



HEPBURN SHIRE COUNCIL  
ORDINARY MEETING OF COUNCIL  
PUBLIC MINUTES

TUESDAY 19 MARCH 2019

DOUG LINDSAY RECREATION RESERVE

LUTTET STREET

CRESWICK

6:00PM

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# MINUTES

TUESDAY 19 MARCH 2019

Doug Lindsay Recreation Reserve

Luttet Street, Creswick

Commencing 6:00PM

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EVAN KING  
CHIEF EXECUTIVE OFFICER  
19 MARCH 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.

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The gallery stood and observed one minute of silence to reflect upon the tragedy that occurred in Christchurch, New Zealand.

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## 2. SAFETY ORIENTATION

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

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## 3. OPENING OF MEETING

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

**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, Ms Katherine Toom Coordinator Governance and Information

### STATEMENT OF COMMITMENT

"WE THE COUNCILLORS OF HEPBURN SHIRE  
DECLARE THAT WE WILL UNDERTAKE ON EVERY OCCASION  
TO CARRY OUT OUR DUTIES IN THE BEST INTERESTS  
OF THE COMMUNITY

AND THAT OUR CONDUCT SHALL MAINTAIN THE STANDARDS  
OF THE CODE OF GOOD GOVERNANCE  
SO THAT WE MAY FAITHFULLY REPRESENT  
AND UPHOLD THE TRUST PLACED IN THIS COUNCIL BY THE  
PEOPLE OF HEPBURN SHIRE"

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#### 4. APOLOGIES

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#### 5. DECLARATIONS OF CONFLICTS OF INTEREST

Cr Kate Redwood AM declared an indirect interest – conflicting duty on item 12.4: Community Grants – March 2019, as she is a member of the Cornish Hill Committee of Management.

Cr Kate Redwood AM declared an indirect interest – conflicting duty on item 15.2: Victoria Park Building Fund Account, as she previously served as the secretary for the Daylesford Football and Netball Club.

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#### 6. CONFIRMATION OF MINUTES

##### RECOMMENDATION

6.1.1. That Item 10.2 – Answer 2 of the adopted Minutes of the Ordinary Meeting of Council held on 15 January 2019 be amended to read:

- "The removal of woody weeds (willow trees) and blackberries are in line with recommendations from the relevant management authorities (NCCMA) and Jubilee Lake Reserve Management Plan. The works have been packaged as part of one contract due to the similarity of the works being undertaken e.g. stem injection and removal."

6.1.2. That the Minutes of the Ordinary Meeting of Council held on 19 February 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 Item 10.2 – Answer 2 of the adopted Minutes of the Ordinary Meeting of Council held on 15 January 2019 be amended to read:*

*“The removal of woody weeds (willow trees) and blackberries are in line with recommendations from the relevant management authorities (NCCMA) and Jubilee Lake Reserve Management Plan. The works have been packaged as part of one contract due to the similarity of the works being undertaken e.g. stem injection and removal.”*

6.1.2. *That the Minutes of the Ordinary Meeting of Council held on 19 February 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 John Cottrell

**Carried**

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## 7. NOTICES OF MOTION

Nil.

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## 8. ITEMS OF URGENT BUSINESS

Nil.

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## 9. PRESENTATION OF COUNCILLOR REPORTS

### MAYOR'S REPORT

#### Councillor Don Henderson, Creswick Ward

There have been some great events over the past few weeks. Events help make our Shire what it is as a vibrant place where locals and visitors get to enjoy what we offer.

I had the pleasure of cutting the ribbon at the re opening of the Palais in Hepburn Springs. As well as being an icon as far as a building is concerned there is a great cultural connection to the many locals who have frequented the venue. The owners have done a fabulous job in renovating and restoring the building and it is an absolute credit to them.

I also took part in the shooting of a video being done for the Australian Climate Council who came here in recognition that our Shire is seen Australia wide as a leader in renewable energy innovation and practical application.

Chillout was a very well attended event once again and the focus on a family friendly parade and events was enjoyed by a huge number of locals and visitors. It could be said that I was as proud as a peacock to be part of the parade.

We also had an official opening of the new pump track in Creswick and it is good to see so many young people enjoying what has been described as one of the best in the country. Thanks to the Member for Macedon Mary Anne Thomas for doing the official opening on behalf of the Andrews Labor Government who have so far contributed \$2.56 m to cycling in Creswick.

On Sunday I was given the opportunity to be part of the Centenary of the Creswick Smeaton RSL. One hundred years of serving our community especially the returned service members of our community and their families. Creswick was one of the first RSL branches formed and there will be more centenaries around the Shire soon. Even more important is that this branch has been able to carry on their work without the need to sell alcohol or have gaming machines. They are a well supported group and greatly appreciated by the whole community.

Along with the CEO Evan King I attended the reopening of the Civic Hall in Ballarat. These events are not just a case of attending a function but are important in the networking opportunities they bring. All manner of people attend from Regional Development Victoria, councillors and politicians. It is important for us to be supportive and involved with the City Of Ballarat as a good neighbour.

Yesterday along with Mr King I attended a session run by Children's and Family Services where professionals from The United States of America shared their insights into the value of farms where troubled children and adults can interact with animals

and plants. The benefits of this are proven and enormously important. Hepburn Shire is lucky to have the first formal farm of this kind in Australia right here in Creswick.

On the issue of events it is important that these events would not happen so successfully without a huge effort by our Council staff and I thank them on behalf of Council.

Finally I note that tonight is Cr Klein's last meeting after ten years as Coliban Ward Councillor. I wish Cr Klein well in his future endeavours.

## COUNCILLOR REPORTS

### Councillor Kate Redwood AM, Birch Ward

I want to start my report by commending the Mayor for his acknowledgement of the need to grieve with the people of Christchurch for the terrible events that have occurred there.

In a month when I turned 70, and when Neville and I saw this as an opportunity to celebrate our long-term relationship by getting married, and as a result we had all the far-flung children and grandchildren around - major distractions from Council business.

However, there have been several important Council activities to report on:

The Hepburn Shire International Women's Day event was celebrated on 8 March. This is the 15<sup>th</sup> year that Hepburn Shire has held an event, and the first outside Daylesford. The Creswick event was standing room only in the Town Hall – an estimated 180 attendees (a record). And what a joyful occasion it was! Firstly commendations to the 5 inductees to the Heather Mutimer Honour roll –

- Donna Cooper
- Caeli Greenbank
- Margret Lockwood
- Kathleen Morrison
- Rozanne Moynihan

Special thanks to the members of the IWD Committee who meet through the year to plan the event;

I would particularly like to mention the contribution of Anne E Stewart and Susan Craven who worked with the entertainers to achieve the performances suitable for the event, and Vicki Adamson who wrote the citations, thanks to the Nomination Panel members who assessed the nominations for the Honour Roll Cathy Watt, Judy Henderson and Jenny Beacham; thanks to Cr Don and Judy Henderson who

organised the photographs of Creswick women which were displayed in the Hall; thanks to the members of the Creswick Garden Club who did the flower arrangements, and to the Creswick Brass Band which played to welcome attendees – and we noted that the musicians on the night were almost all women; and thanks to our staff who supported the Committee – Bridgette O’Brien and Rebecca Pedretti, and the staff who were present and assisted on the night.

All in all an unforgettable night.

I note also that this year there was an afternoon tea for Council’s female staff to celebrate International Women’s Day. Well done Viv Green for organising this.

I attended my first meeting of the Grampians Region Waste Recovery and Recycling Forum representing Hepburn Shire Council. I believe that much could be done if the region was committed to a strong and practical shared strategy to minimise waste and recycle specific elements of the waste stream on a regional basis. There seems to be lots of talk but not much action.

I drew the prizes in the Hepburn Football Netball Club major raffle. First prize a Kenwood truck worth \$380,000. The club sold the total of 1000 tickets for \$1000 each across Australia and New Zealand – sold out 7 weeks before the closing date! Congratulations to the club for its professional and successful fundraiser – which delivers around \$500,000 after costs.

I attended the debrief of the Daylesford Motorfest – planning for 2020 is already underway. Congratulations to Peter Olver and his committee and all the volunteers on an extraordinarily successful event. The challenge now is how to deal with too much success in terms of traffic management and crowd flow, and sheer capacity of Vic Park.

Wearing my Hepburn Health Board hat, I participated in community consultations regarding the possible amalgamation between Hepburn Health Service and Kyneton Health Service. There is already close collaboration between the two health services – shared CEO and some backroom services. As a strategy to retain small health services run locally, amalgamation needs to be considered seriously.

Finally, I would like to close by wishing our Council colleague, Cr Sebastian Klein, all success in his future career. He has been a Hepburn Shire Councillor for 11 years and has served as Mayor twice. Thank you, Sebastian for your contribution and for your courage and tenacity.

#### **Councillor Sebastian Klein, Coliban Ward**

Well when I first stood to address the Council just over ten years ago I made two commitments -

That I would put the needs of the community first.

And that by doing this I would be enabled to address what was for me the core motivation for running for Council at all – to do something about the numerous environmental crises that are so vital to all of us, and that so many Hepburn community members desperately want all levels of government to act upon.

On both fronts I was surprised and shocked by how difficult progress was. Not just because of systemic inertia, or divergent views in the community (and it was six years before I made any enemies there through subdivisions on Mulcahys Rd, the Bullarto Picnic Shelter Saga or the Hubs) but because of my own colleagues on Council. In short the first eight years on this Council constituted the most unsafe work environment I have had the displeasure to be involved with – and I've worked with oil stills, chainsaws, fencing apparatus, worked at a high school, worked with youth, carted hay and driven the odd bit of heavy plant and equipment.

The tendency towards win at all costs, personal politics was appalling and an opportunity missed to focus on the big issues as a cohesive group and to build one another up. Instead as a young Councillor I was very much left to my own devices to deal with these sorts of tactics as best I could. Certainly, the support of Council's employee assistance program was useful as was the amazing network of Councillors and former local government bods at the VLGA where the focus on Councillor well-being, experience and the big issues was a welcome and rewarded distraction from some of the most petty elements of Council life.

In the community, I would be remiss not to recognise the immense support that many have shown, surprisingly for such a young bloke as I initially was, but then right through some of the hardest bits when the lines were blurred between some of the internal divisions and politics of Council and issues that were necessarily terse and difficult out in the community. Without the efforts of the Trentham Forum and numerous other volunteer groups, individuals like Georgie Patterson, Kit Manning, Bill O'Connell, Susie Spence, Helen MacDonald, Ian MacBean or Ian Williams, I am sure we would have achieved far less and I may not have stuck it out as long as I have.

Still I am thankful for those that stuck with me, but also for the change represented in this Council, either because of the new levels of diverse perspectives on Council, or because of a new level of shared focus on good governance rather than petty politics. To the supporters out in the community many of whom as volunteers and residents have worked as hard as anyone for Coliban Ward and Hepburn Shire. But also to this current Council for giving me the opportunity to be a part of a positive Council working together with a wider view to all of the communities in Hepburn.

I am grateful to my Federal and State counterparts, Geoff Howard, Mary-Anne Thomas and Catherine King for the attention and service that they have provided

and continue to provide to Trentham, Coliban Ward and Hepburn Shire. And finally also my gratitude and respect to the dozens of community members I have had the pleasure of working with on countless advisory committees working groups and other such meetings of willing people often late at night and seemingly always in draughty halls in the depths of winter.

Ten years on I am proud of much of what we have achieved – Advocacy on marriage equality, significant improvement on our corporate greenhouse gas emissions, upgrades to the Trentham recreation reserve, a permanent library in Trentham, upgrades to the Lyonville community hall and the Trentham Station, renewed commitment to roads upkeep and maintenance and a program that actually expands and encourages active transport in the form of footpaths or cycling. Recognition of the Dja Dja Wurrung as traditional owners and the commencement of our Reconciliation Action Plan, leading the community in vital but necessary conversations, funding for childcare upgrades, support for better public transport and many other items.

However there is still much work to be done. There is, waiting for a new Councillor for Coliban a list of projects in Trentham, some of which have been on Council's budgets and agenda for over 4 years. And still more that will require a re-doubling of efforts regarding the achievement of equity of services and facilities across the Shire – because while in-roads have been made since I walked 23km with a bag of spuds to lay as a symbolic tithe from the peons of Coliban Ward, I believe there remains structural inequities and a dearth of effort in terms of delivery on projects that we as Council have designated for Coliban Ward.

It is my sincere hope that my successor will bring a renewed vigour to these tasks, but also to the efforts to engage this Council in the core principle of equity. For certain – this is the right Council to deliver it and there is an added opportunity in the form of the VEC ward review that will occur before the next Local Government elections. For the community of Trentham and Coliban Ward, I hope that they are a unifying and active influence in leading the charge to deliver the much needed facilities and services that our communities need and deserve.

Finally, one of the projects I am most proud of is the delivery of a plan to work with our community towards zero net carbon emissions. It brings some hope while we see the onset signs of dangerous climate change. Anyone who is a gardener, works the land or has a particular affinity for our waterways and our increasingly fragile ecosystems will have noted that many of the canaries in the coal mine are already gone. Our task now is not to avoid climate change – but to avoid the worst ravages of a rapidly descending climate crisis.

This requires not just direct action, but serious consideration of matters such as planning, food security, protection of our precious productive farmland and more

effective resource recovery from waste. Not only is it everyone's responsibility to act to mitigate this unfolding crisis, but it will be everyone's lot to deal with it if our efforts are not successful.

I hope that this Council will continue to do its part, and help the community to realise its ambitions into the future, and I hope that as a community member I may be able to continue to participate and help facilitate this.

#### **Councillor Greg May, Creswick Ward**

No written report was provided.

#### **Councillor Fiona Robson, Birch Ward**

I was very pleased to accept an invitation from the VLGA (Victorian Local Government Authority) to attend a discussion on Treaty. Last year, legislation was passed in the Victorian Parliament starting a formal intent to negotiate a Treaty with Aboriginal people – the first of its kind in Australia. The panel consisted of Jill Gallagher AO, the Victorian Treaty Advancement Commissioner, and the Hon Natalie Hutchins, Parliamentary Secretary for Treaty, as well as Dr Shireen Morris, McKenzie Postdoctoral Fellow at Melbourne University Law School.

I was initially unsure about the role of local government in this initiative and now see the value of locally understanding and communicating the scope and intentions of Treaty and hear people's concerns. This work has been happening for the past 3 years and there are plans to elect a First Peoples Assembly of Victoria this year.

There is still a lot of detail to work through but the overall intention and structure is becoming clearer. I am interested in our council keeping informed and assisting with the communications as part of our commitment to a respectful and inclusive Shire.

Our involvement in international women's day is another example of this commitment. I will be participating in the annual mentor breakfast for girls tomorrow and can see an opportunity for these annual events to provide ongoing support, encouragement and celebration of a path to gender equity and equality. I would also like to see people of different cultures, ages and abilities included, supported and celebrated.

I am very interested in our youth and in encouraging their voices to be heard. Friday's climate action strike was a part of that. I will be representing Hepburn Shire at a youth forum involving people from here, Macedon Ranges and Hume Shires. Our state member of parliament, Mary-Anne Thomas, and myself will be on the panel to hear and respond to comments, questions and suggestions regarding health and

well-being. We will be at the Sunbury Community Health Centre on Saturday and I encourage people to be part of this exciting opportunity.

Our Council has allocated money to rebuild the pavilion at Central Springs. We are keen to hear from people as to what would be appreciated and valued. There are 2 consultation sessions planned. One tomorrow afternoon and another on Saturday. We are looking forward to hearing peoples views and drafting a plan to recreating a valued community facility.

This is Cr Sebastian Klein's last council meeting. I appreciate his huge contributions to Coliban Ward and Hepburn Shire over the last 11 years. Sebastian has provided valued knowledge and expertise, particularly regarding promoting a sustainable environment, encouraging agriculture and protecting productive land. Sebastian, I wish you well.

#### **Councillor John Cottrell, Holcombe Ward**

No written report was provided.

#### **Councillor Neil Newitt, Cameron Ward**

Last Sunday I joined with the community in showing its resilience following the destruction caused by the attempted robbery of the ATM at the news agency in Clunes.

Apart from the extensive damage to the newsagent, several other businesses were impacted. It was this, but also the impact to the historic streetscape that shocked the community and prompted a group of individuals to put together an event for the community to share in.

The group saw the need for the community to quickly come together and the Picnic on Fraser event was organised within days of the incident.

Several hundred attended the event on Sunday. It was a positive reinforcement of the strength of community that exists in Clunes.

There will be challenges ahead with the restoration of the facades and verandas damaged in the robbery attempt. I'm sure it will take some time for the streetscape to be returned to its former glory - this will impact not only on the community and those businesses directly impacted, but also on events and activities already planned for the next few months.

Council staff were terrific in the initial response and over the days following the incident. Many from the public commented on the swift action to have the street reopened and the Debris removed and the support given to the effected businesses.

Going forward, I would consider that council needs to remain a part of that recovery process - whether it is in guiding the businesses affected, or in communicating to the community around interruptions whilst the repairs are made.

Assistance will ensure the community remains positive and patient in seeing Fraser street returned to its former glory.

I wish to join my colleagues in acknowledging this is the last council meeting for Cr Klein.

I appreciate the many hours over ten years he has committed in his role as Councillor in representing his community and I add my best wishes for his future endeavours.

#### 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 Sebastian Klein

**Seconded:** Cr Neil Newitt

**Carried**

ATTACHMENT 1 - CEO REPORT – MARCH 2019

# CHIEF EXECUTIVE OFFICER REPORT

---

Presented at the Ordinary Meeting  
of Council on 19 March 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 24th FEBRUARY 2019

I started the week with several internal meetings with staff, and a meeting with RACV to discuss the Creswick Trails.

On Tuesday I had a day of pre-council meetings and the February Council meeting at the Glenlyon Town Hall. There were a number of significant reports considered by Council. The mid year budget and half year finance reports were presented to Council. The other significant report was a report that Council endorsed to not bring waste collection in-house and to extend our current waste collection contract for another 12 months while we go out for tender.

On Wednesday and Thursday, some members of the Leadership Team attended the Local Government Professionals (LGPro) Annual Conference in Melbourne.

On Friday I participated in a Rural Council's workshop with several neighbouring councils including Buloke Shire Council, Central Goldfields Shire Council, Golden plains Shire Council, Hindmarsh Shire Council, Horsham Rural City Council, Loddon Shire Council, Pyrenees Shire Council, Yarriambiack Shire Council & West Wimmera Shire Council.

### WEEK ENDING 3<sup>RD</sup> MARCH 2019

Monday was the first day in the office for our new Manager of Community & Economic Development, Andrew Burgess. Andrew previously worked as Regional Strategy Coordinator for State Government in Ballarat and he has extensive knowledge of the region and regional priorities.

On Monday afternoon we had an Audit & Risk Advisory Committee meeting.



#### Central Highlands Water Reconciliation Action Plan

On Tuesday morning, Central Highlands Water adopted a Reconciliation Action Plan (RAP). The launch of the CHW RAP was held at White Swan Reservoir in Glen Park and I attended as a guest.

### Hammon Park Pump Track, Creswick

On Tuesday afternoon, the Pump Track at Hammon Park in Creswick was officially opened by Mary-Anne Thomas MP, Cr Don Henderson (Mayor) and riders from VOGA (Villages of the Old Goldfields). The Hammon Park pump track is one part of the Creswick Trails Project which will deliver a purpose-built mountain bike trail network, made possible by funding of \$2.56 million from the State Government. Well done to all involved in this fantastic community project.



Following the Pump Track opening, Car Telfar & I presented to the Creswick Community Bank on possible projects we could partner on.

On Wednesday I met with the EPA to discuss the new EPA legislation and current complaints they are investigating.

### Act@Work

Council will be taking part in the organisation-wide culture change program - Act@Work, which is delivered by Women's Health Grampians (WHG). This program will impact our whole organisation and staff will be asked to contribute in the following ways:

- Completion of surveys
- Contribute to the development of an organisation Act@Work Action Plan
- Undertake staff training

On Wednesday, our enthusiastic internal working group, which is made up from all levels and departments of our organisation, came together with WHG consultants Kate and Deb to start the programme. Over the course of this year, this group will meet regularly to discuss, progress and champion this project.

Hepburn Shire Council Act@Work Internal Working Group



On Thursday I met with Regional Development Victoria discuss the Daylesford to Macedon Rail Trail, and I also met with several staff and community members on a range of topics.

On Friday I attended the Central Highlands Mayors and CEO meeting and participated in a budget workshop with the Executive Team. To finish the week, I attended a Local Business Networking event.

## WEEK ENDING 10th MARCH 2019

I started the week with several meetings with staff.

On Monday I attended a meeting with the Secretary and Deputy Secretaries of Department of Environment, Land, Water and Planning (DELWP) for the Grampians region, along with the CEO's from Golden Plains, Pyrenees, City of Ballarat, Northern Grampians, Ararat & Horsham Rural City Council. This meeting was to share the feedback from Local Government Listening Tour that DELWP Grampians region gleaned from their meetings with our Councils and our teams last year.

The final appointment of the day was a meeting with Regional Development Australia to discuss the Institute of Gastronomy project.

On Tuesday we had a Council briefing, and on Wednesday Andrew Burgess and I attended a meeting in Ballarat with Regional Development Victoria. This is a regular monthly meeting with RDV to discuss our projects and project timelines.

I had some of my regular catch up meetings with Councillors on Thursday and following that, I attended the Chillout fundraiser event.

### International Women's Day Civic Event



On Friday night we inducted a number of women in to the Heather Mutimer Honour Roll for International Women's Day. The new inductees join a list of extraordinary women who have played a role in shaping the Shire we see today.

Congratulations to our International Women's Day Heather Mutimer Honour Roll inductees for 2019 - Margret Lockwood, Donna Cooper, Caelli Greenbank, Kathleen Morrison and Rozanne Moynihan (Posthumous) accepted by husband Danny. Mary-Anne Thomas MP, Louise Staley MP and Heather Mutimer are also pictured. Well done to Bridgette O'Brien, Rebecca Pedretti and others involved in organising this fantastic event in Creswick

### International Women's Day Staff Function

Women across the organisation also spent some time together this week listening to two fantastic speakers and meeting staff they had not met before.



## Electric Vehicle



This week we added an electric car to our Council fleet. Reducing emissions is a key priority for our Council, and along with helping the community reduce their emissions, we have been working to reduce Council generated emissions. The car, which will be used by our facilities cleaning team, made its community debut at the ChillOut parade.

## Chillout



Several staff took part in the ChillOut Parade on Sunday. We received great feedback (and applause) from the community for our involvement in the parade and our continued support of the festival.



## WEEK ENDING 17th MARCH 2019

Following the Labour Day long weekend, I returned to work on Tuesday and had my regular CEO/Mayor meeting, then went straight into the Councillor Strategic briefing session for the remainder of the day.

Part of this week's briefing was set aside for discussion about our Communications Action Plan. The action plan is about real tangible actions that will improve communication between staff, Councillors and the community.

The Executive Team, Leadership Team and the Councillors will be involved in looking at:

- What is working well
- What can we improve on
- What should we stop doing

On Wednesday I attended the Central Victorian Greenhouse Alliance AGM in Avoca followed by my regular catch up with Coliban Ward Councillor, Cr Sebastian Klein, then my regular weekly meeting with the Executive Team.

I attended the Central Highlands Councils Victoria (CHCV) CEO's meeting in Ballarat on Thursday.

On Thursday night I was invited to make a short address to thank the CFA brigades and other emergency management volunteers who were involved in the recent Manning's Road fires in Hepburn. Rotary Daylesford kindly provided a sausage sizzle and Daylesford Cinema screened "A Dog's Way Home" as a thank you for volunteers.

I finished the week by attending a meeting with Regional Development Victoria to discuss the Creswick Trails project, a meeting with Clunes Football Club and a meeting with Cameron Ward Councillor, Cr Neil Newitt. On Friday night I attended a Committee for Ballarat Round Table dinner at which Sir Bob Geldof was the guest speaker.

## 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.

#### **Supplementary Question Taken on Notice at the Ordinary Council Meeting on 19 February 2019 – Ms Helen Hayes**

As an example consider garage sales: How many of these type of thing have to be created to become an unauthorised retail shop on a residential property? How many large events can a residential property owner run as an unauthorised place of assembly without having to have a planning permit?

#### **Answer: Mayor Don Henderson**

There is no set number of times that someone can hold a garage sale before requiring planning permission, however Council can investigate the legitimacy of the land being used for a garage sale if it was evident that goods/services being sold are routinely delivered to the house for the purpose of on-sale and therefore more accurately defined as a retail premises.

A garage sale is the sale of unwanted household goods held in the garage or front garden of someone's house. A garage sale should not include the sale of goods normally associated with a retail premises. A retail premises is defined as "Land used to sell goods by retail, or by retail or wholesale, sell services or hire goods."

A person may operate a home-based business if the following requirements are met:

- The person conducting the home-based business must use the dwelling as their principal place of residence.
- No more than two persons who does not live in the dwelling may work in the home-based business at any one time.
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. The net floor area includes out-buildings and works normal to a dwelling.

- The business must not impose a load on any utility greater than normally required for domestic use.
- The business must not adversely affect the amenity of the neighbourhood in any way including:
  - The appearance of any building, works or materials used.
  - The parking of motor vehicles.
  - The transporting of materials or goods to or from the dwelling.
  - The hours of operation.
  - Electrical interference.
  - The storage of chemicals, gasses or other hazardous materials.
  - Emissions from the site.
- No motor vehicle may be adjusted, modified, serviced or repaired for gain.
- Only one commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- No goods other than goods manufactured or serviced in the home-based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced or repaired in the home-based business must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.
- Any goods offered for sale online must not be collected from the dwelling

**Supplementary Question Taken on Notice at the Ordinary Council Meeting on 19 February 2019 – Mr Bill McClenaghan**

Concerning the underpinning of the bridge, my understanding from the owner of the bridge is that this bridge cannot be underpinned. Has the owner of the bridge given permission for the underpinning of the bridge and the additional concreting works at the base of the bridge to go ahead?

**Answer: Mayor Don Henderson**

Current design does not include underpinning. Micro piles are proposed for global stability and do not encroach on or under the existing bridge footings. Councils Engineering team has been working with VicTrack throughout the design process. VicTrack as the bridge owner has appointed an agent and Council is working with Council's appointed designers and VicTrack's nominated agent to achieve the final approvals.

**Question 1: Ms Barbara Curzon-Siggers**

During 2019, Councillors, Shire staff and Shire constituents met to discuss developing and improving practices and policies focused on recycling and waste management - within the Shire's responsibility - with a number of initiatives undertaken by Shire constituents and community groups including The Repair Cafe. A number of issues were acknowledged and possible solutions established. Amongst the work commenced was development of a Shire policy and guidelines focused on eliminating the use of single use plastic bags and plastic products across the board.

Could the Shire please advise us on the status of the No Plastics Policy?

**Answer 1: Mayor Don Henderson**

Councils Sustainability Officer prepared some background information and briefed Councillors on this opportunity in late 2018. As a result some further community and stakeholder input was sought to inform the development of guidelines around single use plastic for Councils controlled operations and events.

As a result of this Council received feedback from three (3) individuals which is now being used to progress the drafting of the guidelines and a further briefing to Councillors is being scheduled for April / May 2019.

Our commitment in the Council Plan is to develop a policy which controls the sale of single use plastics on Council owned or managed land. It is envisaged that operational guidelines will assist our transition enable enforcement where Council has some form of operation control.

For this reason it is seen as beneficial to co-develop guidelines, so that community can also work to voluntarily address their use of plastics.

Finally, as Council does not have direct legislative control on the production of plastics, we have been advocating at a state and federal level, in conjunction with other Councils, to see clearer legislative controls implemented.

**Question 2: Ms Barbara Curzon-Siggers**

Could the Shire further advise on the status of the other initiatives as per the recycling and waste management?

**Answer 2: Mayor Don Henderson**

Council is in discussions with the Community Bank about opportunities to partner in some initiatives around the management of green waste and has commenced a trial to sort glass from the general comingled recycling stream at the Daylesford Transfer Station. This is working well however further work is needed to secure end use / market driven opportunities for the use of the product.

In addition to this, Councils Waste to Energy project is a primary focus given organic waste makes up around 35-40% of kerbside waste, and is the main contributor to landfill gas.

**Question 3: Ms Judy Henderson**

At the event, the MC Cr Kate Redwood advised that there were apologies but declined to read them out. Given the long standing IWD event and the HSC Heather Mutimer Women's Honour Roll appointments, it was very disappointing that only 2 Crs out of 7 attended.

Can Council advise on what apologies were given in advance of the Council event?

**Answer 3: Mayor Don Henderson**

Advanced apologies were received for the IWD event from the following 13 people:

- Cr Fiona Robson
- Cr John Cottrell
- Cr Grey May
- Cr Neil Newitt
- Cr Sebastian Klein
- Senator Bridget McKenzie - Senator for Victoria
- The Hon Jaala Pulford MP - Member for Western Victoria
- The Hon Gayle Tierney MLC - Member for Western Victoria
- Mr Andy Meddick MLC - Member for Western Victoria
- Mr Tim Quilty MLC - Member for Northern Victoria
- Mr Mark Gepp MLC - Member for Northern Victoria
- Ms Wendy Lovell MLC - Member for Northern Victoria
- Ms Tania Maxwell MLC - Member for Northern Victoria

**Question 4: Ms Judy Henderson**

Given the significant focus on violence against women, can the Council advise on any rationale behind the visible non-attendance of any of the 5 male White Ribbon Committee members at this important event?

**Answer 4: Mayor Don Henderson**

In relation to the White Ribbon Committee members, they were not directly invited to this event. Historically, we have not invited members of this group to attend or any other community groups or committees. The event was well publicised through many local channels for everyone to attend.

10.3. **REQUESTS TO ADDRESS COUNCIL**

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

Ms Christine Molloy addressed Council with a petition from the residents of White Hills Road & Gardiner Street Creswick regarding road safety.

## 11. STATUTORY PLANNING REPORTS

### 11.1. PLANNING SCHEME AMENDMENT – LAND SUBJECT TO INUNDATION OVERLAY

#### DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

*In providing this advice to Council as the Statutory Planner, I Katy Baker have no interests to disclose in this report.*

#### PURPOSE

The purpose of this report is to request Council approval to seek authorisation from the Minister for Planning to prepare and exhibit an amendment requested by the North Central Catchment Management Authority (NCCMA) to:

- Apply the Land Subject to Inundation Overlay (LSIO) to flood prone land in the Hepburn Shire Council (Creswick and Clunes);
- Revise the existing schedules to the LSIO and;
- Create new schedules 2 and 3 to the LSIO.

#### ISSUE/DISCUSSION

NCCMA has approached Council to undertake an amendment to apply the LSIO to flood prone area's in Creswick and Clunes based on the findings with *The Creswick Flood Mitigation and Urban Drainage Plan, February 2012* and the *Clunes Flood Mitigation and Urban Drainage Plan, June 2013*.

The extent of area that the LSIO would be applied to as part of the amendment is based on modelling completed by NCCMA in 2018.

Council officers consider that the review of the existing LSIO schedule, and creation of schedules 2 and 3 within Creswick and Clunes, will ensure that development that is required to obtain a permit based on flood risk will be triggered under the LSIO. This will ensure ongoing protection of life and property.

Due to the change of the scope of the original planning scheme amendment (LSIO - at the request of NCCMA) and updated mapping, the original LSIO Amendment C64 which was passed by a Council motion at the Ordinary Meeting of Council dated 19 April 2016, will need to be abandoned.

#### COUNCIL PLAN / LEGISLATIVE COMPLIANCE

The Planning Scheme Amendment is consistent with the Ministerial Direction on the form and content of Planning Schemes under Section 7 of the *Planning and Environment Act 1987*.

The exhibition of the amendment must be carried out in accordance with Section 19 of the *Planning and Environment Act 1987*.

#### **FINANCIAL IMPLICATIONS**

Any planning scheme amendment that is exhibited by Council may be subject to a Planning Panel hearing and may incur costs.

#### **RISK IMPLICATIONS**

N/A

#### **ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS**

The amendment will facilitate safe development in those areas prone to flooding. It is consistent with the Planning Policy Framework and Municipal Strategic Statement to allow for development, while protecting life and property.

#### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Formal consultation is required under the *Planning and Environment Act 1987*. The Planning Scheme Amendment must be exhibited for a period of one month. Council must consider all submissions, and any submissions that cannot be resolved must be referred to an independent Planning Panel.

#### **CONCLUSION**

The proposed review of the Land Subject to Inundation Overlay, which includes the addition of two schedules and update of the Planning Scheme maps has appropriate strategic support through the Planning Policy Framework and Municipal Strategic Statement.

#### **OFFICER'S RECOMMENDATION**

That Council:

- 11.1.1. Resolves to seek to Abandon Planning Scheme Amendment C64.
- 11.1.2. Resolves to seek a new Planning Scheme Amendment number from the Minister for Planning.
- 11.1.3. Resolves to seek authorisation from the Minister for Planning to prepare the Planning Scheme Amendment to the Hepburn Planning Scheme to revise the Land Subject to Inundation Overlay Schedules and Mapping.
- 11.1.4. Subject to Ministerial approval, resolves to place the amendment on exhibition for a period of one month.

## MOTION

*That Council:*

- 11.1.1. *Resolves to seek to Abandon Planning Scheme Amendment C64.*
- 11.1.2. *Resolves to seek a new Planning Scheme Amendment number from the Minister for Planning.*
- 11.1.3. *Resolves to seek authorisation from the Minister for Planning to prepare the Planning Scheme Amendment to the Hepburn Planning Scheme to revise the Land Subject to Inundation Overlay Schedules and Mapping.*
- 11.1.4. *Subject to Ministerial approval, resolves to place the amendment on exhibition for a period of one month.*
- 11.1.5. *Conducts a community consultation session between and Clunes Community, North Central Catchment Management Authority and Council to discuss the Clunes flood plan and what it means for the community.*

**Moved:** Cr Neil Newitt

**Seconded:** Cr Sebastian Klein

**Carried**

ATTACHMENT 2 - STRATEGIC PLANNING - AMENDMENT C64 - REPORT  
AND SCHEDULES (ISSUED UNDER SEPARATE COVER)

ATTACHMENT 3 - STRATEGIC PLANNING - AMENDMENT C64 -  
INUNDATION MAPS (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 March 2019.

MOTION

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

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr John Cottrell

**Carried**

12.2. CUSTOMER REQUESTS UPDATE  
 DIRECTOR COMMUNITY & CORPORATE SERVICES

*In providing this advice to Council as the Director Community & 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.

**BACKGROUND**

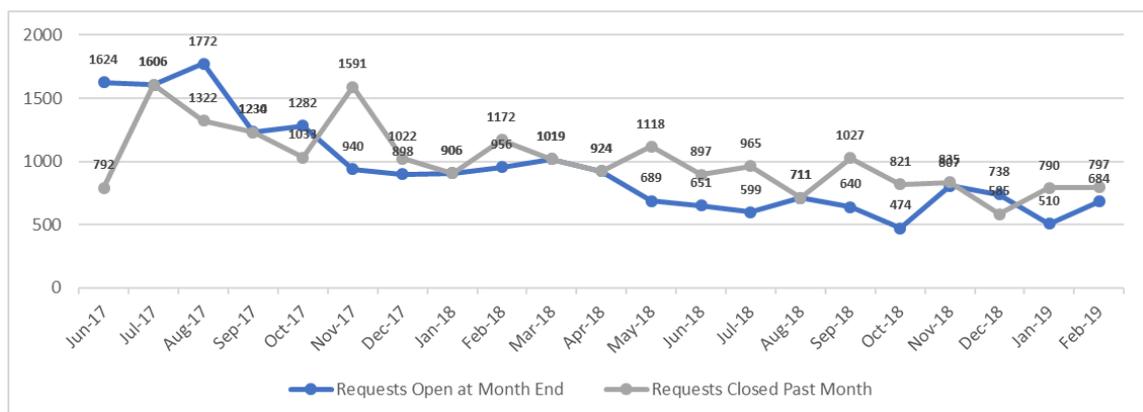
Council uses a Customer Request System *Closing the Loop* to receive and respond to a wide range of requests. The system is web-based and enables community members to directly enter requests, as well as staff to add and manage requests both in council offices as well as remotely.

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*.

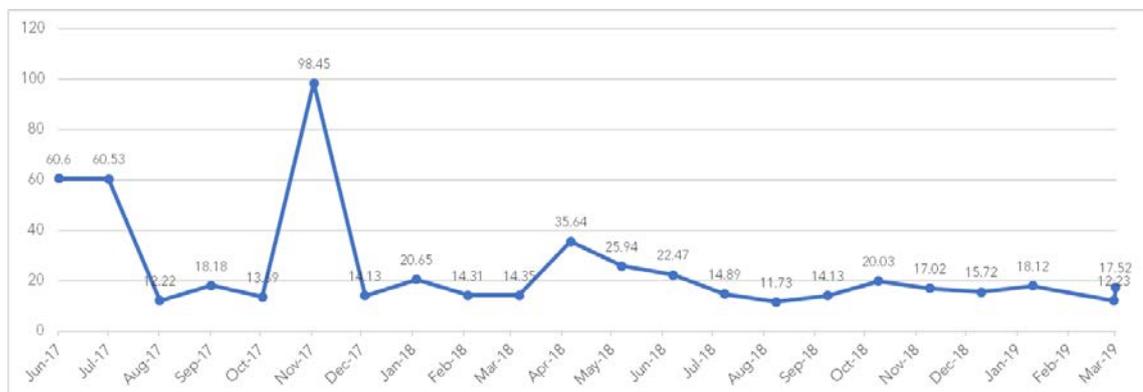
**Total Requests Open and Closed Each Month**



Each request is allocated a category as the type of request, with the following detailing the top 5 categories of the last two months:

Category	Jan	Feb
Call back	288	218
Waste	98	30
Community Care	89	17
Roads and Footpaths	51	95
Information Technology	49	56
Parks and Open Space	35	62

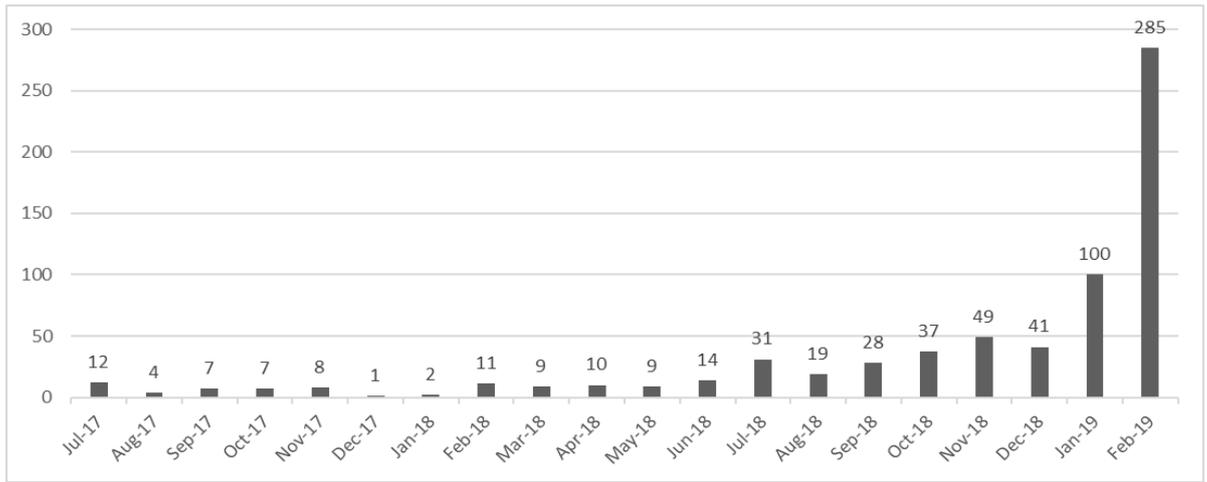
### Average Days to Close Requests



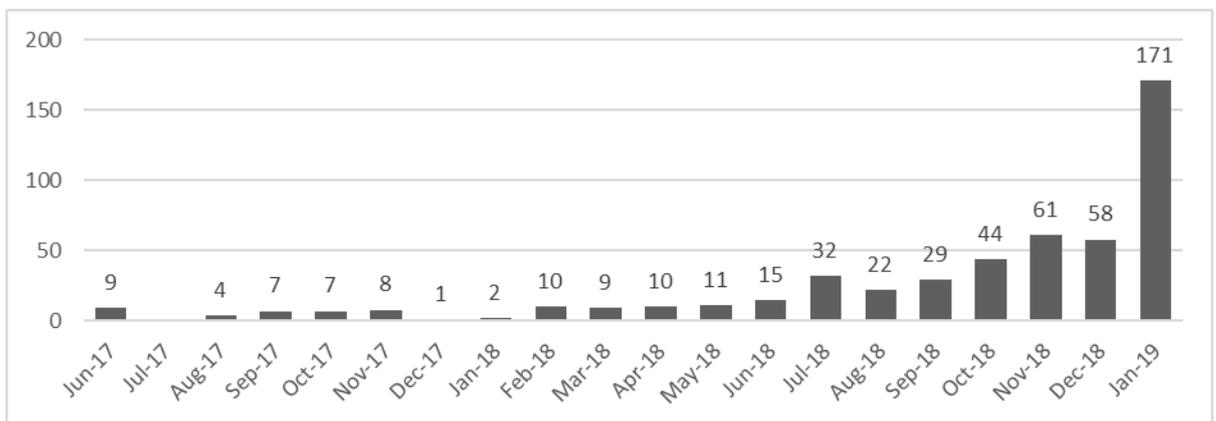
The average days to close requests in the months of June, July and November 2017 were particularly high due to closing out old requests that were migrated from our old customer request system. This included a large number of waste requests that had previously been actioned, but not closed in the request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

**Open Requests by Month Received**

Current - February 2019



Last Month – January 2019



**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 recurrent operational 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

12.2.1 That Council notes the update on customer requests for the end of February 2019.

### MOTION

12.2.1. *That Council notes the update on customer requests for the end of February 2019.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Sebastian Klein

**Carried**

12.3. DEVELOPMENT AND COMMUNITY SAFETY REPORT  
 DIRECTOR INFRASTRUCTURE & 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 and planning units of council.

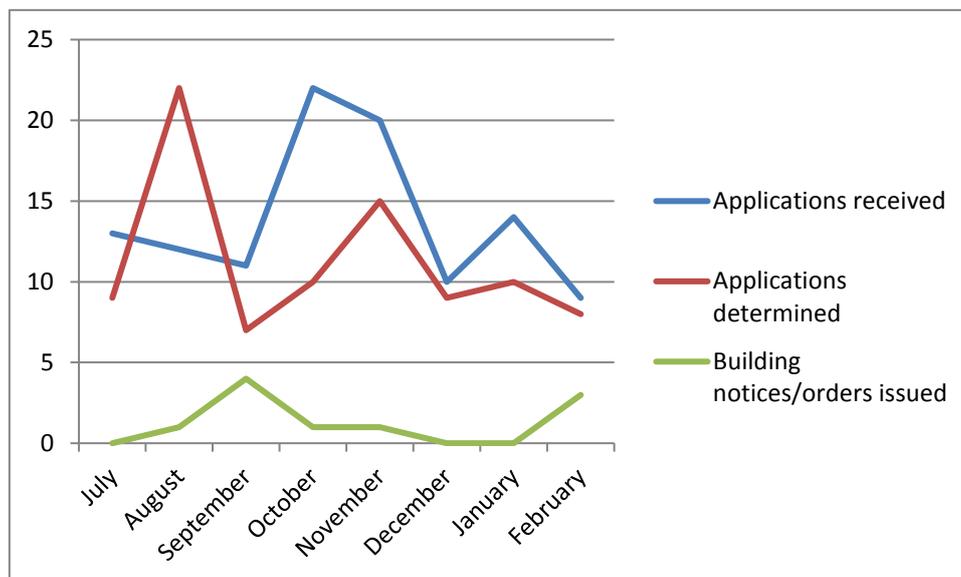
**ISSUE/DISCUSSION**

**Building**

The building activity report for February 2019 is summarized below:

Building Activity	Total
Building applications received	9
Building applications determined	8
Building notices/orders issued	3
Total development cost	\$ 1,208,370.00

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

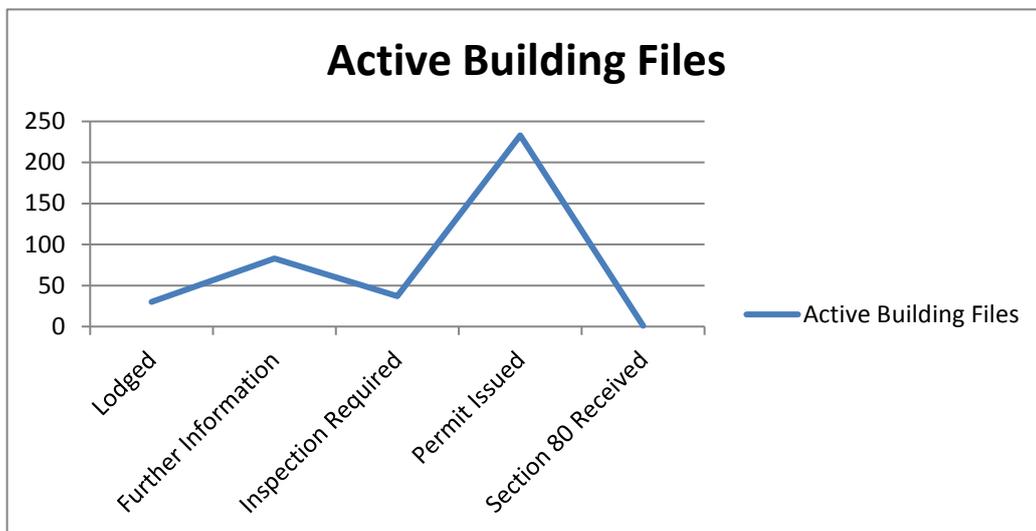


### Active Building Files

The building department has 384 active files at various levels of completion from just issued, frame inspection, final etc.

Active Building Files	Total
Lodged	30
Further Information	83
Inspection Required	37
Permit Issued	233
Section 80 Received	1

The monthly active building files as represented in the following graph.

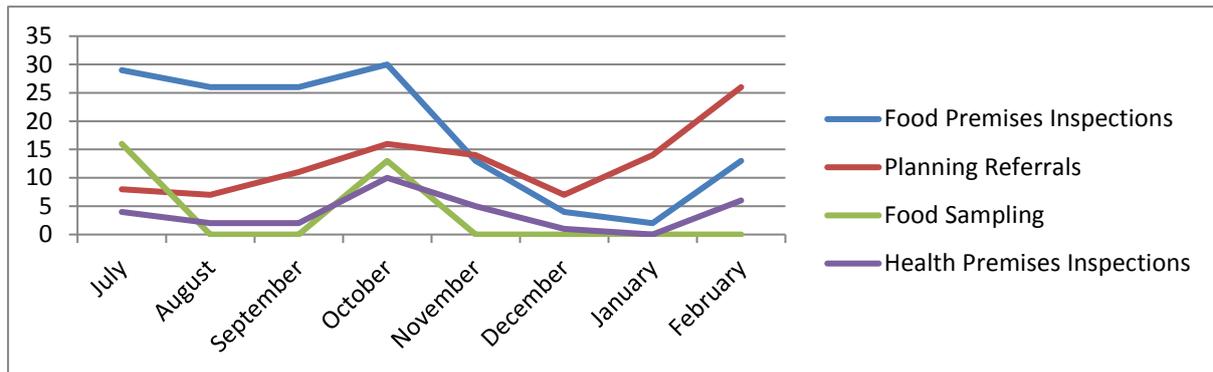


### Environmental Health

The environmental health activity report for February 2019 is summarized below:

Environmental Health Activity	Total
Food Premises Inspections	13
Planning Referrals	26
Food Sampling	0
Health Premises Inspections	6

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



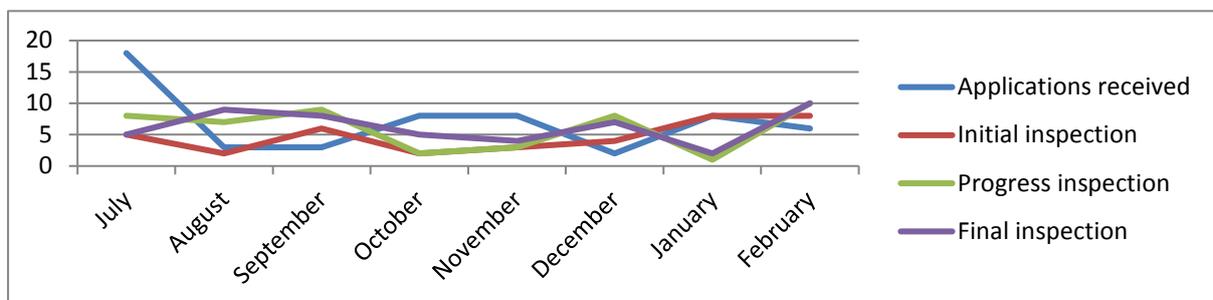
The Food Premises Inspections and Food Sampling program will commence in March 2019 following the completion of registrations. Planning referrals have increased.

During the Hepburn Fire, Health Officers conducted 78 secondary impact assessments on properties, particularly focusing on contamination of water supplies.

The environmental health septic tank application/inspection activity report for February 2019 is summarized below:

Septic Tank applications/inspections	Total
Applications	6
Initial inspection	8
Progress inspection	10
Final inspection	10

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



Septic tank applications remain steady in the warmer months.

**Community Safety**

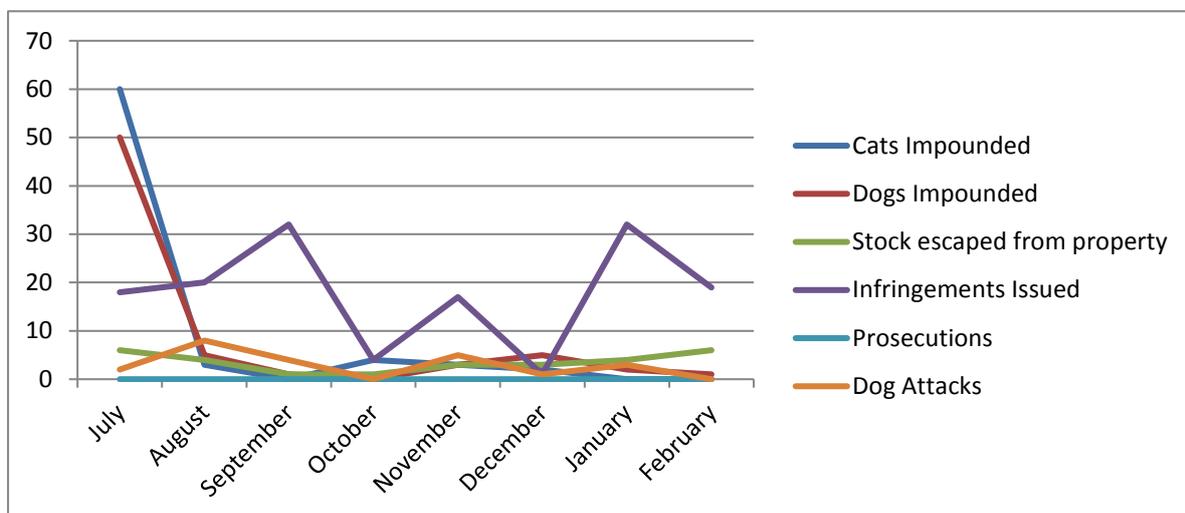
The local laws activity report for February 2019 is summarized below:

Local Laws Activity	Total
Cats Impounded	0
Dogs Impounded	1
Stock escaped from property	6
Infringements Issued	19
Prosecutions	0
Dog attacks	0

Breakdown of Infringements issued in February 2019

Infringements	Total
Parking	9
Local Law	2
Food	3
Animal	5

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



There continues to be activity across all report lines as shown above including a spike in infringements issued due to regular patrols.

### Parking Patrols

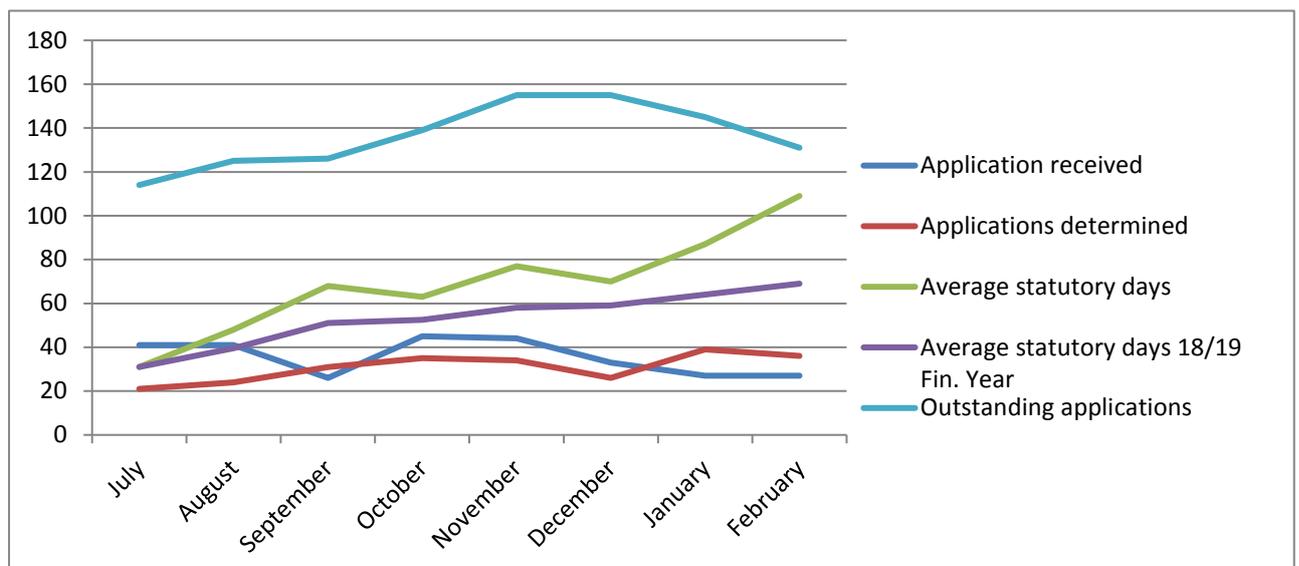
Staff will commence Saturday and Sunday patrols at markets in Daylesford and Creswick.

### Planning

The planning activity report for February 2019 is summarized below:

Planning Activity	Total
Applications received	27
Applications determined	36
Average statutory days	109
Average statutory days 18/19 financial yr	69
Average statutory days 17/18 financial yr	45
Outstanding applications	131

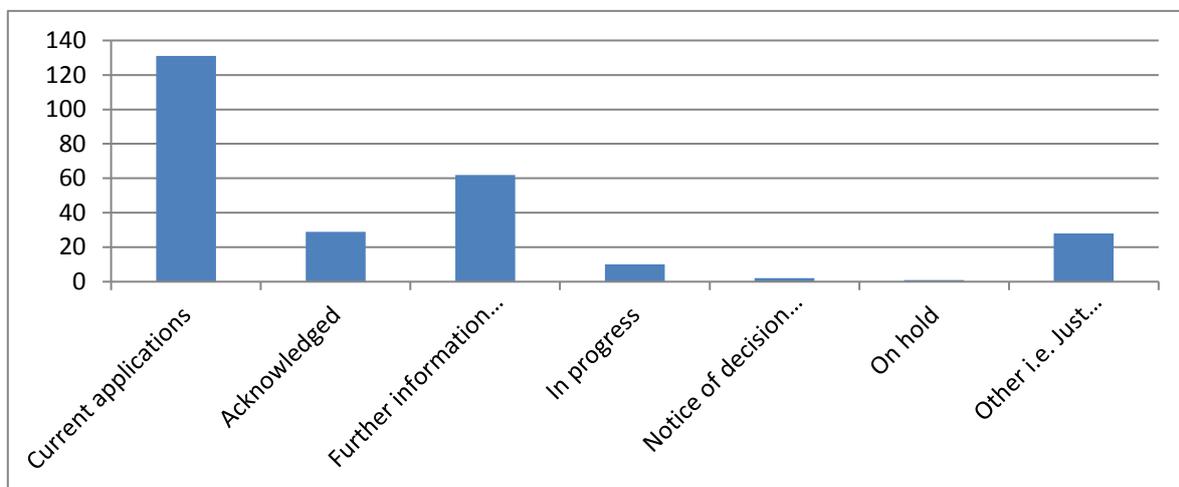
The following graph represents planning activity for the 18/19 financial year.



A focus until the end of the year will be to start reducing statutory processing days, this has seen a spike in statutory days as legacy applications that have been in assessment for longer than normal are completed.

The status of all active applications as at February 2019 is summarized below:

Status of applications	Total
Current applications	131
Acknowledged	29
Further information request	62
In progress	10
Notice of decision pending	2
On hold	1
Other i.e. just submitted, referred	28



#### Applications determined in February 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.

Permit issued by delegated officer	34
Withdrawn	2

**OFFICER'S RECOMMENDATION**

12.3.1. That Council receives and notes the report for information

**MOTION**

12.3.1. *That Council receives and notes the report for information.*

**Moved:** Cr John Cottrell

**Seconded:** Cr Greg May

**Carried**

ATTACHMENT 4 - PLANNING PERMITS ISSUED UNDER DELEGATION IN  
FEBRUARY 2019

Planning Permits issued under delegation - February 2019

Application ID	Full Details	Primary Property	Stage/Decision
PlnPA000699.02	Use and development of land for camping and associated works, generally in accordance with the endorsed plans.	Hepburn-Newstead Road, YANDOIT VIC 3461	Permit Issued
PlnPA001526.01	Construction of a dwelling and vegetation removal - changes to proposed dwelling and location of dwelling	39 Fourteenth Street, HEPBURN VIC 3461	Permit Issued
PlnPA001654.01	Amendment to buildings and works for the construction of a dwelling in accordance with endorsed plans with additional	19 Chamberlain Road, TRENTHAM VIC 3458	Permit Issued
PlnPA001977	Use and development of the land for group accommodation, function centre, health retreat and spa and associated works,	254 Daylesford-Trentham Road, DAYLESFORD VIC 3460	Permit Issued
PlnPA002001	Vegetation removal associated with a minor utility installation (Evansford Pipeline) in accordance with the endorsed plans.	45 Clunes-Evansford Road, EVANSFORD VIC 3371	Permit Issued
PlnPA002089	8 Lot Subdivision (re-subdivision)	150 Daylesford-Malmsbury Road, COOMOORA VIC 3461	Permit Issued
PlnPA002107	Use and construction of a dwelling and outbuilding (shed), and associated works	220 Alcorns Road, BROOMFIELD VIC 3364	Permit Issued
PlnPA002117	Construction of two storey dwelling and habitable outbuilding	30 Main Street, LYONVILLE VIC 3461	Permit Issued
PlnPA002121	Construction of a dwelling and shed	5 Macadam Street West, DAYLESFORD VIC 3460	Permit Issued
PlnPA002132	Use and construction of a dwelling and associated works, generally in accordance with the endorsed plans	29 Russells Road, PORCUPINE RIDGE VIC 3461	Permit Issued
PlnPA002134	Alterations and extension to dwelling at rear and associated works, and two lot subdivision	15 Bridport Street, DAYLESFORD VIC 3460	Permit Issued
PlnPA002148	Extension to existing dwelling	143 Charlies Road, ELEVATED PLAINS VIC 3461	Permit Issued
PlnPA002152	Use and construction of a dwelling, creation of a carriage way easement, removal of vegetation and associated works,	78 Russells Road, PORCUPINE RIDGE VIC 3461	Permit Issued
PlnPA002180	Two lot subdivision	9 North Parade, CRESWICK VIC 3363	Permit Issued
PlnPA002182	Two lot subdivision	43 Dysart Street, GLENLYON VIC 3461	Permit Issued
PlnPA002192	Two lot subdivision	127 Albert Street, CRESWICK VIC 3363	Permit Issued
PlnPA002204	Two Lot re-subdivision	37 King Street, DAYLESFORD VIC 3460	Permit Issued
PlnPA002207	Develop and carry out works associated with construction of a dwelling and fire bunker generally in accordance with the	13 Lone Pine Avenue, HEPBURN SPRINGS VIC 3461	Permit Issued
PlnPA002224	Construction of a dwelling	1 Holcombe Road, GLENLYON VIC 3461	Permit Issued
PlnPA002229	Buildings and works for the construction of a dwelling including cut greater than one metre in depth	6 Blackmores Road, CLUNES VIC 3370	Permit Issued
PlnPA002234	Construction of a dwelling	1080 Ullina-Kooroocheang Road, SMEATON VIC 3364	Permit Issued
PlnPA002236	Building and works for alterations and additions to an existing dwelling and the construction of a shed	704 Daylesford-Malmsbury Road, GLENLYON VIC 3461	Permit Issued
PlnPA002245	Two lot subdivision	96 High Street, TRENTHAM VIC 3458	Permit Issued
PlnPA002246	Two lot subdivision	32 Melbourne Road, CRESWICK VIC 3363	Permit Issued
PlnPA002250	Construction of three outbuildings (two sheds and carport) and associated works	20 Dolphins Road, MUSK VIC 3461	Permit Issued
PlnPA002256	Construction of a dwelling generally in accordance with the endorsed plans	1 Beatties Road, TRENTHAM VIC 3458	Permit Issued
PlnPA002262	Construction of a two storey dwelling, garage and shed (CA 6)	2871 Midland Highway, NEWLYN NORTH VIC 3364	Permit Issued
PlnPA002263	Construction of a dwelling, garage, carport and shed (CA 15)	2871 Midland Highway, NEWLYN NORTH VIC 3364	Permit Issued
PlnPA002273	Two lot subdivision	25 Table Hill Road, DAYLESFORD VIC 3460	Permit Issued
PlnPA002280	Construction of garden room and decking	12 Rogers Street, CRESWICK VIC 3363	Permit Issued
PlnPA002290	Retrospective approval for demolition of shed, construction of bin enclosure, fence and bollards. Construction of additional bollards and gate	57 Vincent Street, DAYLESFORD VIC 3460	Permit Issued
PlnPA002311	Construction of a verandah to existing dwelling	95 Gays Road, WHEATSHEAF VIC 3461	Permit Issued
PlnPA002334	Display business identification signs	10 Howe Street, DAYLESFORD VIC 3460	Permit Issued
PlnPA002339	Construction of a shed	30 Roddas Lane, MUSK VIC 3461	Permit Issued
PlnPA002109	Removal of Section 173 Agreement	1500 Midland Highway, CRESWICK VIC 3363	Withdrawn
PlnPA002167	Construction of a replacement dwelling and associated works	140 Green Gully Road, GLENLYON VIC 3461	Withdrawn

Cr Kate Redwood AM declared an indirect interest – conflicting duty on item 12.4: Community Grants – March 2019, as she is a member of the Cornish Hill Committee of Management. Cr Redwood AM left the meeting at 7:17 pm.

#### 12.4. COMMUNITY GRANTS – MARCH 2019

##### 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 recommend the allocation of the 2018-2019 Community Grants Program February 2019.

##### BACKGROUND

The Community Grants Program allows Council to directly support the work of community groups and organisations as well as provide the chance for innovation across Hepburn Shire. The program funds applications in the following categories:

- A. Active and Engaged Communities (up to \$2,000)
- B. Quality Community Infrastructure (including small equipment) (up to \$1,000)
- C. Sustainable Environment (up to \$2,000)
- D. Reconciliation Support (up to \$1,000)
- E. White Ribbon and Family Violence Action Initiatives (up to \$1,000)
- F. Children's Program (up to \$1,000)
- G. Charitable Purposes (up to \$2,000 per Council ward)

##### ISSUE/DISCUSSION

There were two applications received for March. The grants are eligible to receive funding through the Community Grants 2018-19 budget allowance.

The grant application was assessed by Council's Community Grant Assessment Team. This team is made up of the Community Grants Project Support Officer, the relevant Council Officer to the application (for example Events Coordinator for event applications) and an independent community member with skills and experience in arts and culture, community development and events.

The grant application was assessed against the following criteria, contained in the Guidelines:

- Description of the Project
- What will the Project achieve and how will it be implemented
- Risk Assessment

- Budget.

To be successfully recommended to Council, the application must meet all Guidelines to the satisfaction of all three Assessment Team members. The Community Grant Project Support Officer and relevant Council Officers continue to work with unsuccessful applicants to meet the Guidelines.

Two applications were recommended.

Application to be considered at the March Council meeting for the Community Grants Program:

Project Name	Community Organisation	Description	Category	Total Project Amount	Amount Requested	Amount Recommended
Dyslexia Panel Discussion and Information Evening	Daylesford Dyslexia Group	Event featuring a number of key experts exploring how to better support young people with dyslexia to learn and thrive.  Target market includes students, carers, teachers, health professionals, social workers and the general wider community.	A.	\$3,693	\$2,000	\$1,000
Reducing Risk on Cornish Hill	Friends of Cornish Hill	Purchase & installation of whirlybird roof vent, shelving, metal hooks, flammable liquid storage cabinet, pump action dispensers to	B.	\$2,900	\$1,000	\$1,000

		update storage container to contribute to a safer work place.				
Total Recommended						\$2,000

**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**

Council has allocated \$42,000 for Community Grants in the 2018-19 budget. There is a funding balance of \$15,744.31 remaining in the 2018-19 Program. The submissions received are classified as Category A and B and draw upon this funding stream.

The Children’s Program’s 2018-19 budget allowance is \$10,000. There is \$9,000 remaining in this fund.

Category G – Charitable Purposes are assessed on an annual basis (December). A maximum of \$2,000 per Council ward is available through the Major and CEO Ball Fund. This funding category is currently not open.

The below table provides a summary of each of the grant categories, annual budget, expenditure and available funds within the 2018-19 programs.

Category	Allocated to Date	Annual Budget	Available Funds
Grants awarded from 2017-18 Community Grants Program	\$2,347.00	\$42,000	\$15,744.31
A) Active and Engaged Communities	\$20,003.50		
B) Quality Community Infrastructure (including small equipment)	\$3,905.19		
C) Sustainable Environment	\$0.00		
D) Reconciliation Support	\$0.00		
E) White Ribbon and Family Violence Action Initiatives	\$0.00		
F) Children's Program	\$1,000	\$10,000	\$9,000
G) Charitable Purposes	\$8,000	\$10,000	N/A – awarded annually in December

#### RISK IMPLICATIONS

All applicants are required to identify how project risk and safety issues will be managed and this formed part of the assessment process. Insurance and not-for-profit status is checked for all applications. All successful applicants are required to sign grant terms and conditions prior to receiving the grant allocation. There is a system in place for Council officers to monitor receipt of acquittals and follow up of any outstanding acquittals.

### ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The Community Grants Program supports projects by volunteer community groups. The focus of these projects is to strengthen community resilience and connection, promote sustainability and to assist in the implementation of community priorities.

### COMMUNITY AND STAKEHOLDER ENGAGEMENT

The request for applications for the Community Grants Program was advertised through Council social media, community networks and on Council's webpage. Officers worked on a one on one basis with applicants.

### CONCLUSION

The recommended projects support the objectives of the 2018-19 Community Grants Program.

### OFFICER'S RECOMMENDATION

12.4.1. That Council awards the following applications from the 2018-19 Community Grants Program to:

Project Name	Community Organisation	Amount
Dyslexia Panel Discussion and Information Evening	Daylesford Dyslexia Group	\$1,000
Reducing Risk on Cornish Hill	Friends of Cornish Hill	\$1,000
	Total	\$2,000

**MOTION**

12.4.1. *That Council awards the following applications from the 2018-19 Community Grants Program to:*

Project Name	Community Organisation	Amount
Dyslexia Panel Discussion and Information Evening	Daylesford Dyslexia Group	\$1,000
Reducing Risk on Cornish Hill	Friends of Cornish Hill	\$1,000
	Total	\$2,000

**Moved:** Cr Fiona Robson

**Seconded:** Cr Sebastian Klein

**Carried**

Cr Redwood AM returned to the meeting at 7:21 pm.

12.5. **DRAFT ACTIVE WOMEN AND GIRLS STRATEGY**  
**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 recommend the Hepburn Shire Council Active Women and Girls Strategy for public consultation.

**BACKGROUND**

Being physically active contributes positively to the health status of an individual. However females within Hepburn Shire are less active in sport and active recreation than their male counterparts.

The Victorian Local Government Act highlights that the role of Local Government Authorities is to provide governance that will benefit the wellbeing of the current and future municipal community. Currently there is an inequality between females and males in regards to participation in sport and active recreation within the Shire. Council has the opportunity to specifically address this inequality by targeting and prioritising female sport and active recreation participation within the municipality through an Active Women and Girls Strategy.

**ISSUE/DISCUSSION**

In May 2018 Hepburn Health Service was contracted to contribute to the development of this strategy. Hepburn Health Service engaged and consulted with the community, sport and active recreation providers, state sporting associations, local sports associations and leagues, the education sector and health providers. Key actions and recommendations within this strategy are based on the data and information obtained during this consultation process.

To further inform the development of the strategy a 'Turn the Curve Round Table Session' was conducted. The session adopted an outcomes based approach to increasing female participation in sport and active recreation across the Hepburn Shire. Individuals involved in this session included key stakeholders spanning across sport, active recreation and health from the Central Highlands region. With reference to community consultation outcomes, stakeholders contributed their expertise to identify the key indicators and partners, strategic pillars and corresponding key actions that will turn the curve in female participation over the next ten years. This has formed the basis of this strategy.

Based on the findings derived from the community consultation process and the 'Turn the Curve' session, Council Officers have produced a draft strategy.

This strategy aims to promote a healthy lifestyle, reduce social isolation, and increase female participation in structured and unstructured physical activity. This approach will inform Council's future strategic planning, development and delivery of recreation infrastructure services to support physical activity for females of all demographics. It will also guide Council in the development of specific policies and actions to address the key priorities identified within the strategy.

The strategy has adopted three pillars, which include:

1. Increased Participation and Programming
2. Investment in Spaces and Places
3. Leading Cultural Change

#### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017-2021:

Strategic Objective:

Active & Engaged Communities

Key Strategic Activity:

5. Take action to encourage improved health and wellbeing of residents and to reduce the risks associated with obesity and poor nutrition. This includes the provision, development and promotion of passive and active recreation facilities and options, and working with clubs and other agencies on planning for future developments and encouraging increased activity.

Action:

5.3 Activate recreation facilities in conjunction with clubs and committees of management, while clearly understanding each other's role.

5.4 Promote the range of recreation options available in the Shire to increase participation in active recreation and reduce the risks associated with obesity

5.5 Promote the opportunities for female participation in sport and recreation in partnership with community groups.

#### **FINANCIAL IMPLICATIONS**

In June 2017 Hepburn Shire Council received \$20,000 from Sport and Recreation Victoria's Community Sport and Infrastructure Fund to develop an Active Women and Girls Strategy. Council contributed \$10,000 from the 2017-18 budget towards this project.

### **RISK IMPLICATIONS**

In order to minimise any risks associated with developing the strategy, a Project Control Group (PCG) was appointed. The PCG meet regularly to discuss the progress of the strategy.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

The Hepburn Shire Active Women and Girls Strategy aims to promote a healthy lifestyle, reduce social isolation, and increase female participation in structured and unstructured physical activity within the municipality. The first step Council will take in the implementation of this strategy will be form the Active Women and Girls Alliance, which will consist of key organisations and groups who have a role to play to increase female participation within the Shire. This Alliance will work towards the achievement of the strategies key actions to increase female participation rates over the 10 year period.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The community had the opportunity to contribute to the development of the strategy through participating and/or completing the following; surveys, focus groups, community workshop, sporting club checklist. The community workshop was advertised via email to all sporting clubs, online and in print media. The surveys were advertised online and in print media, with both online and hard copies available for community members to complete.

Specific groups or clubs were approached to take part in focus group discussions. The PCG ensured that the discussions took place within the various locations within the municipality.

Further community consultation will now be undertaken on the draft strategy, prior to formal adoption by Council at a future Ordinary Meeting of Council.

### **CONCLUSION**

The draft Active Women and Girls Strategy has the opportunity to increase female participation in sport and active recreation within the Hepburn shire Community.

### **OFFICER'S RECOMMENDATION**

12.5.1. That Council recommends the Draft Hepburn Shire Council Active Women and Girls Strategy to progress to the public consultation phase, giving the community the opportunity to provide feedback, prior to adoption at a future Ordinary Meeting of Council

**MOTION**

12.5.1. *That Council recommends the Draft Hepburn Shire Council Active Women and Girls Strategy progress to the public consultation phase, giving the community the opportunity to provide feedback, prior to adoption at a future Ordinary Meeting of Council*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Fiona Robson

**Carried**

ATTACHMENT 5 - DRAFT ACTIVE WOMEN AND GIRLS STRATEGY (ISSUED  
UNDER SEPARATE COVER)

## 12.6. REMUNERATION OF AUDIT AND RISK ADVISORY COMMITTEE INDEPENDENT MEMBERS

### 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 review the amount of remuneration to be paid to independent members of the Audit and Risk Advisory Committee for their service and attendance at meetings.

### BACKGROUND

A resolution passed by the Audit and Risk Advisory Committee at the 20 August 2018 meeting requested that management review the remuneration of members in line with other rural Councils of a similar size.

### ISSUE/DISCUSSION

The current rate of remuneration for independent ARAC members of Hepburn Shire Council is documented in the committee Charter as follows:

#### Allowances

- An annual allowance, as set by Council, shall be paid to each independent member of the Committee to cover meeting attendance costs and time spent on additional activities, such as, but not limited to, preparing for meetings. The allowance shall be paid in four instalments, following attendance at each of the four regular meetings per year.
- Up to two members, who attend an annual briefing with Councillors to report on the Committee's activities, will be paid an additional allowance, as set by Council, to cover meeting preparation and attendance costs.
- The level of remuneration is set by Council at the commencement of each term of appointment.

The current rate of remuneration paid to members during the 2016/2017, 2017/2018 and 2018/2019 financial years is \$275 per meeting for independent members and \$325 per meeting to the Chair.

By applying CPI from December 2016 to December 2018, the Chair fee would become \$344.00 and member fee would become \$291.00. However, based on benchmarking of a range of other councils, it is considered appropriate to increase the fee for the Chair to \$400.00 and the fee for members to \$325.00.

#### **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**

If approved, these costs will be factored into the 2019/20 budget.

#### **RISK IMPLICATIONS**

None identified

#### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

None identified

#### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

There are four independent, suitably qualified external community members on the committee.

#### **CONCLUSION**

Raising the remuneration paid to independent members of the Audit and Risk Advisory Committee will ensure that Council continues to attract and maintain independent committee members with the necessary qualifications and experience to undertake this work.

#### **OFFICER'S RECOMMENDATION**

That Council:

12.6.1. Increase the sitting fee for independent members of the Audit and Risk Advisory Committee to the following rates:

12.6.2. \$325 per meeting to independent members

12.6.3. \$400 per meeting to the Chair

**MOTION**

*That Council:*

12.6.1. *Increase the sitting fee for independent members of the Audit and Risk Advisory Committee to the following rates:*

12.6.2. *\$325 per meeting to independent members*

12.6.3. *\$400 per meeting to the Chair*

**Moved:** Cr John Cottrell

**Seconded:** Cr Sebastian Klein

**Moved**

12.7. **CONTRACT HEPBU-RFT2019.1 DAYLESFORD SKATE PARK  
DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Project Officer - Community and Economic Development, I Angeline Dooley have no interests to disclose in this report.*

**PURPOSE**

The purpose of this report is for Council to consider the appointment of a contractor following a Public Request for Tender and subsequent evaluation for the Daylesford Skate Park refurbishment.

**BACKGROUND**

In February 2018, The Friends of the Daylesford Community Park presented to Council for a possible allocation of funding in 2019-20 for the Daylesford Skate Park refurbishment. There are currently dilapidated skate facilities at the Daylesford Community Park. Council had endorsed a 2016 Master Plan for the Daylesford Community Park which included refurbishment of the skate park area. Council were successful in obtaining funding for full scoping and design of the skate park through SRV in 2018.

**ISSUE/DISCUSSION**

The project to design and cost a Skate Park refurbishment for the Daylesford Community Park was scoped in 2018 with skate park designers and builders. Council then subsequently successfully attracted \$240,000 from Sport and Recreation Victoria toward the construction cost, with Council committing \$143,000. The project's funding agreement was executed in October 2018.

Public tenders were invited on 21<sup>st</sup> January 2019 in accordance with Council's Procurement Policy with a closing date of 21<sup>st</sup> February 2019. The following four (4) tender responses were received as listed below.

- Under Construction Group
- Concrete Skate Parks
- Grind Projects
- Convic

The tender requested quotes for construction completion prior 30<sup>TH</sup> November 2019. The submissions were evaluated under the following criteria by an evaluation panel and Grind Projects were found to be the preferred respondent.

EVALUATION CRITERIA	
• Tender price and value for money	40%
• Construction capability, methodology and resources	40%
• Capacity to deliver in timeframe	15%
• Local business usage	5%
<b>TOTAL</b>	<b>100%</b>

### COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2020

Strategic Objective – Quality Community Infrastructure

### FINANCIAL IMPLICATIONS

The project is partially funded (\$240,000) by SRV. Council has committed \$143,000 and the community has contributed \$13,791. The funding agreement with SRV requires completion by 31 December 2020. The initial funding is not paid by SRV until the 2019/2020 financial years however Council can commence the project prior to this with SRV permission. The total cash sum available is \$396,791, which will account for project management, contingency and other associated costs of the project.

### RISK IMPLICATIONS

There is no provisional sum in the above figures and the project has been designed with full engineering sign off by experienced designers.

Council has complied with its Procurement Policy in conducting the 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 Friends of Daylesford Community Park and community members to design the facility to meet their needs.

The schematic plans have been endorsed by Sport and Recreation Victoria.

### CONCLUSION

Following the formal tender process and detailed evaluation of responses, the evaluation panel recommend that Grind Projects be appointed to construct the Daylesford Skate Park refurbishment at a contract amount of **\$259,085** (excluding GST)

### OFFICER'S RECOMMENDATION

That Council:

12.7.1. Awards Contract Number HEPBU-RFT2019.1 Daylesford Skate Park refurbishment for the fixed lump sum of \$259,085 exclusive of GST to Grind Projects Pty Ltd

12.7.2. Authorises the Chief Executive Officer and the Mayor to sign and seal the contract documents

### MOTION

*That Council:*

*12.7.1. Awards Contract Number HEPBU-RFT2019.1 Daylesford Skate Park refurbishment for the fixed lump sum of \$259,085 exclusive of GST to Grind Projects Pty Ltd*

*12.7.2. Authorises the Chief Executive Officer and the Mayor to sign and seal the contract documents*

**Moved:** Cr Fiona Robson

**Seconded:** Cr Sebastian Klein

**Moved**

ATTACHMENT 6 - CONFIDENTIAL ATTACHMENT – TENDER EVALUATION  
REPORT - HEPBU-RFT2019.1 DAYLESFORD SKATE PARK (ISSUED TO  
COUNCILLORS UNDER SEPARATE COVER)

12.8. **CONTRACT HEPBU.RFT2018.103 – EAST STREET BRIDGE DAYLESFORD  
CLEARANCE IMPROVEMENT WORKS  
DIRECTOR INFRASTRUCTURE & DEVELOPMENT SERVICES**

*In providing this advice to Council as the Coordinator Engineering, I Tim Powell have no interests to disclose in this report.*

**PURPOSE**

The purpose of this report is for Council to consider awarding Contract HEPBU RFT2018.103 - East Street Bridge Daylesford Clearance Improvement Works.

**BACKGROUND**

The East Street Railway Bridge provides Daylesford's only heavy vehicle access route to the Daylesford industrial estate. The current height clearance of 3.7m, is less than the 4.6m required for compliance with the National Heavy Vehicle Regulator prescribed height dimension. In December 2017, the Regional Jobs and Infrastructure fund provided part funding to allow the clearance to be increased to 4.6m.

The railway and associated bridge infrastructure are owned by VicTrack and operated under agreement by the SPA Country Railway. Significant potable water supply assets owned by Central Highlands Water pass under the bridge below the East Street road surface.

The tendered works package is to lower the road surface over a distance of approximately 150m between Railway Crescent and Hill Street which will result in an increased clearance of 4.6m under the railway bridge. The work also involves deepening of four potable water assets.

**ISSUE/DISCUSSION**

Tenders were invited publically on tenders.net and through Council's website from 11 December 2018 in accordance with Council's Procurement Policy. A notice also appeared in the Hepburn Advocate, Ballarat Courier and The Age between 12 and 15 December 2018.

Tenders were invited up to 25 January 2019 and subsequently evaluated by the Evaluation Panel comprising Tim Powell – Coordinator Engineer and Grant Cameron – Contract Project Manager.

The Evaluation Panel evaluated the tenders received against the following criteria:

- Relevant experience & track records
- Key Staff & resources available

- Confidence in the ability of the Tenderer to perform the Contract
- OHS & Quality Management System
- Contract Price
- Extras Pricing
- Local Content.

The following single tender was received as listed below:

Tenderers
Contractor A

The tender was evaluated based on the above criteria. Given a single tender was received the evaluation criteria were determined on pass/fail basis rather than being weighted. The tender pricing is within Council's budget and the tender is considered conforming. In each of the evaluation criteria, **Contractor A** was ranked as "pass" by the evaluation panel.

Council approval is sought to award the Contract HEPBU RFT2018.103 - East Street Bridge Daylesford Clearance Improvement Works as tendered and detailed below.

<b>Contract Amount</b>	<b>\$633,356.28</b>
Add: GST @ 10%	\$63,335.63
<b>Total Contract Amount with GST</b>	<b>\$696,691.91</b>

#### COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2020

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

1.1 Continue to invest in our assets at a level greater than depreciation by delivering the annual asset renewal capital works programs

#### FINANCIAL IMPLICATIONS

The project is intended to be partially funded by grant funding - \$400,000 from the Regional Jobs and Infrastructure fund with the balance from the current financial year's Council budget.

### RISK IMPLICATIONS

There are no expected risk implications. The expected construction related risks shall be mitigated by managing the works and work site, and by providing traffic management in accordance with AS 1742.3.

Final approvals from Central Highlands Water and VicTrack are still being finalised, however there is a low chance that this process will disrupt a contract award. Both parties, or their agent, have been involved in the design process and the approvals are expected to be forthcoming.

### ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

There are expected to be social and economic benefits to the community through providing a compliant heavy vehicle access for Daylesford's industrial area.

Improvement of the road network will enhance traffic safety and will contribute towards longer term development goals whilst returning local amenity to Stanbridge Street which is currently impacted by heavy vehicle movements.

The transitory social implications due to traffic disruption during construction are expected to be negligible.

### COMMUNITY AND STAKEHOLDER ENGAGEMENT

The SPA Country Railway has been consulted in relation to potential impacts upon their operations as a result of the construction works. The designers have advised that the railway can remain operational during the works period.

Project information signs have been in place at the bridge since October 2018.

There are no residential properties adjoining the work site.

### CONCLUSION

Following a formal tender process and detailed evaluation of received tenders, the preferred tender from Avard Civil Pty Ltd for a contract sum of **\$633,356.28** excluding GST is recommended.

### OFFICER'S RECOMMENDATION

That Council:

12.8.1. Pending final asset owner approvals, award Contract HEPBU RFT2018.103 – East Street Bridge Clearance Improvement Project to Avard Civil Pty Ltd for a contract sum of **\$633,356.28** (ex GST).

12.8.2. Authorises the Chief Executive Officer and the Mayor to sign and seal the contract documents.

**MOTION**

*That Council:*

- 12.8.1. *Pending final asset owner approvals, award Contract HEPBU RFT2018.103 – East Street Bridge Clearance Improvement Project to Avard Civil Pty Ltd for a contract sum of **\$633,356.28** (ex GST).*
- 12.8.2. *Authorises the Chief Executive Officer and the Mayor to sign and seal the contract documents.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Sebastian Klein

**Carried**

ATTACHMENT 7 - CONFIDENTIAL - HEPBU.RFT2018.103 TENDER  
EVALUATION REPORT (ISSUED TO COUNCILLORS UNDER SEPARATE  
COVER)

12.9. CONTRACT HEPBU.RFT2018.151 – INTERSECTION REALIGNMENT AND RECONSTRUCTION OF DAYLESFORD-CLUNES ROAD, ULLINA  
DIRECTOR INFRASTRUCTURE & DEVELOPMENT SERVICES

*In providing this advice to Council as the Coordinator Engineering, I Tim Powell have no interests to disclose in this report.*

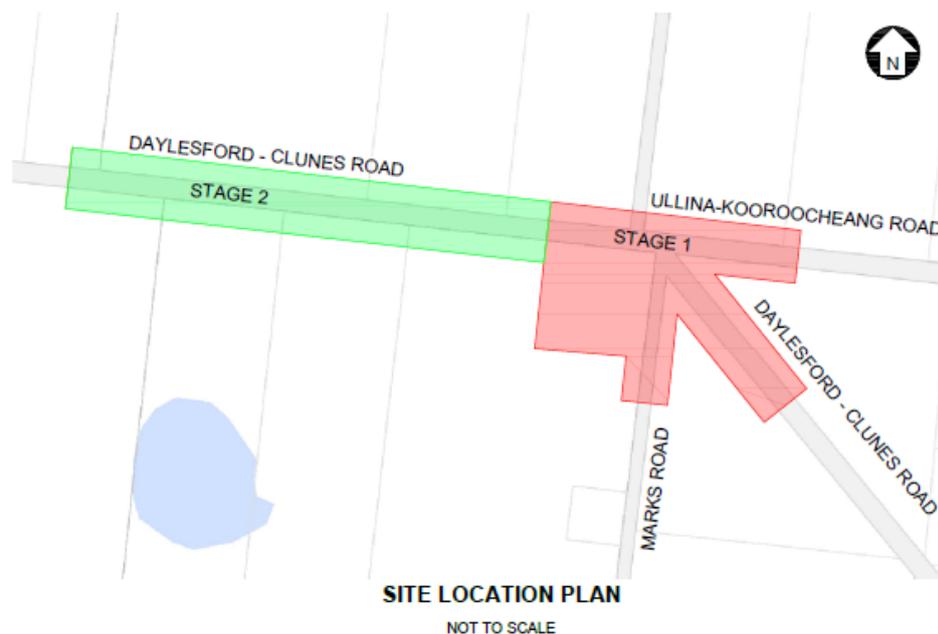
**PURPOSE**

The purpose of this report is for Council to consider awarding Contract HEPBU RFT2018.151 – Intersection realignment and reconstruction of Daylesford-Clunes Road, Ullina.

**BACKGROUND**

The Contract forms part of Council's Road rehabilitation, formation and drainage program. Daylesford-Clunes Road was identified as being in need of reconstruction during the last sealed road audit. Stage one of these works, the reconstruction and realignment of the Ullina Kooroocheang Road intersection, is included in Council's 2018/19 pavement rehabilitation program.

Further funding was received, from Regional Roads Victoria's Fixing Country Roads Program, for stage two of these works, the reconstruction of a further 800m of Daylesford-Clunes Road towards Clunes.



## ISSUE/DISCUSSION

Tenders were invited publically on tenders.net and through Council's website from 20<sup>th</sup> of December 2018 in accordance with Council's Procurement Policy. A notice also appeared in the Ballarat Courier on 11<sup>th</sup> of January 2019.

Tenders were invited up to 18<sup>th</sup> January 2019 and subsequently evaluated by the Evaluation Panel comprising Tim Powell – Coordinator Engineering, Paul O'Leary – Project Engineer and Toby Hoy, Student Engineering Officer

The Evaluation Panel evaluated the tenders received against the following criteria:

- Relevant experience & track records
- Key Staff & resources available
- Confidence in the ability of the Tenderer to perform the Contract
- OHS & Quality Management System
- Contract Price
- Local Content

The following three (03) tenders were received as listed below:

Tenderers
Contractor A
Contractor B
Contractor C

The three (03) tenders were evaluated based on the above criteria and scored accordingly. The tender pricing is within 10% of Council's estimate for this project, before contingency and project management, and can be delivered from savings from other road infrastructure projects in the 2018/2019 Council Program.

The tender, from Contractor B was scored highest and confirmed as a conforming tender by the evaluation panel.

Council approval is sought to award the Contract HEPBU RFT2018.151 - Intersection realignment and reconstruction of Daylesford-Clunes Road, Ullina as tendered.

<b>Contract Amount</b>	<b>\$ 508,898.51</b>
Add: GST @ 10%	\$50,889.85
<b>Total Contract Amount with GST</b>	<b>\$559,788.36</b>

### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017:2020

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

1.1 Continue to invest in our assets at a level greater than depreciation by delivering the annual asset renewal capital works programs

### **FINANCIAL IMPLICATIONS**

The project is intended to be Roads to Recovery and Fixing Country Roads funded. If additional funding for contingency is required it shall be sort from savings from other completed road reconstruction projects.

### **RISK IMPLICATIONS**

There are no expected risk implications. The expected construction related risks shall be mitigated by managing the work onsite and providing traffic management in accordance with AS 1742.3.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

There are expected to be social and economic benefits to the community through providing a better road and drainage network.

Reconstruction of road networks will enhance traffic safety and will contribute towards longer term drainage and maintenance goals.

Social implications due to traffic disruption during construction are expected to be negligible.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Affected property owners have been consulted and other adjacent landowners will be notified by letter prior to works commencing.

## CONCLUSION

Following a formal tender process and detailed evaluation of received tenders, the preferred tender from Fulton Hogan Industries Pty Ltd for a contract sum of **\$508,898.51** excluding GST is recommended.

## OFFICER'S RECOMMENDATION

That Council:

12.9.1. Awards Contract HEPBU RFT2018.151 - Intersection Realignment and Reconstruction of Daylesford-Clunes Road, Ullina to Fulton Hogan Industries Pty Ltd for a contract sum of **\$508,898.51 (ex GST)**.

12.9.2. Authorises the Chief Executive Officer and the Mayor to sign and seal the contract documents.

## MOTION

*That Council:*

*12.9.1. Awards Contract HEPBU RFT2018.151 - Intersection Realignment and Reconstruction of Daylesford-Clunes Road, Ullina to Fulton Hogan Industries Pty Ltd for a contract sum of **\$508,898.51 (ex GST)**.*

*12.9.2. Authorises the Chief Executive Officer and the Mayor to sign and seal the contract documents.*

**Moved:** Cr Neil Newitt

**Seconded:** Cr Greg May

**Carried**

ATTACHMENT 8 - CONFIDENTIAL REPORT – HEPBU.RFT2018.151 TENDER  
EVALUATION (ISSUED TO COUNCILLORS UNDER SEPARATE COVER)

## 12.10. RECORD OF ASSEMBLIES OF COUNCILLORS 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 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:

- o Reported at an Ordinary Meeting of the Council; and
- o 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 December 2018	Disability Advisory Committee	The Warehouse, Clunes
11 December 2018	International Women's Day Advisory Committee	Council Offices, Duke Street, Daylesford
23 January 2019	Reconciliation Action Plan Community Reference Group	Duke Street Meeting Room Daylesford
4 February 2019	Disability Advisory Committee	Doug Lindsay Recreation Reserve, Creswick

12 February 2019	International Women's Day Advisory Committee	Council Offices, Duke Street, Daylesford
19 February 2019	Councillor / CEO Meeting	Glenlyon Shire Hall
20 February 2019	Reconciliation Action Plan Community Reference Group	Duke Street Meeting Room Daylesford

### 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

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

### MOTION

12.10.1. *That Council receives and notes the Records of Assemblies of Councillors*

**Moved:** Cr Greg May

**Seconded:** Cr Neil Newitt

Carried

ATTACHMENT 9 - 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: **December 3<sup>rd</sup> 2018**

Time: **Midday – 3.30pm**

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

**Councillors present:**

- |  |  |
|--|--|
| <input checked="" 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 type="checkbox"/> Cr Fiona Robson |
| <input type="checkbox"/> Cr Sebastian Klein          |  |

**Members of Council Staff present:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> CEO Evan King          | <input checked="" type="checkbox"/> Other, please specify: <b>Deb Westin</b> |
| <input type="checkbox"/> GM Community & Corporate Services |  |
| <input type="checkbox"/> GM Infrastructure 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: <b>Deb Westin</b> |
| <input type="checkbox"/> GM Community & Corporate Services<br>Grant Schuster |  |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas                       |  |

Signature: *D Westin*

## Disability Advisory Committee

December 3<sup>rd</sup> 2018

---

### Agenda

Date: Monday December 3<sup>rd</sup> 2018  
Time: 12 for lunch and meeting start 12.30 – 3.00pm  
Location: Upstairs - The Warehouse, Clunes  
Facilitator: Deb Westin  
Chair: Councillor John Cottrell

---

#### Attendances:

1. Attendees:
2. Apologies: Barbara

#### Agenda Items:

3. Guest: 2.00pm Evan King, Hepburn Shire Council CEO
4. Individual member reports:
5. DAIP progress or updates:
  - Deb's recommendations for changes to accessible parking bay placement for comment and feedback
6. General Business:
  - 'Open for business' bookmarks
  - DAC hazards card (draft for discussion)
  - Hepburn access issues discussed and prioritised
  - Terms of Reference
7. Other business:
8. Next meeting details:

**RECORD OF ASSEMBLY OF COUNCILLORS**

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

Title of Meeting: International Women's Day Advisory Committee

Date: 11<sup>th</sup> of December 2018

Time: 4pm

Venue:  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other – Meeting Room, Duke Street, Daylesford

**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 checked="" type="checkbox"/> Cr Kate Redwood AM | <input type="checkbox"/> Cr Fiona Robson |
| <input type="checkbox"/> Cr Sebastian Klein            |  |

**Members of Council Staff present:**

- |  |  |
|--|--|
| <input type="checkbox"/> CEO Evan King                           | <input checked="" type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Community & Corporate Services Grant | Bridgette O'Brien and Rebecca Pedretti                     |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas           |  |

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:** Assessment panel recommendations for Heather Mutimer Inductees

**Agenda Attached** X

**Name and title of Officer responsible for this written record:**

- |  |  |
|--|--|
| <input type="checkbox"/> CEO Evan King                                       | <input checked="" type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Community & Corporate Services<br>Grant Schuster | Bridgette O'Brien – Event Officer                          |
| <input type="checkbox"/> GM Infrastructure 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.

**RECORD OF ASSEMBLY OF COUNCILLORS**

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

Title of Meeting: Reconciliation Action Plan Community Reference Group  
 Date: 23 January 2019  
 Time: 9:00 am – 10:30 am

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 type="checkbox"/> Cr Neil Newitt  |
| <input type="checkbox"/> Cr Kate Redwood AM          | <input type="checkbox"/> Cr Fiona Robson |
| <input type="checkbox"/> Cr Sebastian Klein          |  |

**Members of Council Staff present:**

- |  |  |
|--|--|
| <input type="checkbox"/> CEO Evan King                                       | <input checked="" type="checkbox"/> Coordinator Community Partnerships Rachel Palmer |
| <input type="checkbox"/> GM Community & Corporate Services<br>Bradley Thomas | <input checked="" type="checkbox"/> Events Officer Bridgette O'Brien                 |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas                       | <input checked="" type="checkbox"/> Business Support Officer Ashani Dendara          |

Other, please specify:

**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"/> GM Community & Corporate Services<br>Bradley Thomas | <input checked="" type="checkbox"/> Business Support Officer Ashani Dendara |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas                       |   |

Signature: 

## Reconciliation Action Plan (RAP)

### Community Reference Group (CRG)

Wednesday 23<sup>rd</sup> January 2019

Meeting Room, Duke Street Customer Service Centre Daylesford

Attendees: Barry Golding (Chair), Rod Poxon, Anne E Stewart, Peter Sago, Gary Lawrence, Kylie Mookhoek, Mayor Henderson, Rachel Palmer (Coordinator Community Partnerships), Ashani Dendara (Minutes), Bridgette O'Brien (Events Officer)

#### Apologies:

Item	Time	Agenda Item	Presenter
1	9:00am	<ul style="list-style-type: none"> <li>Acknowledgement of Country</li> <li>Welcome, apologies and introductions</li> <li>Acceptance of minutes from previous meeting</li> </ul> Actions from previous minutes (note – some of these have been carried over as agenda items), including: <ul style="list-style-type: none"> <li>Planning for 2019 events and initiatives</li> <li>Revising RAP plan and deliverables</li> <li>Membership of RAP CRG</li> <li>Indigenous representation on RAP CRG</li> </ul>	Chair
2	9:20am	Discussion about transforming the focus of Australia Day observance 2020	Chair Bridgette O'Brien
3	10:00am	Update from Council	Rachel
2	10:10am	Feedback on Boort History Tour	Chair/Rod
3	10:15am	Other business	
4	10.30am	Meeting close	Chair

**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:   February 4<sup>th</sup> 2019

Time:   Midday – 3.30pm

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

**Councillors present:**

- |  |  |
|--|--|
| <input checked="" 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 type="checkbox"/> Cr Fiona Robson |
| <input type="checkbox"/> Cr Sebastian Klein          |  |

**Members of Council Staff present:**

- |  |   |
|--|---|
| <input type="checkbox"/> CEO Evan King                     | <input checked="" type="checkbox"/> Other, please specify: Deb Westin |
| <input type="checkbox"/> GM Community & Corporate Services |   |
| <input type="checkbox"/> GM Infrastructure 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: Deb Westin |
| <input type="checkbox"/> GM Community & Corporate Services<br>Grant Schuster |   |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas                       |   |

Signature: *D Westin*



**RECORD OF ASSEMBLY OF COUNCILLORS**

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

Title of Meeting: International Women's Day Advisory Committee

Date: 12<sup>th</sup> of February 2019

Time: 4pm

Venue:  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other – Meeting Room, Duke Street, Daylesford

**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 checked="" type="checkbox"/> Cr Kate Redwood AM | <input type="checkbox"/> Cr Fiona Robson |
| <input type="checkbox"/> Cr Sebastian Klein            |  |

**Members of Council Staff present:**

- |  |  |
|--|--|
| <input type="checkbox"/> CEO Evan King                           | X Other, please specify:<br>Bridgette O'Brien and Rebecca Pedretti |
| <input type="checkbox"/> GM Community & Corporate Services Grant |  |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas           |  |

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

Matters Considered: Planning for the IWD Event

Agenda Attached X

**Name and title of Officer responsible for this written record:**

- |  |   |
|--|---|
| <input type="checkbox"/> CEO Evan King                                       | X Other, please specify:<br>Bridgette O'Brien – Event Officer |
| <input type="checkbox"/> GM Community & Corporate Services<br>Grant Schuster |   |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas                       |   |

Signature: 

**RECORD OF ASSEMBLY OF COUNCILLORS**

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

Title of Meeting: Reconciliation Action Plan Community Reference Group  
 Date: 20 February 2019  
 Time: 9:00 am – 10:30 am

Venue:  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Customer Service Centre Duke Street Daylesford

**Councillors present:**

- |  |  |
|--|--|
| <input type="checkbox"/> Cr John Cottrell            | <input type="checkbox"/> Cr Greg May     |
| <input checked="" 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 Sebastian Klein          |  |

**Members of Council Staff present:**

- |   |  |
|---|--|
| <input type="checkbox"/> CEO Evan King                                    | <input checked="" type="checkbox"/> Coordinator Community Partnerships Rachel Palmer |
| <input type="checkbox"/> GM Community & Corporate Services Grant Schuster | <input checked="" type="checkbox"/> Business Support Officer Ashani Dendara          |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas                    |  |

Other, please specify:

**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"/> GM Community & Corporate Services Bradley Thomas | <input checked="" type="checkbox"/> Business Support Officer Ashani Dendara |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas                    |   |

Signature:  \_\_\_\_\_

## Reconciliation Action Plan (RAP)

### Community Reference Group (CRG)

Wednesday 20<sup>th</sup> February 2019

Meeting Room, Duke Street Customer Service Centre Daylesford  
Attendees: Barry Golding (Chair), Rod Poxon, Anne E Stewart, Peter Sago, Gary Lawrence, Kylie Mookhoek, Mayor Henderson, Rachel Palmer (Coordinator Community Partnerships), Ashani Dendara (Minutes),

#### Apologies:

Item	Time	Agenda Item	Presenter
1	9:00am	<ul style="list-style-type: none"> <li>Acknowledgement of Country</li> <li>Welcome, apologies and introductions</li> <li>Acceptance of minutes from previous meeting</li> </ul> Actions from previous minutes (note – some of these have been carried over as agenda items), including: <ul style="list-style-type: none"> <li>Planning for 2019 events and initiatives</li> <li>Priority RAP actions for 2019</li> <li>Australia Day Register</li> </ul>	Chair
2	9:30am	Update from Council <ul style="list-style-type: none"> <li>Update on Council Officer recruitment</li> <li>Update on EOI for CRG and re-establishment of internal Working Group</li> </ul>	Rachel
3	9:50am	Implementation of RAP deliverables <ul style="list-style-type: none"> <li>Attendance at Conversation Circle with Catchment Partners</li> <li>Aboriginal Tourism training opportunity</li> <li>Budget Bids relevant to reconciliation deliverables</li> <li>Co-naming opportunities</li> </ul>	Rachel
4	10:10am	Other business	
4	10.30am	Meeting close	Chair

**RECORD OF ASSEMBLY OF COUNCILLORS**

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

Title of Meeting: Councillor/CEO Meeting  
Date: 19 February 2019  
Time: 2:00 – 3:30pm

Venue:  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other – Glenlyon Recreation Reserve

**Councillors present:**

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

**Members of Council Staff present:**

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

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

Signature:

*Evan King*

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

▶ MEETING AGENDA

COUNCILLOR & CEO MEETING

Tuesday 19-02-2019

Glenlyon Town Hall

2:00 - 3:30PM

PRESENT: Councillors Don Henderson, Greg May, Kate Redwood AM, John Cottrell, Neil Newitt, Fiona Robson, CEO Evan King

CHAIR: Mayor Don Henderson

APOLOGIES: Cr Sebastian Klein

No	Time	Agenda Item	Presenter
1.	2:00pm	Relevant items for discussion following Councillor only time	Mayor Don Henderson
2.		MAV Elections	Cr John Cottrell
3.		Review of the Planning Scheme	Cr Kate Redwood AM
4.		Progress with the Rex (Hepburn Hub)	Cr Kate Redwood AM

### 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 Coordinator Governance and Information I Katherine Toom have no interests to disclose in this report.*

##### PURPOSE

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

##### BACKGROUND

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

##### ISSUE/DISCUSSION

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

- The Lee Medlyn Home of Bottles – 18-02-2019
- Lyonville Hall – 19-02-2019
- Drummond Hall – 22-02-2019
- Creswick Museum – 04-03-2019

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 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:

- The Lee Medlyn Home of Bottles – 18-02-2019
- Lyonville Hall – 19-02-2019
- Drummond Hall – 22-02-2019
- Creswick Museum – 04-03-2019

#### MOTION

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

- *The Lee Medlyn Home of Bottles – 18-02-2019*
- *Lyonville Hall – 19-02-2019*
- *Drummond Hall – 22-02-2019*
- *Creswick Museum – 04-03-2019*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr John Cottrell

**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 25 February 2019.

#### BACKGROUND

At the quarterly meeting of the Audit and Risk Advisory Committee held on 25 February 2019, the Committee passed a number of resolutions for consideration by the Council.

#### ISSUE/DISCUSSION

On 25 February 2019, the Committee held their quarterly meeting and passed the following resolutions for Council consideration:

*That the Audit and Risk Advisory Committee:*

13.1.1. *Notes the awarding of the contract for Internal Audit Services 2018-21 to HLB Mann Judd.*

13.1.2. *Recommends that the Internal Auditor take a wider level of engagement with Council and that the Executive Team facilitate that process.*

13.2.1. *Notes the (Draft) Review of Risk Management Report*

13.2.2. *Notes that the final draft will be circulated with committee members out of session once reviewed by officers*

13.2.3. *Requests a progress report on recommendations at the next meeting*

13.3.1. *Receives the updated internal audit register of outstanding items and notes that there has been limited progress while organisational realignment was underway*

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

13.3.3. *Recommends outstanding items be reviewed by the Internal Auditor in collaboration with Council officers and the committee be updated at the next meeting on progress and plans*

14.1.1. That the Audit and Risk Advisory Committee notes the Victorian Auditor-General's Office Audit Strategy for year ending 30 June 2019.

14.1.2. Notes that the result of 17/18 Local Government audit dashboard, synopsis of future focus areas and the performance audit plan will be forwarded to the committee by the Director Community and Corporate Services when available

15.6.1. That the Audit and Risk Advisory Committee notes the risk update.

15.7.1. That the Audit and Risk Advisory Committee notes the report on the Rex project.

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

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

16.2.1. Notes the reports that have been provided to Council in December 2018, January and February 2019.

16.3.1. That the Audit and Risk Advisory Committee receives and notes the Financial Report for the six months from 1 July 2018 to 31 December 2018

16.4.1. That the Audit and Risk Advisory Committee notes the budget process update.

16.5.1. That the Audit and Risk Advisory Committee notes the project updates.

17.1.1. That the Audit and Risk Advisory Committee notes the update on the status of Council Policies as at February 2019.

18.2.1. Determines that Ms Carol Pagnon, Mr Trevor Shard and Mr Robert Taylor will represent the committee at the Council Briefing session on the first Tuesday in April 2019 at 10 am

19.1.1. Received an update from the CEO on the Hepburn Hub Project Audit

19.1.2. Will continue to receive progress reports from the CEO as soon as they are available

19.2.1. Received an update from the CEO on the organisational realignment activities to date

#### **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 RECOMMENDATION**

That Council:

14.1.1. Receives the draft minutes of the Audit and Risk Advisory Committee Meeting of 25 February 2019.

14.1.2. Notes the recommendations and resolutions of the Audit and Risk Advisory Committee that were moved at the meeting on 25 February 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 25 February 2019.*
- 14.1.2. Notes the recommendations and resolutions of the Audit and Risk Advisory Committee that were moved at the meeting on 25 February 2019.*
- 14.1.3. Acknowledges its appreciation of the time, expertise and diligence of the Committee members in the execution of their duties and responsibilities*

**Moved:** Cr John Cottrell

**Seconded:** Cr Neil Newitt

**Carried**

ATTACHMENT 10 - FORWARD BY AUDIT AND RISK ADVISORY COMMITTEE  
CHAIR – MEETING 25-02-2019

## **For Hepburn Shire Council noting from the Chair of the Audit & Risk Committee**

### **PURPOSE**

The purpose of this paper is to provide a Summary of the Audit & Risk Advisory Committee meeting held on 25 February 2019 at 1.00pm and also the meeting minutes (refer attached) for public distribution.

### **SUMMARY**

At the 25 February 2019 Audit & Risk Advisor Committee meeting, the major items for receiving, noting and discussion included:

#### **1. Financial Report and Statement of Capital Works at December 2018**

The Committee received and noted the Year to Date Financial Report and Statement of Capital Works for the July 2018 to December 2019 period. The Committee also noted the 2019-20 Annual Budget process. The Committee advised that the current reviews of the major projects and in-house operational improvement programs should be considered in the budget bidding process and budgeted on a Council prioritization basis.

#### **2. Internal Audit**

The Committee noted that Council awarded the internal audit contract for the next 3 years to HLB Mann Judd. The Committee also received the draft Internal Audit report by HLB Mann Judd on Risk Management Framework and practices and noted an 18 month risk management improvement program of work that was required for management to undertake. Of interest, Council staff were surveyed as part of this review. Management were supportive of HLB Mann Judd recommendations and see this as a Council business and cultural improvement program that fits in with the current CEO's Organisational re-alignment program.

The Committee encouraged Council Management to liaise more often with HLB Mann Judd to ensure they have a holistic awareness of Council priorities, issues and projects. Such engagement will facilitate the Internal Auditors in providing independent advice on Council operational improvements beyond the individual annual audit projects. This was welcomed by Council Management.

The Committee were advised by Council Management that due to the Organisational Re-alignment work during December 2018 and January 2019, not much progress on the outstanding internal audit action items was made. Of particular concern to the Committee was in the areas of cybersecurity, risk management and asset management. The Committee was advised by Council Management of the recent appointment of the General Manager, Community & Corporate Services, current recruitment process for an ICT manager and is employing a specialist Risk Management contractor to assist in the interim.

#### **3. VAGO**

The Committee received a presentation by the VAGO external audit team on the 2018-19 Financial Audit strategy and discussed its contents. In addition, the Committee requested from VAGO improved summary and briefings on prior and proposed VAGO performance audits and not just financial and performance statements. The Committee were informed of the VAGO's Local Government Dashboard benchmarking report<sup>1</sup> based on the prior year's financial statement audit results for consideration.

#### **4. The Hepburn Hub Project**

The Committee received a report from Council Management outlining the current project status, additional funding considerations, financial and risk management considerations. The Committee discussed the report and:

- noted the progress on resolution of some of the issues raised that prompted the Rex Building audit; and also
- requested that the anomalies (including project cost allocation, budget) and issues identified during the Rex project 'preliminary' Crowe Howarth audit be urgently addressed and rectified, with appropriate adjustments to the accounting records.

#### **5. Compliance Obligations**

The Committee received a report by Council Management that the compliance policies will be conducted in prioritized tranches. The Committee advised the policies should be ideally be within a Compliance Management Framework and System and risk based in line with the ISO 19600:2015 Compliance Management Standard.

#### **6. Council Management Reports**

The Committee received a report by Council management on the following items: current CEO's organizational re-alignment process. In addition, we noted the following reports provided to Council: Council Projects summary, OHS incidents, significant legal actions, risk management, Complaints received, Project and Performance Review and Hepburn & Trentham Hub verbal progress reports.

#### **7. Committee's Matters Arising**

The Committee noted that most of the Committee's Matters Arising were not actioned and highlighted that the outstanding matters were building up and needed to be addressed. Council Management advised that this situation was due to the current Organisational Re-alignment program and recruitment activity and have provided an undertaking that these matters will be addressed before the Committee's May 2019 meeting.

#### **8. Management verbal presentations to the Committee**

The Committee received the following verbal reports from Council Management

- Major Projects & Performance Review (from the Director, Infrastructure and Development)
- In camera – and in confidence ( from CEO only without Management)
  - Hepburn Hub Major Project audit – see below 9(A)
  - Organisational Re-alignment

#### **9. (A) Rex Project audit**

During the February 2019 Committee meeting, the CEO briefed the Committee in confidence as to the steps he has taken in respect to the report to date; the outcome of such action; and the further reporting he has made. He also advised the Committee of the information he has provided to Councillors regarding this.

## 10. Committee administrative matters

The Committee elected Trevor Shard as the new Chair of the Committee from the May 2019 meeting. Handover and transition process will take place between the outgoing and incoming Chair to ensure smooth transition.

The Committee's annual meeting with Councillors was confirmed for 2 April 2019 (10am). Trevor Shard, Robert Taylor and Carol Pagnon will be in attendance for this briefing and discussion (additional standard fee payable for this attendance). The Committee requested assistance from Council Management in the preparation of the presentation, and input on what the next 12 months' advisory work beyond what is known that the Committee will need to incorporate in the Council briefing.

The Committee is in the process of its annual self-assessment, review of the Committee's Charter and the Committee's rotational annual agenda. The Committee welcomes Council management to provide input into both reviews and also input from the Council at the 2 April 2019 briefing. The results will be reviewed and discussed at the May 2019 meeting.

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<sup>i</sup> The interactive data dashboard is available at - <https://www.audit.vic.gov.au/report/results-2017-18-audits-local-government?section=33085&show-sections=1#section-33085>

ATTACHMENT 11 - DRAFT CONFIDENTIAL PUBLIC MINUTES – AUDIT AND  
RISK ADVISORY COMMITTEE MINUTES – 25-02-2019 (ISSUED TO  
COUNCILLORS UNDER SEPARATE COVER)

**14.2. MINUTES OF ADVISORY COMMITTEES**  
**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 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:

- Public Art Panel – 11 December 2018
- International Women's Day Advisory Committee – 11 December 2018
- Reconciliation Action Plan Community Reference Group – 23 January 2019
- Disability Advisory Committee – 4 February 2019
- International Women's Day Advisory Committee – 12 February 2019
- Reconciliation Action Plan Community Reference Group – 20 February 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:

- Public Art Panel – 11 December 2018
- International Women's Day Advisory Committee – 11 December 2018
- Reconciliation Action Plan Community Reference Group – 23 January 2019
- Disability Advisory Committee – 4 February 2019
- International Women's Day Advisory Committee – 12 February 2019
- Reconciliation Action Plan Community Reference Group – 20 February 2019

**MOTION**

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

- *Public Art Panel – 11 December 2018*
- *International Women’s Day Advisory Committee – 11 December 2018*
- *Reconciliation Action Plan Community Reference Group – 23 January 2019*
- *Disability Advisory Committee – 4 February 2019*
- *International Women’s Day Advisory Committee – 12 February 2019*
- *Reconciliation Action Plan Community Reference Group – 20 February 2019*

14.2.2. *That a report be provided to a future Ordinary Meeting of Council on the need for (and design parameters of) a centrally located disability access crossover in Fraser Street, Clunes*

**Moved:** Cr John Cottrell

**Seconded:** Cr Sebastian Klein

**Carried**

## 15. CONFIDENTIAL ITEMS

### 15.1. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

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

- 89(2)(d) Contractual matters.

#### RECOMMENDATION

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

- 89(2)(d) Contractual matters;
  - Victoria Park Building Fund Account

#### MOTION

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

- *89(2)(d) Contractual matters;*
  - *Victoria Park Building Fund Account*

**Moved:** Cr Sebastian Klein

**Seconded:** Cr Kate Redwood AM

**Carried**

The Meeting was closed to the public at 7:57 pm.

16. REOPENING OF MEETING TO PUBLIC

**RECOMMENDATION**

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

**MOTION**

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

**Moved:** Cr Sebastian Klein

**Seconded:** Cr John Cottrell

**Carried**

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17. CLOSE OF MEETING

The Meeting closed at 8:19 pm.

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