to members of the public under Section 89(2) of the Local Government Act 1989, specifically the following sub-section:

- 89(2)(d) Contractual matters;
 - o Contract HEPBU.EOI2018.32 - Provision of Maternal and Child Health Services 2018-2023

MOTION

14.1.1. *That the meeting be closed to members of the public under Section 89(2) of the Local Government Act 1989, specifically the following sub-section:*

- *89(2)(d) Contractual matters;*
 - o *Contract HEPBU.EOI2018.32 - Provision of Maternal and Child Health Services 2018-2023*

Moved: Cr Sebastian Klein

Seconded: Cr Kate Redwood AM

Carried

The meeting closed to the public at 7.10 pm

Cr Redwood left the room at 7.11 pm due to an indirect interest (conflicting duty) on the next item of business as she is a director on the board of Hepburn Health

Services who has submitted a tender for the Maternal and Child Health Services 2018-2023 contract.

15. REOPENING OF MEETING TO PUBLIC

RECOMMENDATION

15.1.1. That Council, having considered the confidential items, re-opens the Meeting to members of the public.

MOTION

15.1.1. That Council, having considered the confidential items, re-opens the Meeting to members of the public.

Moved: Cr Sebastian Klein

Seconded: Cr Neil Newitt

Carried

The meeting was reopened to the public at 7.26 pm

Cr Kate Redwood AM returned to the meeting at 7.26 pm

In accordance with Council's resolutions, the following information is provided to the public on matters considered during the confidential section of the meeting.

That Council:

14.2.1. Subject to meeting Funding Agreement requirements for sub-contracting the services with the Department of Education and Training, awards the tender for the Contract HEPBU.EOI2018.32 Provision of Maternal and Child Health Services 2018-2023 to Hepburn Health Services for an annual amount of \$331,950 (excluding GST) in the first year.

16. CLOSE OF MEETING

The meeting closed at 7.26 pm
