



HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
PUBLIC MINUTES

TUESDAY 16 JULY 2019

THE WAREHOUSE
36 FRASER STREET
CLUNES

6:00PM

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MINUTES

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36 Fraser Street, Clunes

Commencing 6:00PM

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EVAN KING
CHIEF EXECUTIVE OFFICER
16 JULY 2019

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. SAFETY ORIENTATION

Emergency exits and convenience facilities at the venue to be highlighted to members of the public in attendance.

3. OPENING OF MEETING

PRESENT: Cr Don Henderson, Cr Neil Newitt, Cr Licia Kokocinski, Cr John Cottrell, Cr Fiona Robson and Cr Kate Redwood AM.

IN ATTENDANCE: Mr Evan King Chief Executive Officer, Mr Bradley Thomas Director Community and Corporate Services, Mr Bruce Lucas Director Infrastructure and Development Services, Mr Justin Fiddes Manager Development and Community Safety.

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”

4. APOLOGIES

Cr Greg May

5. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

6. CONFIRMATION OF MINUTES

RECOMMENDATION

6.1.1. That the Minutes of the Ordinary Meeting of Council held on 18 June 2019 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.

MOTION

6.1.1. That the Minutes of the Ordinary Meeting of Council held on 18 June 2019 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.

Moved: Cr Kate Redwood AM

Seconded: Cr Licia Kokocinski

Carried

7. NOTICES OF MOTION

Nil.

8. ITEMS OF URGENT BUSINESS

Nil.

9. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor Don Henderson, Creswick Ward

Recent illness has restricted my activities and I thank those who have stepped in to represent us at some events in my absence.

CEO Mr Evan King and myself recently joined Member for Macedon Mary-Anne Thomas and Mayor of Macedon rangers Cr Janet Pearce to hear the announcement by the Andrews Labor Government of \$200k shared equally between both shires to develop events and enhance tourism in the area.

This funding will require us to work across or shire in conjunction with Daylesford Macedon Tourism and the whole of our shire will be considered.

It was a privilege to be a part of raising the Aboriginal, Torres Strait Islands and the Australian flags at Clunes. I also welcome the fact that we are taking steps to familiarise staff across the board to understand the importance of our past Aboriginal history and to celebrate the living culture that has endured for tens of thousands of years.

I also wish to note the great attendance at staff meetings where it is obvious that we have turned the corner in the space of treating our staff as a very valued part of our organisation. I know it may be controversial for me to say these things but we need to be aware that our staff are our most valued part and they are often the real ambassadors at the front line of our work.

Recent extreme weather has tested our outdoor staff and some of the work we have done on drainage and mitigation works has paid off. We are not there yet and there is much to be done into the future. I think it my duty to commend those staff who have worked at all hours of the night and in very bad conditions to ensure the safety of our communities.

COUNCILLOR REPORTS

Councillor Fiona Robson, Birch Ward

There have been some very positive initiatives to encourage respect and inclusion across our shire. It was pleasing to see our Council organise the flag-raising in Clunes to celebrate NAIDOC week and Aboriginal & Torres Strait people and cultures. Our Council also supported community events in Trentham and Daylesford that celebrated NAIDOC week. Our Arts, Culture and Reconciliation Officer is already planning ways to support more community events next year.

I'm pleased to see Our Council partnering and supporting community initiatives such as the pride cup. Daylesford Football and Netball Club hosted the first pride cup match in Hepburn Shire on Saturday and it was very well

received. The panel discussion was excellent. It not only highlighted the barriers that have existed for many people to participate in sports such as football but also looked at what organisations, clubs and communities could do to help promote a sense of safety and inclusion.

The launch of the Hepburn FReeZA program was one of a number of activities this month aimed at supporting and encouraging youth involvement. Our Council also hosted four work experience students from Daylesford College and ran a youth leadership day during the school holidays. I am particularly looking forward to seeing some great outcomes from our partnership with Daylesford College and Hepburn Health that will bring Planet Youth to this shire. The results in Iceland from this program are quite remarkable and to be chosen as one of 10 places in Australia is a great credit to our community and the partnerships that are already in place creating excellent programs such as ‘the cook the chef and us’.

I am grateful to have participated in the Youth Mental Health First Aid training that completed last night and recommend that others attend if they can. I attended the Victorian Royal Commission into Mental Health Services and heard many areas that people struggle and very much look forward to significant improvements in the future.

Councillor John Cottrell, Holcombe Ward

No report presented.

Councillor Neil Newitt, Cameron Ward

Handy that we meet tonight in Clunes. You may have noticed work has commenced on repairs to the buildings damaged in the attempted ATM burglary at the newsagency across the road from The Warehouse.

I'd like to report on the fundraising night I attended on 22 June.

As you are aware, the attempted robbery of the ATM from the Newsagency just across the road has had a huge impact on the newsagent business financially, the neighbouring businesses, and the community at large.

The night was pulled together in the space of a few days, and on the night, over 200 attended the dinner, held in the community centre down at the footy ground.

It was well known in the community that the business was struggling financially as a result of the attempted burglary and that the owner Craig had started seeking work in his old field that would have taken him overseas, away from his family and business.

The success of the night through the generosity of the community now means Craig and Cynthia can now focus on the repairs and rebuilding their business.

An added bonus on the night was the many who commented that they had not previously been to the Community Centre, and saw the possibilities of the hall, for many activities - not just as a sporting venue.

As we have budgeted this year for a Master Plan for the venue, I encouraged those that spoke to me to bring their ideas to the community consultation when we conduct it. Those ideas will help us determine the best result for the facilities future.

Councillor Kate Redwood AM, Birch Ward

It has been a month of celebrations. In chronological order I attended:

The All Staff Meeting at Doug Lindsay which was the most positive I can recall – well attended and a great vibe.

The Hepburn Health Board with its recommendation to amalgamate with Kyneton and breathe a new lease of life into local health services. A decision from the Minister is expected shortly.

The Hepburn Citizenship Ceremony with its growing element of recognition of First Peoples as well as newcomers. The Mayor presided and Member for Ripon Louise Staley and Cr Kokocinski and I undertook bit parts.

The Daylesford CFA biennial awards presentation – a wonderful brigade with a great culture. It was a privilege to be able to thank the Brigade formally for its contribution to our community.

The Daylesford Brass Band Concert held to raise funds for the Cinema seats, a small contribution in cash but a big contribution in terms of community support for the cinema. Funds for the seats continue to be sought from various sources.

The Daylesford Rotary changeover lunch held at the Palais. I can't recall a more energised and well attended changeover. Cr Robson and I attended and represented the Council. Congratulations to outgoing and incoming committee members.

The ALGWA annual gathering for Women Mayors and Deputies was held at Richmond Town Hall – a celebration of a group of highly able women – inspirational.

The Morning Tea celebration with the residents of the Daylesford Caravan Park. and the organisers of the community campaign. Heart-warming and profoundly humbling – the residents were so grateful for what the community had been able to do for them.

The Pride Cup organised by Daylesford Football Netball Club in conjunction with Chillout was a wonderful lunch event held at Vic Park, and celebrating the emerging acceptance of diversity in sport. A very positive coming together of two strong tribal groups in Daylesford. Crs Robson and Kokocinski and I attended as well as a number of Council officers.

Bastille Day – the now annual event held in the Daylesford Town Hall and organised by U3A where our representative for Macedon Mary Anne Thomas, Cr Kokocinski and I had the role of choosing best costumes and best dressed table. The Town Hall was packed with happy folk who sang French songs enthusiastically, danced the can-can and greatly enjoyed the musical performances. Noteworthy: Steve Millard's skilled playing of the cello.

Emerging issues that I have been involved with in the last month include:

Identification of suitable land to build affordable housing – a group that emerged from my workshop on homelessness two years back has continued to work to build new housing stock

Dumping of unsaleable goods at op shops – a further meeting is to be held this week to continue the development of strategies to address this thorny issue

Community safety – across a wide range of circumstances - and the belief that this is an issue requiring community action to come together to address issues that are under the radar for the police. Possibly a concern that should be taken up in community planning.

A growing concern that the Advocate is failing to meet the requirements of a community newspaper and that a new community newspaper needs to be developed for Daylesford. There have been informal discussions and I think we are just waiting for the Advocate to fall over.

In between times I have attended the usual round of Council meetings and briefings and would note with particular appreciation of the work being done by officers to improve our Shire's waste management and recycling.

Councillor Licia Kokocinski, Coliban Ward

June and early July, 2019 has seen a quickening in trying to resolve several outstanding issues in the Ward that I represent.

Trentham Community Centre

After much consultation with various parties and stakeholders, I have developed an option for the construction of a new Community Centre in High St. Trentham and incorporating a renovated and refurbished Mechanics Institute. In a few words, the option presented breaks the project into two distinct stages. The first stage will be to construct a new Centre next to the current Mechanics Institute site. Following its completion, the Mechanics Institute, guided by architects and historians, will be renovated.

There is a consensus that the Centre must be built as soon as possible, and the community has spoken in relation to its preferred location. The option, or roadmap, that has been passed onto Council officers for their perusal and consideration, will I hope come back to Council for consideration to commence the works as set out in the roadmap.

A consensus agreement has been reached among people I have consulted that at the time of occupation of the newly built structure, a Section 86 Special Committee of Council be established made up of representatives of the major and regular users and Council representatives.

Of course, there will be ongoing discussions and negotiations with user groups as to their involvement in the overall management, user agreements, managing expectations and indeed, clarifying what Council's needs are as well.

Trentham Recreation Reserve

The CoM of this Reserve, Council, DELWP and I continue to negotiate a resolution of the impasse that currently exists, with the aim of bringing a plan to Council in August this year.

I was pleased to be able to attend a Citizenship Ceremony in June, and formally welcome those who were naturalised into the Hepburn community. This is always such a wonderful occasion.

Welcoming new residents to the Shire

On 28 June, the Trentham Neighbourhood Centre, Bendigo Bank Trentham branch, and Council held a getting to know your new residents evening. Unfortunately, it was poorly attended, but we did have a good informal chat about what the community has to offer residents. I hope the sponsors are not dissuaded from holding such events in the future.

Path of the Horse

I was very pleased to be able to visit the Path of the Horse, run by a charity headed by Dean Mighell. It uses the vehicle of a beautiful place in the Wombat Forest and horses to work with a variety of people with specific needs. Many are ex-service men and women who experience PTSD, women escaping violence in the home, and increasingly, families with children who are on the autism spectrum disorder. The work of healing is outstanding.

On 4 July, I attended a funeral to farewell Lynne Mohr, a founding member of the Trentham Life Activities Club, and a community activist. What a lady. She packed so much into her life and was involved in many community-based projects. Vale Lynne.

I attended a NAIDOC week event in Trentham also in July, where a marvellous choir gave a performance at the TNC. This choir will, in early August, be part of a massed choir of 300 children from across Victoria performing at the Melbourne Town Hall, in Boite Millenium Choir performing from the Dhungala Songbook. The performance will be led by Deborah Cheetham, indigenous opera singer and composer and Jesse Hitchcock. Am sure our young people will sing their hearts out and be just marvellous ambassadors for the Shire and the Trentham community in particular.

I also had the pleasure of attending the Hairy Arch art auction. As the name implies, this is a humorous take on the more serious Archibald Prize for portraiture. This has been going for a number of years, and is an annual auction of art works created by non-commercial artists. All monies raised will be going to the Trentham Football and Netball Club. A terrific and amusing night.

I attended two function in Daylesford – the Pride Cup between Daylesford and Newlyn football clubs. The Pride celebrates and embraces diversity and acceptance of all kinds.

I will conclude with one event – the French themed Bastille Day dinner in Daylesford put on by this towns U3A. Congratulations to Mary and Don Harvey and their team of enthusiastic volunteers for organising a very funny and successful night where a broad cross section of the Daylesford and surrounding communities got together to celebrate all things French. All proceeds are to go the Daylesford Community Brass Band, a marvellously talented group of players.

RECOMMENDATION

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

MOTION

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

Moved: Cr Neil Newitt

Seconded: Cr Fiona Robson

Carried

10. 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 purposes of:

- Tabling petitions
- Responding to questions from members of our community
- Allowing members of the community to address Council

Community members are invited to be involved in public participation time in accordance with Local Law 1 Meeting Procedures.

Individuals may submit written questions or requests to address Council to the Chief Executive Officer by 12 noon on the day of the Council Meeting.

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.

Questions received may be taken on notice but formal responses will be provided to the questioners directly. These responses will also be read out and included within the minutes of the next Ordinary Meeting of Council to make them publicly available to all.

BEHAVIOUR AT COUNCIL MEETINGS

Council supports a welcoming, respectful and safe environment for members of the community to participate at Council Meetings regarding issues that are important to them. Local Law 1 sets out guidelines for the Mayor, Councillors, and community members on public participation in meetings. It reinforces the value of diversity in thinking, while being respectful of differing views, and the rights and reputation of others.

Under the Local Law, members of the public present at a Council Meeting must not be disruptive during the meeting.

Respectful behaviour includes:

- Being courteous when addressing Council during public participation time and directing all comments through the Chair
- Being quiet during proceedings
- Being respectful towards others present and respecting their right to their own views

Inappropriate behaviour includes:

- Interjecting or taking part in the debate
- Verbal abuse or harassment of a Councillor, member of staff, ratepayer or member of the public
- Threats of violence

10.1. PETITION

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

10.2. QUESTIONS

The Chair will read out responses to questions taken on notice from the last ordinary meeting, and then hear and respond to new questions received in accordance with Local Law 1.

One new public question was received but the questioner was not present at the meeting. A written response will be sent.

10.3. REQUESTS TO ADDRESS COUNCIL

Members of our community who have submitted a request in accordance with Local Law 1 will be heard.

No requests to address Council were received.

11. STATUTORY PLANNING REPORTS

11.1. PA 2183 - CONSTRUCTION OF A DWELLING AT 38 LEGGATT STREET, DAYLESFORD

DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

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 for Council to determine the application for the construction of a dwelling at 38 Leggatt Street, Daylesford. The report is being presented to Council as 5 or more objections were received to the application.

BACKGROUND

Site and Surrounds

The site is an 820m² parcel of land located at the intersection of Leggatt Street, Chatfield Avenue and Old Ballarat Road.

The site undulates in several directions but predominantly slopes from the south west to the north west with a gully that runs towards Lake Daylesford to the north.

The site has several established trees that are dotted throughout the lot.

Proposal

The application proposes to construct a dwelling on the site.

The dwelling is proposed to be located centrally on the lot and setback a minimum of 3.4m from the northern boundary, 2.1m from the southern boundary, 11.3m from the eastern (Leggatt Street) boundary and 8.3m from the western (Chatfield Ave.) boundary.

Access is proposed from Leggatt Street via a small driveway and a pedestrian bridge across the natural gully on the site.

The dwelling is proposed to be elevated on stumps across the majority of the site and have a maximum height of 5.4m. The dwelling is proposed to be clad in a weatherboard type material with low skillion roof forms and include the following:

- 2 bedrooms (one with ensuite)
- Bathroom and separate powder room
- Laundry
- Open plan kitchen/living/dining area that opens onto a large deck and the pedestrian bridge providing access to Leggatt Street.

ISSUE/DISCUSSION

Relevant Planning Provisions

Zoning:	General Residential Zone	
Overlays:	Environmental Significance Overlay Schedule 1 and 2 Bushfire Management Overlay Neighbourhood Character Overlay Schedule 1	
Particular Provisions	Clause 52.12 – Bushfire Protection: Exemptions Clause 53.02 – Bushfire Planning Clause 54 – One Dwelling on a Lot	
Relevant Provisions of the PPF	<ul style="list-style-type: none"> • 11.03-6S - Regional and local places • 12.03-1S - River corridors, waterways, lakes and wetlands • 13.02-1S – Bushfire Planning • 14.02-1S - Catchment planning and management • 15.01-5S - Neighbourhood character • 16.01-2S - Location of residential development • 21.05 - Settlement and Housing • 21.09 - Environment and Heritage • 22.08 - Daylesford Neighbourhood Character 	
Under what clause(s) is a permit required?	Clause 42.01-2 Environmental Significance Overlay, Schedule 2	Buildings and works
	Clause 43.05-2 Neighbourhood Character Overlay, Schedule 1	Buildings and works
	Clause 44.06 Bushfire Management Overlay	Buildings and works
Objections?	Five (5)	

Zoning and response to policy direction

The site is zoned General Residential where residential development is expected and encouraged, subject to providing an appropriate response to the existing and preferred character of the area. The site is connected to all relevant services and is surrounded by other residential development.

The proposed dwelling provides an appropriate built form outcome that is expected within the precinct of the neighbourhood character overlay that the site is located within. The proposed dwelling is considered to be supported by the relevant policies in relation to the location and form of residential development.

Design and built form

The purpose and decision guidelines of the Neighbourhood Character Overlay predominantly seek to ensure that amongst other things:

- To maintain and strengthen the vegetation dominated landscape and the relationship to the vegetation qualities of the lake environs.
- To minimise site disturbance and impact of the building on the landscape.
- To maintain the rhythm of dwelling spacing.
- To ensure that adequate space is available on private land for the retention and planting of vegetation.
- To ensure that new buildings and extensions do not dominate the landscape and wider lakeside setting.
- To use materials and finishes that reflect the traditional Daylesford Township materials and lakeside setting.
- To maintain the openness of the streetscape.

To develop the site some existing trees will be required to be removed to allow for the dwelling in addition to providing the required defensible space allowed under the provisions of the Bushfire Management Overlay (BMO).

Due to the BMO, the removal of vegetation to provide the required defensible space is exempt from requiring planning approval. The vegetation to be retained will allow for the development to still fit comfortably within a well landscaped setting as well as a separation of built form being provided.

The dwelling proposes to minimise excavation as a consequence of the elevated nature of the dwelling and site coverage is limited to approximately 21%. The building mass will not be visible from the lake environs. No fencing is proposed and the proposed weatherboard like construction is complimentary to the surrounding built form.

Adherence to ResCode – Clause 54

The development complies with all of the objectives and standards of Clause 54 of the Hepburn Planning Scheme (Scheme). A copy of this assessment is included as an attachment to this report.

Bushfire Risk

The application was submitted with a Bushfire Management Statement (BMS) that provided the information required by the BMO and Clause 52.47 of the Scheme. This BMS was referred to the Country Fire Authority who provided their consent to the application subject to the inclusion of the standard conditions required by the BMO in addition to other conditions requiring the approval of the BMS's specific to the subject site.

Environmental Impact

The dwelling has been designed to follow the contours of the land in order to minimise the impact on soil disturbance and the impact on waterway health.

The application has been referred to Goulburn Murray Water (GMW) who did not raise any concerns and provided their conditional consent to the application.

There is not considered to be any impact as a consequence of the development that cannot be controlled through the building process.

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 is subject to appeal rights and may incur costs at VCAT if appealed.

RISK IMPLICATIONS

N/A

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Construction Management in Council Reserve

Concern is raised about management and access during the construction phases of the development. Namely, concern is raised that access will be required across a portion of a Council owned reserve adjacent to Chatfield Avenue. Should this occur this would be subject to a separate approvals process and not as part of the planning process.

Development lacks delineation between private and public land

The application does not propose any fencing, nor does the application propose a significant backyard or similar. The design proposes to blend in with its environs and providing fencing or similar is not considered to be the best design outcome to retain the openness and natural environs sought to be achieved by the neighbourhood character overlay.

Impact on waterway

The application was referred to Goulburn Murray Water, the relevant water authority who raised no concerns and deem the development appropriate subject to conditions.

Impacts upon gully through vegetation removal

As above, Goulburn Murray Water have raised no concerns and the vegetation removal is exempt from requiring planning approval as ensuring that development is responsive to bushfire risk and the protection of human life takes precedent over all other policy considerations.

Insufficient car parking

A two bedroom dwelling is proposed and one car parking space is required. Two car parking spaces are being supplied.

Plans inaccurately state that 20% site coverage is proposed.

This was checked and the development does cover approximately 21% of the site.

CONCLUSION

The application proposes a single dwelling on a parcel of land that has been zoned to provide for the use of the land for residential purposes. The dwelling has been designed to complement the existing and preferred character of the area. The dwelling can achieve an appropriate defensible space on the site to the satisfaction of the CFA while still providing for the retention of some trees on the site as encouraged by the neighbourhood character overlay. On the basis of the above the development is considered acceptable and warrants Councils support.

OFFICER'S RECOMMENDATION

11.1.1. That Council having caused notice of the planning application 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 notice of decision to issue a planning permit PA 2183 for the construction of a dwelling in respect of the land known as 38 Leggatt Street, Daylesford, subject to the following conditions:

Layout not altered

- 1) The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 2) The extent of vegetation to be removed, as shown on the endorsed plans and documents must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.

Construction amenity

- 3) All areas of disturbed ground must be stabilised and revegetated at the completion of the development to the satisfaction of the Responsible Authority
- 4) Construction activities must be managed so that the amenity of the area is not detrimentally affected through the:

- a) transport of materials, goods or commodities to or from the land;
- b) inappropriate storage of any works or construction materials;
- c) hours of construction activity;
- d) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil; and
- e) presence of vermin.

to the satisfaction of the Responsible Authority.

Landscaping and tree protection

5) Before development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The landscape plan must be prepared by a person suitably qualified or experienced in landscape design and must be drawn to scale with dimensions and three copies must be provided. The landscape plan must show:

- a) the locations of all landscaping works to be provided on the land
- b) the locations of any trees to be retained or removed from the land (including details of species and size)
- c) a detailed schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant
- d) details of the proposed surface finishes of pathways and driveways
- e) details of the irrigation system to be used on land following completion of the landscaping works

6) Before the dwelling is occupied, all landscaping works as shown on the endorsed plan must be carried out and completed to the satisfaction of the Responsible Authority. When the landscaping works have been completed, written confirmation must be provided to the satisfaction of the Responsible Authority that landscaping of the land has been undertaken in accordance with the endorsed landscaping plans.

7) All landscaping works as shown on the endorsed plans must be maintained, including that any dead, diseased or damaged plants are to be replaced, to the satisfaction of the Responsible Authority

8) Before the works starts, tree protection fence(s) must be erected around the trees nominated for retention on the endorsed plans to define a Tree Protection Zone. The Tree Protection Zone should be erected at a radius of 12 times the diameter at breast height (DBH) to a maximum of 15 metres but no less than 2 metres from the base of the trunk to the satisfaction of the

responsible authority. The fence must be constructed of to the satisfaction of the Responsible Authority. The tree protection fence(s) must remain in place until the completion of the development unless otherwise agreed in writing by the Responsible Authority.

No access in tree protection zones

9) No vehicular or pedestrian access, trenching, storage of materials or equipment or soil excavation is to occur within the Tree Protection Zone unless otherwise agreed in writing by the Responsible Authority.

No storage within Council Reserve

10) There must be no permanent storage of materials and vehicles within the Council reserve along

Stormwater Drainage

11) All stormwater discharged from the subject land shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No concentrated stormwater shall drain or discharge from the land to adjoining properties.

Access

12) Vehicle access/crossing to the land is to be located, constructed and maintained to the satisfaction of the Responsible Authority.

13) Prior to the occupation the following will be constructed for approval.

a) Vehicle access/crossing to all lots is to be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 255 or to approval of responsible authority.

b) Vehicle access/crossing to the land shall be located so that adequate sight distance is achieved to comply with Australian Standard AS2890.1:2004 Section 3.2.4 and as specified in Ausroad's Guide to Road Design Part 4A Section 3.4 - 'Sight Distance at Property Entrance'.

c) Minimum 10.0m and 9.0m clearance shall be maintained from any road intersection and between adjacent crossovers respectively.

d) Any proposed vehicular crossing shall have satisfactory clearance to any side- entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.

The final location and construction of the vehicle crossing is to be approved by the Responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works.

14) All works must construct and complete prior to commencement of use.

15) All costs incurred in complying with the above conditions shall be borne by the permit holder.

COUNTRY FIRE AUTHORITY

Bushfire Management Plan

16) The Bushfire Management Plan prepared by Regional Planning & Design Pty Ltd (Bushfire Management Statement – 38 Leggatt Street, Daylesford Ref No.18.311 – Report Version B, Figure 7, dated 25/09/2018) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

17) The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

GOULBURN MURRAY WATER CORPORATION

18) All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991). Appropriate barriers must be put in place for control of sediment, litter and other materials prior to the commencement of any works on the site.

19) The site around the dwelling must be landscaped to the satisfaction of the Responsible Authority with appropriate vegetation to stabilise soil and prevent sediment transport off-site.

20) There must be no transport of materials associated with landscaping and erosion attenuation, (eg imported soils, rock beaching, gravels, mulches etc) off-site beyond the boundaries of the lot.

21) All wastewater from the dwelling must be disposed of via connection to the reticulated sewerage system in accordance with the requirements of Central highlands Water.

22) Stormwater must be discharged to a legal point of discharge as nominated by the Responsible Authority. Stormwater run-off from impervious surfaces and tank overflow must not cause erosion and all infrastructure and works to manage stormwater must be in accordance with the requirements of the responsible Authority.

Permit Expiry

23) This permit will expire if one of the following circumstances applies:

a) The development is not started within two years of the date of this permit.

b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of Planning and Environment Act 1987

Note: Further Council approval through a Local Laws permit will be required for any construction that requires access through Council Land.

Mr Evan Rutherford (Owner) addressed Council in support of the application.

Mr Hamish Haslett addressed Council in objection to the application.

MOTION

11.1.1. *That Council having caused notice of the planning application 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 notice of decision to issue a planning permit PA 2183 for the construction of a dwelling in respect of the land known as 38 Leggatt Street, Daylesford, subject to the following conditions:*

Layout not altered

- 1) *The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
- 2) *The extent of vegetation to be removed, as shown on the endorsed plans and documents must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.*

Construction amenity

- 3) *All areas of disturbed ground must be stabilised and revegetated at the completion of the development to the satisfaction of the Responsible Authority*
- 4) *Construction activities must be managed so that the amenity of the area is not detrimentally affected through the:*
 - a) *transport of materials, goods or commodities to or from the land;*
 - b) *inappropriate storage of any works or construction materials;*
 - c) *hours of construction activity;*
 - d) *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil; and*
 - e) *presence of vermin.*

to the satisfaction of the Responsible Authority.

Landscaping and tree protection

- 5) *Before development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and*

approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The landscape plan must be prepared by a person suitably qualified or experienced in landscape design and must be drawn to scale with dimensions and three copies must be provided. The landscape plan must show:

- a) the locations of all landscaping works to be provided on the land*
 - b) the locations of any trees to be retained or removed from the land (including details of species and size)*
 - c) a detailed schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant*
 - d) details of the proposed surface finishes of pathways and driveways*
 - e) details of the irrigation system to be used on land following completion of the landscaping works*
- 6) Before the dwelling is occupied, all landscaping works as shown on the endorsed plan must be carried out and completed to the satisfaction of the Responsible Authority. When the landscaping works have been completed, written confirmation must be provided to the satisfaction of the Responsible Authority that landscaping of the land has been undertaken in accordance with the endorsed landscaping plans.*
- 7) All landscaping works as shown on the endorsed plans must be maintained, including that any dead, diseased or damaged plants are to be replaced, to the satisfaction of the Responsible Authority*
- 8) Before the works starts, tree protection fence(s) must be erected around the trees nominated for retention on the endorsed plan to define a Tree Protection Zone. The Tree Protection Zone should be erected at a radius of 12 times the diameter at breast height (DBH) to a maximum of 15 metres but no less than 2 metres from the base of the trunk to the satisfaction of the responsible authority. The fence must be constructed to the satisfaction of the Responsible Authority. The tree protection fence(s) must*

remain in place until the completion of the development unless otherwise agreed in writing by the Responsible Authority.

No access in tree protection zones

- 9) No vehicular or pedestrian access, trenching, storage of materials or equipment or soil excavation is to occur within the Tree Protection Zone unless otherwise agreed in writing by the Responsible Authority.*

No storage within Council Reserve

- 10) There must be no permanent storage of materials and vehicles within the Council reserve along*

Stormwater Drainage

- 11) All stormwater discharged from the subject land shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No concentrated stormwater shall drain or discharge from the land to adjoining properties.*

Access

- 12) Vehicle access/crossing to the land is to be located, constructed and maintained to the satisfaction of the Responsible Authority.*

- 13) Prior to the occupation the following will be constructed for approval.*

- a) Vehicle access/crossing to all lots is to be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 255 or to approval of responsible authority.*
- b) Vehicle access/crossing to the land shall be located so that adequate sight distance is achieved to comply with Australian Standard AS2890.1:2004 Section 3.2.4 and as specified in Ausroad's Guide to Road Design Part 4A Section 3.4 - 'Sight Distance at Property Entrance'.*
- c) Minimum 10.0m and 9.0m clearance shall be maintained from any road intersection and between adjacent crossovers respectively.*
- d) Any proposed vehicular crossing shall have satisfactory clearance to any side- entry pit, power or Telecommunications*

pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.

The final location and construction of the vehicle crossing is to be approved by the Responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works.

14) All works must construct and complete prior to commencement of use.

15) All costs incurred in complying with the above conditions shall be borne by the permit holder.

COUNTRY FIRE AUTHORITY

Bushfire Management Plan

16) The Bushfire Management Plan prepared by Regional Planning & Design Pty Ltd (Bushfire Management Statement – 38 Leggatt Street, Daylesford Ref No.18.311 – Report Version B, Figure 7, dated 25/09/2018) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

17) The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

GOULBURN MURRAY WATER CORPORATION

18) All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991). Appropriate barriers must be put in place for control of sediment, litter and other materials prior to the commencement of any works on the site.

19) The site around the dwelling must be landscaped to the satisfaction of the Responsible Authority with appropriate vegetation to stabilise soil and prevent sediment transport off-site.

20) *There must be no transport of materials associated with landscaping and erosion attenuation, (eg imported soils, rock beaching, gravels, mulches etc) off-site beyond the boundaries of the lot.*

21) *All wastewater from the dwelling must be disposed of via connection to the reticulated sewerage system in accordance with the requirements of Central highlands Water.*

22) *Stormwater must be discharged to a legal point of discharge as nominated by the Responsible Authority. Stormwater run-off from impervious surfaces and tank overflow must not cause erosion and all infrastructure and works to manage stormwater must be in accordance with the requirements of the responsible Authority.*

Permit Expiry

23) *This permit will expire if one of the following circumstances applies:*

- a) The development is not started within two years of the date of this permit.*
- b) The development is not completed within four years of the date of this permit.*

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of Planning and Environment Act 1987

Note: Further Council approval through a Local Laws permit will be required for any construction that requires access through Council Land.

Moved: Cr Kate Redwood AM

Seconded: Cr Neil Newitt

Carried

**ATTACHMENT 1 - PA 2183 - 38 LEGGATT STREET DAYLESFORD -
ARCHITECTURAL PLANS (ISSUED UNDER SEPARATE COVER)**

**ATTACHMENT 2 - PA 2183 - 38 LEGGATT STREET DAYLESFORD -
CLAUSE 54 ASSESSMENT**

Clause 54 Assessment

38 Leggatt Street, Daylesford

PA2183

Compliance Summary:

Standard and Objective	Compliance
Neighbourhood and Site Description and Design Response	Complies
Standard A1 – Neighbourhood Character	Complies
Standard A2 – Integration with Street	Complies
Standard A3 – Street Setback	Complies
Standard A4 – Building Height	Complies
Standard A5 – Site Coverage	Complies
Standard A6 – Permeability	Complies
Standard A7 – Energy Efficiency	Complies
Standard A8 – Significant trees	Complies
Standard A10 – Side and Rear Setbacks	Complies
Standard A11 – Walls on Boundaries	Complies
Standard A12 – Daylight to Existing Windows	Complies
Standard A13 – North-facing Windows	Complies
Standard A14 – Overshadowing Open Space	Complies
Standard A15 – Overlooking	Complies
Standard A16 – Daylight to New Windows	Complies
Standard A17 – Private Open Space	Complies
Standard A18 – Solar Access to Open Space	Complies
Standard A19 – Design Detail	Complies
Standard A20 – Front Fences	Complies

<ul style="list-style-type: none"> Objectives and Summary of Standards A development must meet all objectives A development should meet all these standards 	Council's Assessment
<p>Clause 54.01: Neighbourhood and Site Description and Design Response An application must be accompanied by:</p> <ul style="list-style-type: none"> A Neighbourhood and site description. A Design Response 	
<p>Clause 54.01-1:</p> <p>Neighbourhood and site description The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe: In relation to the neighbourhood:</p> <ul style="list-style-type: none"> The built form, scale and character of surrounding development including front fencing. Architectural and roof styles. Any other notable features or characteristics of the neighbourhood. <p>In relation to the site:</p> <ul style="list-style-type: none"> Site shape, size, orientation and easements. Levels of the site and the difference in levels between the site and surrounding properties. The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site. The use of surrounding buildings. The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres. Solar access to the site and to surrounding properties. Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known. Any contaminated soils and filled areas, where known. Views to and from the site. Street frontage features such as poles, street trees and kerb crossings. Location of shops, public transport services and public open spaces within walking distance Any other notable features or characteristics of the site. 	<p>Complies</p> <p>A neighbourhood and site description was provided at the time of application lodgement that satisfies the requirements of Clause 54.01-1.</p>
<p>Clause 54.01-2:</p> <p>Design Response The design response must explain how the proposed design:</p> <ul style="list-style-type: none"> Derives from and responds to the neighbourhood and site description. Meets the objectives of Clause 54. Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay. <p>The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.</p>	<p>Complies</p> <p>A Design Response was provided at the time of application that references the relevant aspects of the Hepburn Planning Scheme and provides a statement of compliance against each.</p> <p>For these reasons, it is considered that the design response adequately addresses the requirements of Clause 54.01-2, and is therefore satisfactory.</p>
<p>Clause 54.02 Neighbourhood Character and Infrastructure</p>	
<p>Neighbourhood Character Objectives</p> <ul style="list-style-type: none"> Respect the existing neighbourhood character or contribute to a preferred neighbourhood character. Respond to the features of the site and the surrounding area. <p>Standard A1</p> <ul style="list-style-type: none"> The design response must be appropriate to the neighbourhood and the site. The proposed design must respect the existing/preferred neighbourhood character and respond to the features of the site. 	<p>Complies</p> <p>The application respects the existing and preferred neighbourhood character of the area on the basis that:</p> <ul style="list-style-type: none"> The proposed development maintains the height and scale of the built form in the area. The intensity of the development is consistent with the existing residential built form within the area, which is reasonably robust.
<p>Integration with the street objective</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. <p>Standard A2</p> <ul style="list-style-type: none"> * Dwellings should be oriented to front existing and proposed streets. * High fencing in front of dwellings should be avoided if practicable. * Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces. 	<p>Complies</p> <p>The dwelling is orientated towards Leggatt Street and does not propose fencing and enables passive surveillance to surrounding streets and reserves.</p>
<p>Clause 54.03 Layout and Building Massing</p>	
<p>Street Setback Objective</p> <ul style="list-style-type: none"> * To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. <p>Standard A3 Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> * At least the distance specified in a schedule to the zone, or * If no distance is specified in a schedule to the zone, the distance specified in Table A1. <p>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</p>	<p>Complies</p> <p>The setbacks from the pedestrian access bridge is 5.6m with the built form of the dwelling itself setback a further 7.7m.</p> <p>This provides a significant sense of openness to the development.</p>

<p>Building Height Objective</p> <ul style="list-style-type: none"> Building height to respect existing/preferred neighbourhood character. <p>Standard A4</p> <ul style="list-style-type: none"> * The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. * If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres. * Changes of building height between existing buildings and new buildings should be graduated. 	<p>Complies</p> <p>The proposed residential development has a maximum height of 5.4 m. The height of the proposed development is well within the 9m maximum for a site with relatively undulating topography.</p>
<p>Site Coverage Objective</p> <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. <p>Standard A5</p> <p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone, or If no maximum site coverage is specified in a schedule to the zone, 60 per cent. 	<p>Complies</p> <p>The total site coverage proposed is approximately 21% far below the 40% allowable site coverage.</p>
<p>Permeability Objectives</p> <p>To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration.</p> <p>Standard A6</p> <p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> The minimum area specified in a schedule to the zone, or, or If no minimum is specified in a schedule to the zone, 20 per cent of the site. 	<p>Complies</p> <p>Over 70% of the site is permeable. This is far in excess of the minimum 20%</p>
<p>Energy Efficiency Objectives</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and residential buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. <p>Standard A7</p> <p>Buildings should be:</p> <ul style="list-style-type: none"> Orientated to make appropriate use of solar energy. Sited to ensure energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. * Living areas and private open space <u>should</u> be located on the north side of the dwelling, if practicable. * Developments <u>should</u> be designed so that solar access to north-facing windows is maximised 	<p>Complies</p> <p>The dwelling provides an orientation to north as much as is possible. Living areas have good access to the north and</p>
<p>Significant trees Objective</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage the retention of significant trees on the site. <p>Standard A8</p> <ul style="list-style-type: none"> Development should provide for the retention or planting of trees, where these are part of the neighbourhood character. Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. 	<p>Complies</p> <p>Any vegetation proposed to be removed is exempt as a consequence of the exemptions for bushfire safety at Clause 52.12 of the Scheme.</p> <p>The dwelling has been designed to balance the neighbourhood character objectives in providing setbacks from surrounding boundaries and retaining trees on the site.</p>
<p>Clause 54.04 Amenity Impacts</p>	
<p>Side And Rear Setbacks Objective</p> <ul style="list-style-type: none"> Ensure height and setback of a building from a boundary respects the existing/preferred neighbourhood character and limits the impact on the amenity of existing dwellings. <p>Standard A10</p> <p>A new building not on or within 200mm of a boundary <u>should</u> be setback from side or rear boundaries:</p> <ul style="list-style-type: none"> * At least the distance specified in a schedule to the zone, or * If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. <p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	<p>Complies</p> <p>No walls are proposed on the boundary and the dwelling is setback in excess of the requirements of this clause.</p>

<p>Walls On Boundaries Objective</p> <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. <p>Standard A11</p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> For a length of more than the distance specified in a schedule to the zone; or If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary. A building on a boundary includes a building set back up to 200mm from a boundary. The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall. 	<p>Complies</p> <p>No walls are proposed on the boundary.</p>
<p>Daylight To Existing Windows Objective</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. <p>Standard A12</p> <ul style="list-style-type: none"> Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot. Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window. Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window. 	<p>Complies</p> <p>There are existing windows that cant access daylight.</p>
<p>North-Facing Windows Objective</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. <p>Standard A13</p> <ul style="list-style-type: none"> If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east. 	<p>Complies</p> <p>There are existing north facing windows to the south of the site.</p>
<p>Overshadowing Open Space Objective</p> <ul style="list-style-type: none"> * To ensure buildings do not unreasonably overshadow existing secluded private open space. <p>Standard A14</p> <ul style="list-style-type: none"> * Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75% or 40m² with a minimum dimension of 3m, whichever is lesser, or the secluded open space <u>should</u> receive a minimum of 5hrs sunlight between 9am and 3pm on the 22 Sept. * If existing sunlight to the secluded private open space of a dwelling is less than the requirements of this standard, the amount of sunlight <u>should</u> not be further reduced. 	<p>Complies</p> <p>There will be no impact of overshadowing as there are no dwellings to the south.</p>

<p>Overlooking Objective</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. <p>Standard A15</p> <ul style="list-style-type: none"> A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level. A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either: <ul style="list-style-type: none"> Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. Have sill heights of at least 1.7 metres above floor level. Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard. Screens used to obscure a view should be: <ul style="list-style-type: none"> Perforated panels or trellis with a maximum of 25 percent openings or solid translucent panels. Permanent, fixed and durable. Designed and coloured to blend in with the development. This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary. 	<p>Complies</p> <p>The proposal meets the standard of the Clause as windows have sill heights of 1.7m or do not overlook habitable room windows or secluded open space within 9m.</p> <p>For these reasons, overlooking and views into surrounding private open spaces are sufficiently limited in accordance with the objectives and standards of Clause 54.04-6.</p>
Clause 54.05 On-site Amenity and Facilities	
<p>Daylight To New Windows Objective</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. <p>Standard A16</p> <p>A window in a habitable room <u>should</u> face:</p> <ul style="list-style-type: none"> An outdoor space clear to sky or a light court with 3m²+ and minimum dimension of 1m, not including land on an abutting lot, or A verandah if it is open for at least 1/3rd of its perimeter, or A carport if it has 2 or more open sides and is open for at least 1/3rd of its perimeter. 	<p>Complies</p> <p>All habitable room windows face an appropriate outdoor clear space.</p>
<p>Private Open Space Objective</p> <ul style="list-style-type: none"> To provide open space for the reasonable recreation and service needs of residents. <p>Standard A17</p> <ul style="list-style-type: none"> A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone. If no area or dimensions is specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room. 	<p>Complies</p> <p>Sufficient secluded private open space is provided through the decks and courtyards proposed.</p>
<p>Solar Access To Open Space Objective</p> <ul style="list-style-type: none"> To allow solar access into the secluded private open space of a new dwelling. <p>Standard A18</p> <ul style="list-style-type: none"> Private open space <u>should</u> be located on the north side. The southern boundary of secluded private open space <u>should</u> be setback from any wall on the north of the space at least (2m +0.9h), where 'h' is the height of the wall. 	<p>Complies</p> <p>The proposed private open spaces will have access to northern light.</p>
Clause 54.06 Detailed Design	
<p>Detail Design Objective</p> <ul style="list-style-type: none"> To encourage design detail that respects the existing/preferred neighbourhood character. <p>Standard A19</p> <ul style="list-style-type: none"> The design of buildings, including: <ul style="list-style-type: none"> Facade articulation and detailing, Window and door proportions, Roof form, and Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing/preferred neighbourhood character. 	<p>Complies</p> <p>The objective for Clause 54.06-1 seeks to encourage design detail that respects the existing neighbourhood character. The proposed development is sympathetic to the surrounding residential development design by matching height and materials and roof form.</p> <p>For these reasons, it is considered that the proposal reflects and enhances the established and identifiable neighbourhood character of the immediate and wider area – and therefore complies with the provisions of Clause 54.06-1.</p>

Front Fences Objective

- Front fences to respect the existing/preferred neighbourhood character.

Standard A20

- Front fences should complement the design of the dwelling and any front fences on adjoining properties.

A front fence within 3m of a street should not exceed:

- The maximum height specified in a schedule to the zone, or
- 2m height for streets in a Road Zone, Category 1, or
- 1.5m height for any other street.

N/A

There is no front fencing proposed.

**ATTACHMENT 3 - CONFIDENTIAL - PA 2183 - 38 LEGGATT STREET
DAYLESFORD – OBJECTIONS (ISSUED TO COUNCILLORS UNDER
SEPARATE COVER)**

**11.2. PA 2377 - USE AND DEVELOPMENT OF A DWELLING AT 399
MOLLONGGHIP ROAD MOLLONGGHIP
DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

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 for Council to determine the application for the use and development of a dwelling 399 Mollongghip Road, Mollongghip.

The application is recommended for refusal.

BACKGROUND

Site and Surrounds

The site is a 0.54ha parcel of land located approximately 60m south of the intersection of Dean Mollongghip Road. The site is currently vacant.

The site and surrounding land is identified as being of very high agricultural land quality. (Agricultural Land in the Hepburn Shire, Enplan Strategic Assessment, 2007).

Proposal

The application proposes to use and develop the site for the purpose of a dwelling. The dwelling is proposed to be a 3 bedroom dwelling constructed in hardiplank material with an iron roof.

The applicant has supplied a land management plan with the application that seeks to justify the need for a dwelling on the site.

ISSUE/DISCUSSION

Zoning:	Farming Zone	
Overlays:	Environmental Significance Overlay Schedule 1	
Particular Provisions	None relevant	
Relevant Provisions of the PPF	<ul style="list-style-type: none"> • Clause 11.01 – Settlement • Clause 13.04-2S – Erosion and landslip • Clause 14.01-1S – Protection of agricultural land • Clause 16.01-2S – Location of residential development • Clause 21.05 – Settlement and Housing • Clause 21.08 – Rural Land Use and Agriculture • Clause 22.01 – Catchment and land protection • Clause 22.04 – Rural Land 	
	Clause 35.07-1	Use of the land for a dwelling

Under what clause(s) is a permit required?	Clause 35.07-4	Buildings and works
	Clause 42.01-2 Environmental Significance Overlay, Schedule 2	Buildings and works
Objections?	Nil	

Appropriateness in response to relevant State and Local Planning Policy

The relevant policy most pertinent to the suitability of this application is related to the protection of agricultural land and ensuring that residential development is located within existing settlements throughout the Municipality.

The application seeks approval to construct a single dwelling on a lot with an area well below the 40ha minimum size for which a dwelling can be established “as of right” within the Farming Zone.

Relevant policy within the Hepburn Planning Scheme (scheme) seeks to protect farmland to allow that land to continue to be used for agricultural purposes. It does this by ensuring that productive farmland is not lost through permanent land use changes. It also seeks to prevent inappropriately dispersed urban activities in rural areas, limit new housing development in rural areas through directing housing growth into existing settlements and discouraging development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses.

Despite the settlement of Mollongghip being located very close to the site, this is predominantly located on the Dean-Mollongghip Road. There are a small number of dispersed dwellings but predominantly all surrounding land is used intensively for agricultural production.

It is considered that the establishment of a dwelling will result in the loss of agricultural land through the inflation of the value of the subject site and is likely to result in a concentration of dwellings being established upon surrounding land parcels of a similar size to this site. The intensification of new dwellings on such properties has the potential for creating a conflict between existing farming operations and new dwellings.

Apart from the land along the Dean-Mollongghip Road, there are limited examples within the immediate area where dwellings are established on existing small allotments. The majority of properties are used for grazing, cropping or the growing of vegetables. Where dwellings are established, they are either located on large land parcels or are established associated with a more intensive agricultural land use.

Farming Zone and agricultural issues

It is not considered that the use and development of the land for a dwelling on the subject site responds appropriately to the purpose and decision guidelines of the Farming Zone.

Sufficient justification for a dwelling on the subject site has not been provided. The application has been submitted with a land management plan that seeks to demonstrate the need for a dwelling to continue the maintenance of the 0.54ha parcel of land. The plan provides limited detail with regards to future land management activities however these works are considered to reflect more a description of general land maintenance of a rural residential block opposed to being a comprehensive farm/land management plan that provides sufficient justification for the necessity of the dwelling to be located on the site to undertake such management activities.

Any decision on an application for a dwelling in the Farming Zone must be balanced between whether a net benefit to agricultural production exists and whether any application would be detrimental to the site and surrounding land. Concern is raised that without an existing and justifiable agricultural pursuit occurring on the land there is a potential for the land to be further sold with a permit which would artificially inflate the value of the land to that much greater than its agricultural value and also possibly result in a future concentration of dwellings being established on surrounding land. It is considered that the application does not implement the relevant provisions of the State Planning Policy Framework and Local Planning Policy Framework.

Environmental Considerations

A Land Capability Assessment was prepared as part of the application and referred to Goulburn-Murray Water Corporation who offered no objection subject to conditions.

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 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 proposed development does not support the objectives of the State and Local Planning Policy, the Municipal Strategic Statement (MSS) or the Farming Zone.

The planning policy framework is clear and contains strong objectives to ensure that new dwellings on small lots (in this case, lots less than 40ha where permits are triggered for use) do not result in loss or fragmentation of farming land and activity or are to be discouraged from locations that are separated from settlements and services. This policy framework requires a high benchmark to be satisfied for any new dwelling. It is considered that the proposed dwelling would make it difficult for the site to be used for agricultural activity. Furthermore, the proposal will result in unnecessary fragmentation of prime agricultural land. Refusal is recommended.

OFFICER'S RECOMMENDATION

That Council, having considered all the matters required under Section 60 of the Planning and Environment Act 1987, resolves to issue a Refusal to Grant a Permit in respect of the land known and described as 399 Mollonghip Road Mollonghip, for the use and development of a dwelling for the following reasons:

11.2.1. The proposal fails to respond appropriately to Clauses 11.07-1 (Regional Planning), 16.01-2 (Location of residential development) as the application proposes to use the land for the purpose of a dwelling upon productive agricultural land that may impact on the 'right to farm' of adjoining agricultural land uses and may inadvertently artificially inflate that value of land impacting on the ability of surrounding farms to expand their holdings.

11.2.2. The proposal fails to respond to Clauses 11.08-8 (Agricultural productivity), Clause 14.01-1 (Protection of agricultural land), Clause 21.08-8 (Rural Land Use and Agriculture) and 22.04 (Rural Land) as the application proposes the use and development of the land for a dwelling without adequately demonstrating how the agricultural activities upon the subject site necessitate the requirement for a dwelling to be established upon the subject site and it is asserted that a dwelling will have a negative impact on the continuation of the surrounding land to be used for agricultural purposes.

11.2.3. The proposal is contrary to the purpose and decision guidelines of Clause 35.07 (Farming Zone) of the Hepburn Planning Scheme as it does not provide for the use of land for agriculture or encourage the retention of

productive agricultural land and fails to ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.

11.2.4. The proposal does not respond to the decision guidelines at Clause 65 of the Hepburn Planning Scheme and does not constitute the proper and orderly planning of the area.

Mr James Iles (Applicant), Ms Loretta Bondin (Owner) and Ms Jo Calligaras addressed Council in support of the application.

MOTION

11.2.1. That Council defer a decision on the issuing of the Planning Permit to the next Ordinary Meeting of Council on 20 August 2019 to enable the applicant time to submit a Farm Management Plan.

Moved: Cr Kate Redwood AM

Seconded: Cr Fiona Robson

Carried

**ATTACHMENT 4 - PA 2377 – 399 MOLLONGHIP ROAD MOLLONGHIP
– ARCHITECTURAL PLANS (ISSUED UNDER SEPARATE COVER)**

**ATTACHMENT 5 - PA 2377 – 399 MOLLONGHIP ROAD MOLLONGHIP
– LAND MANAGEMENT PLAN (ISSUED UNDER SEPARATE COVER)**

12. OFFICERS' REPORTS

12.1. CHIEF EXECUTIVE OFFICER'S REPORT

OFFICER'S RECOMMENDATION

12.1.1. That Council receives the Chief Executive Officer's Report for July 2019.

MOTION

12.1.1. That Council receives the Chief Executive Officer's Report for July 2019.

Moved: Cr Fiona Robson

Seconded: Cr Licia Kokocinski

Carried

**ATTACHMENT 6 - CHIEF EXECUTIVE OFFICER REPORT FOR JULY
2019**

CHIEF EXECUTIVE OFFICER REPORT

Presented at the Ordinary Meeting
of Council on 16 July 2019

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

CEO Update

WEEK ENDING 23 JUNE 2019



On Sunday 16 June to Wednesday 19 June I was in Canberra representing Council at the National General Assembly of Local Government. This is the largest local government conference in Australia and occurs annually attracting more than 850 representatives from councils across the states and territories.

The theme for the 2019 conference was 'Future Focused', and considered what councils can do today to get ready for the challenges, opportunities and changes that lie ahead. There were a wide range of guest speakers and workshops discussing many issues, challenges and opportunities for Local Government.

At the Council meeting on Tuesday 18 June, Council adopted the 2019/20 Budget. This is the culmination of 6 months of work that involves every department within Council. We started the process a little late this year due to vacancies, however the whole organisation got on board to ensure the budget was delivered on time. The adoption of the budget is exciting news as it means we can now get on with delivering the \$9.4 million capital works program and many infrastructure projects (large and small) across the Shire. The Budget underpins the delivery of more than 100 services in our community.

On Wednesday I attended the Coordinators & Managers meeting and in afternoon we had our quarterly 'All Staff' meeting at Doug Lindsay Recreation Reserve.

The All Staff meeting is a fantastic opportunity for our teams to come together, and the first part of the meeting involved sharing the results of the recent staff Pulse Survey.

The second half of the meeting was an interactive session where we looked at Workplace Values. The aim of this session was for all of us to contribute ideas on refreshing our current values, which are now about 10 years old.

I also presented the CEO award for the March to May quarter. CEO Awards are peer nominated and recognise an action or behaviour that strongly represents one or more of the Hepburn Shire Council's organisational values of accountability, respect, excellence, trust and fun. I was pleased to present Melanie Quinn with the CEO Award for this quarter, and Lee Manning received an honourable mention.



This week we also received the results of the 2019 Community Satisfaction Survey. They indicate improvements across all performance measures, except for Advocacy where our score remained the same as 2018.

The Local Government Community Satisfaction Survey is an annual survey conducted by the Department of Transport, Planning and Local Infrastructure, and is designed to measure community satisfaction with local government performance. It provides some insights into how communities view our performance at a point in time.

The results are a clear indication that the community sees improvement in our performance, while still highlighting areas where our performance can improve.

Summary of core measures



Performance Measures	Hepburn 2019	Hepburn 2018	Small Rural 2019	State-wide 2019	Highest score	Lowest score
Overall Performance	56	52	58	60	Creswick Ward	Aged 50-64 years
Community Consultation (Community consultation and engagement)	51	50	56	56	Aged 18-34 years	Aged 50-64 years
Advocacy (Lobbying on behalf of the community)	51	51	55	54	Aged 18-34 years	Aged 50-64 years
Making Community Decisions (Decisions made in the interest of the community)	52	49	55	55	Creswick Ward	Birch Ward
Sealed Local Roads (Condition of sealed local roads)	50	46	53	56	Aged 65+ years	Aged 50-64 years
Customer Service	68	67	70	71	Aged 18-34 years	Aged 50-64 years
Overall Council Direction	52	47	53	53	Birch Ward	Aged 50-64 years

On Friday I spent the day in the second session of a Capital & Operational Project Review.

On Saturday, I attended two events in Creswick. I enjoyed watching some of the 2019 Cyclocross National series which attracted approximately 450 cyclists over the 2 days, and I also attended the Creswick New Residents welcome.

This event was co-ordinated by the Creswick Railway Workshops Association who invite several agencies including Council, to speak about what their role is in the Creswick Community.

WEEK ENDING 30 JUNE 2019

I started the week reviewing draft reports for the Councillor briefing, followed by my weekly meeting with the staff in the CEO Unit. I participated a project management workshop and this was followed by our regular Hepburn Hub project control group meeting.

▶ CEO REPORT

On Tuesday I had my weekly meeting with the Mayor.

I spent the afternoon with the Leadership team on a tour of the Shire to review the major 2019/20 budget projects. This was a great opportunity to increase our knowledge about the works and exciting projects that are occurring across the organisation, and to improve cross functional understanding of the project pipeline.

The day concluded with three new residents becoming Australian citizens in a ceremony conducted at the Daylesford Town Hall by the Mayor, Cr Don Henderson. The new citizens have made the choice to call our Shire home after arriving from destinations all over the world.



(Pictured L to R - Louise Staley MP, Cr Licia Kokocinski, Rhianna Kerr (Traditional Owner), Cr Don Henderson (Mayor), Stefano, Eamon and Hatairat & Cr Kate Redwood AM (Deputy Mayor).

On Wednesday morning I attended a G-net meeting in Stawell followed by an Executive Team meeting in Daylesford that afternoon.

▶ CEO REPORT

On Thursday 27 June I commenced 7 days of Annual Leave. It's the first time I have ever had holidays in June having worked in finance all my life. While I was on leave, Bruce Lucas filled the role of Acting CEO.

WEEK ENDING 14 JULY 2019

I commenced my first week back from leave with a flag raising ceremony in Clunes on Monday morning to celebrate NAIDOC week. NAIDOC Week celebrations are held across Australia each July to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander peoples. NAIDOC is celebrated not only in Indigenous communities, but by Australians from all walks of life.



This week, Council's Reconciliation Action Plan (RAP) internal ambassadors and working group also came together to celebrate NAIDOC week.



WEEK ENDING 21 JULY 2019

On Monday I spent most of the day in the office catching up on administrative tasks.

We had our weekly CEO Unit meeting and I participated in a phone interview with Central Highlands Water. Council are a partner and stakeholder of Central Highlands Water (CHW) and CHW were seeking our feedback for the development of their Stakeholder Engagement Plan, to better understand how they communicate, engage and meet Council's service needs.

I attended a Rex Project Control Group meeting and participated in a phone interview with ABC Ballarat.

The remainder of this week's activities will be included in the CEO Report which is presented at the August 2019 Council meeting.

12.2. CEO PERFORMANCE APPRAISAL QUARTER 3 2019

CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Chief Executive Officer, I Evan King have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to receive the Quarter 3 performance appraisal of the Chief Executive Officer.

BACKGROUND

The Chief Executive Officer's Performance Evaluation is conducted by Council on a quarterly and annual basis. The performance evaluation reviews the performance of the Chief Executive Officer against pre-determined assessment criteria and the progress towards meeting these criteria. The quarterly and annual review is reported to Council for formal consideration. Further, the Council, in conjunction with the Chief Executive Officer, formulates the Chief Executive Officer's annual key result areas.

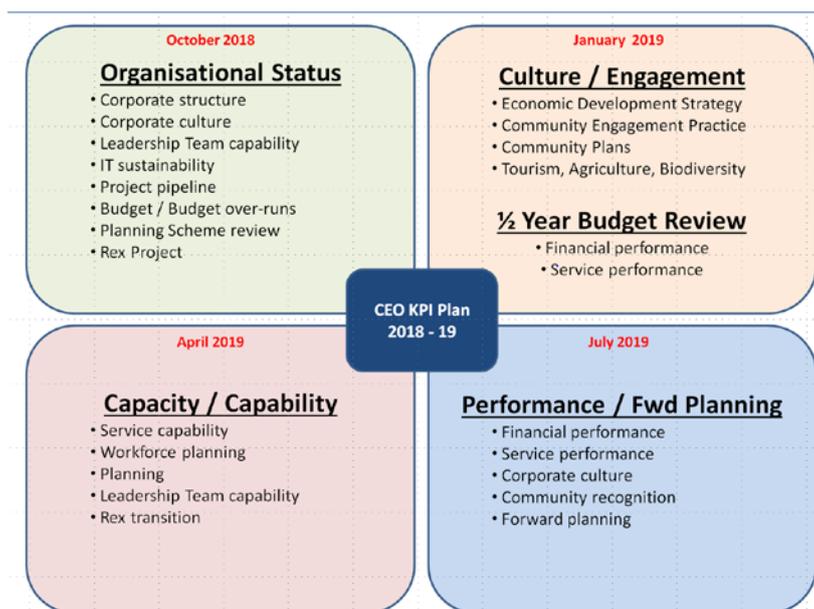
The objective of the process is to provide a forum for authentic dialogue with the Chief Executive Officer on overall performance and to establish as early as possible annual Key Result Areas.

This process is documented and adopted by Council to ensure a consistent approach to the Hepburn Shire Council Chief Executive Officer review. The review process is a collaborative, constructive process that is designed to enhance performance and provide guidance for the Chief Executive Officer, using the Council Plan and/or other Strategic Documents. Councillors take a corporate view of this process. The performance review process is regarded as an opportunity to build relationships and to increase the effectiveness of individuals, systems and processes which will improve the performance and the profile of the Hepburn Shire Council.

ISSUE/DISCUSSION

The CEO Performance Plan is divided into two components:

1. Regular Quarterly Performance Indicator presentations to Councillors on key aspects of the organisation, and
2. A Year-end performance review based on specific key qualitative and quantitative indicators



Quarterly Performance Indicators enable Council and the CEO to determine a flexible running program of key organisational, development and capability indicators.

2018 – 2019 Indicators

With transition to a new CEO in 2018 it is expected that much of the review period will involve broad organisational review and development programs.

Accordingly, a draft framework of quarterly performance indicators has been developed covering key aspects driving performance of the organisation – refer schematic.

The quarter 3 performance appraisal of the Chief Executive Officer was conducted on the 11 June 2019.

The quarter 3 performance appraisal focused on the Capacity & Capability of the organisation. This included:

- Service Capability
- Workforce Planning
- Statutory & Strategic Planning
- Leadership Team Capability
- Hepburn Hub at the Rex

Service Capability

A full organizational realignment from Directors to Coordinators has been developed and implemented. Stage 2 of the realignment is currently being planned for the rest of the organization. Stage 2 of the realignment will take place once all of the new managers have been recruited so that the new leadership team can lead the next stage.

Workforce Planning

- Currently developing and conducting Leadership training and coaching for all Coordinators
- Leadership Conference (off site) was held in March with Leadership Team using the first day to get to know each other, including the new managers.
- Clarified our approach to 'owning' the new way of working and Our Way of Working has now been adopted.
- Second Day- Leadership Team was joined by Coordinators to create better alignment with Leadership Team. Emphasis of what's important for the organisation; customer focus, good governance, safety, getting things done.
- Second meeting with the full group was conducted to continue this level of management alignment to create more identification with the corporate message.
- Management skill development for the coordinators (managers also participating) using an online questionnaire to assess their skills. These areas of development will be identified and for each coordinator and they will be designated a development coach to work on improving skills and confidence in managing people.

Statutory & Strategic Planning

Statutory

- Full restructure of the planning department developed and implemented
- Better approval project undertaken to facilitate improved cooperation between Economic Development and Planning.
- Average statutory days for 2018/19 financial year are down to 74

Strategic

- Council approved the engagement of a consultant to work with Council and Community to review the planning scheme
- Further investigation required on need for inhouse Strategic Planning Resources.

Leadership Team Capability

- Significant recruitment has been conducted to identify and recruit a new group of managers
- Diverse backgrounds include:
 - Local Govt Experience
 - State Govt and Govt agencies
 - Private Industry

Hepburn Hub at the Rex - Transition

- Project Control Group - Building formed
- Project Control Group – New Way of Working formed
- Architect currently developing new plans and specifications
- Planning Application approved
- Revised Budget adopted
- Reengagement of contractors has commenced
- Minor works commenced
- Tours arranged for community, staff and councillors

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Strategic Objective – High Performing Organisation

Key Strategic Activity:

1. Deliver good governance and integrity in all our actions and take steps to improve organisational efficiency including regular process improvements.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report

RISK IMPLICATIONS

There are no risk implications associated with this report

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

There are no environmental, social or economic implications associated with this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The presentation of this report provides transparency to the community on the quarterly performance review process undertaken by Councillors with the Chief Executive Officer.

CONCLUSION

The performance review of the Chief Executive Officer is undertaken through quarterly and annual reviews against pre-determined assessment criteria and the progress towards meeting these criteria. The quarterly and annual review is reported to Council for formal consideration. Further, the Council, in conjunction with the Chief Executive Officer, formulates the Chief Executive Officer's annual key result areas.

OFFICER'S RECOMMENDATION

12.2.1. That Council receives the quarter 3 performance appraisal of the Chief Executive Officer.

MOTION

12.2.1. That Council receives the quarter 3 performance appraisal of the Chief Executive Officer.

Moved: Cr Kate Redwood AM

Seconded: Cr John Cottrell

Carried

**ATTACHMENT 7 - CONFIDENTIAL - Q3 APRIL 2019 – CEO
PERFORMANCE REPORT (ISSUED TO COUNCILLORS UNDER
SEPARATE COVER)**

12.3. CUSTOMER REQUESTS UPDATE

DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Director Community and Corporate Services, I Bradley Thomas have no interests to disclose in this report.

PURPOSE

The purpose of this report is to provide Council an update on customer requests received and responded to through the Closing the Loop system, for the period ended 30 June 2019.

BACKGROUND

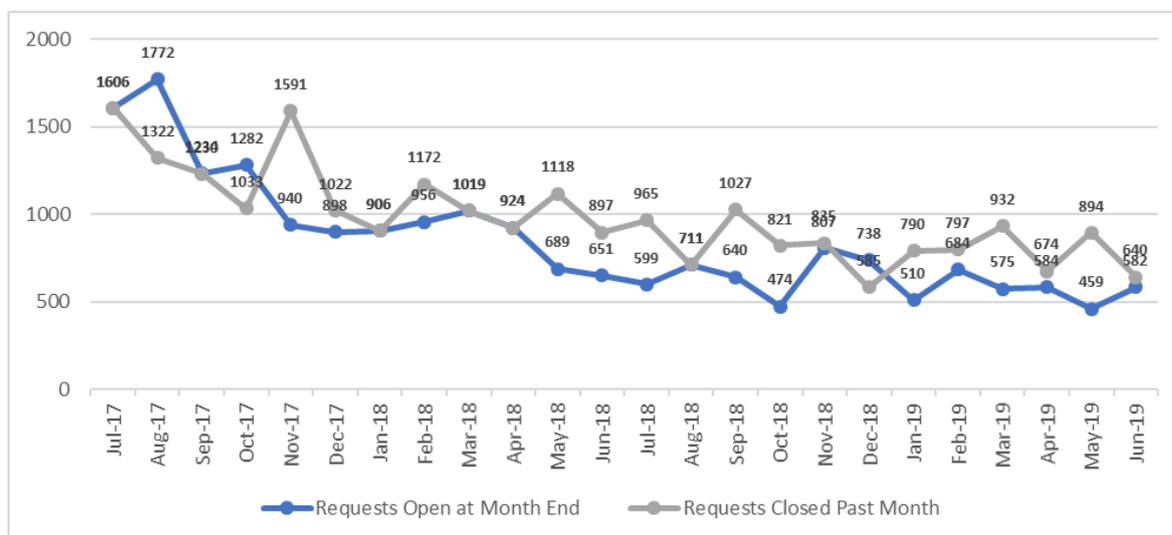
Council uses a Customer Request System *Closing the Loop* to receive and respond to a wide range of requests. The system is web-based and enables community members to directly enter requests, as well as staff to add and manage requests both in council offices as well as remotely.

In using the system, the organisation is focussed on the importance of contact with customers to close the loop on all requests and recording details of actions taken.

ISSUE/DISCUSSION

The following data provides the key indicators for the customer requests in *Closing the Loop*.

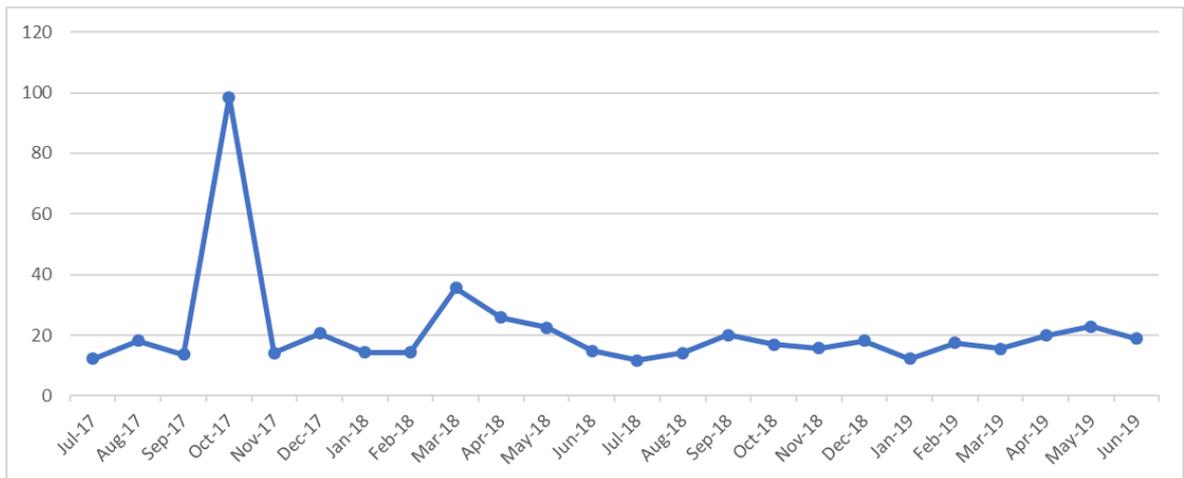
Total Requests Open and Closed Each Month



Each request is allocated a category as the type of request, with the following detailing the top categories of open requests:

Category	Jan	Feb	March	April	May	June
Call back	196	218	171	168	155	166
Roads and Footpaths	94	95	65	72	50	68
Parks and Open Space	55	62	57	26	17	25
Information Technology (internal)	56	56	57	46	48	50
Development - Planning, Building and Septics	36	43	45	51	36	42
Waste	30	30	7	4	16	43
Other	43	180	173	151	137	188
Total	510	684	575	518	459	582

Average Days to Close Requests

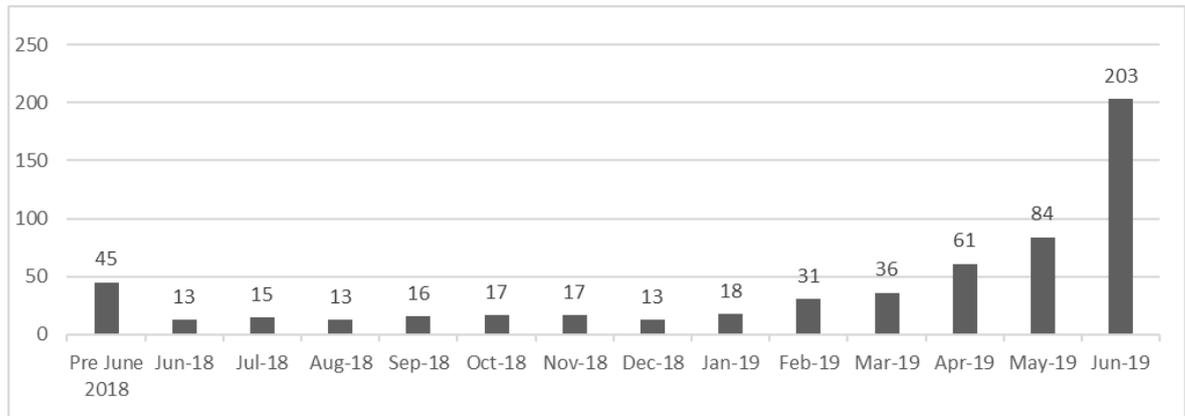


The average days to close requests in the months of June, July and November 2017 were particularly high due to closing out old requests that were migrated from our old customer request system. This included a large number of waste requests that had previously been actioned, but not closed in the request system.

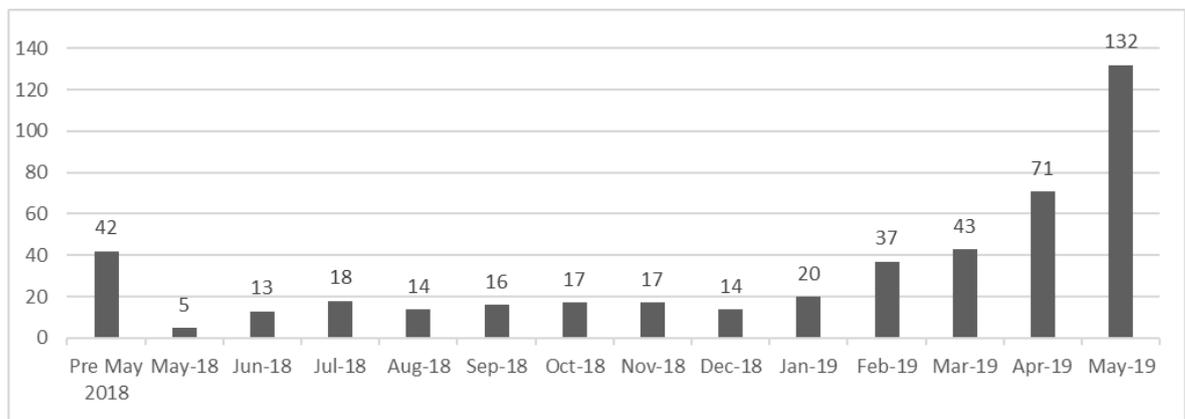
Over the last 12 months the average days to closed has ranged between 11.73 and 22.83 – with an average of 16.99.

Open Requests by Month Received

Current



Last Month



COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017-2021:

Strategic Objective: High Performing Organisation

Key Strategic Activity:

12. Enhance our processes and systems to deliver Excellent Customer Service. To achieve this, we will focus on internal collaboration and new ways of working, combined with a continued focus on effective and timely communications, engagement and consultation. We will focus on achieving higher customer satisfaction through making it easier to work with Council and by closing the loop on requests received from our community and other customers.

Action: 12.06 Set improvement targets for timeframes for responding to customer inquiries and requests.

Key Strategic Indicator: Average Days to Close External Customer Requests

FINANCIAL IMPLICATIONS

Responding to customer requests is managed within the annual budget.

RISK IMPLICATIONS

Customer requests relate to a range of different matters and risks. Effective processes for managing and responding to requests is an important part of Council's control framework.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

No specific matters noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Customer requests are an important mechanism to engage on a range of matters. This report enables Council to inform the community on the volumes of received and processed requests.

CONCLUSION

Council manages and responds to customer requests using the Closing the Loop system, including a focus on actively closing the loop with contacting customers. The above summary information has been provided for Council's information.

OFFICER'S RECOMMENDATION

12.3.1. That Council notes the update on customer requests for the end of June 2019.

MOTION

12.3.1. That Council notes the update on customer requests for the end of June 2019.

Moved: Cr Neil Newitt

Seconded: Cr John Cottrell

Carried

12.4. DEVELOPMENT AND COMMUNITY SAFETY REPORT
DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

In providing this advice to Council as the Manager Development and Community Safety, I Justin Fiddes have no interests to disclose in this report.

PURPOSE

The purpose of this report is to update Council on the activities of the building, environmental health, community safety, planning units of council.

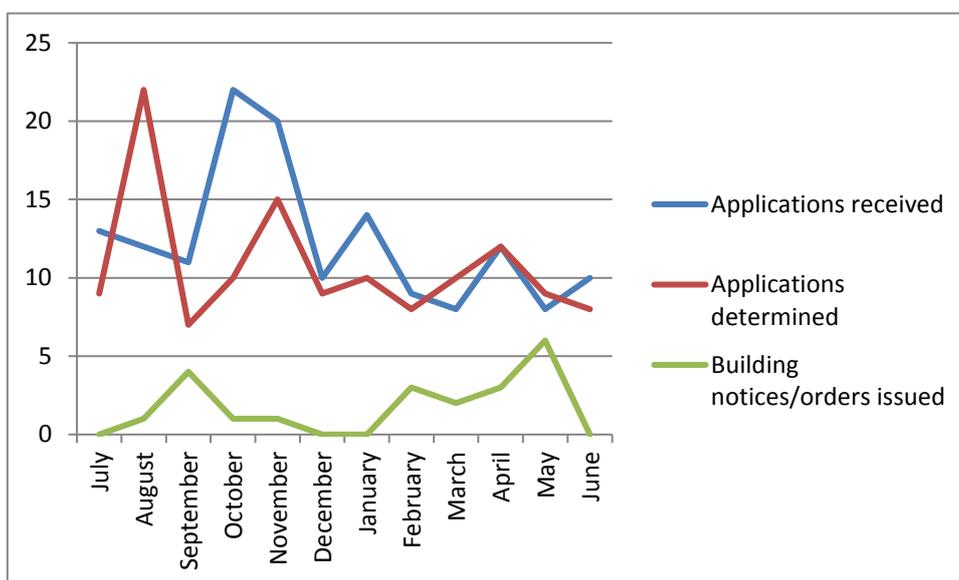
ISSUE/DISCUSSION

Building

The building activity report for June 2019 is summarised below:

Building Activity	Total
Building applications received	10
Building applications determined	8
Building notices/orders issued	0
Total development cost	\$ 122,384.53

The following graph indicates building statistics and activity for the 18/19 financial year.

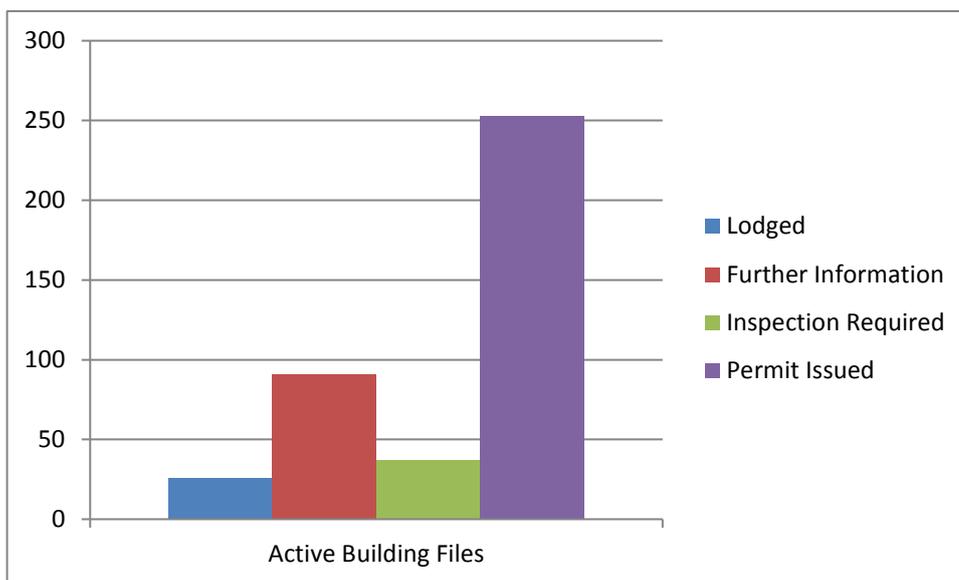


The total value of development for all Council approved building permits for the 18/19 financial year was \$9,395,403.71.

Active Building Files

The building department has had 407 active building files over the month of June as summarised below:

Active Building Files	Total
Lodged	27
Further Information	92
Inspection Required	40
Permit Issued	251

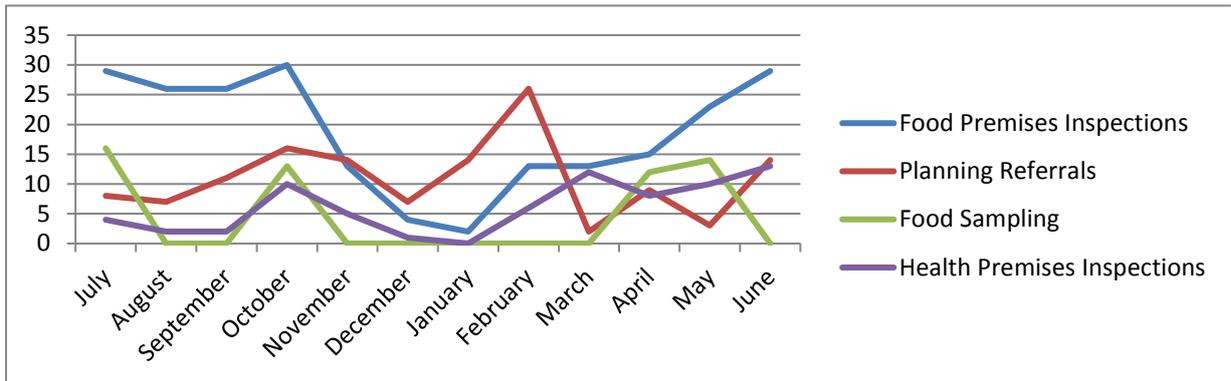


Environmental Health

The environmental health activity report for June 2019 is summarised below:

Environmental Health Activity	Total
Food Premises Inspections	29
Planning Referrals	14
Food Sampling	0
Health Premises Inspections	13

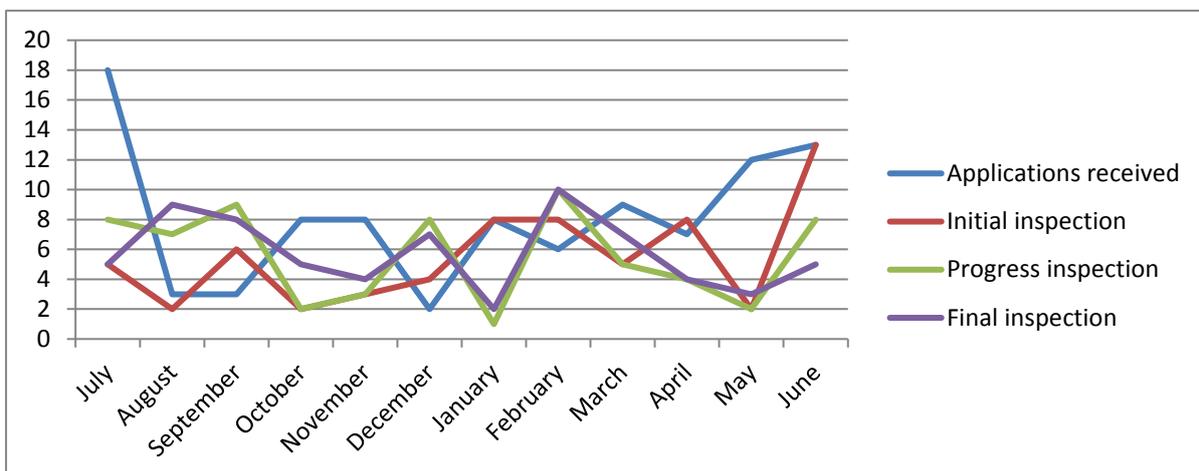
The following graph indicates environmental health statistics and activity for the 18/19 financial year.



The environmental health septic tank application/inspection activity report for June 2019 is summarised below:

Septic Tank applications/inspections	Total
Applications	13
Initial inspection	13
Progress inspection	5
Final inspection	5

The following graph indicates environmental health septic tank application/inspection statistics and activity for the 18/19 financial year.



Community Safety

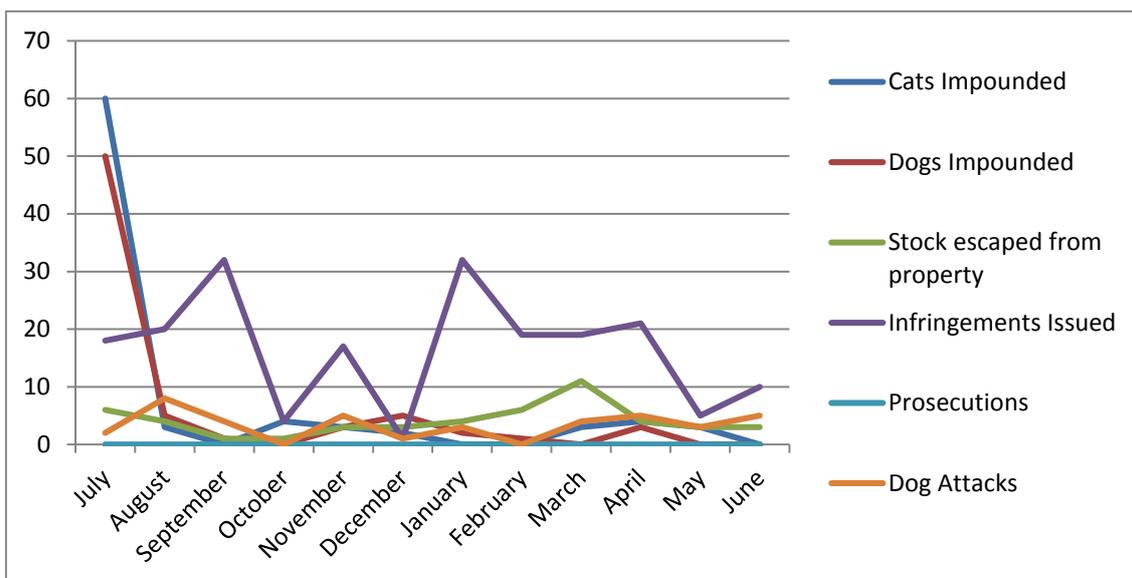
The Community Safety team activity report for June 2019 is summarised below:

Local Laws Activity	Total
Cats Impounded	0
Dogs Impounded	0
Stock escaped from property	3
Infringements Issued	10
Prosecutions	0
Dog Attacks	5
Declarations of Menacing Dogs	0
Declarations of Dangerous Dogs	0

Breakdown of Infringements issued in June 2019

Infringements	Total
Parking	6
Local Law	0
Food	0
Animal	4
Fire	0

The following graph indicates local laws statistics and activity for the 18/19 financial year.

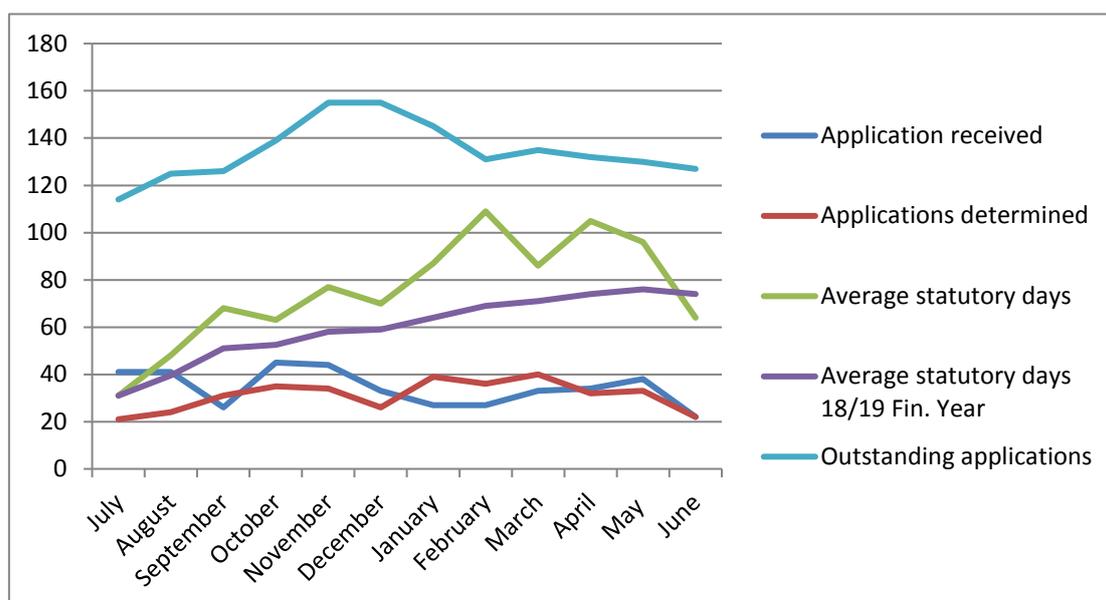


Planning

The planning activity report for June 2019 is summarised below:

Planning Activity	Total
Applications received	22
Applications determined	22
Average statutory days for month	64
Average statutory days 18/19 financial yr	74
Average statutory days 17/18 financial yr	81
Outstanding applications	127

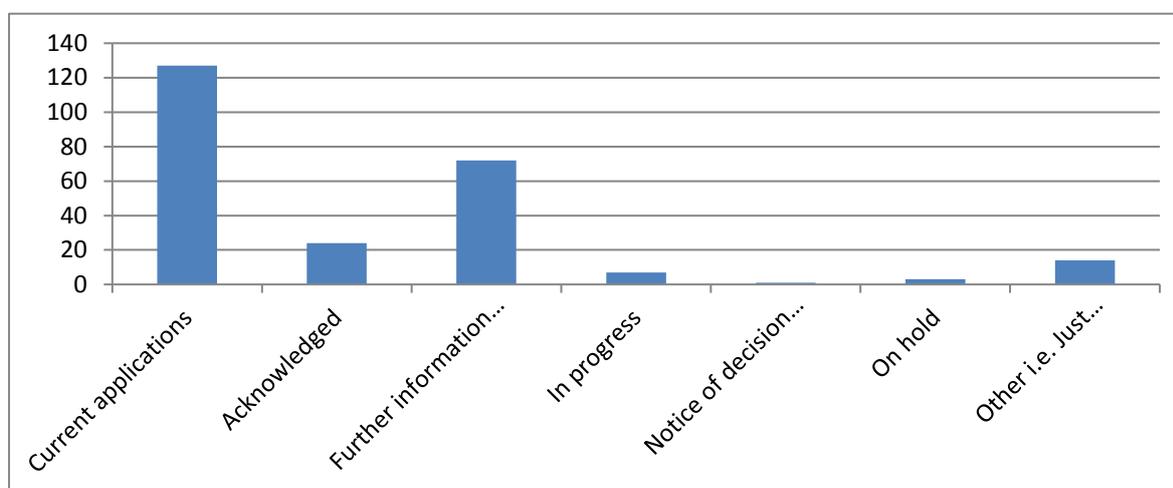
The following graph represents planning activity for the 18/19 financial year.



The average assessment time in statutory days is just above the statutory 60 day target. For the year the overall average processing time was 74 days which is an improvement on the previous year.

The status of all active applications as at June 2019 is summarised below:

Status of all active applications as at June 2019	Total
Current applications	127
Acknowledged	24
Further information request	72
In progress	7
Notice of decision pending	1
On hold	3
Other i.e. Just submitted, referred	14



Applications determined in June 2019 under delegation.

A list of applications issued under delegation is included as an attachment. The breakdown of permits issued under delegation by category is listed in the table below, this includes those applications deemed as not required or withdrawn by the delegated officer.

Permit issued by delegated officer	20
Notice of Decision by officer	2

OFFICER'S RECOMMENDATION

12.4.1. That Council receives and notes the report for information.

MOTION

12.4.1. That Council receives and notes the report for information.

Moved: Cr John Cottrell

Seconded: Cr Licia Kokocinski

Carried

**ATTACHMENT 8 - PLANNING PERMITS ISSUED UNDER DELEGATION
IN JUNE 2019**

Planning Permits issued under delegation - June 2019

Application ID	Full Details	Primary Property	Stage/Decision
PlnPA001975	Construction of four (4) dwellings and alteration of access to a Road Zone Category 1	1 Bleakley Street, DAYLESFORD VIC 3460	Permit Issued
PlnPA002067	Staged subdivision of 2 lots into 6 lots with common property (Stage 1 being Lot 1 and remainder, and Stage 2 being lots 2 to 6 inclusive and common property), generally in accordance with the endorsed plans	21 Blue Mount Road, TRENTHAM VIC 3458	Permit Issued
PlnPA002085	Use of a plant nursery, associated works, waiver of car parking and waiver of bicycle facilities.	484 Blackwood Road, NEWBURY VIC 3458	Permit Issued
PlnPA002140	Section 57A of the Planning and Environment Act 1987 to alter PA 2140 from a Three lot subdivision to a Two lot subdivision	120 Mulcahys Road, TRENTHAM VIC 3458	Permit Issued
PlnPA002210.01	Two lot subdivision generally in accordance with the endorsed plans	5 Criterion Court, CLUNES VIC 3370	Permit Issued
PlnPA002213	Seven lot subdivision with common property, construction of seven dwellings and associated works	63A Raglan Street, DAYLESFORD VIC 3460	Permit Issued
PlnPA002261	Use and construction of a dwelling and associated works	10 Speargrass Crescent, CRESWICK VIC 3363	Permit Issued
PlnPA002278	Construction of a dwelling	4 Lakeside Drive, CRESWICK VIC 3363	Permit Issued
PlnPA002302	Partial demolition, alterations to dwelling and associated works, generally in accordance with the endorsed plans	14 Bridport Street, DAYLESFORD VIC 3460	Permit Issued
PlnPA002309	Development and carry out works associated of the construction of a dwelling and carport	26 Church Street, GLENLYON VIC 3461	Permit Issued
PlnPA002324	Development and associated works of the construction of dwelling	14 Second Street, HEPBURN SPRINGS VIC 3461	Permit Issued
PlnPA002328	Buildings and works for the construction of a dwelling and shed	55 Cemetery Road, CLUNES VIC 3370	Permit Issued
PlnPA002346	Alterations and additions to dwelling and associated works	24 Hospital Street, DAYLESFORD VIC 3460	Permit Issued
PlnPA002356	Partial demolition, and construct and carry out works and alteration of red line plan	1 East Street, DAYLESFORD VIC 3460	Permit Issued
PlnPA002382	Partial demolition of dwelling, Construction and associated works an extension to a dwelling including a garage	12 Little Street, DAYLESFORD VIC 3460	Permit Issued
PlnPA002384	Two lot subdivision	17 Camp Street, TRENTHAM VIC 3458	Permit Issued
PlnPA002397	Addition to existing dwelling	2 First Street, HEPBURN SPRINGS VIC 3461	Permit Issued
PlnPA002411	Creation of a carriageway easement on CA 103L TP622822Y	220 Bergs Lane, NORTH BLACKWOOD VIC 3458	Permit Issued
PlnPA002431	Replace decks and construct spa tubs to two studios	1065 Daylesford-Malmsbury Road, GLENLYON VIC 3461	Permit Issued
PlnPA002452	Erection of advertising signage	5 Howe Street, DAYLESFORD VIC 3460	Permit Issued
PlnPA002269	Buildings and works for the construction of a dwelling including site cut more than one metre in depth	25 Golf Links Road, HEPBURN VIC 3461	Notice of Decision
PlnPA002312	Two lot subdivision	26 Jory Street, CRESWICK VIC 3363	Notice of Decision

12.5. ANNUAL PLAN 2019/2020 ADOPTION

DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Director Community and Corporate Services, I Bradley Thomas have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider for adoption the Annual Plan 2019/2020.

BACKGROUND

Council has adopted a Council Plan for 2017-2021 and Budget 2019/2020 in accordance with the Local Government Act 1989 (the Act). The Council Plan sets out the aspirations of the Council and the strategies, objectives and actions to achieve the Council's vision for the Shire.

Previously Council has not adopted an Annual Plan. However, an Annual Plan is proposed for 2019/2020 (and future years) as it will detail to the organisation, Councillors and the community how Council will monitor progress towards actions in the Council Plan.

ISSUE/DISCUSSION

The Annual Plan 2019/2020 contains priority projects outlined in the Budget 2019/2020, a number of other actions and projects identified in the various strategies adopted by Council and projects identified in the adopted Council Plan 2017-2021.

The Annual Plan is not designed to include all programs and projects of Council, regular reporting of all capital works and major operating projects occurs on a quarterly basis to Council. Details of all projects, programs and initiatives are included in the adopted Annual Budget 2019/2020 and will form part of regular quarterly reporting to Council detailing the progress. The Annual Plan also does not include projects fully funded in 2018/2019 but not yet complete (carry-forward projects). These projects will be identified and presented at a future Ordinary Meeting of Council.

A quarterly report of the Annual Plan 2019/2020 will be presented to Council that details the progress on each of the items.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017-2021:

Strategic Objective – High Performing Organisation

Key Strategic Activity:

Deliver good governance and integrity in all our actions and take steps to improve organisational efficiency including regular process improvements.

FINANCIAL IMPLICATIONS

Projects and initiatives contained in the Annual Plan are funded in the Budget 2019/2020. The majority of projects are contained within the Capital Works Program or funded as a one-off initiative. A number of programs are also funded from the Operating Budget.

RISK IMPLICATIONS

The Council Plan provides clarity on the actions to be delivered over the term of each Council. Adoption of an Annual Plan enables Council to confirm that the actions that will be delivered in the 2019/2020 financial year towards to objectives of the Council Plan.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

No changes expected based on the adoption of the plan.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Council Plan 2017-2021 was developed through an engagement process, and the Budget 2019/2020 has met all legislative engagement processes.

CONCLUSION

The Council Plan 2017-2021 contains appropriate objectives, actions and indicators to continue to drive Council performance and the adoption of an Annual Plan will detail specific projects to be undertaken during the 2019/2020 financial year. Council will receive a quarterly report that will detail the progress towards actions in the Annual Plan.

OFFICER'S RECOMMENDATION

12.5.1. That Council adopts the tabled Annual Plan 2019/2020.

MOTION

12.5.1. That Council adopts the tabled Annual Plan 2019/2020.

Moved: Cr Fiona Robson

Seconded: Cr John Cottrell

Carried

ATTACHMENT 9 - ANNUAL PLAN 2019/2020 (TO BE TABLED AT MEETING)

12.6. HEPBURN HUB AT THE REX – DJA DJA WURRUNG NAMING AND ARTWORK /DESIGN AT THE HEPBURN HUB DIRECTOR COMMUNITY AND COPRPORATE SERVICES

In providing this advice to Council as the Director Community and Corporate Services, I Bradley Thomas, have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider a proposal to utilise the 2019/2020 Public Art Appropriation and Replacement funding to incorporate Dja Dja Wurrung naming and artwork designs at the Hepburn Hub. The proposal aligns to actions outlined in the Hepburn Shire Council 2018 Reconciliation Action Plan.

BACKGROUND

Council adopted its first Reconciliation Action Plan (RAP) in 2018. A RAP Community Reference Group (CRG) has been reappointed by Council in May 2019 for an 18-month term to provide advice on the implementation of the RAP and other reconciliation matters.

Council has allocated \$40,000 in the 2019/2020 Budget for Public Art Appropriation and Replacement Funding. This is an annual program that has commissioned public art in each major town across the shire.

The 2018/2019 Public Art Appropriation and Replacement Funding will deliver a public artwork in Glenlyon. A location for the 2019/2020 Public Art Appropriation and Replacement funding has yet to be determined.

Council is currently delivering the Hepburn Hub project, which includes new Council offices, Library, Community Cinema and Youth Social Enterprise Cafe. This project is currently estimated for completion in 2020 and will be a significant civic space for all communities across the Shire.

In April 2019, Council Officers, in consultation with the RAP CRG and Dja Dja Wurrung Clans Aboriginal Corporation (DDWCAC), identified a potential project to incorporate Dja Dja Wurrung naming and artwork designs at the Hepburn Hub. The proposal aligns to the implementation of our Reconciliation Action Plan and would afford a high-profile opportunity to connect our Traditional Owners and broader community to this civic space.

In May 2019 Council Officers, members of the RAP CRG and representatives of DDWCAC participated in a tour of the site with a view to identifying potential opportunities to incorporate Dja Dja Wurrung naming and artwork designs at the Hepburn Hub. At the conclusion of the tour DDWCAC and the RAP CRG both expressed support for Council Officers to progress the project.

ISSUE/DISCUSSION

Project participants have identified three key areas for consideration:

1) Naming

Use of Dja Dja Wurrung Language in the naming of both passive Council space (such as meeting rooms and offices) and activated public spaces (such as the Library) within the Hepburn Hub.

2) Art and Design

Incorporation of Aboriginal Art and Totemic design throughout the Hepburn Hub as a meaningful way to connect the various elements of the space together. The available spaces (e.g. glazing on glass, etching into concrete flooring etc) would be established in detail with the Hepburn Hub Construction Project Control Group (PCG) based on their timelines and the overall design concept for the project.

3) Respect & Recognition

An Acknowledgment of Country at entry to the Hepburn Hub, which would be designed by (DDWCAC) in consultation with Council.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017-2021:

Strategic Objective – Active & Engaged Communities

Key Strategic Activity:

2. Support the strength and resilience of the community through delivering actions in areas such as Youth, Libraries, Early Years, Community Planning, Art and Culture, Events and Community Grants. Monitor emerging social issues impacting the community and demonstrate leadership in advocating to government and other agencies to support the community.

FINANCIAL IMPLICATIONS

Council has allocated \$40,000 in the 2019/2020 Budget for Public Art Appropriation and Replacement Funding. This is an annual program that has commissioned public art in each major town across the shire. This budget has been identified as a potential funding source for the project subject to confirmation of project cost, along with Public Art Panel advice and Council approval.

RISK IMPLICATIONS

The Public Art Panel should be included in making recommendations regarding public art in the Hepburn Hub. Their input and advice would be built into the EOI process to engage a Dja Dja Wurrung artist and Officers would seek advices from the Public Art Panel into a recommendation to take to Council.

Hepburn Hub construction is a key priority of Council and Officers will work with the Hepburn Hub Construction PCG to maximise opportunities to incorporate designs into the current construction timeframe.

The proposed works are to be viewed as independent of any previous artwork that has occurred at the Hub site.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The Hepburn Hub project is currently estimated for completion in 2020 and will be a significant civic space for all communities across the Shire.

Acknowledgement of Traditional Owners in this civic space has potential for positive social impact relating to cultural diversity and inclusivity for all members of the community.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

DDWCAC Guidance and Support

DDWCAC advise they have a recommended process for selecting appropriate language and art/design works that would be incorporated into the project. DDWCAC have provided a language list for Council to consider with the option to seek approval of alternatives via the DDWCAC language sub-committee. DDWCAC also recommend that Council adopt an expression of interest (EOI) process for a Dja Dja Wurrung artist to be engaged for art/design work.

If Council support this recommendation the EOI process would be administered by Councils Arts, Culture & Reconciliation Officer with the support of the RAP CRG, DDWCAC and the Public Art Panel. This would include advertising via DDWCAC newsletters and networks.

An Acknowledgement of Country at the Hub entrance is recommended as either a generic format (such as the Acknowledgement plaques that currently exist in Hepburn Shire civic spaces) or a unique design that DDWCAC could create specifically for the Shire building. Options include a plaque, etched/frosted in glass or other medium on a wall.

CONCLUSION

Pending Council support, Officers will work with members of the Public Art Panel, RAP CRG and DDWCAC to develop a project proposal to incorporate Dja Dja Wurrung naming and artwork designs at the Hepburn Hub for presentation to Council at a future meeting.

OFFICER'S RECOMMENDATION

12.6.1. That Council Approves the allocation of the 2019/2020 Public Art Appropriation and Replacement Fund toward the development and delivery of a project at The Hepburn Hub that incorporates Dja Dja Wurrung language and artwork/design

MOTION

12.6.1. That Council Approves the allocation of the 2019/2020 Public Art Appropriation and Replacement Fund toward the development and delivery of a project at The Hepburn Hub that incorporates Dja Dja Wurrung language and artwork/design and recognises our rich culture and history across the Shire

Moved: Cr Neil Newitt

Seconded: Cr Kate Redwood AM

Carried

12.7. RELOCATION OF DOMESTIC WATERFOWL FROM LAKE DAYLESFORD DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

In providing this advice to Council as the Biodiversity Officer, I Brian Bainbridge have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider the proposed relocation for domestic waterfowl (ducks and geese) from Lake Daylesford.

BACKGROUND

Council has received many complaints by residents on the impact of Domestic Geese on the biodiversity values of Lake Daylesford.

Concerns raised include:

- Retention of geese suggests approval or indifference by the land manager that may promote further dumping of unwanted animals.
- That geese are damaging the natural environment and their retention is inconsistent with the values of Lake Daylesford as a wildlife reserve.
- That inaction now will be a source of increased future costs.

The impact on the visitor experience of geese through threat displays to protect goslings during breeding season has also been relayed by community.

During a count of geese on the lake on 13 March 2019, four geese were observed on the lower lake and 29 geese roosted on lawns surrounding the car park of the Lake House premises, making 33 geese in all. A similar inspection in September 2018 had identified approximately twenty geese and one gosling.

A detrimental impact of the geese on lake vegetation and water quality is expected where the shoreline of the lake will become fouled by geese droppings and vegetation will be eaten down or trampled. The longer term expected algal blooms and turbidity is likely to kill submerged aquatic vegetation making the lake unsuitable for Black swans, and other waterfowl previously resident on the lake.

ISSUE/DISCUSSION

The primary objective of relocating domestic waterfowl is to allow Lake Daylesford to support a diversity of local wild birds and natural vegetation and to avoid impairing water quality, thus increasing the amenity and ecological function of the Lake.

Animal welfare is another primary concern owing to the compromised health and safety of domestic animals in a 'wild' context. Related to this is the perception of tolerance for a criminal act; the abandonment of domestic animals, as identified in the Prevention of Cruelty to Animals Act 1986 Section 9h.

Secondary considerations include the amenity of the lake for community members who are intimidated by the protective displays of the geese during breeding season. There is also an impact on amenity and safety of lake surrounds caused by geese droppings and the financial impact of the obligation on council to clean walkways and jetties.

The proposed re-homing fulfils Council's obligations to biodiversity protection and its Sustainable Environment goal of taking proactive steps to 'protect, maintain and enhance biodiversity' as supported by councils Biodiversity strategy.

It is also consistent with supporting the objectives of the Prevention of Cruelty to Animals Act 1986, where abandonment of domestic animals is an offence. Effort has been taken to identify a contractor with a high degree of experience in carrying out similar moves and appropriate rehousing of domestic waterfowl.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2021:

Strategic Objective – Sustainable Environment

Key Strategic Activity:

9. Take proactive steps to protect, maintain and enhance biodiversity, including rare/endangered species and wildlife corridors, and reduction of weeds on Council land while minimising herbicide use. Partner with other stakeholders to achieve greater weed management outcomes shire wide.

FINANCIAL IMPLICATIONS

The coordinator of parks and reserves has estimated cleaning of boardwalks and jetties cost Council approximately \$5,000 annually.

A verbal quote of \$2750 has been received from the preferred contractor to conduct the rehousing. The 2019/2020 Biodiversity budget has funds to cover this figure.

There is potential for considerable increase in cleaning and relocation costs in future years due to natural increase in domestic geese numbers.

RISK IMPLICATIONS

Reputational - It is anticipated that there will be disappointment and opposition to relocation of the domestic waterfowl from Lake Daylesford from sections of the community, however it is also evident there are also residents supportive of this action.

OHS - Public liability insurance and OHS Safe Work method Statements will be sought from the contractor from the contractor should council proceed with the relocation proposal.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Environmental – This action will have a positive environmental impact. Domestic geese and ducks stress native waterfowl, lake vegetation and reduce water quality. Domestic animals in wild environments have compromised safety and health and release of domestic animals is therefore covered by the Prevention of Cruelty to Animals Act 1986.

Social - Relocation of Domestic waterfowl from the Lake is likely to result in both positive and negative social impacts. Interaction with domestic waterfowl on the Lake is an attraction for some visitors and residents while negative interactions with protective geese may reduce the appeal of the lake in the short term for others.

Economic – Relocation of the domestic waterfowl will allow Council resources that are currently spent on cleaning to be directed to other activities.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Communication of key messages aims to build support among the community through providing assurance that the council's actions are consistent with its environmental protection and legal obligations, with animal welfare and financial considerations.

Communication is planned to occur via;

- direct contact with key stakeholders,
- social media following council determination
- staff available to address community enquiries during relocation,
- post-relocation signage will be installed to reinforce the messages and encourage responsible animal ownership.
- Customer Service and other frontline staff having key messages
- Consideration of the relocation and rehousing for posting on council social media to reassure community of a positive outcome.

CONCLUSION

Following receipt of many community complaints regarding the impact of domestic geese on the biodiversity values of Lake Daylesford Council has investigated the proposed relocation of these geese.

This action fulfils Council's obligations to biodiversity protection and its Sustainable Environment goal of taking proactive steps to 'protect, maintain and enhance biodiversity' supported by Council's Biodiversity strategy.

It is also consistent with supporting the objectives of the Prevention of Cruelty to Animals Act 1986 where abandonment of domestic animals is an offence. Effort has been taken to identify a contractor with a high degree of experience in carrying out similar moves and appropriate rehousing of domestic waterfowl.

The communications plan aims to distribute messages in a timely manner to key stakeholders and to the wider community. The intention is to explain the rationale for the re-homing of the domestic animals and support for taking a proactive approach. The opportunity will also be taken to promote responsible pet ownership to reduce incidence of future dumping of domestic animals.

OFFICER'S RECOMMENDATION

That Council:

12.7.1. Acknowledges the community concerns and the impact of the domestic waterfowl on the ecological function of the lake.

12.7.2. Approves the removal and re-homing of the domestic geese and waterfowl from Lake Daylesford and the proposed community engagement plan.

12.7.3. Approves the installation of signage at Lake Daylesford to reinforce the messages and encourage responsible animal ownership.

MOTION

That Council:

12.7.1. Acknowledges the community concerns and the impact of the domestic waterfowl on the ecological function of the lake.

12.7.2. Approves the removal and re-homing of the domestic geese and waterfowl from Lake Daylesford and the proposed community engagement plan.

12.7.3. Approves the installation of signage at Lake Daylesford to reinforce the messages and encourage responsible animal ownership.

Moved: Cr John Cottrell

Seconded: Cr Kate Redwood AM

Carried

**ATTACHMENT 10 - RELOCATION AND COMMUNICATION PLAN FOR
DOMESTIC WATERFOWL FROM LAKE DAYLESFORD**

RELOCATION AND COMMUNICATION PLAN FOR DOMESTIC WATERFOWL FROM DAYLESFORD LAKE



WEEK 1 & 8 JULY

- Baseline bird life monitoring, vegetation photo-points
- Liaise with contractor, secure rehousing
- Comms finalised

WEEK 15 JULY

- Individual conversations with key stakeholders
- Council report 16 July
- Supply Customer Service and other frontline staff with key messages

Conduct removal before breeding season

- Council staff on-site to answer questions during relocation
- Send media release and release Council posts
- Respond to social media feedback
- Erect post-removal signage

- Follow up birdlife and vegetation monitoring at 6 months and 12 months
- Document results of monitoring

KEY MESSAGES

Domestic geese and ducks are impacting the natural environment of Lake Daylesford

- Impacts include intense grazing pressure, concentration of nutrients in water and lawns and, anecdotally, driving off Black Swans.
- Domestic geese and duck relocation has been necessary for many municipal lakes around Melbourne
- Monitoring the Lake's bird population will be undertaken to build confidence around this issue
- Counts of the geese suggest potential for steady increase with numbers increasing from low twenties in 2018 to low thirties earlier this year.

Retention of the geese and ducks on the lake may encourage further dumping of unwanted animals.

- Dumping of domestic animals into the wild is an offence under the Prevention of Cruelty to Animals act 1986
- Domestic animals in semi-wild environments are at risk from increased health problems as well as posing a stress to wild bird populations

While appreciated for their beauty, the domestic geese and ducks also reduce amenity of the Lake for some community members

- The aggressive protective displays by parent geese during breeding season intimidate some Lake visitors and are a source of complaint to Council staff
- Droppings on boardwalks generates significant additional maintenance costs

Geese and ducks will not be harmed as part of the rehousing

- A contractor with proven experience in conducting similar removals has been engaged
- Appropriate rehousing of the domestic geese and ducks has been secured

12.8. RESPONSE TO PETITION – INSTITUTE BUS SERVICE BETWEEN CRESWICK AND DAYLESFORD DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Manager Community and Economic Development, I Andrew Burgess have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider support for the petition requesting the Legislative Assembly of Victoria (Victorian State Government) to consider the institution of a minimum twice daily public bus service between Creswick and Daylesford to assist the numerous Children based in Creswick, who attend Daylesford Secondary College.

BACKGROUND

Council received the petition at the Ordinary Meeting of Council held on Tuesday 21 May 2019. The petition has 19 signatures and reads:

'To the Legislative Assembly of Victoria. The Petition of residents of Creswick and Daylesford, Victoria draws to the attention of the House, the lack of credible and viable public transport bus service between Creswick and Daylesford. The petitioners therefore request that the Legislative Assembly of Victoria Institute a minimum twice daily public bus service between Creswick and Daylesford (including a stop at Daylesford Secondary College) with a Pre-school departure from Creswick and a Post-School departure from Daylesford. To assist the numerous Creswick Children who attend the Daylesford Secondary College.'

Council resolved that the petition be received.

ISSUE/DISCUSSION

Regional Network Development Plan

The State Government's Regional Network Development Plan identifies local transport as a vital component of achieving an integrated transport network for Victoria's cities and regions. Hepburn Shire has a variety of public transport and local transport options as alternatives to private transport (the car).

Public transport is scheduled services which are operated by (on behalf of) the State Government. These include V/Line bus and rail services. Whilst public transport serve some parts of Hepburn Shire adequately, it can never fully cater for every individual transport need in this regional setting. Local transport has emerged as a critical component of the wider transport system to help minimise risk of exclusion to fully meet the needs of regional and rural communities.

The Hepburn Shire Council Plan 2017-2021 identifies a number of key Strategic Activities including, that Council monitor emerging social issues

impacting the community and demonstrate leadership in advocating to government and other agencies to support our community.

The Hepburn Shire Economic Development Strategy 'Fertile Ground' 2016-21 determined that five pillars for growth should underpin the strategy outcomes. Those pillars being: Produce, Trade, Live, Grow and Visit.

The 'Live' pillar aims to make Hepburn Shire a great place to live by providing a place that is navigable, safe and with services available to residents in all towns. The strategy identifies a series of projects and initiatives that directly address our pillars for growth.

The Economic Development Strategy, 'Live' pillar actions include a Transport and Movement project. The project identifies the need to undertake a complete Public Transport Analysis throughout the Shire to identify opportunities for improvement that will improve liveability, tourism and trade. The project includes developing a prioritised business case that can be used to lobby various State Government bodies for better transport connections.

The project is founded on the rationale that public transport options across the Shire are lacking in terms of service availability and regularity. An analysis of current service provision and service needs will inform a business case that can be used annually for advocacy to relevant state bodies.

In March 2019, Council received funding from Regional Development Victoria to undertake a Shire wide 'Local Transport Benchmarking Study'. Consultants Rec People and The Centre for Building Better Community have been engaged to complete the study with the support of Hepburn Shire, Transport for Victoria and Regional Development Victoria.

The purpose of the study is to develop a comprehensive report, including gaps and opportunities on elements including but not limited to:

- Existing transport assets;
- Public transport and Vline services
- Customer gathering of information on services
- Promotion of services
- Numbers and types of people currently using the services
- Purpose and main destinations of each service
- Times of travel of users
- Costs of travel of users
- Management and funding of each system
- Taxi and bus operators in the Shire and their scope of services

The study will deliver further outputs including;

- Recommendations on next steps for transport advocacy within the Shire
- Combined spatial mapping of transport routes

- Recommendations on potential repurposing of transport assets within the Shire

Extensive consultation has been undertaken across the Shire and included direct interviews with individuals, residents, organisations, schools, transport providers, community groups, businesses and experts along with the provision of an online survey and a series of community workshops held in Creswick, Daylesford, Trentham and Glenlyon.

On the 15 May 2019 a community workshop was held in Creswick and noted in relation to Bus Transport that:

Daylesford – Creswick

- 1 public bus a day. Hepburn 4.05 pm – Creswick – Hepburn 5.15pm;
- There are 35 families that attend Daylesford College from Creswick;
- 40+ children get dropped off 5 km outside town in the afternoon – ‘a shocking situation’;
- License and zone rules are preventing a sensible solution;
- Creswick – Ballarat – Vline + Local buses = 15 buses a day which is excellent.

The Creswick community workshop feedback is consistent with the petition received by Council at the Ordinary Meeting of Council on Tuesday 21 May 2019. Given the feedback is consistent with the petition and draft information received by Council Officers, Officers support the advocacy effort of the petition and recommend that Council writes to the Victorian State Government in support of the petition.

The Local Transport Benchmarking Study draft report is currently under development and will be presented to Council for review and decision on release for public comment at the September 2019 Ordinary Council Meeting.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council’s Meeting Procedures Local Law no. 1 states that a petition presented to the Council must lay on the table until the next ordinary meeting of the council and no motion, other than to receive the petition may be accepted by the Chairperson, unless Council agrees to deal with it earlier. The report was not able to be presented to the next ordinary meeting (June), but is being provided to Council at the July meeting.

FINANCIAL IMPLICATIONS

No specific financial implications have been identified.

RISK IMPLICATIONS

No specific risk implications have been identified.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

It is acknowledged that public transport options across the Shire is lacking in terms of service availability and regularity. Decisions made by State Government influence the development of Hepburn Shire in a myriad of ways. Infrastructure, public transport, regional development, planning oversight, health and social services will influence what is possible for Our Council to achieve for Our Community.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Extensive consultation has been undertaken across the Shire and included direct interviews with individuals, residents, organisations, schools, transport providers, community groups, businesses and experts along with the provision of an online survey and a series of community workshops held in Creswick, Daylesford, Trentham and Glenlyon.

The Creswick community workshop feedback is consistent with the Petition received by Council at the Ordinary Meeting of Council on Tuesday 21 May 2019.

CONCLUSION

Council notes the concerns of residents as detailed in the petition and also discussed at the Community Workshop held in Creswick on 15 May 2019.

Council is committed to monitoring emerging social issues impacting the community and demonstrating leadership in advocating to government and other agencies to support our community.

OFFICER'S RECOMMENDATION

That Council:

12.8.1. Authorises the Chief Executive Officer to write to representatives of the Victorian State Government in support of the petition.

12.8.2. Notes that the Local Transport Benchmarking Study draft report including the Creswick Community Feedback is currently under development and will be presented to Council for review and decision on release for public comment at a future Ordinary Meeting of Council.

12.8.3. Writes to the lead petitioner to advise of the above actions.

MOTION

That Council:

12.8.1. Authorises the Chief Executive Officer to write to representatives of the Victorian State Government in support of the petition.

12.8.2. Notes that the Local Transport Benchmarking Study draft report including the Creswick Community Feedback is currently under development and will be presented to Council for review and decision on release for public comment at a future Ordinary Meeting of Council.

12.8.3. Writes to the lead petitioner to advise of the above actions.

Moved: Cr Kate Redwood AM

Seconded: Cr Neil Newitt

Carried

12.9. COMMUNITY GRANTS PROGRAM – 2019/2020

DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Community Programs Officer, I Rachel Murphy have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to adopt the 2019/2020 Hepburn Shire Council Community Grants Program.

BACKGROUND

The Hepburn Shire Council Grants Program provides \$62,000 annually to community groups and organisations. To be eligible to apply for funding, community projects must meet the following criteria:

- Be a new or one-off event or program, or, a new initiative for an existing event or program (excluding Category G. Charitable Purposes category); and
- Be conducted within the Hepburn Shire to the benefit of its residents.

In June 2019 Officers conducted a review of the grant process and compared our current program to our neighbouring municipalities. Based on this information, Council's 2019/2020 Community Grants Program Guidelines have been updated.

ISSUE/DISCUSSION

After reviewing the results of the benchmarking research and comparing this data with the Hepburn Shire Council lived experience, Officers propose that Council modifying the 2019/2020 Grants Program as follows:

- **Assessment Times:** The Community Grants Program move from monthly application and assessment to quarterly application and assessment, providing the community with four specific time periods to plan for and lodge applications for funding.
- **Community workshops/drop in sessions:** With the reduction to quarterly assessments Officers will be able to plan for and provide biannual community workshops or drop in sessions when the program is open. This will allow interested community members/groups to speak in person to Council Officers about the program.
- **Grant Categories & Funding Amounts:** There are currently seven grant categories within the current program, many of which were underutilised by applicants in the 2018/2019 program.

Current Categories:

1. Active and Engaged Communities (up to \$2,000)
2. Quality Community Infrastructure (up to \$1,000)
3. Sustainable Environments (up to \$1,000)

4. Reconciliation Support (up to \$1,000)
5. White Ribbon and Family Violence Action Initiatives (up to \$1,000)
6. Children's Programs (up to \$1,000)
7. Charitable Purposes (up to \$2,000 per Council ward)

Officers propose Council consider reducing the number of categories to five and increasing the funding allocation amounts.

Proposed Categories:

1. Active and Engaged Communities (up to \$2,500)
2. Quality Community Infrastructure (up to \$2,500)
3. Sustainable Environments (up to \$2,500)
4. Children's Programs (up to \$2,500)
5. Charitable Purposes (up to \$2,000 per Council ward)

Note: Reconciliation Support and White Ribbon categories will be specifically referenced and reflected within the Active and Engaged Communities category.

- **Criteria:** The following criteria is proposed to be added to the program guidelines based on feedback from Councillors and staff, to reflect some community events which include ticket sales:

If the event or program yields any minor financial gain, the applicant must clearly highlight how the profits will contribute towards the projects sustainability.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017-2021:

Strategic Objective:

Active & Engaged Communities

Key Strategic Activity:

3. Support the strength and resilience of the community through delivering actions in areas such as Youth, Libraries, Early Years, Community Planning, Arts and Culture, Events and Community Grants. Monitor emerging social issues impacting the community and demonstrate leadership in advocating to government and other agencies to support the community.

Action:

3.4 Continue to provide community grants to support community projects, events and initiatives.

FINANCIAL IMPLICATIONS

\$62,000 has been allocated in the adopted 2019/2020 Council Budget for Community Grants.

RISK IMPLICATIONS

No specific risk implications have been identified.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Increasing the category funding allocations will allow for larger and more strategic projects to be developed.

Council will investigate the opportunity to enhance the online application process using specific integrated grant software this financial year.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Biannual community workshops/drop-in sessions will allow for community groups to discuss their projects/applications directly with a Council Officer at a specific time. This will greater assist community groups to address the program guidelines.

These community workshops/drop-in sessions will be promoted within the community through Council media channels.

CONCLUSION

The updated 2019/2020 Hepburn Shire Council Community Grants Program will provide the community with the opportunity to fund projects/programs that will benefit the Hepburn Shire community.

OFFICER'S RECOMMENDATION

12.9.1. That Council endorses the 2019/2020 Hepburn Shire Council Community Grants Program Guidelines.

MOTION

12.9.1. That Council endorses the 2019/2020 Hepburn Shire Council Community Grants Program Guidelines.

Moved: Cr Fiona Robson

Seconded: Cr Licia Kokocinski

Carried

**ATTACHMENT 11 -COMMUNITY GRANTS PROGRAM GUIDELINES
2019/2020 (ISSUED UNDER SEPARATE COVER)**

12.10. HEPBURN RECREATION RESERVE PAVILION FUNDING APPLICATION DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Project Office, I Angeline Dooley have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to confirm co-funding allocation for the Hepburn Pavilion – should it be successful in the 2019 Country Football Netball Program (CFNP) funding application through Sport and Recreation Victoria.

BACKGROUND

The Country Football and Netball program is an annual State Government funding stream allowing us to apply for works to upgrade change room facilities, football fields, netball facilities or lighting.

A recreation pipeline 2019/2020 review was undertaken and found that Hepburn Football Netball Club (HFNC) project was in the most ready state for a funding submission due to the Club preparing their own scope of work at their own cost (supported by Council) in 2018 as part of a Federal AUSport Community Sport and Infrastructure funding application. This application was unsuccessful.

The scope of the project includes the construction of a new multi-use change facility suitable for both male and female playing squads with additional private umpire facilities suitable for female officiators, adjacent the current pavilion.

ISSUE/DISCUSSION

\$10,000 has been included in the adopted 2019/2020 Budget for the further design of facility. The Hepburn Pavilion project progressed to CFNP funding application, which was submitted 3 June 2019 - scoped as the construction of player change rooms, umpire change rooms and accessible toilet, umpire duty room (as per concept plan). The funding application was submitted following Councilor agreement received by email to the Director Community and Corporate Services.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017-2021:

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

3. Responsibly manage our assets portfolio including roads and transport infrastructure, buildings, recreation and sporting facilities and public toilets by inspecting and monitoring maintenance and renewal needs.

This is achieved through planning for and implementing asset renewal and upgrade programs or new facilities that meet community expectations such as hubs, streetscapes, roads and building assets.

FINANCIAL IMPLICATIONS

Total cost estimated at \$573,520 (subject to tender), to be funded by:

- \$100,000 Hepburn Football Netball Club
- \$100,000 Sport and Recreation Victoria (grant application)
- \$373,520 Hepburn Shire Council

RISK IMPLICATIONS

Council will comply with its procurement policy should it be successful in the funding application. Project scope or budget may require amendment (subject to approval) following full design and tender process.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

There is expected to be environmental, social and economic benefits to the community through providing better, safer, environmentally managed open space recreation facilities.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council officers have met on several occasions with representatives of the Hepburn Reserve Committee of Management and HFNC to design the facility to meet their needs. The HFNC has been very proactive in supporting this application, they provided financial support for geotechnical assessment and concept design and are providing financial support to the project.

CONCLUSION

Should Council be successful in the funding application – this will be followed by a formal tender process and detailed evaluation of received tenders, and subsequent quotes, however Council's contribution will be required. This would be formally included in the 2019/2020 Mid-Year Budget review.

OFFICER'S RECOMMENDATION

12.10.1. That Council approves a provisional Council contribution of \$373,520 for the co-funding and matching of grants associated with the construction of the Hepburn Recreation Reserve Pavilion (subject to grant funding).

MOTION

12.10.1. That Council approves a provisional Council contribution of \$373,520 for the co-funding and matching of grants associated with the construction of the Hepburn Recreation Reserve Pavilion (subject to grant funding).

Moved: Cr Kate Redwood AM

Seconded: Cr Fiona Robson

Carried

12.11. DOUG LINDSAY RESERVE IMPROVEMENT PROGRAM FUNDING APPLICATION

DIRECTOR COMMUNITY AND CORPORATE SERVICES.

In providing this advice to Council as the Coordinator Community Partnerships, I Rachel Palmer have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council endorse a proposal to submit an application to the Department of Justice – Public Safety Infrastructure Fund (DOJ Funding) to install infrastructure to improve safety, security and confidence at Creswick’s Doug Lindsay Recreation Reserve (Doug Lindsay Reserve Improvement Project (DLRIP))

BACKGROUND

Creswick’s Doug Lindsay Recreation Reserve (the Reserve) is a much-loved part of Creswick and supports several sporting clubs including but not limited to the Creswick Football Netball Club, Creswick Cricket Club, Creswick Bowls Club and Creswick Soccer Club.

Based on community and stakeholder consultation, the recently completed Doug Lindsay Recreation Reserve Redevelopment Masterplan (June 2018) noted a number of attributes and deficiencies of the Reserve, including a program of projects taken from the Doug Lindsay Masterplan and the outcome of a drainage study to manage Doug Lindsay Reserve usage of potable water.

Council has funded \$40,000 in the 2019/2020 financial year to complete both a Functional Concept Plan (reviewing what and what isn’t working) and a review of the adopted masterplan. The current state of the reserve has some deficiencies which need rectification, notably the poor oval drainage, the lack of car parking and landscaping. Due to these factors the reserve itself is not frequented outside organised sport and this has consequentially led to the facilities been a target of vandalism.

The Doug Lindsay Reserve Improvement Project (DLRIP) - aims to consolidate several priorities and projects to improve the value and use of the Reserve for the community. The DLRIP is an innovative and consolidated place-making approach to the further development of the Reserve that will redefine Hepburn Shire Council’s approach to similar projects and will be a catalyst for the activation and improvements in the Creswick community’s accessibility, safety, health and well-being.

The objectives of the DLRIP broadly align with the masterplan as follows:

- Enhance the accessibility, safety and appearance of the Reserve using Crime Prevention through environmental design principles.
- Enhance the Reserve’s capacity to be used for active (organised) sport.

- Increase the scope and quality of the active (non-club) and passive recreation opportunities at the Reserve.
- Explore opportunities and support use of the Reserve's functionality, adaptability and infrastructure for other non-sport activities.

The projects under this funding application are currently included in the endorsed Doug Lindsay masterplan. Following a full review of the Functional Concept Plan we will produce the draft masterplan for further review and consultation.

ISSUE/DISCUSSION

Initial feedback from the Committee of Management on the elements for inclusion in the DOJ funding application were positive.

The Public Safety Infrastructure Fund through DOJ is an annual funding stream used to activate public spaces with good urban design and equipment, including pathways, playgrounds, lighting, benches, drinking fountains and CCTV cameras. DOJ will contribute up to 90% of the total project cost to a maximum of \$250,000. Note: Projects exceeding \$250,000 require additional council contributions.

The funding application for DOJ Funding closes 2 August 2019.

Council Officers will need to prioritise resource to prepare a full funding application and conduct further community consultation prior to submitting the application to DOJ. Preliminary discussions with representatives of DOJ have been positive towards a funding application.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017-2021:

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

1. Responsibly manage our assets portfolio including roads and transport infrastructure, buildings, recreation and sporting facilities and public toilets by inspecting and monitoring maintenance and renewal needs. This is achieved through planning for and implementing asset renewal and upgrade programs or new facilities that meet community expectations such as hubs, streetscapes, roads and building assets.

FINANCIAL IMPLICATIONS

Council Officers will need to prioritise resource to prepare a full funding application and conduct further community consultation prior to submitting the application to DOJ. Preliminary discussions with representatives of DOJ have been positive towards a funding application.

Elements proposed for inclusion in DOJ funding have been drawn from the functional concept plan and costings and include:-

- Design and develop Victoria Street Main entry, including signage, ticket box and feature planting.
 - Design and construct Stage 1 of the Main Circuit path
 - Supply and install accessible drinking fountain
 - Supply and install HSC rubbish bins with concrete base
 - Supply and install HSC seating to Stage 1 Circuit
 - Supply and install feature trees along Stage 1 circuit
 - CCTV and lighting around main and soccer/netball pavilion
 - Project Management and Contingency
- Total - \$276,200

Funded by:

- \$225,000 (DOJ Grant application)
- \$51,200 (HSC Contribution)

Note: Funding application to be submitted on the basis that Council allocate \$51,200 in the 2020/2021 financial year for actioning master planning as co-funding for the DOJ, with investigation of funding contribution from Clubs or the Committee of Management to reduce HSC contribution.

RISK IMPLICATIONS

This application does not impact the delivery of other projects across the Shire.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

This project could enhance the accessibility, safety and appearance of the Reserve using Crime Prevention through environmental design principles.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Based on community and stakeholder consultation, the recently completed Doug Lindsay Recreation Reserve Redevelopment masterplan (June 2018) noted a number of attributes and deficiencies of the Reserve, including a program of projects taken from the Doug Lindsay Master plan and the outcome of a drainage study to manage Doug Lindsay Reserve usage of potable water.

Initial feedback from the Committee of Management on the elements for inclusion in the DOJ funding application were positive. The Committee of Management and users of the facilities would be engaged with during the project.

CONCLUSION

If approved by Council, the application to be submitted to the Department of Justice by 2 August 2019.

OFFICER'S RECOMMENDATION

12.11.1. That Council approves an application to be submitted to the Department of Justice – Public Safety Infrastructure Fund utilising funding from the 2020/2021 financial year as co-funding for the application for the project outlined above at the Doug Lindsay Reserve.

MOTION

12.11.1. That Council approves an application to be submitted to the Department of Justice – Public Safety Infrastructure Fund utilising funding from the 2020/2021 financial year as co-funding for the application for the project outlined above at the Doug Lindsay Reserve.

Moved: Cr Fiona Robson

Seconded: Cr Neil Newitt

Carried

12.12. LOCAL GOVERNMENT BILL 2019 – PROPOSED REFORMS AND SUBMISSION TO THE MINISTER FOR LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Manager Governance Compliance and Risk, I Steve Millard have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to endorse a submission to the Minister for Local Government in relation to the proposed reforms in the *Local Government Bill 2019*.

BACKGROUND

In 2015, the Victorian Government embarked on a local government reform agenda with the aim of developing a new principal Act for local government.

Since the current *Local Government Act* became law in 1989, local government in Victoria has undergone significant change. The 210 relatively small councils in 1989 have been incorporated into 79 larger, more capable organisations. Democratic processes have changed and the functions performed by councils have increased and diversified. Councils now manage over \$90 billion of public infrastructure and deliver services valued at more than \$7 billion each year. There have been over 100 amendment acts since 1989 resulting in even more individual amendments.

Following extensive consultation, the *Local Government Bill 2018* was introduced into the Victorian Parliament, proposing significant changes to both the legislative framework and how councils are governed. The 2018 Bill was passed by the Legislative Assembly, however, it lapsed in the Legislative Council when Parliament rose before the November 2018 election.

It is proposed that the reforms proposed in both the *Local Government Bill 2018* and the *Local Government Bill 2019* will be presented to Parliament in late 2019.

ISSUE/DISCUSSION

The *Local Government Bill 2019* reforms are based on 5 key themes:

- **Improved service delivery** through deliberative engagement and principles to support councils in delivering effective essential services.
- **Strengthen local democracy** by making councillors directly accountable to their community.
- **Improved conduct** by providing clear standards of behaviour in regulations and stronger mechanisms for conduct breaches, including requiring councillors to complete training and providing arbitration powers to address misconduct.

- **Improve community confidence** through reforms to election processes, electoral structures and candidate requirements. A balanced legislative framework will be provided that gives power back to the local community and makes councils and councillors directly accountable.
- To support a **new relationship** between State and local government and the community by removing unnecessary Ministerial approvals and arbitrary powers. Autonomy is provided to councils to develop and adopt their own policies and procedures in accordance with principles of transparency, accountability and sound financial management.

The 6 Key Reforms:

The reforms, together with State government's rationale and proposed Council responses, are summarised as follows:

1. Simplified Franchise

It is proposed to make council electoral rolls more closely aligned with the State electoral roll. Voters already on the State electoral roll will automatically be on the council electoral roll. However, for those voters whose only entitlement is as an owner or lessee of a property in the municipality will be required to lodge an enrolment form to vote in that municipality's election if they want to vote.

Rationale for this Proposal

The proposed arrangement is for people on the State electoral roll to be directly enrolled to vote in their council election and for other people who pay council rates to have a right to apply for enrolment. This type of system is commonly used in other Australian states.

The proposed arrangement will more closely align council electoral rolls with the State electoral roll. This will simplify the council elections process.

Proposed Council Response to this Reform:

Council generally supports the proposal as it removes a substantial administrative burden in establishing the electoral roll. However, Council considers that the entire process (including transitional arrangements) should be managed by and be at the expense of the Victorian Electoral Commission.

2. Electoral Structure

Representative structures and election processes are to be simplified and made consistent. It is proposed to move to a consistent model of single member wards, unless it is impractical to subdivide a council into wards.

Rationale for this Proposal

Single member wards for each council will enable residents to more effectively receive direct representation. Councillors will be more accountable to local communities, fostering true 'local' government.

Consistent application of this model also ensures that all councillors are elected under the same system with equal vote shares within their council. This more closely reflects the way members of Parliament are elected.

Proposed Council Response to this Reform:

Whilst Council supports measures that makes Councillors more accountable to their communities, Council's view is that:

- **Single-member wards may make it harder for a council to make decisions that benefit the whole of the municipality – there is a risk that decision-making may become insular rather than wholistic;**
- **A single strong member may be more likely to be able to exert influence on other councillors to further his or her own agenda and their ward at the expense of others; and**
- **The quality of representation a ward receives directly correlates with the quality of the candidates standing for that ward. A single-member ward structure has the potential to dilute the pool of candidates standing for that ward which may result in a reduced level of advocacy at council.**

3. Election Candidates and Councillors – Mandatory Training

All candidates for council elections will be required to undertake mandatory training as a condition of their candidature. The level of training required will be carefully balanced against the need to not create an unnecessary barrier to participation.

Upon becoming a councillor, councillors will be required to complete mandatory training to improve their standards and capability to meet the requirements of office.

Rationale for this Proposal

People nominating as candidates in local council elections sometimes have limited understanding of the role for which they are putting themselves forward. Concerns also exist about candidates' understanding of the level of commitment required to undertake the role of councillor. In addition, many people don't understand what a councillor can legally do in their role.

A lack of understanding of the requirement of the role of councillor has been identified as a cause of diminished operational effectiveness in many councils. Within the first nine months in office councillors are required to make major strategic decisions and develop council and financial plans, a budget, and other matters.

Proposed Council Response to this Reform:

Council supports mandatory training for both candidates as well as for councillors post-election. However, the proposed training for candidates needs to be:

- **structured in a way that is accessible and does not discourage candidates from standing for office, particularly those from diverse backgrounds; and**
- **provides candidates with realistic information about the time commitments required to properly undertake the role of a councillor.**

Clarity is required whether councils or the Victorian Electoral Commission will be required to develop and administer the training.

Hepburn Shire Council conducts comprehensive inductions for its Councillors.

4. Donation Reform

A number of recent changes to the electoral campaign donations arrangements in Victorian Parliamentary elections will be extended to local government elections.

Rational for this Proposal

Controlling electoral donations and gifts will improve the integrity and transparency of the donations process. This will increase community confidence in council decision-making by making sure that decisions are made purely on merit.

Proposed Council Response to this Reform:

Council supports this proposal.

5. Improved Conduct

Councillor conduct is an ongoing challenge for the local government sector. It is proposed to introduce mandatory standards of conduct, a clear and consistent arbitration process and provide the arbiter powers to impose sanctions. The arbitration process will become a legislated process managed by the Principal Councillor Conduct Registrar rather than requiring each council to develop and adopt its own process.

Rationale for this Proposal

Consultation with the local government sector and community groups has revealed that councils need more assistance in developing and enforcing their codes of conduct. To date, councils have had to develop and adopt their codes of conduct with limited guidance. As a result, codes vary widely in size, scope and content. An examination of existing councillor codes of conduct shows that most only deal with conduct standards in broad terms.

Proposed Council Response to this Reform:

Council generally supports this proposal. However, it is important that conduct matters are resolved quickly to ensure the continuation of council business. There should be legislated timeframes in which the Principal Councillor Conduct Registrar must act in order to resolve conduct issues.

Council would like to ensure that it has the flexibility to oblige councillors to attempt to resolve minor conduct matters by negotiation or mediation prior to being required to enter into a formal arbitration process.

6. Community Accountability

It is proposed to make councillors more accountable through stronger sanctions for serious conduct violations and the introduction of a community-initiated Commission of Inquiry.

There will be two clear new pathways that can lead to disqualification. These are:

- where a councillor has been subject to a finding of serious misconduct on two occasions over an eight year period; or
- where a community-initiated Commission of Inquiry, appointed as a result of a petition, makes a finding that a councillor has caused or contributed to a failure by the council to provide good governance or a failure by the council to comply with a governance direction. The petition may be made by obtaining the signatures of 25% of the council's voting population over a 60 day period.

Rationale for this Proposal

Occasionally, a councillor may act in a way that seriously inhibits the ability of a council to function effectively or repeatedly acts in ways that are unacceptable in public office. It is in the interests of the community that a person who acts this way be removed from office.

The 2018 Bill proposed that the Minister have powers to suspend a councillor who was preventing the council from providing good government. While this could only be done on the recommendation of an

integrity body, it placed a Minister elected at one level of government in a position of having to decide whether to remove an elected member at another level of government.

A better approach is to limit the removal from office of a councillor to independent processes and/or give the community who elected the councillor the power to seek review or dismissal of the councillor.

Proposed Council Response to this Reform:

Council supports the proposal that councillors who commit repeated serious conduct violations be disqualified from office.

However, Council does not support the proposal that the community-initiated Commission of Inquiry process as currently drafted be used to disqualify a councillor from office. This proposal makes smaller councils vulnerable due to the relatively low number of signatures that would need to be obtained to initiate a Commission of Inquiry. For example, for Hepburn Shire Council, approximately 3,900 signatures, obtained over a 60 day period, would be required. This may encourage vexatious or frivolous petitions in relation to councillor conduct.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Not applicable.

FINANCIAL IMPLICATIONS

None noted.

RISK IMPLICATIONS

None noted.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

None noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The closing date for submissions on the Local Government Bill 2019 is 17 July 2019. Due to the tight deadline for the lodgement of submissions, Council has not had the opportunity to undertake any consultation with its community in relation to the reforms.

CONCLUSION

The *Local Government Bill 2019* proposes significant reform in relation to electoral issues affecting local government in Victoria as well as the training and conduct of elected officials. The Minister for Local Government has provided an opportunity for individual councils, as well as the various peak

bodies representing those councils, to make submissions in relation to the proposed reforms.

OFFICER'S RECOMMENDATION

12.12.1. That Council resolves to authorise the Chief Executive Officer to provide a submission to the Minister for Local Government on the Local Government Bill 2019 expressing Council's views in relation to the proposed reforms as outlined in this report.

MOTION

12.12.1. That Council resolves to authorise the Chief Executive Officer to provide a submission to the Minister for Local Government on the Local Government Bill 2019 expressing Council's views in relation to the proposed reforms as outlined in this report.

Moved: Cr Neil Newitt

Seconded: Cr Kate Redwood AM

Carried

12.13. MAV WORKCARE LOCAL GOVERNMENT SELF INSURANCE SCHEME 2019/2020 PREMIUM

CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Manager People and Culture, I Vivienne Green have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to approve the renewal of Council's WorkCare Self Insurance premium for 2019/2020 through MAV Insurance.

BACKGROUND

Commencing from 1 July 2016, Council agreed to join the then newly created MAV WorkCare Scheme. Hepburn Shire Council was one of the first thirty councils to join the self-insurance scheme. Since its inception MAV WorkCare has supported Council's injured workers to return to work, guided and represented Council in managing workers compensation dispute resolutions and has also provided relevant training and information sessions to the Manager People and Culture and the Return to Work Officer.

ISSUE/DISCUSSION

Council received a Renewal advice from MAV WorkCare for 2019/2020 in June 2019. The premium covers the payment of entitlements to injured workers, provisioning for future liabilities, administration costs and the delivery of prevention-based health and safety services.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Under the *Workplace Injury Rehabilitation and Compensation Act 2013*, MAV became a self-insurer on behalf of itself and Victorian councils. Under the same Act, Council is required to take out Work Cover insurance, or be self-insured. Council approved the recommendation to join the self-insurance scheme in June 2015 and subsequently Council has embarked on significant improvements to its Occupational Health and Safety programs.

FINANCIAL IMPLICATIONS

The premium is calculated by MAV WorkCare each year and is based on the projected cost of claims for the period of coverage together with the Scheme's operating costs and aims to ensure the Scheme is adequately funded. It also takes into consideration the number of Council employees and total remuneration.

RISK IMPLICATIONS

Insurance of this type is considered to be essential in the management of employee support and rehabilitation should a workplace accident or incident occur.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Workers compensation is an insurance which supports the return to work of an injured employee and also supports employees who may not be able to return to the workplace at all due to their injury. Compensation of this type supports the social and economic wellbeing of injured employees and their families.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

None required nor undertaken.

CONCLUSION

It is a statutory requirement for all Victorian Councils to take out and maintain workers compensation insurance. Council has chosen to do this through the MAV WorkCare Self-Insurance Scheme.

OFFICER'S RECOMMENDATION

12.13.1. That Council resolves to authorise the Chief Executive Officer to approve payment of the premium for MAV WorkCare local government self-insurance for 2019/2020 for an amount of \$349,661 (excluding GST).

MOTION

12.13.1. That Council resolves to authorise the Chief Executive Officer to approve payment of the premium for MAV WorkCare local government self-insurance for 2019/2020 for an amount of \$349,661 (excluding GST).

Moved: Cr John Cottrell

Seconded: Cr Kate Redwood AM

Carried

12.14. LIABILITY MUTUAL INSURANCE SCHEME (PUBLIC AND PRODUCTS LIABILITY INSURANCE AND PROFESSIONAL INDEMNITY INSURANCE) RENEWAL 2019/2020

CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Manager Governance Compliance and Risk, I Steve Millard have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to approve the payment of the renewal invoice for Council's Liability Mutual Insurance (public liability, products liability and professional indemnity) for 2019/2020 through MAV Insurance.

BACKGROUND

At the June 2019 Council meeting, Council resolved to approve the payment of the 2019/2020 Liability Mutual Insurance premium up to an amount of \$204,555. This amount represented a 15% increase over the 2018-2019 premium of \$177,874. A 15% increase was the upper limit that had been estimated by MAV Insurance in early June 2019 based on the general state of the global re-insurance market and Council's claims history for the previous 5 years.

On 14 June 2019, the board of MAV Insurance implemented a base premium increase of 16% applicable to all member councils. For those councils with claims against the Scheme during the last 5 years, additional increases on top of the 16% are applicable. Council has not had any claims during the last 5 years so its premium increase has been capped at 16%.

ISSUE/DISCUSSION

There are a number of factors that have contributed to a greater premium increase than the upper limit estimate of 15%:

- There has been a clear hardening of the re-insurance pricing market for public liability exposures (predominantly driven by the London-placed elements of re-insurance) and professional indemnity exposures. This means that re-insurers have less appetite to place business and will do so only at higher pricing;
- The Victorian Auditor-General's Office recommended in 2018 that the Scheme review its capital management plan with the objective of improving the operating position of the Scheme to ensure that it could meet its claims obligations in the event of a major event affecting multiple councils. As a result, the board of MAV Insurance has opted to increase contributions sufficient to meet the total expected costs of the upcoming year in line with VAGO's recommendations;

- The late notice of a small number of members that have departed the scheme. Negotiation on the re-insurance program is undertaken throughout the financial year and is placed on the basis of the projected membership as at 30 June in the review year. Any late withdrawals by members means that MAV Insurance is unable to fully recoup the underlying reinsurance costs which may have been based on a higher level of membership of the Scheme;
- Successive years of high catastrophic events, such as the US hurricanes and bushfires, has reduced re-insurer profitability and resulted in particular classes of business, including local government liability, being fundamentally re-priced;
- Increased prudential oversight of insurers by the British Prudential Regulatory Authority (the British equivalent of the Australian Prudential Regulatory Authority) and internal changes to Lloyd's of London's management of syndicates have also influenced the appetite of insurers and re-insurers for specific business sectors;
- Ongoing potential professional indemnity claims costs for building surveyors in relation to apartment building material (flammable cladding) and major structural failures. The Australian Institute of Building Surveyors is reporting that there will be no privately available professional indemnity policies in 2019/2020 which meet the registration requirements of the Victorian Building Authority, primarily due to the exclusion of coverage for non-compliant building materials. MAV Insurance remains in a position to provide cover for Municipal Building Surveyors which meets the registration requirements of the VBA.

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 2019/2020 has been determined by MAV Insurance. Based on Council's previous claims history and revenue, Council's premium has been set at \$206,334 (excluding GST), a 16% increase over its 2018/2019 premium.

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

12.14.1. That Council resolves to authorise the Chief Executive Officer to approve payment of the premium for public and products liability insurance and professional indemnity insurance for 2019/2020 for an amount of \$206,334 (excluding GST).

MOTION

12.14.1. That Council resolves to authorise the Chief Executive Officer to approve payment of the premium for public and products liability insurance and professional indemnity insurance for 2019/2020 for an amount of \$206,334 (excluding GST).

Moved: Cr John Cottrell

Seconded: Cr Licia Kokocinski

Carried

12.15. RECORD OF ASSEMBLIES OF COUNCILLORS

CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Governance and Information Officer I Rebecca Smith 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	Committee Name	Location
3 June 2019	Disability Advisory Committee	Daylesford Activity Centre
17 June 2019	Mineral Springs Reserve Advisory Committee	Daylesford Town Hall
20 June 2019	Municipal Emergency Management Planning Committee	Doug Lindsay Recreation Reserve, Creswick
2 July 2019	Councillor Briefing	Daylesford Town Hall
9 July 2019	Councillor Briefing	Daylesford Town Hall

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

12.15.1. That Council receives and notes the Records of Assemblies of Councillors.

MOTION

12.15.1. That Council receives and notes the Records of Assemblies of Councillors.

Moved: Cr Neil Newitt

Seconded: Cr Kate Redwood AM

Carried

ATTACHMENT 12 -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: Disability Advisory Committee

Date: 3 June 2019

Time: Midday – 4.00pm

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

Councillors present:

Cr John Cottrell
 Cr Don Henderson
 Cr Kate Redwood AM
 Cr Licia Kokocinski
 Cr Greg May
 Cr Neil Newitt
 Cr Fiona Robson

Members of Council Staff present:

CEO Evan King
 Director Community & Corporate Services
Bradley Thomas
 Director Infrastructure & Development
Services Bruce Lucas
 Other, please specify: Deb Westin

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered:

Agenda Attached

Name and title of Officer responsible for this written record:

CEO Evan King
 Director Community & Corporate Services
Bradley Thomas
 Director Infrastructure & Development
Services Bruce Lucas
 Other, please specify: Deb Westin

Signature: *D Westin*

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Municipal Emergency Management Planning Committee

Date: 20 June 2019

Time: 9.30am – 10.30am

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify) – Doug Lindsay Recreation Reserve Creswick

Councillors present:

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

Members of Council Staff present:

- | | |
|--|--|
| <input type="checkbox"/> CEO Evan King | <input checked="" type="checkbox"/> Other, please specify: Daryl Clifton, David George, Paulette Pleasance |
| <input type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | |
| <input type="checkbox"/> Director Infrastructure & Development
Services Bruce Lucas | |

Conflict of Interest Disclosures:

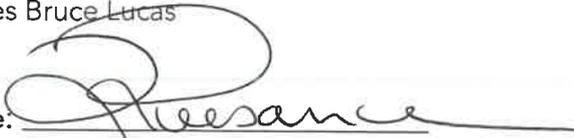
Councillor Name	Time Left and Returned

Matters Considered:

Agenda Attached

Name and title of Officer responsible for this written record:

- | | |
|--|---|
| <input type="checkbox"/> CEO Evan King | <input checked="" type="checkbox"/> Other, please specify: Paulette Pleasance |
| <input type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | |
| <input type="checkbox"/> Director Infrastructure & Development
Services Bruce Lucas | |

Signature: 

DOC/18/28797

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

AGENDA

► MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE

MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE

Thursday 20 June 2019 – 9.30am – 10.30am

Doug Lindsay Recreation Reserve Creswick

Attendee	Organisation	Attending	Attendee	Organisation	Attending
Barry Nicholls	AV		Bruce Lucas	HSC	Accepted
Grant Shea	AV	Tentative	Carl Telfar	HSC	
Luke Kneebone	CFA	Accepted	David George	HSC	Accepted
Brett Boatman	CFA		Paulette Pleasance	HSC	Accepted
Alan Hives	CFA (Creswick Group)		Melissa Phillips	HSC	
Paul Healy	CFA (Glenlyon Group)		Justin Fiddes	HSC	
Margaret Holt	CHW	Declined	Councillor Greg May	HSC	Accepted
Angus Bowles	Coliban Water	Declined	Kyra Winduss	Parks Victoria	
Kate Robertson	DEDJTR		Representative	Red Cross	
Mick Keating	DELWP	Declined	Tony Grimme	SES	
Chris Arnold	DELWP	Accepted	Belinda Marchant	SES	Tentative
Lisa Reid	DHHS		Jim Blain	VCC	Accepted
Ted Lis	EMV	Tentative	Matthew Flood	VicPol	Accepted
Dale Farnsworth	GMW	Tentative	Sgt Dean Towk	VicPol	
Peter Gerolemou	GMW	Declined	Lisa Di Carli	VicRoads	Accepted
Steve Latter	HHS	Accepted	Steve Collins	VicRoads	
Daryl Clifton	HSC	Accepted	Andrew Trickey	VicRoads	
			Gordon Cornell	WICEN	Accepted

No	Time	Agenda Item	Presenter
1	9.30am	Welcome & Apologies	Daryl Clifton
2	9.31am	Adoption of Minutes – 28 March 2019	Daryl Clifton
3	9.32am	Actions arising from minutes	Daryl Clifton
4	9.35am	Incoming Correspondence <ul style="list-style-type: none"> • VCC Report June 2019 Outgoing Correspondence	Paulette
5	9.40am	Standing Agenda Item MEMPC Review Action Plan Quarter 4 April - June <ul style="list-style-type: none"> • MEMPC meeting – June 2019 • Conduct a Crisisworks training exercise • Review PIAR Sub-Plan • Develop Community Resilience framework • Relief & Recovery Planning Committee meeting • Municipal Fire Management Planning Committee 	Daryl Clifton

AGENDA

▶ MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE

		meeting	
6	9.50am	MFMP Committee Update – Meeting scheduled after MEMPC	David George
7	9.52am	Council's & Emergencies Evaluation Project	Daryl Clifton
8	10.00am	Adoption of Heat Plan following distribution to Committee	Daryl Clifton
9	10.05am	General Business	Daryl Clifton
10	10.20am	<p>September 2019 Meeting Agenda Items:</p> <ol style="list-style-type: none"> 1. MEMP Review Action Plan Quarter 1 July - September <ul style="list-style-type: none"> • MEMPC meeting – Sep 2019 • Review 3-year Action Plan • Review the Response section of the MEMP • Review Relief Centre Operations Plan • Conduct a training exercise • Relief & Recovery Planning Committee meeting • Review Municipal Fire Management Plan • Fire Management Planning Committee meeting 2. 	
		Meeting Close	
Next Meeting – Thursday 19 September 2019 Victoria Park Recreation Facility Daylesford			

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Councillor Briefing
Date: Tuesday, 2 July 2019
Time: 9:00am – 4:00pm

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

Councillors present:

- | | |
|---|---|
| <input type="checkbox"/> Cr John Cottrell | <input checked="" type="checkbox"/> Cr Greg May |
| <input checked="" type="checkbox"/> Cr Don Henderson | <input 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 Licia Kokocinski | |

Members of Council Staff present:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Acting CEO Bruce Lucas | <input checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | Biodiversity Officer – Brian Bainbridge,
Coordinator Governance and Information –
Katherine Toom, Events Officer – Bridgette
O'Brien, Manager Financial Services -
Danielle How, Manager Development and
Community Safety – Justin Fiddes,
Coordinator Planning – Nathan Aikman,
Project Officer – Angeline Dooley,
Coordinator Community Partnerships –
Rachel Palmer, Manager Community and
Economic Development – Andrew Burgess,
Coordinator Economic Development –
Rebecca Pedretti, Community Programs
Officer – Rachel Murphy |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered: Tuesday, 2 July 2019 Agenda Attached

Matters Councillors not present

Councillor Name	Item

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*

Name and title of Officer responsible for this written record:

- CEO Evan King Other, please specify:
 Director Community & Corporate Services
Bradley Thomas
 Director Infrastructure & Development
Services Bruce Lucas

Signature:  _____

Tuesday 2 July 2019
Council Chamber, Daylesford Town Hall
9:00 am – 4:00 pm

The reports, and referenced attachments, are designated as confidential by the Chief Executive Officer under Section 89(2)(h) of the Local Government Act 1989.

INVITED:

Councillors	Councillor Don Henderson Councillor Fiona Robson Councillor Greg May Councillor John Cottrell Councillor Kate Redwood AM Councillor Neil Newitt Councillor Licia Kokocinski
Officers	Bruce Lucas – Acting Chief Executive Officer Bradley Thomas – Director Community and Corporate Services

CHAIR:

Mayor Don Henderson Bruce Lucas – Acting Chief Executive Officer

APOLOGIES:

Evan King – Chief Executive Officer

No	Time	Type	Agenda Item	Presenter	Page No
1.	9:00am	Report	Removal of geese from Daylesford Lake-Communications Plan	Biodiversity Officer	4
2.	9:30am	Report	Planning of Australia Day events and Citizenship	Coordinator Governance and	6

No	Time	Type	Agenda Item	Presenter	Page No
			Ceremony on 26 January 2020	Information and Events Officer	
3.	10:00am	External Presentation	2019 General Revaluation	Chris Barrett - VRC Property and Terry McGuire – Valuer General Victoria	17
	11:00am		Break		
4.	11:15am	Presentation	Better Approvals Program	Manager Development and Community Safety	28
5.	11:45am	Report	PA 2183 – Construction of a Dwelling and the removal of vegetation at 38 Leggatt Street, Daylesford	Coordinator Planning	34
6.	12:15am	Report	PA 2377 – Use and development of a dwelling at 399 Mollonghip Road, Mollonghip	Coordinator Planning	58
	12.45pm		Lunch		
7.	1:15pm	Report	Hepburn Pavillion Funding	Project Officer	87
8.	1:30pm	Report	Aquatic facility review 2018/19 season	Coordinator Community Partnerships	89
9.	2:00pm	Report	Hepburn Hub – Dja Dja Wurrung naming and artwork/design at the Hepburn Hub	Coordinator Community Partnerships	98

No	Time	Type	Agenda Item	Presenter	Page No
10.	2:30pm	Report	Community Grants Program - 2019/20	Community Programs Officer	101
	3:00pm		Break		
11.	3:15pm	Discussion	Executive Issues Update	Acting CEO	107
12.	3:30pm	Discussion	External Committees Update	Acting CEO	108
13.	3:45pm	Discussion	Councillor 'Burning Issues' Discussion	Acting CEO	109
	4:00pm		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 Briefing
Date: Tuesday, 9 July 2019
Time: 9:00am – 3:50pm

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

Councillors present:

- | | |
|---|---|
| <input type="checkbox"/> Cr John Cottrell | <input 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 Licia Kokocinski | |

Members of Council Staff present:

- | | |
|--|--|
| <input checked="" type="checkbox"/> CEO Evan King | <input checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> Director Infrastructure and Development Services Bruce Lucas | Manager Governance, Compliance and Risk – Steve Millard, Manager Development and Community Safety – Justin Fiddes, Coordinator Community Safety – David George, Project Officer – Angeline Dooley, Coordinator Community Partnerships – Rachel Palmer, Manager Community and Economic Development – Andrew Burgess, Manager Environment and Waste – David Watson |
| <input checked="" type="checkbox"/> Director Community & Corporate Services Bradley Thomas | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered: Tuesday, 9 July 2019 Agenda Attached

Matters Councillors not present

Councillor Name	Item
Cr Don Henderson	Left at 1.37pm. Not present for items 2, 5 and 6.

Name and title of Officer responsible for this written record:

- CEO Evan King

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*

- Director Community & Corporate Services
Bradley Thomas
- Other, please specify:
- Director Infrastructure & Development
Services Bruce Lucas

Signature:  _____

Tuesday 9 July 2019
 Council Chamber, Daylesford Town Hall
 9:00 am – 3:15 pm

The reports, and referenced attachments, are designated as confidential by the Chief Executive Officer under Section 89(2)(h) of the Local Government Act 1989.

INVITED:

Councillors	Councillor Don Henderson Councillor Fiona Robson Councillor Greg May Councillor John Cottrell Councillor Kate Redwood AM Councillor Neil Newitt Councillor Licia Kokocinski
Officers	Evan King – Chief Executive Officer Bradley Thomas – Director Community and Corporate Services Bruce Lucas – Director Infrastructure and Development Services

CHAIR:

Mayor Don Henderson Evan King – Chief Executive Officer
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APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.	9:00am	Workshop	General Local Law no. 2 – Community Amenity and Municipal Places Review	Coordinator Community Safety	3
	10:30am		Break		
2.	10:45am	Discussion	Draft Annual Plan 2019/2020	CEO	4

No	Time	Type	Agenda Item	Presenter	Page No
3.	11:45am	Report	Planet Youth and Hepburn Local Drug Action Team	Coordinator Community Partnerships and Belinda Buck – Hepburn Health Service	7
4.	12:15pm	Report	Doug Lindsay Reserve improvement program	Project Officer	8
	12.45pm		Lunch		
5.	1:15pm	Workshop	Waste Management Opportunities and Priorities	Manager Environment and Waste	16
6.	2:45pm	Report	Local Government Bill 2019 – Proposed Reforms	Manager Governance Compliance and Risk	17
	3:15pm		CLOSE OF MEETING		

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Mineral Springs Reserve Advisory Committee

Date: 17 June 2019

Time: 1.00pm – 3.00pm

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

Councillors present:

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

Members of Council Staff present:

- | | |
|---|---|
| <input type="checkbox"/> CEO Evan King | <input checked="" type="checkbox"/> Other, please specify: Sean Ludeke,
Paulette Pleasance |
| <input type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | |
| <input checked="" type="checkbox"/> Director Infrastructure & Development
Services Bruce Lucas | |

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 type="checkbox"/> CEO Evan King | <input type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | |
| <input checked="" type="checkbox"/> Director Infrastructure & Development
Services Bruce Lucas | |

Signature: 

DOC/18/28797

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

MINERAL SPRINGS RESERVE ADVISORY COMMITTEE

Monday 17 June 2019 – 1.00pm – 3.00pm

Attendees: Cr Fiona Robson, Bill Guest, Lisa Rodier, Bruce Lucas, Sean Ludeke,
Paulette Pleasance

Apologies: Nathan Lundmark

No	Time	Agenda Item	Presenter
1	1.00pm	Welcome and Apologies Acknowledgement to Country	Cr Fiona Robson
2	1.02pm	Adoption of Minutes – 8 April 2019	Cr Fiona Robson
3	1.04pm	Review of Action Register Items	Cr Fiona Robson
4	1.10pm	Caretakers Cottage Update	Lisa Rodier
5	1.20pm	Hepburn Pavilion "Ice Rink" Concept	Bruce Lucas
6	1.30pm	Update on the rebuild of the Pavilion at Central Springs Reserve.	Bruce Lucas
7	1.40pm	Update on weed control in the Mineral Springs reserves - including Landmate crew and Federation University project.	Sean Ludeke
8	1.50pm	Proposed Furniture Replacement – Glenlyon Spring	Sean Ludeke
9	2.00pm	DELWP Grant for Pit Closures	Sean Ludeke
10	2.10pm	Budget Update	Bruce Lucas
11	2.15pm	Maintenance Update <ul style="list-style-type: none"> • Sutton Spring Project • Tree Planting Locarno Springs 	Sean Ludeke
12	2.25pm	Agenda Items for Next Meeting <ul style="list-style-type: none"> • 	
	2.30pm	Meeting close	
Next meeting – Monday 12 August 1.00pm- 3.00pm - Council Chambers			

13. COUNCIL SPECIAL COMMITTEES (SECTION 86)

13.1. MINUTES OF SPECIAL COMMITTEES (SECTION 86)

CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Governance and Information Officer I Rebecca Smith 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:

- Dean Recreation Reserve Special Committee – 6 June 2019
- Lee Medlyn Home of Bottles – 17 June 2019
- Lyonville Hall Special Committee – 18 June 2019

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

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

- Dean Recreation Reserve Special Committee – 6 June 2019
- Lee Medlyn Home of Bottles – 17 June 2019
- Lyonville Hall Special Committee – 18 June 2019

MOTION

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

- *Dean Recreation Reserve Special Committee – 6 June 2019*
- *Lee Medlyn Home of Bottles – 17 June 2019*
- *Lyonville Hall Special Committee – 18 June 2019*

Moved: Cr Kate Redwood AM

Seconded: Cr John Cottrell

Carried

13.2. APPOINTMENT OF MEMBERS TO SPECIAL COMMITTEES (SECTION 86) OF COUNCIL

CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Governance and Information Officer, I Rebecca Smith have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider the appointment of one new member to the Lee Medlyn Home of Bottles Special Committee (Section 86) of Council, and the reappointment of one member to the Creswick Museum Special Committee (Section 86) of Council.

BACKGROUND

Special Committees are established by Council under section 86 of the Local Government Act 1989 and their function and responsibilities are outlined in an Instrument of Delegation.

ISSUE/DISCUSSION

The application to become a new member of the Lee Medlyn Home of Bottles Special Committee was received from Mr Peter Chandler on 9 July 2019.

The application for reappointment to the Creswick Museum Special Committee was received from Mr Jack Sewell AM on 10 July 2019.

The application forms have been circulated to Councillors out of session.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Local Government Act 1989 – Section 86 - Council has the power to appoint members to Special Committees of Council.

FINANCIAL IMPLICATIONS

None identified.

RISK IMPLICATIONS

All volunteers are covered by Council's Public Liability insurance. Guidelines are provided by Council to assist the Special Committees to effectively manage the facilities and to meet legislative requirements.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Special Committees comprising community members, encourage positive community involvement and engagement in managing Council owned facilities.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Community members can be appointed to Special Committees of Council at any point throughout the year.

CONCLUSION

Appointment of these committee members will enable the Lee Medlyn Home of Bottles Special Committee and the Creswick Museum Special Committee to continue to operate in accordance with their Instruments of Delegation. The hard work of committee members and volunteers has been, and will continue to be, of considerable value to our local communities and the broader Hepburn Shire.

OFFICER'S RECOMMENDATION

That Council:

13.2.1. Resolves to appoint Mr Peter Chandler as a member of the Lee Medlyn Home of Bottles Special Committee for a period commencing 16 July 2019 until 31 August 2021, and

13.2.2. That Mr Peter Chandler, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.

13.2.3. Resolves to appoint Mr Jack Sewell AM as a member of the Creswick Museum Special Committee 1 August 2019 until 31 July 2021, and

13.2.4. That Mr Jack Sewell AM, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.

MOTION

That Council:

13.2.1. Resolves to appoint Mr Peter Chandler as a member of the Lee Medlyn Home of Bottles Special Committee for a period commencing 16 July 2019 until 31 August 2021, and

13.2.2. That Mr Peter Chandler, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.

13.2.3. Resolves to appoint Mr Jack Sewell AM as a member of the Creswick Museum Special Committee 1 August 2019 until 31 July 2021, and

13.2.4. That Mr Jack Sewell AM, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.

Moved: Cr Kate Redwood AM

Seconded: Cr Licia Kokocinski

Carried

14. COUNCIL ADVISORY COMMITTEES

14.1. RECOMMENDATIONS FROM AUDIT AND RISK ADVISORY COMMITTEE TO COUNCIL

CHIEF EXECUTIVE OFFICER

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 consider advice from the last meeting of the Audit and Risk Advisory Committee held on 27 May 2019.

BACKGROUND

At the quarterly meeting of the Audit and Risk Advisory Committee held on 27 May 2019, the Committee passed a number of resolutions for consideration by the Council.

ISSUE/DISCUSSION

On 27 May 2019, the Committee held their quarterly meeting and passed the following resolutions for Council consideration:

5.1.1. That the Minutes of the Audit and Risk Advisory Committee meeting held on 25 February 2019 be confirmed.

6.1.1. That the Audit and Risk Advisory Committee notes the update on matters arising from previous meetings.

6.1.2. Request for review against Geelong City Council report findings be presented to a future meeting

7.1.1. That the Audit and Risk Advisory Committee notes the verbal update presented by Crowe Horwath on the Hepburn Hub at the Rex Project Audit

7.1.2. Notes that Crowe Horwath will:

- Undertake some additional work on the land acquisition and disposals that were part of the purchase of the Rex and*
- Notes that this work will finalise the audit work and the audit report*

7.2.1. Receives and notes the draft report provided on the Follow-Up Review; and

7.2.2. Notes that the report has not yet been reviewed by Management

7.2.3. Requests that the final report be circulated out-of-session following Management review of the draft report.

7.2.4. Notes that the items will be prioritised after a risk-based assessment is conducted

7.3.1. Notes the Internal Audit Plan update for the 2019/2020 financial year.

7.3.2. *Recommends that Council exchange the Service Planning and Review project with a Hepburn Hub at the Rex project progress audit*

7.3.3. *Recommends that HLB Mann Judd prepare a scope document for the review of outstanding action items and roadmap of required works with a reprioritisation plan and that this be circulated out of session*

7.3.4. *That this review and prioritisation of existing actions replace the IT Governance review scheduled for July 2019*

7.4.1. *Receives the updated internal audit register of outstanding items.*

7.4.2. *Recommends that officers continue to implement the open recommendations contained in the register.*

8.1.1. *That the Audit and Risk Advisory Committee note the report for information.*

8.2.1. *That the report be noted for information.*

9.1.1. *That the Audit and Risk Advisory Committee notes the risk update.*

9.2.1. *That the Audit and Risk Advisory Committee note the report for information.*

9.3.1. *Notes the update on the Trentham Hub Project provided by the CEO at the meeting*

9.4.1. *Notes the update on the Hepburn Hub at Town Hall Project provided by the CEO at the meeting*

9.5.1. *That the Audit and Risk Advisory Committee note the report for information.*

10.1.1. *Receives and notes the Financial Report for the period from 1 July 2018 to 31 March 2019.*

10.2.1. *That the Audit and Risk Advisory Committee notes the reports that have been provided to Council during the period March – May 2019.*

10.3.1. *That the Audit and Risk Advisory Committee note the report for information.*

10.3.2. *Mr Thomas confirmed the challenges in providing meaningful data at 6 monthly intervals*

10.4.1. *That the Audit and Risk Advisory Committee note the report for information.*

11.1.1. *That the Audit and Risk Advisory Committee notes the report on Compliance Obligations as at 20 May 2019.*

11.1.2. *The committee notes that many items in the report have not been updated timely by officers*

11.1.3. *The committee notes that an update will be shared with the committee when available*

11.1.4. *The committee requests an update on the progress on the implementation of the upgraded compliance system*

11.2.1. *That the Audit and Risk Advisory Committee notes the update on the status of Council Policies as at May 2019.*

11.3.1. *That the Audit and Risk Advisory Committee notes the update provided on OHS compliance against the National Audit Tool*

12.1.1. *That that Audit Risk and Advisory Committee endorses the draft revised Audit and Risk Advisory Committee Charter and recommends its adoption by Council.*

12.1.2. *The committee will provide feedback to Coordinator Governance and Information out of session*

12.2.1. *Receives the results of the self-assessment survey 2019.*

12.2.2. *Notes that the assessment criteria will be reviewed with the Charter*

12.2.3. *Notes that the committee will summarise the findings and present to a future meeting*

13.1.1. *That items discussed at ARAC meetings will be summarised by the Chair and then raised by a Councillor at briefing*

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

The contribution of the Audit and Risk Advisory Committee is a key component of the Council's governance framework in accordance with Part 7 of the Local Government Act, 1989 (Financial Management).

FINANCIAL IMPLICATIONS

None noted

RISK IMPLICATIONS

The Audit and Risk Advisory Committee assists council with oversight in the areas of risk, governance and compliance.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

None noted

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are four independent external community members on the committee. The draft public minutes of the last committee meeting are provided to promote transparency and confidence in the management of Council operations. The full confidential minutes of the meeting are provided to Councillors out of session.

CONCLUSION

The Audit and Risk Advisory Committee has made a number of recommendations for the consideration of Council.

OFFICER'S RECOMMENDATION

That Council:

- 14.1.1. Receives the draft minutes of the Audit and Risk Advisory Committee Meeting of 27 May 2019.
- 14.1.2. Notes the recommendations and resolutions of the Audit and Risk Advisory Committee that were moved at the meeting on 27 May 2019.
- 14.1.3. Acknowledges its appreciation of the time, expertise and diligence of the Committee members in the execution of their duties

MOTION

That Council:

- 14.1.1. Receives the draft minutes of the Audit and Risk Advisory Committee Meeting of 27 May 2019.*
- 14.1.2. Notes the recommendations and resolutions of the Audit and Risk Advisory Committee that were moved at the meeting on 27 May 2019.*
- 14.1.3. Acknowledges its appreciation of the time, expertise and diligence of the Committee members in the execution of their duties*

Moved: Cr John Cottrell

Seconded: Cr Kate Redwood AM

Carried

**ATTACHMENT 13 -COVER NOTE FROM AUDIT AND RISK ADVISORY
COMMITTEE CHAIR – 27 MAY 2019**

SUMMARY NOTES – Audit and Risk Advisory Committee meeting held on Monday 27 May 2019

At the 27 May 2019 Audit & Risk Advisor Committee meeting, the major items that were discussed are noted below.

1. Martin Thompson (Crowe Horwath) - Hepburn Hub Project at the Rex Investigation

Martin Thompson of Crowe Horwath attended the meeting by phone. It was agreed that his report into the Hepburn Hub project at the Rex was complete with the exception of an investigation into the process surrounding the purchase of the Rex Arcade and the associated sale of council properties. It was agreed that he would undertake this work and present a final report to Council for consideration by the Committee.

Separately The CEO and the Mayor advised that they had been contacted by the Local Government Inspectorate. Further advice to come.

2. Internal Audit – HLB Judd Report

Mark Holloway attended for this item. The Committee noted the draft Internal Audit Report that Council had received just prior to the Committee meeting. It also noted that the draft had not been reviewed by Council officers. The final report, following review by Council, to be circulated out of session.

The Committee discussed the Internal Audit Register of Actions noting;

- the large number of items overall on the register
- the number of “high” or critical items on the register
- the ageing nature of items – some that were now 2 or 3 years old
- that seemingly little progress was being made on addressing outstanding items

The committee accepted the Chief Executive’s explanation that, from his perspective, other matters had assumed higher priority over the past 12 months.

Notwithstanding that, there was discussion as to how move the register forward.

Mr Holloway offered to review the list to determine:

- the currency of some items – i.e. had some items become redundant
- opportunity to combine similar items
- to establish of list of a dozen or so priority items for management to action over the next 12 months

The Committee accepted Mr Holloway’s suggestion.

3. External Audit - VAGO

The Committee noted the external audit was on track.

4. Risk Update

The most significant items to be discussed under Section 9 Risk Update were as follows;

- **The Hepburn Hub Project**
Council awaiting updated construction plans and specifications from architects – work cannot proceed until these are received. Expected timing – July 2019.
- **Trentham Hub Project**
No movement
- **Creswick Trails Project**
Revised project schedule. Funding in place for project completion.

5. Compliance Obligations

- Compliance Obligation Report
Council advised that it is considering an alternative to the Advent system that is currently used to manage compliance obligations. The Committee asked to be kept up to date with these developments as compliance obligations is one of the key risks facing the organization. The Committee noted that the Compliance Obligation Report did not appear to be up to date.
- Council Policies
The review of policies was noted
- National Audit Tool – OHS Compliance
Report noted.

6. Audit Committee Compliance

The Committee noted that 3 of the 6 Audit committee members had completed the self-assessment. It was agreed that self-assessment survey needed an overhaul.

Trevor Shard
Chair – Audit and Risk committee
14 June 2019

**ATTACHMENT 14 - DRAFT PUBLIC MINUTES – AUDIT AND RISK
ADVISORY COMMITTEE MEETING – 27 MAY 2019 (ISSUED UNDER
SEPARATE COVER)**

14.2. MINUTES OF ADVISORY COMMITTEES

CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Governance and Information Officer I Rebecca Smith have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to note the minutes received from Council's Advisory Committees.

BACKGROUND

Advisory committees are established by Council and their responsibilities outlined in Terms of Reference. Advisory 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 from Advisory Committees, as provided by the Committees:

- Disability Advisory Committee – 3 June 2019

These minutes have been 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 have been provided for noting.

OFFICER'S RECOMMENDATION

14.2.1. That Council receives and notes the minutes of the following Advisory Committees which have been distributed under separate cover:

- Disability Advisory Committee – 3 June 2019

MOTION

14.2.1. That Council receives and notes the minutes of the Disability Advisory Committee – 3 June 2019 which have been distributed under separate cover.

Moved: Cr John Cottrell

Seconded: Cr Kate Redwood AM

Carried

15. CLOSE OF MEETING

Meeting closed at 8:15 pm.
