



HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
PUBLIC MINUTES

TUESDAY 21 MAY 2019

THE WAREHOUSE
36 FRASER STREET
CLUNES

6:00PM

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MINUTES

TUESDAY 21 MAY 2019

The Warehouse
36 Fraser Street, Clunes
Commencing 6:00PM

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EVAN KING
CHIEF EXECUTIVE OFFICER
21 MAY 2019

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

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

2. SAFETY ORIENTATION

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

3. OPENING OF MEETING

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

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 Steve Millard Manager Governance, Compliance and Risk, 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

4. APOLOGIES

Nil.

5. DECLARATIONS OF CONFLICTS OF INTEREST

Cr Kate Redwood AM declared an indirect interest – conflicting duty on item 12.9: Community Grant Recommendations, and 12.10: Management of Daylesford Arts, Culture and Recreation Centre, as she is on the Committee of Management for the Daylesford Neighbourhood Centre.

Cr Fiona Robson declared an indirect interest – conflicting duty on item 12.9: Community Grant Recommendations, and 12.10: Management of Daylesford Arts, Culture and Recreation Centre, as she is employed by the Daylesford Neighbourhood Centre.

6. CONFIRMATION OF MINUTES

RECOMMENDATION

6.1.1. That the Minutes of the Ordinary Meeting of Council held on 16 April 2019 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.

MOTION

6.1.1. That the Minutes of the Ordinary Meeting of Council held on 16 April 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 Greg May

Carried

7. NOTICES OF MOTION

Nil.

8. ITEMS OF URGENT BUSINESS

Nil.

9. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor Don Henderson, Creswick Ward

This has been a busy month.

CEO Evan King and myself attended a conference at Bendigo to discuss issues such as a treaty with the Dja Dja Wurrung. Among the attendees were many of the Councils in the Dja Dja Wurrung area and government representatives. Elders publicly held Hepburn Shire up as an example of working together.

On the same note I was contacted by Channel 31 in Melbourne who claimed they contacted us because we are among the leaders in the Reconciliation space.

A tour to important aboriginal sites was mapped out by members of our RAP committee and Rachel Palmer has done some great work in this important area. The actual tour will be held next Sunday.

Mr King was the official starter for the Brackenbury Classic mountain bike race and after my saying a few words I was presented with the original sod removed for the pump track construction. I now hand this over to council for future care.

Heritage week saw thousands of people flock to the historic Andersons Mill at Smeaton. This is a great relic of our past agricultural history and the event was successful despite challenging weather.

Booktown was once again a huge success and the streets of Clunes came alive with people from far and wide to participate.

Likewise Spudfest at Trentham was a great success with lots to do and see. The crowds did not seem to mind the cold and were there in large numbers.

Anzac Day saw Creswick have service people from many nations take part this year. They were made more welcome in our shire than anywhere they had visited. Of course our famous Light Horse troop was in attendance. The highlight though for me was the involvement of the district schools in the ceremony.

An announcement was made at the Ballarat airport to extend the runway by shadow minister Anthony Albanese and at the same time an election promise for \$5m for the Daylesford to Hanging Rock trail project. Sadly, neither of these projects will now be funded unless the LNP decide to match the funding.

On a brighter note Minister in the Andrews Labor Government Jaala Pulford and Mary Anne Thomas Member for Macedon announced \$1.5 million as part of the fixing country roads program. Most of this money will be spent in the Trentham area with the rest spread across the Shire. This money is secure

and it should be noted that we were successful due to our officers having jobs shovel ready.

COUNCILLOR REPORTS

Councillor Licia Kokocinski, Coliban Ward

No written report has been provided.

Councillor Greg May, Creswick Ward

Just a brief report for this month beginning with Anzac Day. I again attended the brief Dawn Service in Creswick along with good number of local people and shortly afterwards enjoyed the Gunfire Breakfast in the Creswick Town Hall. Thanks must go the community groups, local businesses and volunteers who make this breakfast happen each year. If I could provide a little positive feedback to the local RSL it would be to start the service which is advertised to begin at 6:00 am, at 6:00 am and not at a quarter to 6 which is when I suspect it started. Several people I have spoken to were caught out by the early start and disappointed to miss much of the service.

Later in the day I attended the Anzac Day service held in the Kingston Avenue of Honour. This service seems to be attracting more people each year and this year approximately 80 people came along to pay their respects. At last years service, after consultation with the RSL and the Kingston Friends of the Avenue, I spoke briefly about 4 of my family who are acknowledged in the Avenue for their service during the First World War. Alan, Archie, Douglas and Henry May all served their country during the conflict with only Archie and Henry making it back to Australia. I think this gave the service some added local interest and I was hopeful that someone else with links to the Avenue would speak in future years. I'm happy to say that this did happen this year with young Creswick girl Ailish Murphy delivering a wonderful and sometimes emotional talk about her family connections with the Avenue of Honour in Kingston. Hopefully someone else with family connections to the Avenue will do the same next year. Our CEO Evan King also attended the service and laid a wreath on behalf of the Hepburn Shire.

I noted that fire restrictions have now been lifted in the shire due in no small part to the substantial rain received in most parts of the shire in recent weeks. The long awaited rain has put a smile on the faces of our local farmers and CFA volunteers alike.

Along with fellow councillors and council staff I recently had a tour of the Hepburn Hub at the Rex. I noticed in a recent Facebook post that some glazing had now been installed and the project is moving forward and when complete will be a great workplace and community asset.

I also welcome the recent announcement of \$1.5 million dollars which has been secured from State Government under the Fixing Local Roads Program.

5 local roads have been identified as part of this announcement which I believe is important as it enables our ratepayers to make a connection between the funding announcement and an actual road, not just a budget line marked as 'local roads'.

The other council initiative which I'm pleased to see actually happening rather than just being talked about, is the trial use of goats for weed control under a 'spray minimisation project'. This project is investigating methods of reducing the use of glyphosate-based herbicides within the shire. With recent overseas court cases resulting in multi-million-dollar compensation payments being awarded to cancer sufferers who were long term users of these glyphosate – based herbicides, an alternative can't come soon enough.

All power to the goats I say.

Councillor Fiona Robson, Birch Ward

I had to pleasure of participating in a LGBTI inclusion roadshow workshop with the Victorian gender & sexuality commissioner, Ro Allen. The purpose of the session was to promote and plan for Lesbian, Gay, Bisexual, Trans and Gender Diverse, Intersex and Queer (LGBTIQ) inclusion. Safety and visibility stood out as key areas requiring more focus. Participants highlighted the importance of symbols of inclusion, such as displaying the rainbow flag.

The commissioner acknowledged this region for the work and progress that has been made here. There were people from Ballarat, Castlemaine and Woodend. Hepburn Shire and Our Council were well represented and a proactive group from Daylesford came away with exciting ideas for the future. Our Council acknowledged idahobit day on Facebook this year, international day against homophobia, biphobia, inter phobia and transphobia. This work is important so that we can all feel included and a belonging to our community. An inclusive community begins with treating each other with respect.

Events are an important way for us to connect as communities. Again the first weekend in May was huge with both Spudfest in Trentham and Booktown in Clunes. These are wonderful events and are a credit to the many people involved, particularly their fabulous volunteers.

The same weekend also saw a fundraiser for the Hepburn Wildlife Shelter. Again this was run by volunteers and entertainers kindly donated their time and talents. It was very well supported and resulted in a wonderful community event for an important and valued cause. The Wildlife Shelter is a valued service for our native animals. It is self-funded and relies heavily on their team of volunteers.

This week is National Volunteer Week. These events demonstrate the importance of volunteers in our community. Volunteers are the glue that keep many services and support available as well as events, such as those

mentioned. Our Council appreciates the amazing contribution of volunteers and it is great to see the celebrations around the Shire.

As a long-time volunteer I also know the enormous benefit that volunteering provides. Research has shown that volunteering helps people feel happier and healthier. Our Shire has a higher rate of volunteering than the state average, which benefits our community on many levels.

Councillor John Cottrell, Holcombe Ward

No written report has been provided.

Councillor Neil Newitt, Cameron Ward

It has been a busy time in Clunes this past few weeks, with the Easter break, ANZAC Day and the Booktown festival all falling within a fortnight.

With Easter and Anzac Day both within the space of a week, many were able to extend their Easter break and we saw many visitors enjoying Clunes and surrounds as the destination for their break.

With ANZAC Day falling within this holiday period there were some concerns that this would have an impact on attendance, but the Clunes service saw quite a large turnout - well supported by locals and visitors. A number of visitors commented on the service and were especially touched how the memorial service and march included many local groups and school children and engaged with the wider community.

A week later, and it was time for the annual Booktown festival. Although planning for the event effectively takes place year round, there is a real buzz in the week leading up to the event. Weather forecasts were not favourable this year, however although there were some fleeting showers, this did not seem to affect attendance, with many observing similar visitor numbers to previous years.

Although completely different in nature, Events such as ANZAC Day and Booktown both rely heavily on an incredible number of volunteers for them to run successfully each year. (As this happens to be National Volunteers Week) it is important that we acknowledge and celebrate the vital role volunteers have in making our communities a better place. I take this moment to thank those that volunteer for our communities at all levels.

We have a diverse range of events across our shire - most run by and supported by volunteers.

Our events are so important to our communities - whether acknowledging and remembering our past (as in Anzac commemorations) or as a means of

showcasing our present (like Booktown). They contribute to our community spirit, support our local businesses and help showcase our rural lifestyle.

I'd like to give you just one example that shows the benefits delivered by our events:

On Booktown Saturday a couple were in my shop in Clunes. In conversation, they remarked that although they had known of the Booktown festival for a couple of years, this was their first time at the festival. They had never visited Clunes before, and had fallen in love with the historic Main Street. They commented how friendly everyone was and they vowed to return for another visit. Their final question was what does a house cost in Clunes?

I think it's time for council and our communities to revisit our events - through our event strategies. We need to engage with our regional and state tourism partners to develop and deliver successful events. They are so important to our local economy in drawing visitation, so reliant on volunteers for success, but so important to our community spirit and economic survival.

Councillor Kate Redwood AM, Birch Ward

The last month has been exceptionally busy – as it often seems to be before winter sets in and we all retire indoors to hibernate. I have attended around 30 Council related commitments. The most significant were:

ANZAC Day. The services on the day seem to get bigger each year. I attended the dawn service at the Daylesford war memorial, the Eganstown service and the late morning Daylesford service. Council was acknowledged at each of these events – and in particular was applauded for arranging the closure of the Midland Highway for the major Daylesford service – a first for Daylesford. This was highly appreciated both for the safety of the crowds on the road, and also for respect for the occasion.

Well done Council staff for traffic management and road closures, and the presentation of the area around the war memorial.

Also the contribution of the Wombat Hill Botanic Nursery and Florist should be acknowledged – the wreaths were beautiful, and there would have been over 50 of them, presented by local organisations large and small. Thank you also to Michelle Dove who ensured that our wreaths were there to present.

On the 4 May I attended the opening of Spudfest (along with Crs Kokocinski, Robson and Cottrell), managed to get to a few hours of Booktown and then back to the baby show at Leonards Hill Hall, and preside over the Leonards Hill Hall Committee AGM. It was an impressive day for the role of volunteers in our community and the diversity of the contribution that they make. In particular I would note the Leonards Hill Hall Committee which has members who have served that community for over 40 years.

I stood in for the Mayor at one of the Reconciliation Action Plan advisory committee meetings and accepted their invitation to join the dry run of the First Encounters Tour being organised as the Shire's major contribution to Reconciliation Week. I strongly commend this event to you all as a remarkable experience not to be missed. You have to register to join the Tour which is to be held on Sunday 26 May. Get up close to the Big Tree in Guildford, see where Hepburn first came through with his family and stock, picnic at the ancient Aboriginal ovens among ancient redgums, reflect on the massacre site at the blood hole and consider the productive landscape that supported large numbers of Aboriginal people before white settlement.

The IWD advisory committee had its final debrief – perhaps as only women would do – each member bringing something to share for a very enjoyable meal, and tossing around ideas as to how to create an even better event next year. The possibilities of Clunes are being explored, and I have spoken with Cr Newitt about this, with the idea of continuing to share the IWD event around the Shire. With attendance now around 150 plus, we will be challenged but the committee is up for it.

The regional LGBTIQ forum was held at the Daylesford Neighbourhood Centre with excellent attendance. I attended along with Cr Robson and Mr Thomas. It was a good opportunity to talk with members of Chillout Board about their aspirations, and to hear from the Commissioner.

The tour of the Rex mentioned by Cr May, was a welcome update on works progress. We were all encouraged by the approach being taken by Council's project team.

RECOMMENDATION

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

MOTION

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

Moved: Cr Neil Newitt

Seconded: Cr Fiona Robson

Carried

10. PUBLIC PARTICIPATION TIME

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

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

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

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

Some questions of an operational nature may be responded to through usual administrative procedure. Separate forums and Council processes are provided for deputations or for making submissions to Council.

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

BEHAVIOUR AT COUNCIL MEETINGS

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

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

Respectful behaviour includes:

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

Inappropriate behaviour includes:

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

10.1. PETITION

A petition was tabled by Cr Henderson in accordance with Local Law 1 – 5.10.3, petitioning Council to support a request to the Legislative Assembly of Victoria that a twice-daily public bus service be implemented between Creswick and Daylesford, including a stop at Daylesford Secondary College, with a pre-school departure from Creswick and a post-school departure from Daylesford.

MOTION

10.1.1. That the petition be received.

Moved: Cr Don Henderson

Seconded: Cr Kate Redwood AM

Carried

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.

Question 1: Ms Christine Molloy

What are the road counter results on White Hills Rd and Gardiner St Creswick during the month of April 2019 and how does this compare to the figures for the St Georges Lake Rd counter during the same period of time?

Answer 1: Mayor Don Henderson

Council put out traffic counters on White Hills Road and Gardiner Street from the 28 March to the 18 April 2019. The results are summarised as follows.

- White Hills Road recorded an average seven-day traffic count of 228 movements per day for the duration of the count. Noting that the count at this location includes the traffic to and from the Caddy Drive. (23 Properties).
- Gardiner Street recorded an average seven-day traffic count of 90 vehicles per day.
- St Georges Lake Road recorded an average seven-day traffic count of 62 vehicles per day at the top near Lees Street. It is noted that the traffic volumes on St Georges Lake road fluctuate significantly dependent of season and weather conditions.

Question 2: Ms Christine Molloy

Given we submitted a petition of over 100 signatures of residents around White Hills Rd and Gardiner St at the last Council meeting (April 2019) when can residents expect road sealing of these two roads to be put into the budget?

Answer 2: Mayor Don Henderson

The response to the petition is being considered at agenda item 12.12 of tonight's meeting.

Question 3: Ms Fiona Trounce

Can the Council get quotes on making White Hills Rd & Gardiner St Creswick a sealed road so we understand the budget impact?

Answer 3: Mayor Don Henderson

In order to obtain quotations for the road upgrade works Council officers will need to complete site survey and prepare design plans and specifications for the upgrade works. To complete this work will require significant investment by Council.

However, officers have undertaken a very high level preliminary cost estimate for the works based on past projects and the costs are expected to be in the order of \$250,000 - 400,000 as detailed in the officer report under item 12.12 of tonight's agenda.

Whilst this is a broad range in terms of costs it acknowledges there is no site investigation and design works completed and there is the potential for significant vegetation works to be required.

Question 4: Ms Fiona Trounce

If the road sealing went ahead without curb and channelling would this bring it forward in the budget?

Answer 4: Mayor Don Henderson

Council would consider the required design and construction standards and then consider the budget implications along with all other project proposals in developing the respective budget.

Question 5: Ms Natalie Poole

In the 2019/2020 draft budget \$40k has been allocated as a future project for outdoor fitness equipment in Trentham.

My question is where will this equipment be located and what type of equipment will be installed?

Answer 5: Mayor Don Henderson

The Proposed Budget 2019/2020 includes the construction of an Outdoor Fitness Space (in Clunes and to undertake initial project scoping for an Outdoor Fitness Space in Trentham for installation in the 2020/2021 financial year.

The Trentham community will be consulted as part of scoping the project and will have input into the Outdoor Fitness Space location. No location has been nominated at this time.

Community consultation will also inform the type of equipment to be installed. No decision has been made on type of the equipment, but it is envisaged that the current Creswick Outdoor Fitness Space project will help guide the process.

Question 6: Ms Helen MacDonald

Will the Council please grant an extension for submissions to the Draft 2019/20 for ratepayers in Coliban Ward? The Ward was without representation during most of the Budget preparation period, as the by-election process for our new Councillor was underway. Questions from one of our ratepayers in relation to the Budget, submitted in mid-April, were only answered a week ago, leaving us with insufficient time to prepare our submission. We request a one-week extension, to COB Friday May 31st.

Answer 6: Mayor Don Henderson

Council will not grant an extension to the public submission period for the proposed budget 2019/2020 as all legislative requirements have been met and adequate time for feedback has been afforded to the community.

Question 7: Ms Helen MacDonald

Can Council please provide a timeline for commencement and/or completion of the significant number of projects in Trentham/Coliban Ward that have budget allocations from 2018/19 and previous years that are currently listed as "in progress"? These include Kindergarten/Childcare (\$544k in progress, with only some relatively minor renovation work done on the Kindergarten), Streetscape and Pedestrian Crossing (\$305k in progress, with no visible expenditure except for some tree plantings), the first allocation of funds for the Quarry Park Shelter Redevelopment (\$100k), the three Walking & Bike Trail Projects (\$69k), Sportsground Facilities (\$10k), and the Trentham Place Making (\$5k). If these projects are not able to be completed before the end of this financial year, can Council please provide assurances that the allocated monies will be set-aside for these projects and that they will be assigned appropriate focus and priority to bring them to completion in a prompt and efficient manner.

Answer 7: Mayor Don Henderson

All projects that have received funding in the 2018/2019 financial year, remain incomplete and with remaining funds as at 30 June 2019, will be carried over to the 2019/2020 financial year and completed. In response to the specific projects listed:

- Kindergarten/Childcare – The planned Kindergarten renovations are complete, with the proposed Childcare extension detailed design currently in a final review prior to procuring construction stage of the project. Procurement planned to begin in June, with construction planned to begin in August.
- Streetscape and Pedestrian Crossing – Officers are planning to procure for construction stage in June, with construction to begin in August. However, the pedestrian crossing on Victoria Street is currently in the procurement stage and planning to begin construction in June 2019.
- Quarry Park Shelter Redevelopment - this work is related to the Trentham Place Making Project, which may influence the outcomes for the shelter redevelopment but funds will be carried forward.
- Walking & Bike Trail Projects – All three projects are all in the procurement stage, and works are planned to be undertaken in June 2019.
- Sportsground Facilities - this project is to scope a range of upgrades and renewal works for the Trentham Recreation Reserve main pavilion. This work is dependent on the finalisation of the Trentham Recreation Reserve Master Plan which is expected in July.
- Trentham Place Making - Officers are arranging to meet with the approved consultants to discuss completion of the project shortly.

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 Barbara Curzon-Siggers addressed Council regarding climate change.

11. STATUTORY PLANNING REPORTS

11.1. 2 LOT SUBDIVISION AT 26 JORY STREET, CRESWICK DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

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

PURPOSE

The purpose of this report is for Council to determine the application for a 2 lot subdivision at 26 Jory Street, Creswick. The report is being brought before Council for a decision as six objections have been received.

BACKGROUND

Site and Surrounds

The site is a 6299m² parcel of land that is irregular in shape and bound by Jory Street to the north and Davies Street North to the west. The site includes a dwelling and associated outbuildings in the north eastern corner of the site.

Proposal

The application proposes to subdivide the land into 2 lots.

- Lot 1 – 800m² (Located in the north western corner – vacant)
- Lot 2 – 5499m² (Balance of lot that includes existing dwelling)

Access will continue to be provided from Jory Street.

ISSUE/DISCUSSION

Relevant Planning Provisions

Zoning:	General Residential Zone	
Overlays:	Environmental Significance Overlay Schedule 1	
Particular Provisions	Clause 56 – Residential Subdivision	
Relevant Provisions of the PPF	<ul style="list-style-type: none">• Clause 14.03-2S – Water quality• Clause 15.01-5S – Neighbourhood Character• Clause 16.01-3S – Housing diversity• Clause 21.05 – Settlement• Clause 22.02 – Mineral Springs Protection	
Under what clause(s) is a permit required?	Clause 32.08-3 (GRZ)	Subdivision
Objections?	Six (6)	

Appropriateness of subdivision with respect to zoning and Planning Policy Framework

The application proposes to subdivide the land into 2 parcels. The site is located within the urban growth boundary of the township and is within an existing established area that is connected to all relevant services.

The layout of the proposed subdivision provides appropriately sized allotments that encompasses the existing dwellings on the land. It is on this basis that the proposed subdivision is considered to respond appropriately to the existing character of the area and will provide opportunities for a variation in urban form and provide opportunities for housing affordability within the township and increase housing choice.

The subdivision results in an existing lot being subdivided into two lots that contains an existing dwelling and creates a vacant parcel of land. The proposed subdivision will increase the diversity of housing opportunities within an area that is already connected to relevant services.

Clause 56

The application meets all of the standards of Clause 56 on the basis of each of the proposed lots being able to be connected to all relevant services and also being provided with access to the existing road network.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

N/A

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

N/A

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Issues raised by objectors

- Heritage Significance

The site is not affected by a heritage overlay. Any heritage significance the site possesses would have to be investigated as part of a Planning Scheme Amendment. Nonetheless, the application does not seek to remove any

buildings on the site and the proposed lot layout would not appear to impact on any possible heritage fabric the site may possess.

- Aboriginal Cultural Heritage Sensitivity

The site is within an area of cultural heritage sensitivity as it is located within 200m of a designated watercourse however the development that is proposed as part of this application is not identified as a high impact activity therefore a Cultural Heritage Management Plan is not required.

- Environmental Significance Overlay

A permit is not required under the provisions of the Environmental Significance Overlay Schedule 1 as the subdivision is a two lot subdivision and each lot is/will be connected to a reticulated water and reticulated sewerage system.

- Safety for drivers and pedestrian

Any future crossover would be subject to the approval of Councils Engineering Department who would ensure that the location of any crossover would be in a safe location and meet relevant setbacks from any intersection.

- Potential erosion on the Ring Road side of the proposed subdivision

The application does not propose any development as part of the application. The only disturbance would be the construction of a new crossover and any works associated with the provision of services to the site. These works would not have any impact on erosion on the site.

- Impacts upon the creek

As above.

- Removal/reduction of existing significant views from pre-existing houses

VCAT has consistently found that impacts of a proposal should not be considered a right to any particular view.

This is especially the case where a view is obtained across adjoining land and the views are not afforded any special consideration in a planning control.

Further, this application is for a subdivision and no development is proposed.

- Possible future subdivision

The land may be subdivided further in the future. The appropriateness of any further subdivision will be assessed at such time.

- Reduction in property values

Property values are speculative and not a planning matter. Fluctuations in property prices are not a relevant consideration in assessing an application under the provisions of the Planning & Environment Act 1987, or the Hepburn Planning Scheme.

- Privacy affected

No development is proposed as part of this application.

- Overdevelopment of a quiet rural area

The site is zoned General residential and located within the Urban Growth Boundary of the township of Creswick. Development is expected and encouraged by relevant planning policy in this area.

CONCLUSION

The subdivision results in an existing lot being subdivided into two lots that will increase the diversity of housing opportunities within an area that is already connected to relevant services.

OFFICER'S RECOMMENDATION

11.1.1. That Council having complied with the relevant sections of the Planning and Environment Act 1987, issue a Planning Permit in respect of Application No. PA2312 for a two (2) lot subdivision generally in accordance with the endorsed plans at 26 Jory Street, Creswick, subject to the following conditions.

General requirements

1. The layout of the subdivision as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.
2. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
3. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
4. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Public Open Space Contribution

5. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the permit holder must pay to the Responsible Authority a cash payment equivalent to 5 per cent of the site value of all the land in the subdivision in lieu of the provision of land for Public Open Space.

Telecommunications

6. The owner of the land must enter into an agreement with:
 - a. telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
7. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b. a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Engineering requirements

Stormwater Drainage

8. All stormwater discharged from the subject land shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No concentrated stormwater shall drain or discharge from the land to adjoining properties.
9. Each lot requires a separate point of discharge.
10. It is the responsibility of the developer to meet the requirements for stormwater quality as stated in the BPEM (Best Practice Environmental Management) Guidelines

Access

11. Vehicle access/crossing to the land is to be located, constructed and maintained to the satisfaction of the Responsible Authority.
12. Prior to statement of compliance the following will be constructed for approval.

- a. Vehicle access/crossing to all lots is to be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 240 or to approval of responsible authority.
 - b. Vehicle access/crossing to the land shall be located so that adequate sight distance is achieved to comply with Australian Standard AS2890.1:2004 Section 3.2.4 and as specified in Ausroad's Guide to Road Design Part 4A Section 3.4 - 'Sight Distance at Property Entrance'.
 - c. Minimum 10.0m and 9.0m clearance shall be maintained from any road intersection and between adjacent crossovers respectively.
 - d. Any proposed vehicular crossing shall have satisfactory clearance to any side- entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense
13. The final location and construction of the vehicle crossing is to be approved by the Responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works.
14. Prior to statement of compliance it is the responsibility of the developer to meet the requirements and standards as set out in the IDM (Infrastructure Design Manual) version 5.20
15. All works must be constructed and completed prior to statement of compliance.
16. All costs incurred in complying with the above conditions shall be borne by the permit holder

Permit expiry

17. This permit will expire if one of the following circumstances applies:
- a. The plan of subdivision is not certified within 2 years of the date of this permit;
 - b. The registration of the relevant stage of subdivision is not completed within five years from the date of certification of the plan of subdivision.

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

Mr Andrew Kladakis addressed Council in support of the application.

Ms Sharon Beggs addressed Council in objection to the application.

MOTION

11.1.1. *That Council having complied with the relevant sections of the Planning and Environment Act 1987, issue a Planning Permit in respect of Application No. PA2312 for a two (2) lot subdivision generally in accordance with the endorsed plans at 26 Jory Street, Creswick, subject to the following conditions*

General requirements

1. *The layout of the subdivision as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.*
2. *The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.*
3. *All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.*
4. *The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.*

Public Open Space Contribution

5. *Before the issue of a Statement of Compliance under the Subdivision Act 1988, the permit holder must pay to the Responsible Authority a cash payment equivalent to 5 per cent of the site value of all the land in the subdivision in lieu of the provision of land for Public Open Space.*

Telecommunications

6. *The owner of the land must enter into an agreement with:*
 - c. *telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and*
 - d. *a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian*

Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

7. *Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a. *a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and*
 - b. *a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

Engineering requirements

Stormwater Drainage

8. *All stormwater discharged from the subject land shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No concentrated stormwater shall drain or discharge from the land to adjoining properties.*
9. *Each lot requires a separate point of discharge.*
10. *It is the responsibility of the developer to meet the requirements for stormwater quality as stated in the BPEM (Best Practice Environmental Management) Guidelines*

Access

11. *Vehicle access/crossing to the land is to be located, constructed and maintained to the satisfaction of the Responsible Authority.*
12. *Prior to statement of compliance the following will be constructed for approval.
 - a. *Vehicle access/crossing to all lots is to be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 240 or to approval of responsible authority.*
 - b. *Vehicle access/crossing to the land shall be located so that adequate sight distance is achieved to comply with Australian Standard AS2890.1:2004 Section 3.2.4 and**

as specified in Ausroad's Guide to Road Design Part 4A Section 3.4 - 'Sight Distance at Property Entrance'.

- c. Minimum 10.0m and 9.0m clearance shall be maintained from any road intersection and between adjacent crossovers respectively.*
- d. Any proposed vehicular crossing shall have satisfactory clearance to any side- entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense*

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

14. Prior to statement of compliance it is the responsibility of the developer to meet the requirements and standards as set out in the IDM (Infrastructure Design Manual) version 5.20

15. All works must be constructed and completed prior to statement of compliance.

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

Permit expiry

17. This permit will expire if one of the following circumstances applies:

- c. The plan of subdivision is not certified within 2 years of the date of this permit;*
- d. The registration of the relevant stage of subdivision is not completed within five years from the date of certification of the plan of subdivision.*

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

Moved: Cr Licia Kokocinski

Seconded: Cr John Cottrell

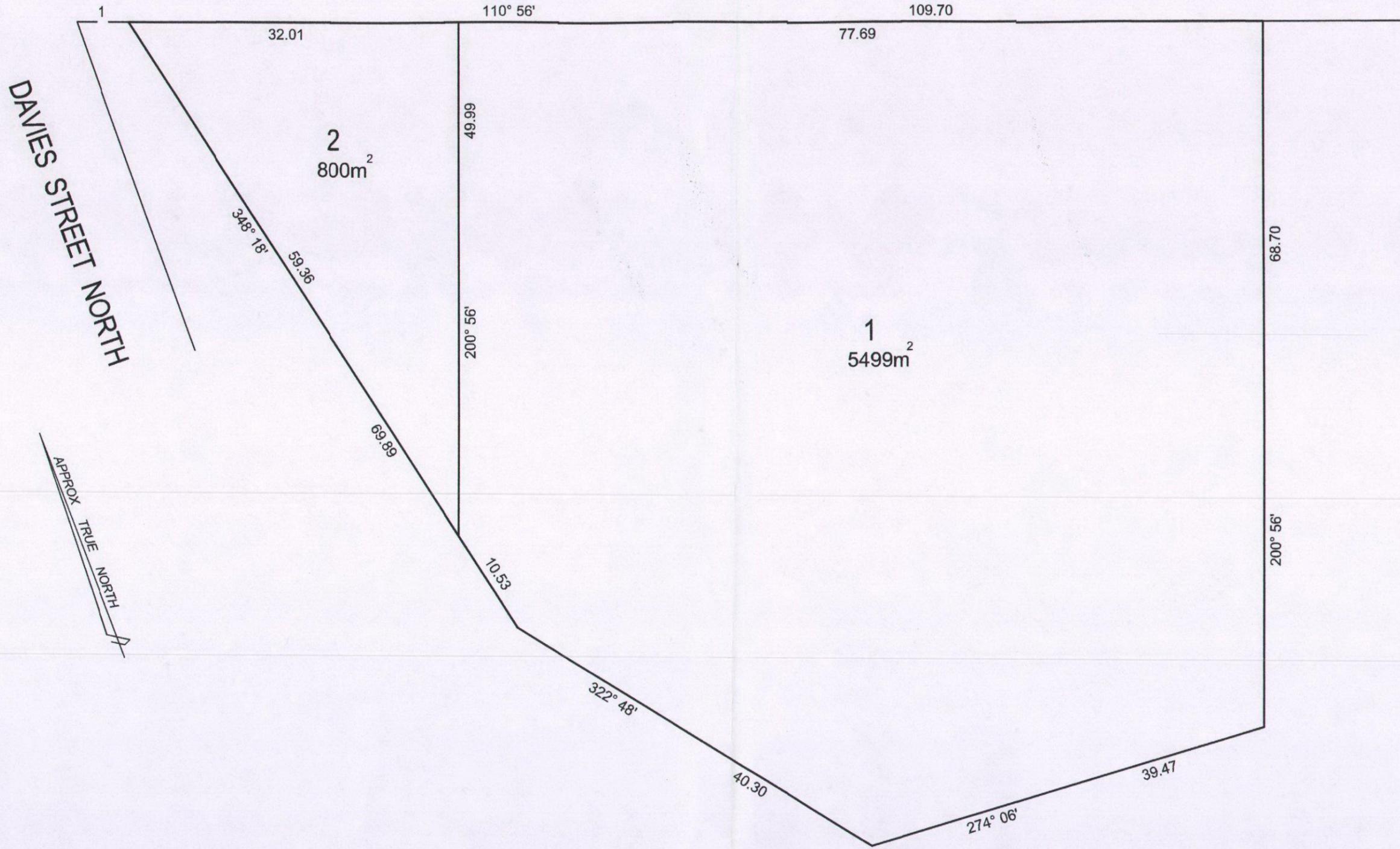
Carried

**ATTACHMENT 1 - PA2312 - PLAN OF SUBDIVISION - 26 JORY STREET
CRESWICK**

JORY

STREET

PS828963U



SMC LAND SURVEYORS

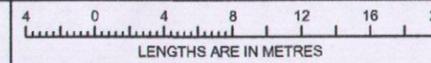
153d ANDERSON RD SUNSHINE, 3020

PO BOX 337, SUNSHINE, 3020

Tele. : 9312 2247



SCALE
1:400



ORIGINAL SHEET
SIZE: A3

SHEET 2 OF 2

11.2. 3 LOT SUBDIVISION AT 2803 CRESWICK NEWSTEAD ROAD, SMEATON DIRECTOR INFRASTRUCTURE & DEVELOPMENT SERVICES

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

PURPOSE

The purpose of this report is for Council to determine the application for a 3 lot subdivision at 2803 Creswick Newstead Road, Smeaton. The planning officer is recommending to refuse the application.

BACKGROUND

Site and Surrounds

The site is made up of a total of 2 existing titles that are located on southern side of Creswick Newstead Road approximately 12km east of Clunes, 7km south of Campbelltown and 8km north of Smeaton. The titles are of the following sizes:

- Lot 1 on TP824409 – 104ha
- Lot 2 on TP824409 – 82ha

The site and other surrounding land is generally used for grazing and cropping as is permitted by the Farming Zone. To the north of the site is the Tuki Trout Farm a local tourist and accommodation facility which has been in operation for many years.

The site is typical rural in nature with cleared paddocks, treed shelter belts adjacent to fence lines and a seasonal creek (little middle creek) running centrally through the site. The creek is essentially a dry-stone creek bed however runs freely post rain events and during the winter months.

Proposal

The application proposes to subdivide the 2 existing titles into 3 lots. The subdivision will create the following:

- Lot 1 – 60.30ha
- Lot 2 – 61.20ha
- Lot 3 – 60.20ha

Access will continue to be provided from Creswick Newstead Road or from Captains Road.

The application was originally lodged as a 9 lot subdivision that included additional surrounding lots but was amended in December 2018 to the current proposal.

BRIEFING REPORT

Relevant Planning Provisions

Zoning:	Farming Zone	
Overlays:	Environmental Significance Overlay Schedule 1 Erosion Management Overlay (Partly affected)	
Particular Provisions	Clause 52.29 – Land Adjacent to a Road Zone, Category 1	
Relevant Provisions of the PPF	<ul style="list-style-type: none"> • Clause 13.04-2S – Erosion and landslip • Clause 14.01-1S – Protection of agricultural land • Clause 21.08 – Rural Land Use and Agriculture • Clause 22.01 – Catchment and land protection • Clause 22.04 – Rural Land 	
Under what clause(s) is a permit required?	Clause 35.07-3 (FZ)	Subdivision
	Clause 42.01-2 (ESO1)	Subdivision
	Clause 44.01-2 (EMO)	Subdivision
	Clause 52.29 (Alteration of access to a Road Zone Category 1)	Alteration of access to a Road Zone, Category 1
Objections?	Ten (10)	

ISSUE/DISCUSSION

The proposed subdivision seeks to subdivide the existing land parcels into smaller properties that are larger than the minimum subdivision area within the zone.

While the subdivision can be applied for and a permit can be issued this does not necessarily mean that a permit should be issued.

The applicant has advised that the main purpose of the proposed subdivision is to allow for future estate planning. The application however does not demonstrate how the proposed subdivision would lead to the land being able to be more productively farmed or how the proposed subdivision would help to protect the land from permanent changes in land use. The subdivision would enable additional lots within a farming area that could provide for additional 'as of right' dwellings on the resultant lots.

The proposed subdivision creates additional lots within an area that has been identified as being of high agricultural quality land and could introduce a situation where each parcel could be sold and developed with a dwelling at a greater density than what is able to be developed in the sites current title arrangement. The land has been farmed for an extensive time in the current

lot arrangement and the applicant has not provided any information as to how the proposed subdivision would result in an increase in agricultural production.

Surrounding land owners have lodged several objections and are concerned that the land may be sold to many different owners seeking a hobby farm lifestyle which may in turn result in the land being poorly managed and increase the risk of spread of pest weeds and animals becoming more apparent.

The applicant has stated that no future dwellings are sought as part of this application, however this does not negate the fact that in approving such a subdivision, such a future permission is essentially implied based on the provisions that apply at the time of the decision.

The proposed subdivision is not considered to be supported by policy, will result in the further fragmentation of rural land and does not demonstrate how it relates to the protection of productive agricultural land.

The purpose of the Farming includes amongst other things:

- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

The application has not provided sufficient justification how the proposed subdivision would lead to the land being able to be more productively farmed or how the proposed subdivision would help to protect the land from permanent changes in land use.

If the proposal is approved and the land is subdivided, the opportunity for the land to be sold to individual owners arises and any existing agricultural productivity is most likely for all intents and purposes ceases through the development of additional dwellings

It is most unlikely that the land will be developed for more intensive agricultural activities due to the limited access to water and depleted rainfall totals. As a general rule, larger properties have a greater potential to engage in economies of scale, such as through the use of specialist farm equipment.

The proposed subdivision creates additional lots within an area that has been identified as being of high agricultural quality land and could introduce a situation where each parcel could be sold and developed with a dwelling at a much greater density than what is able to be developed in the sites current title arrangement.

Clause 14.01-1S – Protection of agricultural land amongst other things includes the following strategies:

- Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.
- Protect productive farmland that is of strategic significance in the local or regional context.
- Protect productive agricultural land from unplanned loss due to permanent changes in land use.
- Prevent inappropriately dispersed urban activities in rural areas.

As identified above, the proposal is not considered to protect agricultural land and will result in a permanent change in land use.

Clause 21.08 – Rural Land Use and Agriculture specifically states that *“...some areas of the Shire have also become broadly rural-residential in nature. Some of this development has encroached upon high quality agricultural land. Fragmentation of large rural holdings through land subdivision into smaller lots can diminish opportunities to maintain rural areas in agricultural production.”* Strategies to deal with this include to:

- *Maintain areas of high and very high agricultural land quality for agricultural production.*
- *Encourage consolidation of allotments capable of agricultural production where appropriate and discourage the fragmentation of productive rural land.*

Clause 22.04 – Rural Land builds on Clause 21.08 and includes the following relevant objectives:

- To prevent the unsustainable use of agricultural land which results in the loss of the quantity and quality of natural resources and limits the realisation of its full productive potential. *f*
- To limit subdivision of land that will be incompatible with the utilisation of land for sustainable resource use

The policy also states that applications for subdivision are discouraged where the subdivision of lots that can result in a concentration of lots likely to change the use and character of the rural area and that where a concentration of lots is created by a subdivision, that it will not limit the productive use and development of the larger lots in the subdivision or that of the surrounding land.

Surrounding land owners have lodged several objections and are concerned that the land may be sold to many different owners seeking a hobby farm lifestyle which may in turn may result in the land being poorly managed and increase the risk of spread of pest weeds and animals becoming more apparent. These concerns are considered to be valid should the land be subdivided and sold to individual owners. While the applicant has stated that no future dwellings are sought as part of this application and has also offered to impose a future section 173 agreement on future titles of land prohibiting a dwelling on these lots, this does not negate the fact that the application

proposes to fragment a number of existing agricultural allotments without any demonstrated benefit to agricultural production.

The application is not considered to adversely impact on erosion and the application was referred to VicRoads who did not raise any concerns in relation to road safety and access.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

N/A

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

N/A

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The application has been advertised by sending notification of the proposal to adjoining and adjacent owners and occupiers and a notice on the land. A total of ten (10) objections were received during this notification period.

Points of objection were as follows:

- *Increased traffic*

It is asserted that there would be limited impact on existing roads as a consequence of the proposed subdivision.

- *Increased possibility of 'lifestyle' type blocks*

Officers share this concern. This has previously been addressed in this report.

- *Artificial inflation of land values*

Officers share this concern. The subdivision of existing large agricultural allotments into smaller land parcels that each above the minimum area for which a dwelling is an 'as of right' use, can, and anecdotally have, attracted inflated land prices, far above that of the agricultural value of the land by people seeking to use such parcels as lifestyle lots.

- *Boundaries of subdivision do not reflect any site features.*

The allotments do appear to be divided into existing arable and less arable portions while the subdivision boundaries do not follow any of these existing implied boundaries.

CONCLUSION

The proposed subdivision is not considered to be supported by policy, will result in the further fragmentation of rural land and does not demonstrate how it relates to the protection of productive agricultural land.

OFFICER'S RECOMMENDATION

11.2.1. That Council having considered all the matters required under Section 60 of the Planning and Environment Act 1987 refuse to issue a planning permit for a (9) lot subdivision at 2813 Creswick-Newstead Road, Smeaton on the following grounds:

1. The proposal is inconsistent with Clause 14.01-1S of the Hepburn Planning Scheme as the proposal will result in the permanent removal of agricultural land for primary production purposes and will detract from the long term capacity of productive agricultural land to continue production.
2. The proposal is inconsistent with Clause 21.08 of the Hepburn Planning Scheme as the proposal:
 - a) fails to protect farming and other agricultural practises from the encroachment of urban growth;
 - b) fails to retain productive land for agricultural purposes;
 - c) fragments agricultural land that is currently in a productive unit;
3. The proposal is inconsistent with Clause 22.04 of the Hepburn Planning Scheme as the proposal will not reduce the amount of new rural-residential development in farming areas and fragments rural land.
4. The proposal is inconsistent with the purpose and decision guidelines of the Farming Zone at Clause 35.07 of the Hepburn Planning Scheme as the proposal will fragment and existing productive rural area and will adversely affect the use of the land for agricultural purposes

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

Mr Leighton Evans addressed Council in support of the application.

Mr Simon Kirby addressed Council as a representative of the applicant in support of the application.

Mr Bruce Richardson addressed Council in objection to the application.

MOTION

11.2.1. That an extension of 2 minutes be granted to Mr Evans to continue his address.

Moved: Cr Kate Redwood AM

Seconded: Cr Neil Newitt

Carried

MOTION

11.2.2. *That Council having considered all the matters required under Section 60 of the Planning and Environment Act 1987 refuse to issue a planning permit for a (9) lot subdivision at 2813 Creswick-Newstead Road, Smeaton on the following grounds:*

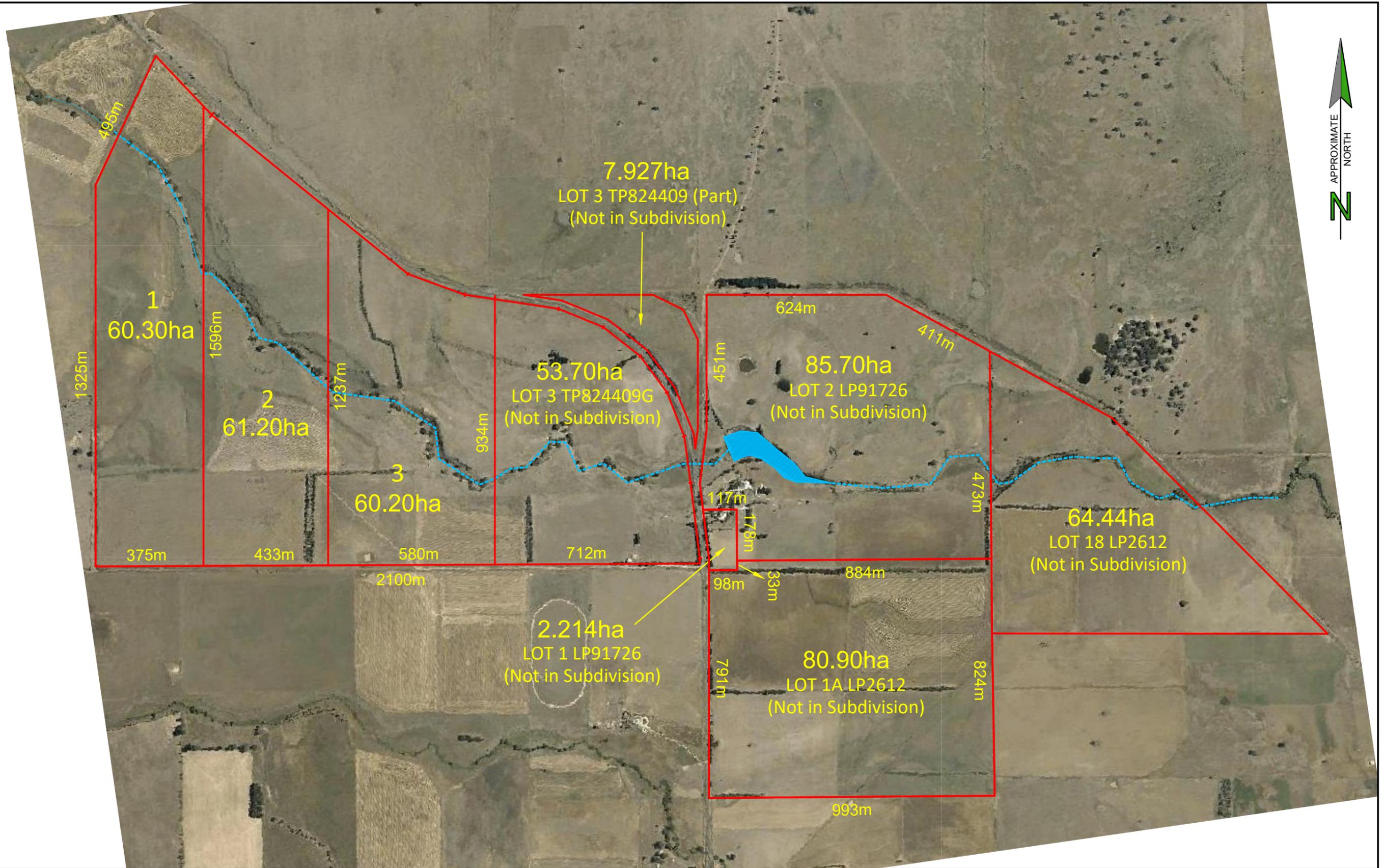
1. *The proposal is inconsistent with Clause 14.01-1S of the Hepburn Planning Scheme as the proposal will result in the permanent removal of agricultural land for primary production purposes and will detract from the long term capacity of productive agricultural land to continue production.*
2. *The proposal is inconsistent with Clause 21.08 of the Hepburn Planning Scheme as the proposal:*
 - a) *fails to protect farming and other agricultural practises from the encroachment of urban growth;*
 - b) *fails to retain productive land for agricultural purposes;*
 - c) *fragments agricultural land that is currently in a productive unit;*
3. *The proposal is inconsistent with Clause 22.04 of the Hepburn Planning Scheme as the proposal will not reduce the amount of new rural-residential development in farming areas and fragments rural land.*
4. *The proposal is inconsistent with the purpose and decision guidelines of the Farming Zone at Clause 35.07 of the Hepburn Planning Scheme as the proposal will fragment and existing productive rural area and will adversely affect the use of the land for agricultural purposes*
5. *The proposal is inconsistent with the Decision Guidelines at Clause 65 of the Hepburn Planning Scheme and results in a poor planning outcome for the area.*

Moved: Cr Kate Redwood AM

Seconded: Cr John Cottrell

Carried

**ATTACHMENT 2 - PA2051 - PLAN OF SUBDIVISON - 2803 CRESWICK-
NEWSTEAD ROAD SMEATON**



PLAN OF PROPOSED SUBDIVISION - LAYOUT 3A-01
2308 CRESWICK - NEWSTEAD ROAD, SMEATON
LOT 1A ON LP2612, LOTS 1 & 2 ON LP91726 AND LOTS 2 & 3 ON TP824409
DRAWN: 18/12/18 - ADAM CRIDDLE - 110657-PP03A-01



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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 May 2019.

MOTION

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

Moved: Cr Fiona Robson

Seconded: Cr John Cottrell

Carried

**ATTACHMENT 3 - CHIEF EXECUTIVE OFFICERS REPORT FOR MAY
2019**

CHIEF EXECUTIVE OFFICER REPORT

Presented at the Ordinary Meeting
of Council on 21 May 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 21 APRIL 2019

On Monday I had several internal staff meetings and a meeting with the Daylesford Community Bank and the Daylesford Cinema Group to discuss the cinema/auditorium at the Hepburn Hub.

On Tuesday I had a meeting to discuss the Institute of Gastronomy followed by a full day of Council Meetings.

At the Council meeting, Council endorsed the Proposed Budget 2019/20 to be provided to the community for inspection and for submissions. Council will consider the Proposed Budget at the June Council meeting for adoption. The Proposed 2019/20 Budget is the result of a number of months work by the organisation.



The Budget has an average rate rise of 2.50% as dictated by the State Government, \$9.84 million worth of Capital Works, including:

- \$3 million on roads
- \$1.5 million on gravel and road reseals
- \$1.2 million on buildings
- \$1.0 million on the Creswick TrailsWE
- \$97k to improve our aquatic facilities
- \$52k to improve accessible parking

On Wednesday I was in Melbourne all day for the Rural Councils Victoria Mayors & CEO's Forum and on Thursday I met with Macedon Ranges Shire Council and Daylesford & Macedon Ranges Tourism to discuss our Partnership Agreement, followed by several internal staff meetings.

Friday was a public holiday for Good Friday.

WEEK ENDING 28 APRIL 2019

On Easter Monday I attended the Stawell Gift as a guest of the Northern Grampians Shire.

I started Tuesday with my weekly CEO and Mayor meeting in Creswick, followed by a meeting in Daylesford with the Daylesford Museum Reserve Committee of Management. I also had several internal staff meetings and reviewed Council reports for the May Councillor briefing.

On Wednesday the Mayor and I attended a meeting with the Dja Dja Wurrung Clans Aboriginal Corporation in Bendigo to explore the potential for a treaty between Victorian Aboriginals and Local Government Agencies (LGAs). Representatives of Buloke Shire, Campaspe Shire, Central Goldfields Shire, City of Ballarat, City of Greater Bendigo, Loddon Shire, Macedon Ranges Shire, Mount Alexander Shire, Northern Grampians Shire and Pyrenees Shire were also in attendance.

The Minister for Local Government, The Hon. Adem Somyurek MP commented on the importance of all sectors of the community sharing in and contributing to the Treaty discussion. We heard from Kathryn Arndt, CEO of the Victorian Local Government Association, about the work they are doing on their strategic approach to the Treaty and the opportunities a Treaty can provide for LGAs. Greg Kennedy of the Victorian Treaty Advancement Commission described the State-wide Treaty process and the opportunities Treaty presents for developing mature relationships with Indigenous Victorians.

On Thursday I attended the ANZAC Day Dawn service at Creswick and the wreath laying

services at Kingston and Creswick. Every year it amazes me how many young people are attending these services.



▶ CEO REPORT



WEEK ENDING 5 MAY 2019

I started the week meeting with the Chair of Committee of Ballarat, Nick Beal. We discussed Hepburn Shire priorities, opportunities and challenges, and the fast rail to Ballarat.

I had my regular weekly catch up with the CEO unit staff to discuss the week ahead, followed by a Leadership Team OH&S meeting on Contractor Management.

The Project Control Group for the Hepburn Hub met in the morning, and I spent part of the afternoon preparing my presentation for the students from Daylesford Primary School who are doing a unit of work on Local Government and were keen to learn:

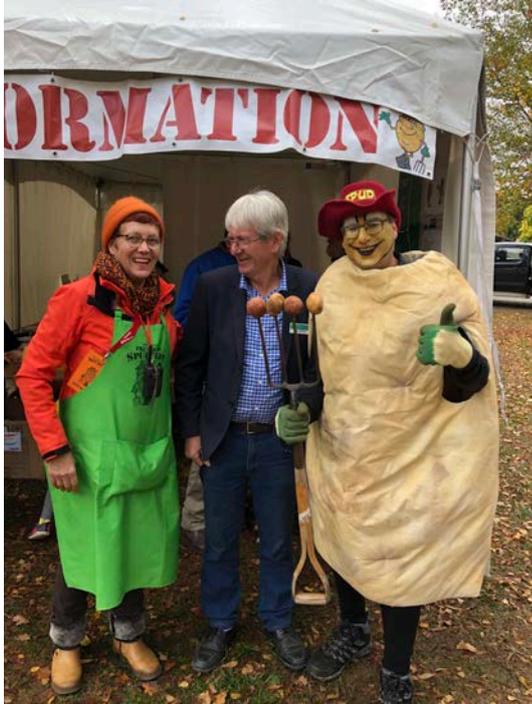
- What does the local government do?
- How does the local government help the community?
- How can people join in with local government?

On Wednesday morning I had an Executive Team meeting. The Executive Team is comprised of myself, Director of Community & Corporate Services, Director Infrastructure & Development Services, Manager Governance, Compliance & Risk and the Manager People & Culture and we meet weekly every Wednesday morning to discuss Strategic Issues.

On Wednesday afternoon I attended a meeting with Department Land Water Environment & Planning (DELWP) to discuss a new community engagement.

On Thursday morning we had our Leadership Team meeting. The Leadership Team is comprised of the Executive Team and the third line Managers. We meet on Thursdays on a fortnightly basis to discuss operational and strategic matters. After Leadership Team I attended meetings with some of my direct reports.

On Friday I met with several of our new staff members and presented to them. I also had some of my regular meetings with Councillors.



SPUDFEST

The weekend was a big one in the Shire for festivals. On Saturday we had the Trentham Spudfest, where the humble potato was celebrated in a way that only a small country town like Trentham could - spuds cooked in every way you could imagine, music, a tractor pull and lots of fun for all the family.

CLUNES BOOKTOWN

On Saturday and Sunday the sleepy hamlet of Clunes was transformed into a giant book shop, attracting thousands of visitors from near and far. Books (old and new) were celebrated with author talks, activities and entertainment.

The success of these events is made possible by the hard work and dedication of volunteers and support from Council.

WEEK ENDING 12 MAY 2019

This week we were notified of two significant announcements, the first one from Fixing Country Roads where we have been successful in attracting \$1,497,964 for our roads. Hepburn Shire Council has around 1,500 kms of roads and maintaining and upgrading these roads is a significant challenge for us. As mentioned earlier, the 2019/20 proposed budget includes \$4.6 million for roads.

This level of spend is only possible with the support of the State Government (Fixing Country Roads) and the Federal Government (Roads to Recovery). I would like to thank

▶ CEO REPORT

the Engineering Team that put the funding application together, we've had a great outcome.

On Monday I had meetings with several new staff members, and I had my regular meeting with Cr Robson, followed by a Waste to Energy Project Control Group meeting. Tuesday was a Councillor Briefing day.

I started Wednesday at the Daylesford Depot attending the Monthly Outdoor Staff meeting.

BETTER APPROVALS PROJECT

On Tuesday staff showcased the Better Approvals Project (BAP). Our staff have been working with consultants on the BAP, which aims to implement a new process to reduce the regulatory burden making it easier to open or expand a small business. The BAP is a collaborative effort between Council staff and Small Business Victoria. Under the guidance of consultants, Council staff have been designing and implementing a suite of reforms to improve the small business customer experience. Council expect that a range of innovations will be introduced that will more customer focused, making it easier and faster to set up a small business or expand an existing business in Hepburn Shire.

CRESWICK WOOLLEN MILL



I finished the day with a visit to the Creswick Woollen Mills with Mayor Henderson and Andrew Burgess, Manager Community & Economic Development. Meeting with businesses from around the Shire and understanding how we can assist them is an important part of what we do. The Creswick Woollen Mill attracts over 100,000 visitors every year to the region, many of them international tourists.



DAYLESFORD PRIMARY SCHOOL VISIT

We were lucky enough to have some little visitors this week at the Daylesford Town Hall. Ninety Grade 3 and 4 students from Daylesford Primary School met with me for a run down on the important work that Council does for the community. There were lots of fantastic questions and we even had an election of a student Mayor. Jasper got to sit in the Mayoral chair and wear the Mayoral Chain - which he was very chuffed about.

chair and wear the Mayoral Chain - which he was very chuffed about.

Following this presentation, I headed to Ballarat for the second significant announcement of the week. This was an election promise from the Federal Labor Party to inject \$5 million dollars into the Daylesford to Hanging Rock Rail Trail. This is a project that we have been working on for over 10 years. The first stage of this project is a rail trail from Daylesford to Woodend. This project will create 51 new jobs, attract over 60,000 visitors per year and generate \$4.1 million dollars a year in economic benefit.



After the announcement I attended a Committee for Ballarat Federal Election briefing and questions.

On Friday I met with our Internal Auditors and had a TV interview regarding the use of body cameras.

BODY CAMERA'S

You may have seen some media around our purchase of body cameras. It is a shame that we are at this point, that our Community Safety Team need to wear cameras to protect themselves. What is important out of the purchase of the body cameras is that I take my responsibility to provide a safe working environment very seriously.

HELP US HELP YOU – BODY CAMERAS FOR A SAFER WORKING ENVIRONMENT

Just like any other employer, Council has a legal obligation to provide a safe workplace for its staff. Just like you, we all want to go home the same way as we came to work – free from injury (physical or psychological).

Council staff have received some unpleasant and aggressive treatment from community members in recent times and it's not ok. Our staff are employed to provide services to our community and deserve to work in a safe environment.

We have purchased body cameras for the Community Safety team to be worn in the field. These will be used to collect evidence and record our interactions with the community. Our usual practice is to report any abusive and aggressive behaviour to the Police, along with any available evidence collected.

Our Community Safety team are here to assist our community and employed to provide a safer place for you to live, work and visit. We commit to treating you with respect and honesty, and highly value these behaviours being shown to our staff in return. Your actions go a long way to helping make our community safer for everyone.

The cameras will be rolled out once we have developed policies and procedures for their use.



On Saturday morning the Mayor and I attended the race start and pre-race briefing of the Brackenbury Mountain Bike race in Creswick. From there I attended the Western Bulldogs Presidents lunch and game as a guest of City of Ballarat.

WEEK ENDING 19 MAY 2019

On Monday I spent the day with Cr Licia Kokocinski on a Shire tour and Tuesday I attended the Strategic Councillor Briefing meeting with the Councillors and Directors.

I had a meeting with the Executive Team first thing on Wednesday morning followed by several meetings with some of my direct reports.



KERANG SOLAR FARM

On Thursday I attended the Central Victorian Greenhouse Alliance Board meeting where I was taken on a tour of the Kerang Solar Farm. The solar farm is on 100Ha of cleared, level land. The location was chosen for its high exposure to solar radiation and proximity to the electricity grid. The \$55 million project will generate significant economic activity in the

Gannawarra Shire and surrounds.

On Thursday evening I attended a Creative City Gastronomy UNESCO application event in Bendigo.



FIXING COUNTRY ROADS

On Friday morning we had the formal announcement that our Fixing Country Roads Program funding has been successful. Minister Jaala Pulford and Mary-Anne Thomas MP announced that Regional Roads Victoria are contributing around \$1.5 million to help deliver the following projects:

Trentham Urban Road Upgrades, Dairy Flat Road Heavy Vehicle Upgrade & Seal, Back Glenlyon Road Reconstruction and Widening, School Road Community Liveability, & Telegraph Road Reconstruction and Widening.

12.2. REQUEST FOR CHIEF EXECUTIVE OFFICER ANNUAL LEAVE AND APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is for Council to consider the request by the Chief Executive Officer to take annual leave, and if approved, appoint an Acting Chief Executive Officer for the period of leave.

BACKGROUND

The Chief Executive Officer has requested to take annual leave for the period 27 June 2019 to 5 July 2019 inclusive (7 working days). During this period of leave, Council is required to appoint an Acting Chief Executive Officer.

ISSUE/DISCUSSION

Under section 94 of the *Local Government Act, 1989* (Act), Council appoints the Chief Executive Officer and must therefore consider and approve any requests for annual leave.

The term 'Chief Executive Officer' is defined in the Act to include an Acting Chief Executive Officer. Therefore, Council is required to also consider and approve any acting arrangements. It is appropriate that either Director Infrastructure and Development Services or Director Community and Corporate Services be appointed as Acting Chief Executive Officer during this period.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Section 94 of the *Local Government Act, 1989*.

FINANCIAL IMPLICATIONS

Minor/immaterial impact in terms of increased salary for the Acting Chief Executive Officer during the period.

RISK IMPLICATIONS

None noted.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

None Noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

None required.

CONCLUSION

The Chief Executive Officer has requested to take annual leave for the period 27 June 2019 to 5 July 2019 inclusive. If approved by Council, Council must also approve the appointment of the Acting Chief Executive Officer for the same period.

OFFICER'S RECOMMENDATION

That Council:

12.2.1. Approves the request by the Chief Executive Officer for annual leave for the period 27 June 2019 to 5 July 2019 inclusive; and

12.2.2. Appoints Director..... to be the Acting Chief Executive Officer for the period 27 June 2019 to 5 July 2019 inclusive.

MOTION

That Council:

12.2.1. Approves the request by the Chief Executive Officer for annual leave for the period 27 June 2019 to 5 July 2019 inclusive; and

12.2.2. Appoints Director Infrastructure and Development Services to be the Acting Chief Executive Officer for the period 27 June 2019 to 5 July 2019 inclusive.

Moved: Cr Kate Redwood AM

Seconded: Cr John Cottrell

Carried

12.3. 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

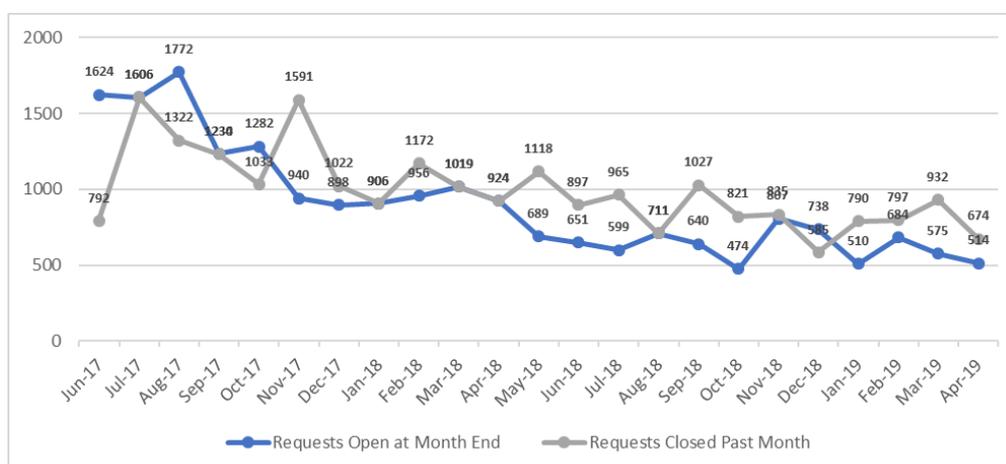
Council uses a Customer Request System *Closing the Loop* to receive and respond to a wide range of requests. The system is web-based and enables community members to directly enter requests, as well as staff to add and manage requests both in council offices as well as remotely.

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*.

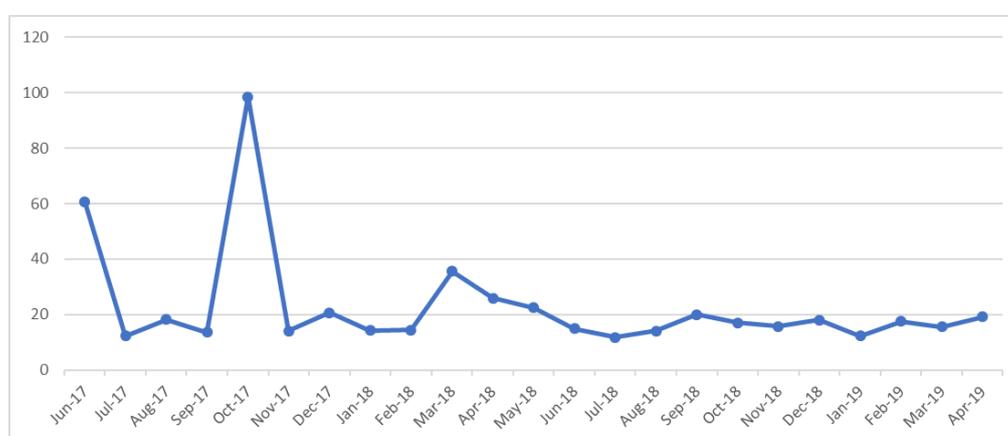
Total Requests Open and Closed Each Month



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

Category	Jan	Feb	March	April
Call back	196	218	171	168
Roads and Footpaths	94	95	65	72
Parks and Open Space	55	62	57	26
Information Technology (internal)	56	56	57	46
Development - Planning, Building and Septics	36	43	45	51
Waste	30	30	7	4
Other	73	210	180	151
Total	540	714	582	518

Average Days to Close Requests

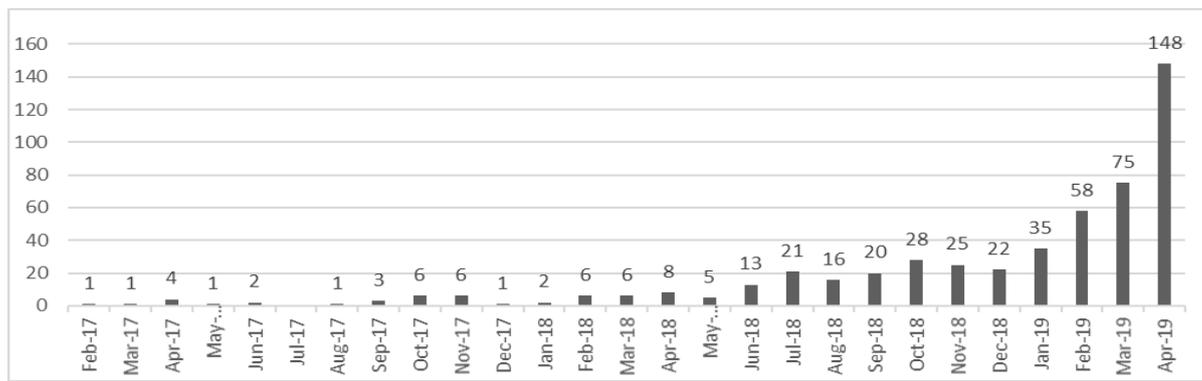


The average days to close requests in the months of June, July and November 2017 were particularly high due to closing out old requests that were migrated from our old customer request system. This included a large number of waste requests that had previously been actioned, but not closed in the request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

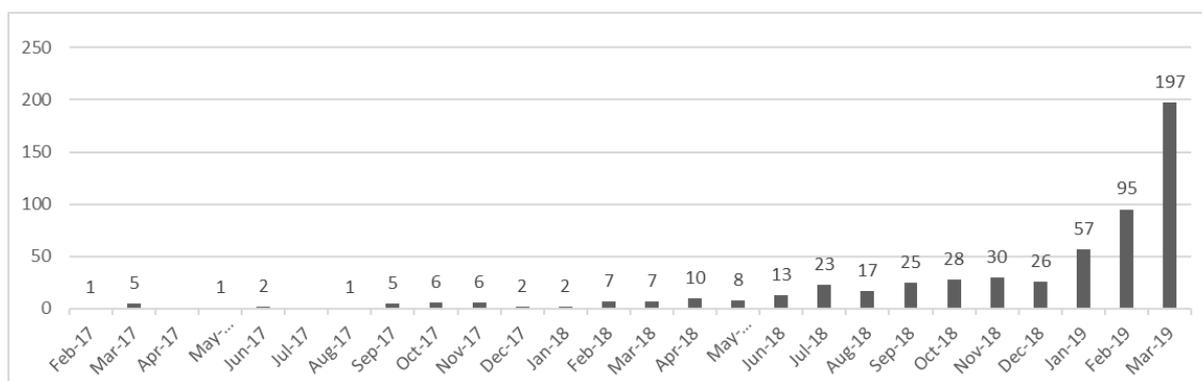
Over the last 12 months the average days to closed has ranged between 11.73 and 22.47 – with an average of 16.56.

Open Requests by Month Received

Current



Last Month



COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017-2021:

Strategic Objective: High Performing Organisation

Key Strategic Activity:

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

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

Key Strategic Indicator: Average Days to Close External Customer Requests

FINANCIAL IMPLICATIONS

Responding to customer requests is managed within the annual budget.

RISK IMPLICATIONS

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

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

No specific matters noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

CONCLUSION

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

OFFICER'S RECOMMENDATION

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

MOTION

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

Moved: Cr Greg May

Seconded: Cr Licia Kokocinski

Carried

12.4. 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, planning units of council.

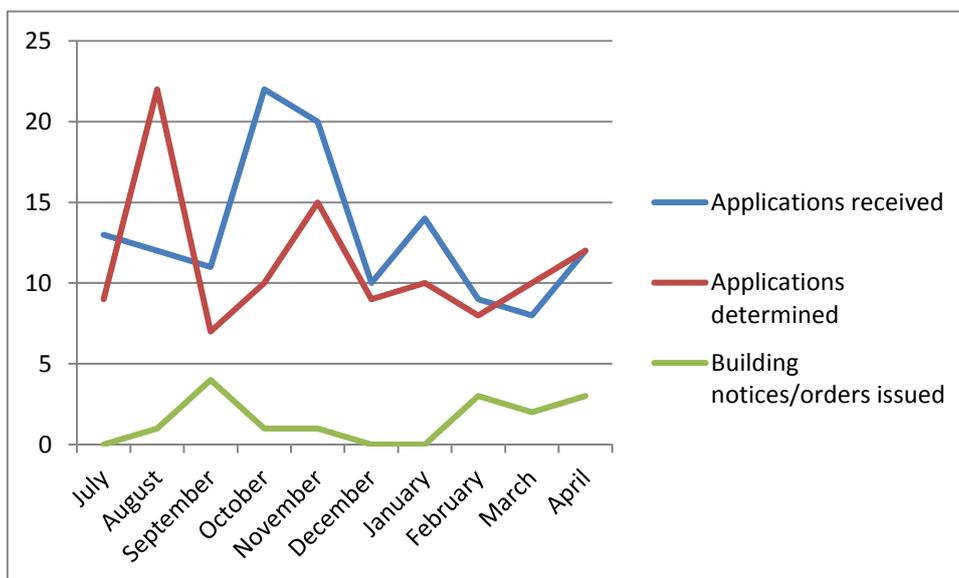
ISSUE/DISCUSSION

Building

The building activity report for April 2019 is summarised below:

Building Activity	Total
Building applications received	12
Building applications determined	12
Building notices/orders issued	3
Total development cost	\$ 1,563,733.00

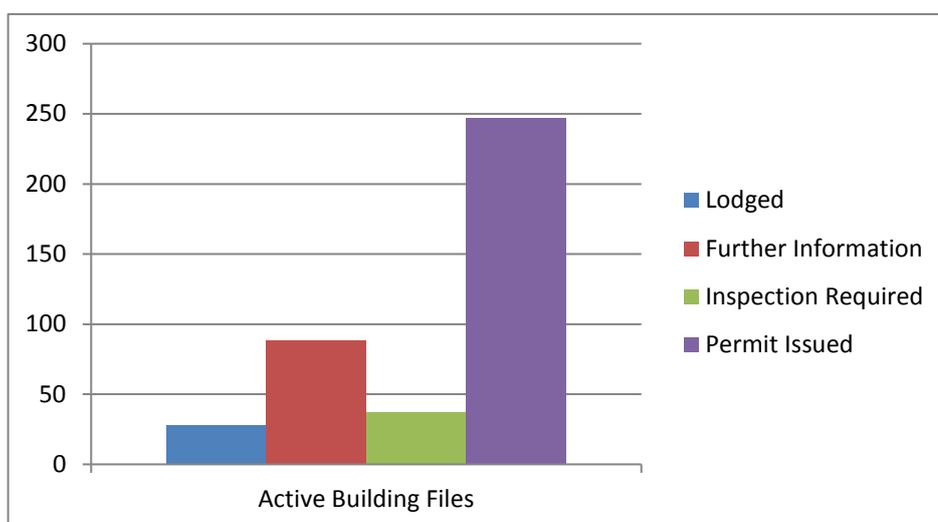
The following graph indicates building statistics and activity for the 18/19 financial year.



Active Building Files

The building department has had 393 active building files over the month of April as summarised below:

Active Building Files	Total
Lodged	28
Further Information	88
Inspection Required	37
Permit Issued	247



Environmental Health

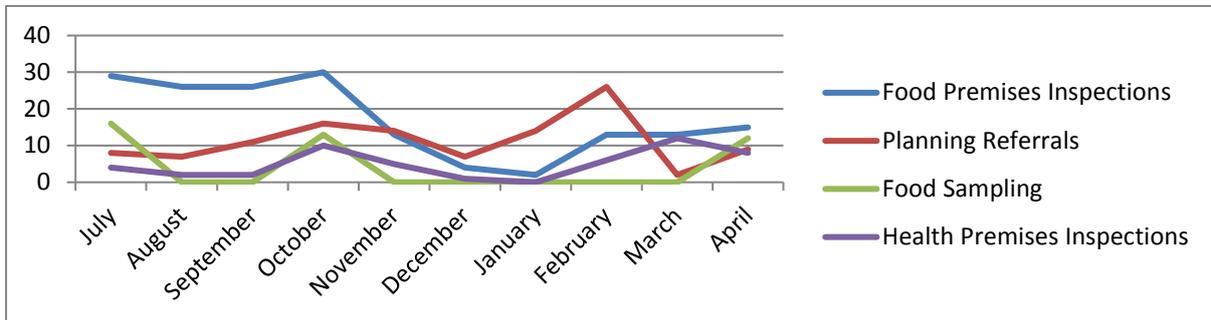
The environmental health activity report for April 2019 is summarised below:

Environmental Health Activity	Total
Food Premises Inspections	15
Planning Referrals	9
Food Sampling	12
Health Premises Inspections	8

Food Sampling

Food sampling concentrated on testing the legitimacy of Gluten free products. Of the twelve samples taken, three failed the Gluten free test. All premises where a failure was reported have been followed up with proprietors given additional training.

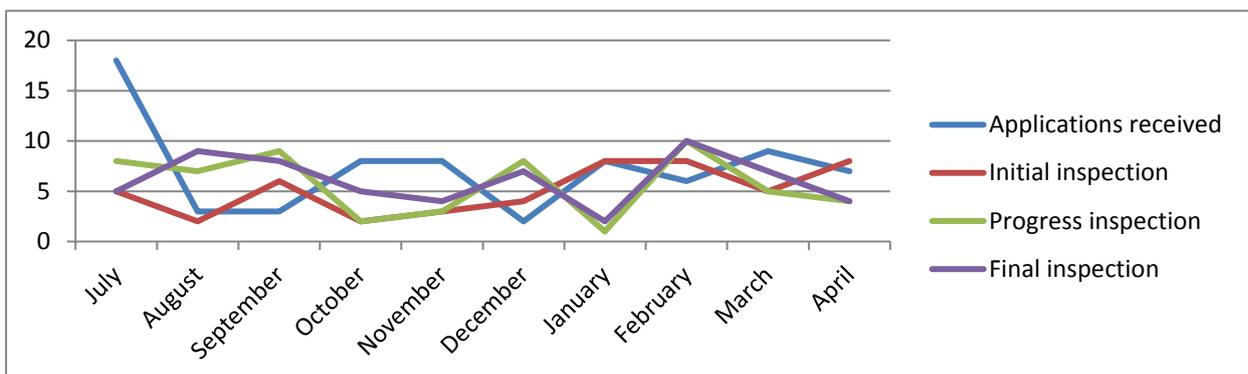
The following graph indicates environmental health statistics and activity for the 18/19 financial year.



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

Septic Tank applications/inspections	Total
Applications	7
Initial inspection	8
Progress inspection	4
Final inspection	4

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



Community Safety

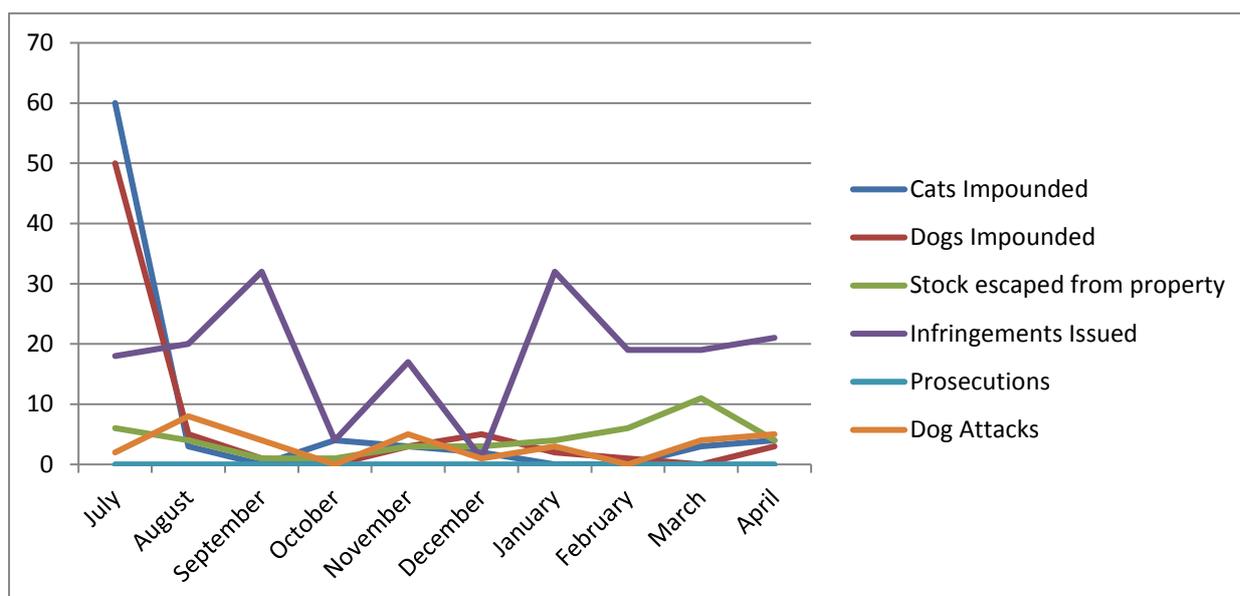
The Community Safety team activity report for April 2019 is summarised below:

Local Laws Activity	Total
Cats Impounded	4
Dogs Impounded	3
Stock escaped from property	4
Infringements Issued	21
Prosecutions	0
Dog Attacks	0
Declarations of Menacing Dogs	0
Declarations of Dangerous Dogs	0

Breakdown of Infringements issued in April 2019.

Infringements	Total
Parking	13
Local Law	1
Food	0
Animal	6
Fire	1

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



Increased patrols are resulting in more stable infringements being issued. This may increase as regular parking patrols are undertaken.

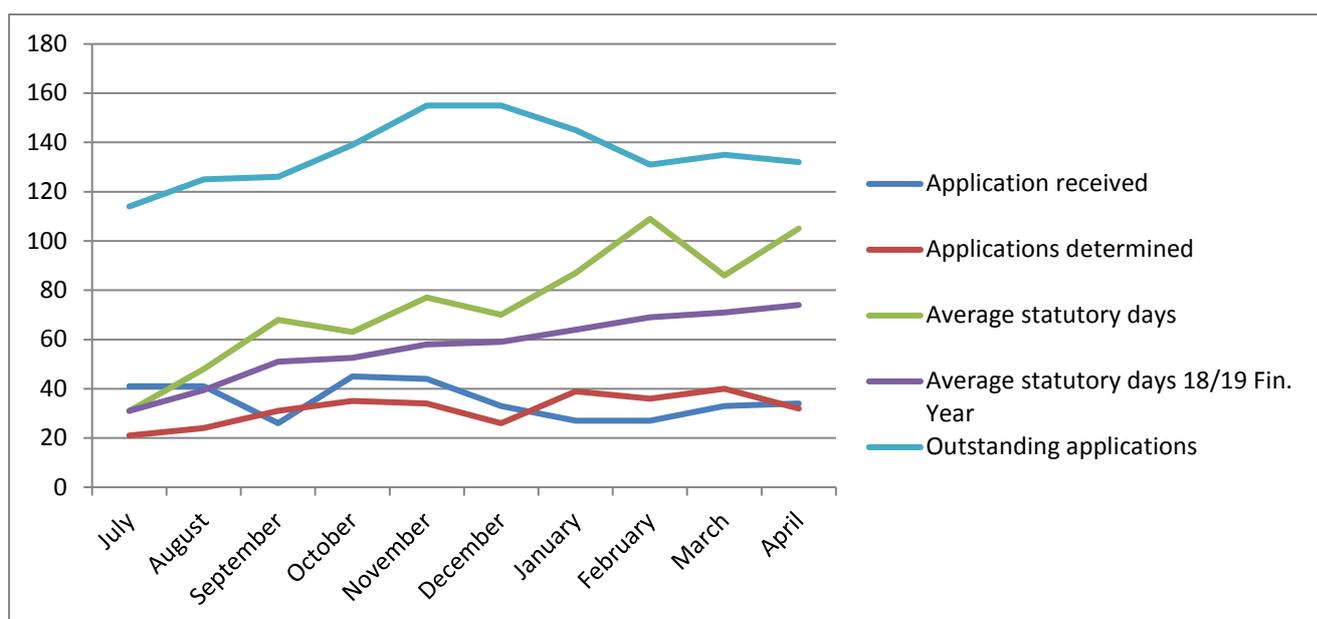
Staff will continue to patrol the Saturday and Sunday markets in Daylesford and Creswick.

Planning

The planning activity report for April 2019 is summarised below:

Planning Activity	Total
Applications received	34
Applications determined	32
Average statutory days	105
Average statutory days 18/19 financial yr	74
Average statutory days 17/18 financial yr	74
Outstanding applications	132

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



The large spike in average statutory days was due to a VCAT determination that was in the system for 760 days. Excluding this application the average statutory days would have been 84 for the month of April.

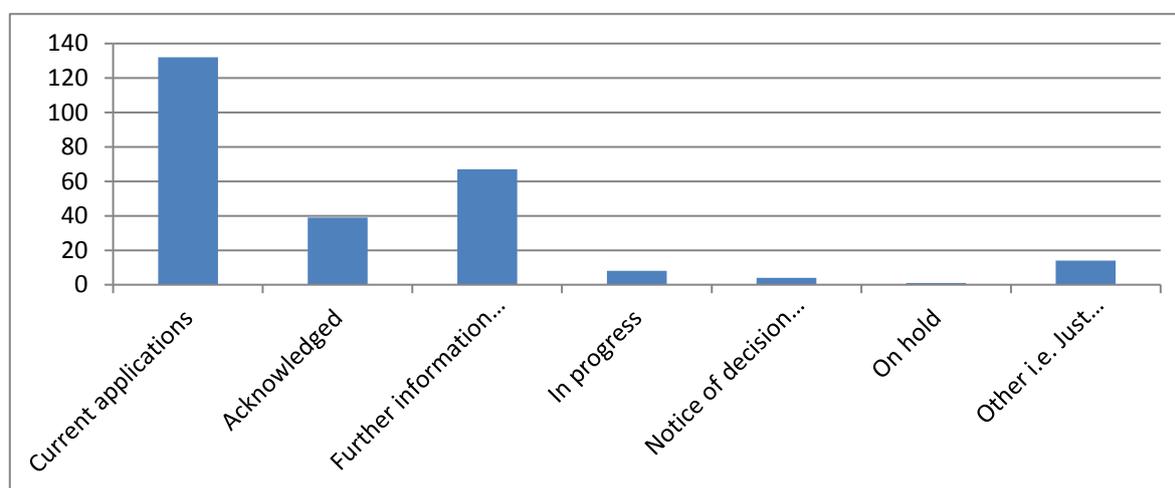
There were two refusals issued in April.

The first refusal was for the construction of four dwellings. This was refused at VCAT as per the officer and Council recommendation to refuse to grant a permit.

The second refusal was for the development of a dwelling. This was refused at the request of two water authorities as they were not convinced that waste water could be adequately treated on-site.

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

Status of all active applications as at April 2019	Total
Current applications	132
Acknowledged	39
Further information request	67
In progress	8
Notice of decision pending	4
On hold	1
Other i.e. Just submitted, referred	14



Applications determined in April 2019 under delegation.

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

Permit issued by delegated officer	28
Refused	2
Notice of Decision by officer	2

OFFICER'S RECOMMENDATION

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

MOTION

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

Moved: Cr Neil Newitt

Seconded: Cr John Cottrell

Carried

**ATTACHMENT 4 - PLANNING PERMITS ISSUED UNDER DELEGATION
IN APRIL 2019**

Planning Permits issued under delegation - April 2019

Application ID	Full Details	Primary Property	Stage/Decision
PlnPA001645	Construction of four x two storey dwellings and alteration of vehicle access to a RDZ1	133 Vincent Street, DAYLESFORD VIC 3460	Refused
PlnPA001822.01	Liquor licence (cafe and restaurant) for up to 77 patrons and waiver of car parking requirement.	6 Howe Street, DAYLESFORD VIC 3460	Issued
PlnPA001892	Extension to existing aged care facility to include 46 bed rooms, extend kitchen, Theatre, practitioner room, physio/gym,	1 Hepburn Road, DAYLESFORD VIC 3460	Issued
PlnPA002013	Two Lot Subdivision	90 Ascot Road, CRESWICK VIC 3363	Issued
PlnPA002033	Construction of a dwelling and associated works	115 Blackmores Road, CLUNES VIC 3370	Refused
PlnPA002071	Re-subdivision of 4 lots to create 2 lots and a road reserve	18 Raglan Street, DAYLESFORD VIC 3460	Issued
PlnPA002125	Construction of a dwelling and earthworks with a depth greater than 1.0m	20A Fulcher Street, DAYLESFORD VIC 3460	Notice of Decision
PlnPA002147	Two lot re-subdivision	47 West Street, DAYLESFORD VIC 3460	Issued
PlnPA002152.01	Alter location of dwelling, shed and tank; Original Permit - Use and construction of a dwelling, creation of a carriageway	78 Russells Road, PORCUPINE RIDGE VIC 3461	Issued
PlnPA002166	Construction of two double storey dwellings	13 North Street, DAYLESFORD VIC 3460	Issued
PlnPA002170	Subdivide an existing dwelling into two units with common property, extend dwellings, construction of new carport and	44 Bridport Street, DAYLESFORD VIC 3460	Issued
PlnPA002171	Variation of a registered restrictive covenant to increase size of building envelope (PS 703541V) and construction of two sheds	60C Drummond-Lauriston Road, DRUMMOND VIC 3461	Issued
PlnPA002226	Two lot subdivision	36 Bute Close, CLUNES VIC 3370	Issued
PlnPA002230	Construction of a two storey dwelling including site cut, replacement of boundary fencing and tree removal	41A Central Springs Road, DAYLESFORD VIC 3460	Issued
PlnPA002237	Change of use of existing premises to Industry (confectionery manufacturing)	8 Mink Street, DAYLESFORD VIC 3460	Issued
PlnPA002252	Two lot subdivision	54 Gardiner Street, CRESWICK VIC 3363	Issued
PlnPA002257	Buildings and works including the partial demolition and extension to the existing dwelling and landscaping (including removal	10 Hill Street, DAYLESFORD VIC 3460	Issued
PlnPA002258	Construction of a dwelling and outbuildings	4 Powells Lane, MOUNT FRANKLIN VIC 3461	Issued
PlnPA002266	Development and associated works with the construction dwelling	86 Davey Road, SPRINGMOUNT VIC 3364	Issued
PlnPA002301	Extension to existing dwelling	20 Leggatt Street, DAYLESFORD VIC 3460	Issued
PlnPA002308	Two lot subdivision	12 Cranneys Lane, TRENTHAM VIC 3458	Notice of Decision
PlnPA002316	Extension of a dwelling	8 Morella Court, DAYLESFORD VIC 3460	Issued
PlnPA002321	Development and associated works of the construction of dwelling	14 Looby Lane, NEWLYN NORTH VIC 3364	Issued
PlnPA002327	Development and associated works of the demolition of an building and construction a building use for a home based business	185 Main Road, HEPBURN VIC 3461	Issued
PlnPA002340	Construction of a dwelling	20 Beatties Road, TRENTHAM VIC 3458	Issued
PlnPA002341	Extension to existing dwelling	20 Beatties Road, TRENTHAM VIC 3458	Issued
PlnPA002360	Construction of a farm shed	211 Dean Reservoir Road, DEAN VIC 3363	Issued
PlnPA002364	Construction of a dwelling	21 Stanhope Street, DAYLESFORD VIC 3460	Issued
PlnPA002365	Construction of a storage shed	44 Fords Road, PORCUPINE RIDGE VIC 3461	Issued
PlnPA002368	Construction of a carport	28 Duke Street, DAYLESFORD VIC 3460	Issued
PlnPA002378	Addition of rear deck to existing dwelling (VICSMART)	120 Gays Road, WHEATSHEAF VIC 3461	Issued
PlnPA002388	Construction of a garage/shed	2815 Midland Highway, NEWLYN VIC 3364	Issued

12.5. FINANCIAL REPORT AS AT 31 MARCH 2019

DIRECTOR COMMUNITY & CORPORATE SERVICES

In providing this advice to Council as the Manager Financial Service, I Danielle How have no interests to disclose in this report.

PURPOSE

The purpose of this report is to present a summary of Council's financial performance for the 2018/2019 financial year up to 31 March 2019.

BACKGROUND

This report provides information on Council's operating performance for the period 1 July 2018 to 31 March 2019 and compares the Income Statement to the budget adopted by Council 19 June 2018, and the Balance Sheet and Statement of Cash Flows to the corresponding period last year.

ISSUE/DISCUSSION

INCOME STATEMENT

Hepburn Shire Council Comprehensive Income Statement For the Period Ended 31 March 2019

	<i>YTD Budget 2018/19</i>	<i>YTD Actual 2018/19</i>	<i>YTD Variance</i>		Notes
	<i>\$'000</i>	<i>\$'000</i>	<i>\$'000</i>	<i>%</i>	
Income					
Rates and charges	20,432	20,432	(0)	0%	
Statutory fees and fines	621	676	55	9%	1
User fees	761	734	(26)	-3%	
Grants - operating	4,573	2,907	(1,666)	-36%	2
Grants - capital	1,203	1,777	575	48%	3
Contributions - monetary	345	228	(117)	-34%	4
Contributions - non monetary	-	-	-	100%	
Net gain/(loss) on disposal of assets	(10)	44	54	-554%	5
Other income	1,369	1,481	112	8%	6
Total income	<u>29,293</u>	<u>28,279</u>	<u>(1,014)</u>	<u>-3%</u>	
Expenses					
Employee costs	9,144	9,150	(6)	0%	
Materials and services	8,873	6,756	2,118	24%	7
Bad and doubtful debts	13	6	7	54%	
Depreciation and amortisation	5,271	5,271	1	0%	
Borrowing costs	141	141	0	0%	
Other expenses	617	382	234	38%	8
Total expenses	<u>24,060</u>	<u>21,706</u>	<u>2,354</u>	<u>10%</u>	
Surplus/(deficit) for the year	<u>5,233</u>	<u>6,573</u>	<u>1,340</u>	<u>26%</u>	

Income Statement – Income

Note 1 – Actual Statutory Fees and Charges Income is higher than budget year to date by \$55K, as there has been increased activity in the permits and local laws departments. A significant portion of this variance relates to the earlier payment of animal registrations as they are not budgeted until April.

Note 2 – Grant Income is less than budgeted year to date and this is in relation to Grant Payment for Creswick Trails \$1.7M which has not yet been received. This funding is expected to be received prior to the end of the 2018-19 financial year.

Note 3 – Capital Grants budgeted for the Roads to Recovery and Fixing Country Roads programs have been received earlier than anticipated.

Note 4 – Monetary Contributions income is less than was budgeted year to date by \$117K. \$50K was budgeted to be received for the Dairy Flat Road Project and this has not been received yet with the project to be completed in 2019/20.

Note 5 – Net Gain on Disposal of Assets is greater than the budget by \$44K this is due to the conservative approach taken to the budget for disposing of vehicles, their value and the market at the time of disposal.

Note 6 – Other income is higher than budgeted year to date by \$112K, this is largely due to the interest earned on cash holdings. The increased interest can be explained as the cash holdings are higher than expected due to project expenditure not being on target and higher interest rates.

Income Statement – Expenses

Note 7 – Materials and Services are currently \$2.12M less than budget. There are several projects which are not at the level of expenditure as expected, delays in these has meant progress payments have not been made. Creswick Trails \$1.3M, drainage and sealed road maintenance \$287K, Rail Trail project \$76K, weed eradication \$66K, Municipal Fire & Emergency Project \$93K and Cameron Court Units \$265K contribute to this variance.

Note 8 – Other expenses are less than budget year to date by \$234K. The budget at this time reflects the payment of Community Grants of \$134K which have not yet been processed, however this will be rectified by the end of the financial year. The balance of the underspend relates to the timing of the payments for the Daylesford/Macedon Tourism and the Victorian Auditor General, which were budgeted by the end of March 2019 however these payments will be made by the end of the financial year.

BALANCE SHEET

Hepburn Shire Council Balance Sheet As at 31 March 2019

	<i>Current Year Actual</i>	<i>Prior Year Actual</i>	<i>Variance Year on Year</i>		
	<i>\$'000</i>	<i>\$'000</i>	<i>\$'000</i>	<i>%</i>	
Assets					
Current assets					
Cash and cash equivalents	10,651	5,073	5,578	52%	1
Trade and other receivables	7,927	7,588	339	4%	
Other financial assets	6,933	10,733	(3,800)	-55%	2
Inventories	8	9	(1)	-15%	
Non-current assets classified as held for sale	545	545	-	0%	
Other assets	143	148	(5)	-4%	
Total current assets	<u>26,206</u>	<u>24,096</u>	<u>2,110</u>	<u>8%</u>	
Non-current assets					
Property, infrastructure, plant and equipment	246,540	233,502	13,038	5%	
Intangible assets	403	497	(94)	-23%	
Total non-current assets	<u>246,943</u>	<u>233,999</u>	<u>12,944</u>	<u>5%</u>	
Total assets	<u>273,149</u>	<u>258,095</u>	<u>15,054</u>	<u>6%</u>	
Liabilities					
Current liabilities					
Trade and other payables	1,467	1,040	(427)	-29%	3
Trust funds and deposits	1,513	1,627	114	8%	
Provisions	1,881	2,618	737	39%	
Interest-bearing loans and borrowings	596	580	(16)	-3%	
Other Liabilities	18	18	-	0%	
Total current liabilities	<u>5,475</u>	<u>5,883</u>	<u>408</u>	<u>7%</u>	
Non-current liabilities					
Provisions	447	457	10	2%	
Interest-bearing loans and borrowings	3,934	4,461	527	13%	4
Other Liabilities	80	98	18	22%	
Total non-current liabilities	<u>4,462</u>	<u>5,016</u>	<u>554</u>	<u>12%</u>	
Total liabilities	<u>9,937</u>	<u>10,899</u>	<u>963</u>	<u>10%</u>	
Net assets	<u>263,213</u>	<u>247,196</u>	<u>16,017</u>	<u>6%</u>	
Equity					
Accumulated surplus	156,332	151,593	4,739	3%	
Reserves	106,881	95,602	11,278	11%	
Total Equity	<u>263,213</u>	<u>247,196</u>	<u>16,017</u>	<u>6%</u>	

Balance Sheet

Note 1 – Cash and Cash Equivalents are higher than last year due to less funds being held in term deposits of greater than 90 days;

Note 2 – Other Financial Assets are lower than last year due to less funds being held in term deposits of greater than 90 days. Overall 'cash' holdings are \$17.58M compared to \$15.83M reflecting increased outstanding capital and operational projects.

Note 3 – Increase in Non-Current Assets of \$13M since this time last year is largely as a result of an \$11.3M revaluation of land and buildings and is reflected in the coinciding change in reserves, effective 30 June 2018. There has also been additional capitalisation of assets since last year.

Note 4 – Trade Payables are \$427K higher than this time last year and this is due to the significant works being performed on the road repair projects and final progress claim invoices being received and are due to be paid in April 2019.

Note 5 – The provision was reduced by \$737K largely due to works carried out at the Creswick Landfill at the end of the 2018 financial year.

Note 6 – No New borrowings in the past two financial years and therefore there has been a principal debt reduction.

CASH FLOW STATEMENTS

Hepburn Shire Council Statement of Cash Flows For the Period Ended 31 March 2019

	<i>Current Year Actual</i>	<i>Prior Year Actual</i>			
	Inflows/ (Outflows) \$'000	Inflows/ (Outflows) \$'000			
Cash flows from operating activities					
Rates and charges	15,914	14,381	(1,533)	-10%	1
Statutory fees and fines	619	609	(10)	-2%	
User fees	587	840	253	43%	2
Grants - operating	2,953	8,671	5,718	194%	3
Grants - capital	1,777	1,139	(638)	-36%	4
Contributions - monetary	228	131	(97)	-43%	
Reimbursements			-	100%	
Interest received	370	264	(106)	-29%	
Rent received	688	678	(10)	-1%	
Trust funds and deposits taken	84	76	(8)	-10%	
Rents (inclusive of GST)			-	100%	
Other receipts	339	127	(213)	-63%	
Net GST refund/payment	0	276	276	177495%	
Employee costs	(9,188)	(8,810)	379	-4%	
Materials and services	(7,347)	(7,320)	27	0%	
Trust funds and deposits repaid			-	100%	
Other payments	(382)	(475)	(93)	24%	
Net cash provided by/(used in) operating activities	6,641	10,587	3,946		
Cash flows from investing activities					
Payments for property, infrastructure, plant and equipment	(4,902)	(6,114)	-	0%	
Proceeds from sale of property, infrastructure, plant and equipment	44	71	27	62%	
Payments for investments	(1,000)	(6,579)	(5,579)	558%	
Proceeds from sale of investments	-	-	-	100%	
Loans and advances made			-	100%	
Payments of loans and advances			-	100%	
Net cash provided by/(used in) investing activities	(5,858)	(12,622)	(1,230)	21%	
Cash flows from financing activities					
Finance costs	(141)	(162)	(21)	15%	
Proceeds from disposal of financial assets			-	100%	
Proceeds from borrowings	-	-	-	100%	
Repayment of borrowings	(356)	(589)	(233)	65%	
Net cash provided by/(used in) financing activities	(498)	(751)	(253)	51%	
Net increase (decrease) in cash and cash eq	285	(2,786)	(3,071)	-1076%	
Cash and cash equivalents at the beginning	10,365	5,864	(4,502)	-43%	
Cash and cash equivalents at the end of the period	10,651	3,078	(7,573)	-71%	

STATEMENT OF CASHFLOWS

Note 1 – The increase in cash inflows in the year 2018/19 as opposed to last financial year relates to the increase in rates of 2.5% and the influx of collections from the rates outstanding at 30th June 2018.

Note 2 – Inflows from sundry debtors (non rates) are lower year to date in 2018/19 compared to last year by approximately \$200K.

Note 3 – Decrease in the grant funding from last year, primarily relates to the \$5.7M in flood relief funding received in the 2017/18 financial year.

Note 4 – Capital Grants have increased in the 2018/19 year as a result of \$245K Environmental Projects, \$58K Trentham Netball Facility, Road and Drainage \$266K, Lake Daylesford \$50K and E-waste \$53K

STATEMENT OF CAPITAL WORKS

Hepburn Shire Council Statement of Capital Works as at 31 March 2019

<i>Asset</i>	<i>Full Year Budget</i>	<i>YTD Actual</i>	<i>% Spent YTD</i>	
<i>2018/19 Expenditure</i>				
TOTAL PROPERTY	6,895,466	685,836	10%	1
TOTAL PLANT AND EQUIPMENT	2,477,359	683,545	28%	2
INFRASTRUCTURE				
Roads	5,096,928	2,099,714	41%	3
Bridges	484,809	137,586	28%	4
Footpaths and cycleways	935,798	367,784	39%	5
Drainage	495,839	183,703	37%	6
Recreational, leisure and community facilities	604,795	234,878	39%	7
Parks, open space and streetscapes	973,413	386,644	40%	8
Other infrastructure	165,729	4,049	2%	9
TOTAL INFRASTRUCTURE	8,757,311	3,491,940	40%	
TOTAL CAPITAL WORKS	18,130,136	4,861,321	27%	
Represented by:				
New asset expenditure	4,558,597	715,753	16%	
Asset renewal expenditure	11,101,676	3,651,232	33%	
Asset upgrade/expansion expenditure	2,469,863	494,336	20%	
Total capital works expenditure	18,130,136	4,861,321	27%	

Note 1 – A number of building projects are behind schedule including: Hepburn Hub architectural plans are being finalised prior to building works commencing; Clunes Town Hall works tender about to be released; Hepburn Towards Zero tender scope is being finalised; Contractor appointed to construct E-waste infrastructure at Daylesford transfer station; Other building upgrades are undergoing scoping and project planning prior to construction.

Note 2 – Evaluation of specifications and tender process underway for replacement vehicles and plant; Bioenergy facility building completed, equipment being installed and commissioned and setup completion to occur prior to operation.

Note 3 – Gravel re-sheet program has been completed slightly under budget; and 75% of the budgeted road resealing is complete; Road reconstructions

are underway and are scheduled for completion by the end of June; East St rail underpass will begin in May 2019.

Note 4 – Anderson Mill bridge completed; other scheduled bridge renewals are to be tendered in May 2019.

Note 5 – Footpath renewal program works scheduled for the 2018/19 budget year are 80% complete and are on track for completion by June 2019; Coomoora to Daylesford Cycle path awaiting approval by VicRoads; other cycle/footpaths due for completion May 2019.

Note 6 – Crockett St Daylesford and Hepburn Springs road kerb and channel works completed; Wills Square, Camp St and Raglan street due to be completed in May 2019; other budgeted drainage works due to be completed by 30 June 2019

Note 7 – Daylesford Soccer club rooms and Creswick Pump Track completed; Outdoor exercise equipment ordered and scheduled for mid-May installation; Trentham Streetscape tender being finalised prior to going to market; Newlyn Netball courts final tender process underway, with anticipated September construction.

Note 8 – Trentham streetscape tender specification under review prior to release, procurement scheduled to take place end of May 2019.

Note 9 – Art appropriation on hold until new officer is appointed in May 2019; Doug Lindsay Carpark plan is under costing review and consultation

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Under Section 138 of the *Local Government Act 1989* a report comparing actual expenditure and revenue to budget must be presented at least quarterly to the Council in a meeting which is open to the public.

FINANCIAL IMPLICATIONS

The reports provide the opportunity for review of Council's financial position and forecasts.

RISK IMPLICATIONS

These financial reports assist in decision making and oversight to confirm that departments and the organisation follows its budget.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

None noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

This information will be made available to the public via the minutes published on the Council's website and available for viewing at Council's offices and libraries.

CONCLUSION

The report on the financial performance of Council for the nine months from 1 July 2018 to 31 March 2019 is presented for Council's review and noting.

OFFICER'S RECOMMENDATION

12.5.1. That Council Receives and notes the Financial Report for the period from 1 July 2018 to 31 March 2019.

MOTION

12.5.1. That Council Receives and notes the Financial Report for the period from 1 July 2018 to 31 March 2019.

Moved: Cr Kate Redwood AM

Seconded: Cr John Cottrell

Carried

12.6. ACTIVE WOMEN AND GIRLS STRATEGY

DIRECTOR COMMUNITY & 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 consider the adoption of the Hepburn Shire Active Women and Girls Strategy.

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

This strategy aims to promote a healthy lifestyle, reduce social isolation, and increase female participation in structured and unstructured physical activity. A person centred, place and asset based approach has been adopted for this strategy. 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

After the March 2019 Council Meeting, the draft strategy was available for consultation within the community for three weeks. Feedback was consolidated and assessed by the Strategy's Project Control Group. If appropriate, the feedback was incorporated into the strategy.

The draft strategy was promoted within the local community through the following avenues for feedback:

- Direct email sent to all community groups and clubs that attended the community workshop or contributed to the development of the strategy
- Direct email send to sporting clubs and recreation providers within the Hepburn Shire community
- Social media posts
- Media release to the local newspaper
- Promotion within school newsletters and other internal marketing

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 and other interested stakeholders had the opportunity to provide feedback on the draft strategy within a three week period. This was advertised strongly within the community through a range of print and online mechanisms.

CONCLUSION

The 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

12.6.1. That Council adopts the Hepburn Shire Council Active Women and Girls Strategy

MOTION

12.6.1. That Council adopts the Hepburn Shire Council Active Women and Girls Strategy

Moved: Cr Fiona Robson

Seconded: Cr Kate Redwood AM

Carried

**ATTACHMENT 5 - ACTIVE WOMEN AND GIRLS STRATEGY 2019-2029
(ISSUED UNDER SEPARATE COVER)**

12.7. POLICY REVIEWS – PROCUREMENT, PROTECTED DISCLOSURE AND RESPECTFUL BEHAVIOURS POLICIES

CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is for Council to approve the following reviewed Council policies:

- Policy 46 (C) – Procurement Policy;
- Policy 74 (C) - Protected Disclosure Policy; and
- Policy 33 (C) - Respectful Behaviours Policy.

BACKGROUND

Policy 46 (C) – Procurement Policy

Council's procurement policy sets out Council's contracting, purchasing and contract management activities and compliance obligations under the Section 186 of the *Local Government Act, 1989* (Act). Section 186A of the Act requires Council to prepare and approve a procurement policy. Subsection 186A (7) requires Council, at least once in each financial year, to review the current procurement policy and amend the procurement policy. The policy was last reviewed by Council in August 2017. The procurement policy is the only policy that Council must have in place under legislation.

Policy 74 (C) - Protected Disclosure (Whistleblower) Policy

This policy outlines how Council meets its obligations for receiving disclosures under the *Protected Disclosure Act, 2012* and the protection of those persons making disclosures (Whistleblower). Recent legislative and organisational changes, necessitates the review of the policy.

Policy 33 (C) - Respectful Behaviours Policy

This policy sets out the standards of behaviour for all Employees, Councillors, Contractors, Hepburn Shire Volunteers, Work Experience students & trainees, members of Special & Advisory Committees and reference group members. The policy ensures our behaviours support a workplace free from all forms of discrimination, harassment, sexual harassment, bullying and victimisation. This policy complies with Equal Opportunity and Occupational Health and Safety legislation.

ISSUE/DISCUSSION

Policy 46 (C) – Procurement Policy

Council's procurement policy has been developed with reference to the 2013 Local Government Best Practice Procurement Guidelines.

In addition to this policy, a suite of documents is available to staff, providing procedural guidelines which step through the necessary and optional requirements for procurement at Council. The key policy changes are:

- Greater clarification of the purchases and services that are exempt from compliance with the policy (eg. regional library supplies, loans, payroll expenses and deductions, electoral services, artwork/statues, professional memberships, plant servicing/spare parts particularly for warranty retention or maintenance to Original Equipment Manufacturer, rates/taxes/levies);
- Strengthening of panelled supplier processes and the requirement for tender processes to establish panels for known regular procurements (eg. road-making/quarry materials, electrical, plumbing and other trades);
- Use of standard evaluation criteria for purchases above \$50,000;
- The use and approval of procurement exemptions clarified and strengthened;
- Attention drawn to the use of Procurement Australia and MAV supplier contracts;
- Aggregated/cumulative spend on a single supplier over a 2 year period will now trigger a requirement for a tender process in accordance with the Act;
- Contract variations to be approved in line with financial delegations rather than the need to be brought back to Council;
- Procurement policy, including financial thresholds, now applies to the engagement of contract staff;
- A 'best and final offer' process has been included where the offerings provided by 2 or more tenderers may be difficult to differentiate in terms of price/service; and
- Request for quotation thresholds have been increased as follows-

Up to \$5,000 (Incl. GST)	One (1) Verbal	Prices can be obtained from known or Panelled Suppliers and Purchase Order Raised under delegation
\$5,001 - \$10,000 (Incl. GST)	One (1) Written	Prices can be obtained from known or Panelled Suppliers and Purchase Order Raised under delegation
\$10,001 - \$50,000 (Incl. GST)	Two (2) Written	Written quotations where an expenditure/analysis report is prepared and presented to supervisor/manager for approval under delegation and held to HPRM file and/or attached to purchase requisition for future audit
\$50,001 - \$150,000 Goods or Services	Three (3) Written	Quotation process to be conducted using e-Tender (or similar). Written quotations where an expenditure/analysis report is prepared and presented to supervisor/manager for approval under delegation

(Incl. GST)		and held to HPRM file and/or attached to purchase requisition for future audit
\$50,001 - \$200,000	Three (3) Written	Quotation process to be conducted using e-Tender (or similar).
Works (Incl. GST)		Written quotations where an expenditure/analysis report is prepared and presented to supervisor/manager for approval under delegation and held to HPRM file and/or attached to purchase requisition for future audit

Policy 74 (C) - Protected Disclosure (Whistleblower) Policy

In addition to the review of this policy, the procedures that accompany the policy have also been reviewed to take into account recent legislative and organisational changes. Council officers will also make changes to Council's website to reflect the relationship between the current *Protected Disclosure Act 2012* and the *Whistleblowers Protection Act 2001* which it replaces. The key policy changes are:

- The Protected Disclosure Coordinator has been changed from the former General Manager Corporate Services position to Manager Governance Compliance and Risk;
- Contact details for the Protected Disclosure Coordinator have been changed from names to position titles;
- A dedicated email address for the making of disclosures (protecteddisclosures@hepburn.vic.gov.au) has been established to overcome losing contact details when staff leave the organisation;
- Reference to new legislation affecting disclosures has been included (*Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act 2019*). Whilst this Act was proclaimed in March 2019, the majority of the provisions come into force in January 2020 and July 2020; and
- Inclusion of the term 'Whistleblower' into the policy title and introduction sections.

Policy 33(C) - Respectful Behaviours Policy

As legislation relating to harassment, sexual harassment, bullying, discrimination and victimisation have not changed significantly since the previous policy approval in 2014, the content of this policy is essentially the same as the previous version. Operational policies that support the Respectful Behaviours policy, such as the Code of Conduct and the Staff Grievance policy have also been updated at this time. Key policy changes are:

- Relevant legislation updates have been reviewed and taken into account;

- More specific information regarding the scope of who the policy applies to has been included, with specific mention of employment agency staff, advisory committees and reference groups;
- Reasonable Management Action has been defined and highlighted under its own section. This definition provides clarity as to the activities of managers/supervisors which differentiate their actions from workplace bullying;
- Implementation of the policy with staff and when on-boarding new employees will be via an online learning portal, Hepburn Learning Hub;
- Improvement to the accessibility of the information by adding a contents page and improved document set-out for ease of use to comply with the Disability Access initiatives; and
- Inclusion of provisions reinforcing gender equity.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

The principles of good governance require that organisations have a suite of relevant policies that are reviewed regularly. Whilst there is no legislative requirement to review the Protected Disclosure (Whistleblower) Policy and the Respectful Behaviours Policy, section 186A of the *Local Government Act, 1989* requires Council to prepare and approve a procurement policy. Subsection 186A (7) requires Council, at least once in each financial year, to review its procurement policy.

FINANCIAL IMPLICATIONS

The Procurement Policy support Council's objective to obtain value for money in its purchasing activities.

There are no financial implications associated with the review of the Protected Disclosure (Whistleblower) Policy and the Respectful Behaviours Policy.

RISK IMPLICATIONS

None noted.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

None noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Consultation with departments across Council has assisted in the review of these policies. The policies will be available to the public via Council's website and will also be available for inspection in Council offices.

CONCLUSION

The review of these policies supports and reinforces Council's commitment to the principles of good governance and legislative compliance.

OFFICER'S RECOMMENDATION

That Council:

12.7.1. Adopts the following policies as reviewed:

- Policy 46 (C) – Procurement Policy
- Policy 74 (C) - Protected Disclosure (Whistleblower) Policy
- Policy 33 (C) - Respectful Behaviours Policy.

12.7.2. Directs Council officers to make the policies available for public inspection on Council's website and at Council's offices.

MOTION

That Council:

12.7.1. Adopts the following policies as reviewed:

- *Policy 46 (C) – Procurement Policy*
- *Policy 74 (C) - Protected Disclosure (Whistleblower) Policy*
- *Policy 33 (C) - Respectful Behaviours Policy.*

12.7.2. Directs Council officers to make the policies available for public inspection on Council's website and at Council's offices.

Moved: Cr Kate Redwood AM

Seconded: Cr John Cottrell

Carried

**ATTACHMENT 6 - POLICY 46 (C) – PROCUREMENT POLICY (ISSUED
UNDER SEPARATE COVER)**

**ATTACHMENT 7 - POLICY 74 (C) - PROTECTED DISCLOSURE
(WHISTLEBLOWER) POLICY (ISSUED UNDER SEPARATE COVER)**

**ATTACHMENT 8 - 33 (C) - RESPECTFUL BEHAVIOURS POLICY
(ISSUED UNDER SEPARATE COVER)**

12.8. TOWARDS ZERO COMMUNITY GRANTS

DIRECTOR INFRASTRUCTURE & DEVELOPMENT SERVICES

In providing this advice to Council as the Sustainability Officer, I Dominic Murphy have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider recommendations for the Towards Zero Community Grants Program.

BACKGROUND

The Towards Zero Community Grants Program makes funding available to community groups for eligible emission reduction projects within the Shire.

Due to the high uptake of the Hepburn Solar Bulk Buy, funding is also available from More Australian Solar Homes (MASH) and Council for Solar Photovoltaic (PV) systems. Council staff and representatives from MASH (where applicable) have assessed the applications based on factors such as emission savings, Return on Investment (ROI), and applicant co-contribution.

ISSUE/DISCUSSION

The recommended funding allocation is provided below:

Grant applicant	Project	Co-contribution (ex. GST)	Grant funding from Council (ex. GST)
MASH Community Bonus -Council contribution	Commitment from Hepburn Solar Bulk Buy	\$12,798	\$10,000
Doxa Youth Foundation	Solar PV system	\$1,000	\$5,150
Hepburn Shire SES	Solar PV system	\$1,000	\$3,800
Clunes Neighbourhood House	Audit and community education	\$0	\$4,000
Z-NET Climate Resilience Fund	Energy assessments & upgrades	\$27,500	\$12,500
Smeaton Bowls Club	LED lighting	\$0	\$1,242
TOTAL			\$36,692

Within the community, solar PV installations are occurring at a high rate, with changes in energy efficiency and transport fuels also occurring and expected to increase. This rapid transition offers many potential benefits, but also poses significant practical and technical challenges. Community action, such as behaviour change and load shifting, will become increasingly important for addressing these challenges.

The total value of applications for this grant was significantly greater than Council's budget. Project applicants include Solar PV, energy efficiency and audit/community education projects. The number and scope of projects has been reduced to fit within the available budget, based on the assessment criteria outlined in the application guidelines.

The recommended projects represent a good balance of capital works and community support.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2021:

Strategic Objective – Sustainable Environment

Key Strategic Activity:

8. Respond to climate change through the reduction of energy use, emissions and other resource use, and helping the community to adapt to the impacts of increased floods and fires. Undertake fire and flood risk reduction works across Council managed facilities and roads, in collaboration with other agencies and landowners to reduce fire risk to our communities.

Action: Support the community to develop and implement a 100% Community Renewable Stationary Energy Plan.

FINANCIAL IMPLICATIONS

This is an ongoing operational cost which Council has committed to in the 18/19 budget. The proposed funding allocation is within the available budget.

RISK IMPLICATIONS

Council will be providing funding to eligible applicants, who are then required to appoint a suitably qualified contractor. It shall be the responsibility of the applicant to manage all risks associated with their proposed project.

Identifying risks and appointing suitably qualified and insured contractors is required of applicants.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

All projects are aimed at delivering emission reductions, resulting in a net environmental benefit. Further, as the applicants are local community groups, these projects will act to reduce their operating costs and retain savings within the community.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council staff and MASH representatives have discussed these recommended projects with applicants as necessary.

CONCLUSION

Applications for 2018/2019 Towards Zero Community Grants have been assessed by Council Officers. Based on this assessment, the number and scope of projects has been reduced to those outlined within this document.

OFFICER'S RECOMMENDATION

12.8.1. That Council *resolves* to allocate Towards Zero Community Grant funding as outlined in the report.

MOTION

12.8.1. That Council resolves to allocate Towards Zero Community Grant funding as outlined in the report.

Moved: Cr John Cottrell

Seconded: Cr Neil Newitt

Carried

Cr Kate Redwood AM left the meeting at 8:15pm due to an indirect conflict of interest – conflicting duty on items 12.9 and 12.10, as she is on the Committee of Management for the Daylesford Neighbourhood Centre.

Cr Fiona Robson left the meeting at 8:15pm due to an indirect conflict of interest – conflicting duty on items 12.9 and 12.10, as she is employed by the Daylesford Neighbourhood Centre.

12.9. COMMUNITY GRANTS – MAY 2019

DIRECTOR COMMUNITY & 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 for May 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 four applications received for May. Three of these grants are eligible to receive funding through the Community Grants 2018-19 budget allowance and one through the Children's Program Fund.

The grant applications were 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.

All applications were recommended. These included the following:

Project Name	Community Organisation	Description	Category	Amount Requested	Recommendation
Clunes Community Centre	Clunes Football Netball Club	A new defibrillator for the Clunes community centre	A.	\$2,000	Recommended
Debutante Ball	Debutante Ball Auspiced by Daylesford Neighbourhood Centre	Bringing the debutante ball back to Daylesford	A.	\$2,000	Recommended
All Abilities Group – Life Skills Market Stall Experience	Daylesford Neighbourhood Centre	Purchase gazebo, signage, chairs and set up materials for the All Abilities Group Sunday market stall	B.	\$1,000	Recommended
Eco Warriors Group of Year 5-6 students with environmental focus	Hepburn Primary School	Purchase of water containers, eco bins and plant material for gardens to assist the implementation of the group's	F.	\$1,000	Recommended

		environmental endeavours			
Total Requested					\$6,000

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 \$12,744.31 remaining in the 2018-19 Program. The three applications categorised as 'A' and 'B' draw upon this funding stream, equating to \$5,000.

The Children's Program's 2018-19 budget allowance is \$10,000. There is \$9,000 remaining in this fund. The one application received categorised as 'F' draws upon this funding stream. The applicant has requested the full amount of \$1,000.

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	\$2,347.00	\$42,000	\$12,744.31

Community Grants Program			
A) Active and Engaged Communities	\$21,003.50		
B) Quality Community Infrastructure (including small equipment)	\$5,905.19		
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

12.9.1. That Council awards the following application from the 2018-19 Community Grants Program to:

Project Name	Community Organisation	Amount
Clunes Community Centre	Clunes Football Netball Club	\$2,000
Debutante Ball	Debutante Ball Auspiced by Daylesford Neighbourhood Centre	\$2,000
All Abilities Group – Life Skills Market Stall Experience	Daylesford Neighbourhood Centre	\$1,000
Eco Warriors Group of Year 5-6 students with environmental focus	Hepburn Primary School	\$1,000
	Total	\$6,000

MOTION

12.9.1. That Council awards the following application from the 2018-19 Community Grants Program to:

Project Name	Community Organisation	Amount
Clunes Community Centre	Clunes Football Netball Club	\$2,000
Debutante Ball	Debutante Ball Auspiced by Daylesford Neighbourhood Centre	\$2,000
All Abilities Group – Life Skills Market Stall Experience	Daylesford Neighbourhood Centre	\$1,000
Eco Warriors Group of Year 5-6 students with environmental focus	Hepburn Primary School	\$1,000
Total		\$6,000

Moved: Cr Greg May

Seconded: Cr John Cottrell

Carried

12.10. MANAGEMENT OF DAYLESFORD ARTS, RECREATION & CULTURE CENTRE (ARC)

DIRECTOR COMMUNITY & CORPORATE SERVICES

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

PURPOSE

The purpose of this report is for Council to consider the extension of the contract with the Daylesford Neighbourhood Centre (DNC) to manage the Daylesford ARC. The proposed extension is until the end of the 2019/20 financial year while a review of the management model is undertaken.

BACKGROUND

In 2017 Council entered into a contract with the DNCentre to manage the Daylesford ARC. The term of the contract was just under two years in duration and expired on the 31 March 2019. The contract is currently in 'holding over'.

The Daylesford Arts, Recreation & Culture Centre (ARC) is a multi-purpose Council-owned facility located on Department of Education land at the Daylesford College site on Smith Street. This facility includes three basketball courts, change rooms, a kitchenette, kiosk area, two office spaces and two squash courts.

The initial management of the Daylesford ARC was tendered to the YMCA, who elected not to continue the arrangement. At that time the management of the Daylesford ARC was contracted to DNC by Council.

ISSUE/DISCUSSION

The Daylesford Secondary College has priority of usage of the Daylesford ARC during school hours. Community groups and clubs are able to book and use the facility outside of these times through the Neighbourhood Centre.

Throughout 2018, the DNC took regular ongoing bookings from five key community groups/clubs. These include Dawn School of Dancing, Daylesford Volleyball Inc., Sprung Circus, Hepburn Netball Club and a number of external Roller Derby groups/clubs. The Daylesford Springers Basketball Association have also expressed interested in re-forming during 2019.

Although there was an early ambition that the Daylesford ARC would become self-funded, this has not been achieved. The DNC was provided with funding from Council of \$27,500 (including KPI indexation – is now \$27,912.48) to manage the Daylesford ARC from 1 April 2018 to 31 March 2019. With the addition of hire and tutor income, the DNC yielded an income of \$44,868.78. The expense costs relating to management of the ARC incurred by the DNC throughout this period accumulated to \$30,236.46.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2021:

Strategic Objective – Active & Engaged Communities

Key Strategic Activity:

Take action to encourage improved health and wellbeing to 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.

FINANCIAL IMPLICATIONS

The DNC has expressed interest to continue to manage the Daylesford ARC until the end of the 2019/20 financial year, given that the management payment of \$27,500 (plus CPI indexation) plus a proportional amount from April to June 2020 of \$6,875.00 (plus CPI indexation) is provided by Council.

If Council was not to provide the management payment and extend the contract with the DNC, this role and cost would need to be absorbed and taken on by Council, or another contractor would need to be appointed for this short duration.

RISK IMPLICATIONS

No specific risk implications have been identified.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The ARC facility is booked out by the community groups listed previously most nights of the week. These groups/clubs provide an important and vital sport and recreation service within the local community, contributing positively to their health and wellbeing status. It is therefore important that their usage of the Daylesford ARC is unaffected.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council Officers plan to facilitate a body of research to investigate the most appropriate and effective management model for the Daylesford ARC (and other major recreation facilities) into the future.

Council have provided funding in the proposed budget 2019/2020 to facilitate this review. The review will consider:

- Alternative management models, and appropriateness to the Daylesford ARC
- Maintenance costs and other financial considerations for the facility
- Participation, programming and shared usage opportunities within arts, recreation and culture domains

This review is to be funded and undertaken in the 2019/2020 financial year, and therefore Officers propose that the current contract with the DNC is extended until the end of the 2019/2020 financial year.

The review to be undertaken will include the financial models, and take into account requirements of key users.

CONCLUSION

In conclusion, extending this contract will provide Officers with sufficient time to facilitate the recreation model review project, and ultimately recommend to Council the most appropriate management model for the Daylesford ARC moving forward. Extension of the contract will also minimise any potential negative impacts to the Daylesford Neighbourhood Centre and the existing user groups of the ARC facility.

OFFICER'S RECOMMENDATION

12.10.1. That Council *Resolves to extend the contract with Daylesford Neighbourhood Centre for the management of The ARC until the end of the 2019-20 financial year at a total cost of \$34,375 plus CPI indexation.*

MOTION

12.10.1. *That Council Resolves to extend the contract with Daylesford Neighbourhood Centre for the management of The ARC until the end of the 2019-20 financial year at a total cost of \$34,375 plus CPI indexation subject to the development of an operational plan up to 30 June 2020.*

Moved: Cr Licia Kokocinski

Seconded: Cr Greg May

Carried

Cr Kate Redwood AM & Cr Fiona Robson returned to the meeting at 8:30pm.

12.11. CENTRAL SPRINGS RESERVE PAVILION RECONSTRUCTION DIRECTOR INFRASTRUCTURE & DEVELOPMENT SERVICES

In providing this advice to Council as the Director Infrastructure and Development Services, I Bruce Lucas have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider the community feedback and determine the next steps for the reconstruction of the Central Springs Reserve Pavilion structure.

BACKGROUND

Council has allocated \$150,000 in the 2018/19 budget for the replacement of the existing structure which has deteriorated over an extended period and in more recent years has been damaged by trees falling over the structure.

Following the funding allocation for the project Council has engaged with the community and stakeholders to canvass options for the location and design of the new structure. This was achieved through the following formats:

- On site Birch Ward meeting
- Written directly to key stakeholders seeking input
- Discussions at Councils Mineral Springs Reserves Advisory Committee
- Round table discussion / workshop with Community Leaders / Stakeholders
- On line survey and feedback opportunities
- Two community drop in sessions

Through these endeavours Council has received feedback on:

- The preferred location for the replacement structure; and
- Look & Feel (design) of the proposed replacement structure.

The current structure is damaged beyond repair and has been fenced off from public access for an extended period. It does pose a significant risk should any person ignore site fencing and access this area. In addition the area is unsightly for visitors to the Central Springs Reserve.



The current structure will need to be demolished at some stage to either allow a new structure to be built on the site or to return the area to a safe and appropriately landscaped area of the Central Springs Reserve.

ISSUE/DISCUSSION

The new structure was initially proposed on the flat area of the reserve adjacent to the current mineral spring pumps however there was some community discussion about using the existing location.

This led to two locations being considered for the replacement structure: (i) on the flat area adjacent to the Mineral Spring pumps and in the vicinity of the very original structure, and (ii) the location of the existing damaged structure.

Some of the notable points for the respective sites include:

Building on the Flat area	Rebuild in current Location
Easily accessible	Maintains current character and use
Aligns with historic use of site	Challenging site – Additional construction costs expected up to \$25,000 due to site constraints.
Encourages greater use	Looks down over the Reserve
Minimal costs for landscaping & access path	Compliant pedestrian access is a concern– Additional costs expected in the order of \$85-100,000
No vegetation removal	Significant vegetation removal will be required – Additional costs expected in the order of \$30,000
Need to determine exact location	Planning permit for vegetation removal
	Limited use given difficult access

Following the community and stakeholder engagement process, below is a summary of the feedback received:

	Total Received	Rebuild in current Location	Build on Flat area	Other / No selection
Stakeholder responses	7	2	2	3
Community Leaders workshop	6	1	1	4
Written Surveys	12	6	2	4

Online Surveys	21	12	3	6
Total	46	21 (46%)	8 (17%)	17 (37%)

As part of the feedback and survey responses received, the following comments in were also provided.

Comments supporting building on the flat

- Refer to the 2016/17 Rotary concept to build new structure on the flat
- Need to consider possible flood risk
- Current site is a failure
- Make more accessible public space for picnics
- Costs involved and would rather spend money on flat area with toilets, BBQ, shelter and seating and clean out overflow
- Integrate with Central Springs and be less disruptive on environment

Comments supporting existing location

- Prudent to clear around the site of weeds and trees
- Disable access is possible from Vic park approach
- Flood proof the pavilion by retaining the current building Or other location if too expensive
- To give community a building that allows another experience
- Existing building has a lovely quality and position and reserve could be used for Tai Chi, Yoga, meditation groups, mothers clubs, music groups
- Has been a place for adolescents to 'hang out'
- Either site depending on suitable pathway access.

Comments / Other Suggestions

- Replace Pavilion with larger shelter & provide toilets, BBQs & other facilities.
- Concerned about flooding if built on flat
- Would like a Masterplan of area first before deciding.
- Either location depending on suitable pathway and access.
- Better location would be to build up near lake wall overlooking Springs area
- Should do analysis of its likely use before deciding.
- Don't replace as never used. Just put up interpretive signage of its history
- Don't rebuild at all. Demolish and move on. Topography of site too difficult for accessible access.
- Upgrade whole precinct
- Make sure it's rebuilt in a simple Australian unpretentious style

As referenced above, a number of comments were made in support of developing a site-specific master plan for the Central Springs Reserve. The development of a strategic plan could assist with the broader management of the site and is consistent with the community consultation undertaken in the 'Place Check' completed by One Collective in 2015.

Considering the feedback received and the financial implications of the existing site, it may be appropriate to suspend any construction of a replacement structure to allow for the development of a site-specific Master Plan for the Central Springs Reserve.

This could be progressed utilising a component of the existing project budget and will provide some greater guidance to Council on the long-term management of the reserve and the business case for site options to be considered. This could also support other improvement opportunities and development for the site in partnership with other stakeholders.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2021:

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

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

FINANCIAL IMPLICATIONS

Council has allocated \$150,000 in the 2018/19 budget for the replacement of the existing structure which was envisaged to be located on the flat area adjacent to the Mineral Springs and in the vicinity of the very original structure.

If the replacement structure is to be located where the existing structure is located it is likely that a further \$155,000 will be required to overcome the difficulties associated with that site, including compliant access, planning permit and offset plantings for vegetation removal and the vegetation removal.

RISK IMPLICATIONS

Given the damage to the current structure, there is a significant safety risk for anyone accessing this area beyond the security fencing. There is also a risk that the structure will further fail and collapse. In order to secure public safety and the unsightly appearance of the area demolition of the structure is recommended. This will eliminate any ongoing community risk.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Proceeding with the replacement of the structure in the existing location will introduce a significant environmental impact with the anticipated removal of a significant number of mature trees (subject to a planning permit being granted).

It is also important to maximise the social and economic benefits as a result of the project. This will be achieved through considering community support for the preferred location that also promotes greater utilisation of the new structure. This approach will help reactivate the Central Springs Reserve for visitors and locals and supports consideration of events in the Reserve.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Following the funding allocation for the project Council has engaged with the community and stakeholders to canvass options for the location and design of the new structure. This was achieved through:

- On site Birch Ward meeting
- Written directly to key stakeholders seeking input – May 2018
- Discussions at Councils Mineral Springs Reserves Advisory Committee
- Round table workshop with Community Leaders / Stakeholders – 11 Dec 2018
- Online survey and feedback opportunities – Feb / March 2019
- Council Advocate page – 27 Feb & 13 March 2019
- Two community drop in sessions – 20 & 23 March 2019

CONCLUSION

Council has allocated \$150,000 in the 2018/19 budget for the replacement of the existing structure which has deteriorated over an extended period and in more recent years has been damaged beyond repair by trees falling over the structure.

Council has engaged with the community and stakeholders to understand the preferred location and design of the new structure. Whilst there is support to rebuild the structure in the current location there are significant budget implications of doing so.

OFFICER'S RECOMMENDATION

That Council:

12.11.1. Acknowledges all the feedback received from the community and stakeholders.

12.11.2. Agrees to proceed with the demolition of the existing structure to maximise community safety.

12.11.3. Agrees to not proceed with the construction of a replacement structure until a site-specific Master Plan is developed for the Central Springs Reserve.

12.11.4. Agrees to commence the development of a Master Plan including relative business cases for development works initially proposed within the Master Plan.

12.11.5. Agrees to utilise up to \$20,000 of the existing project budget allocation for the purposes of developing the Master Plan.

MOTION

That Council:

12.11.1. Acknowledges all the feedback received from the community and stakeholders.

12.11.2. Agrees to proceed with the demolition of the existing structure to maximise community safety.

12.11.3. Agrees to not proceed with the construction of a replacement structure until a site-specific Master Plan is developed for the Central Springs Reserve.

12.11.4. Agrees to commence the development of a Master Plan including relative business cases for development works initially proposed within the Master Plan.

12.11.5. Agrees to utilise up to \$20,000 of the existing project budget allocation for the purposes of developing the Master Plan.

Moved: Cr John Cottrell

Seconded: Cr Neil Newitt

Carried

12.12. RESPONSE TO PETITION REGARDING THE SEALING OF GARDINER STREET AND WHITE HILLS ROAD CRESWICK

DIRECTOR INFRASTRUCTURE & DEVELOPMENT SERVICES

In providing this advice to Council as the Project Engineer - Infrastructure, I Paul O'Leary have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to respond to the petition tabled at the April Council Meeting regarding the sealing of White Hills Road and Gardiner Street, Creswick.

For the purposed of this report it is assumed that the road sections referenced in the petition are the following

- White Hills Road from the end of seal at Caddy Drive to the intersection of Gardiner Street (Length 215 metres)
- Gardiner Street from the intersection of White Hills Road to the end of seal at Orr Street. (Length 330 metres)

BACKGROUND

Council maintains a significant road network including approximately 584 km of sealed roads, 562 km of unsealed roads, 28 km of footpaths, 126 km of kerb and channelling, 136 bridges and major contracts and 34 km of drains.

Council acknowledges that it does not necessarily have the financial resources or receive enough external grants funding to meet all the community expectations for all upgrade of roads and infrastructure.

The 'Unsealed Roads Manual - Guide to Good Practice', March 2009 by the Australian Roads Research Board (ARRB) outlines key principles in applying economic evaluations as a method to justify the sealing of a road and shall be used as a guide. The principles demonstrate that it is generally not economically warranted to seal a gravel road carrying fewer than 100 vehicles per day, whereas if the road is carrying over 250 vehicles per day it can possibly be justified. In between the 100 and 250 vehicles per day is where additional social, practical or maintenance criteria may influence the warrants of sealing of these roads even though the economic benefit falls short.

The request to upgrade has been assessed on the following conditions:

Primary factors

- 1) Current road usage
 - Vehicles per Day
 - Average speed
 - 85th Percentile speed
 - Light Vehicle percentage
 - Heavy vehicle percentage

- 2) Road geometry factors including longitudinal grade over 5%
- 3) Most Recent Asset inspection
- 4) Reactive maintenance costs
- 5) Financial attractiveness including long-term cost savings from reduced maintenance costs
- 6) Primary Emergency Management route
- 7) History of casualties over the preceding 5 year period
- 8) School bus route
- 9) Development density greater than 50 residences per kilometre
- 10) Average house setback less than 20m from road reserve (dust considerations)

ISSUE/DISCUSSION

Road Upgrade and Sealing

1. Council officers installed traffic counters on Gardiner Street outside property number 31 and on White Hills Road outside property number 1. The traffic data from these counters includes the regular traffic movements to and from Caddy Drive as well as the traffic to White Hills Road. The counters recorded data for a period of time between the 28 March and the 18 April 2019.

Summary of traffic Data is as follows

- White Hills Road (including access to Caddy Drive (24 properties)).
 - Average Vehicles per Day - 238 weekdays,
 - 7 day average - 228 vehicles per day.
 - Average speed – 38.9km/hr
 - 85th Percentile speed 44.8km/hr
 - Vehicle type:
 - 98.2% of vehicles are classified as light vehicles. The remaining 1.8% of vehicles are recorded as either a small vehicle towing or medium size vehicle two axel truck or bus.
 - Gardiner Street
 - Average Vehicles per Day- 98 weekdays,
 - 7 day average - 90 vehicles per day.
 - Average speed – 35.3km/hr
 - 85th Percentile speed 40.0km/hr
 - Vehicle percentage
 - 96.4% of vehicles are classified as light vehicles.
2. The higher the gradient of the road the faster the fines get washed away and the more ongoing maintenance is required. The majority of the road has longitudinal grades below 5%.
 3. The most recent inspection from Council assets inspector is on 28 March 2019 found no defects that met intervention level.

4. Reactive maintenance costs for White Hills Road and Gardiner Street (in its entirety) are \$12,867 over the past two years. However the data does not include a full life cycle that would account for gravel resheeting (capital).
5. A full return on investment calculation has not been conducted, however without a full life of assess assessment only the ARRB guide at a nominal cutoff off 250 vehicle movements can be used, neither road would qualify on financial grounds.
6. These roads do not form part of a Primary Emergency Management route.
7. There is no history of reported injury accidents over the preceding 5 year period on these roads (VicRoads open source data) although council officers note the unreported accidents referenced in the petition and shown in photos provided.
8. White Hills and Gardiner are not on a school bus route.
9. The development density is lower than 50 developments per Kilometre. There are only 6 developments currently accessing directly off White Hills Road and Gardiner Street.
10. The average setback of the 6 properties being directly accessed is 43m. Two of the properties are less than 20 m from the road reserve at 12 and 15 metres respectively.

Safety

The road topography and the recorded speed data do not indicate a material safety benefit to sealing this road. Sealed two lane roads are known to have a lower 'run off road' hazard than unsealed roads, however the vast majority of 'run off road' accidents are caused by excess speed, alcohol or fatigue. Vehicle traffic data does not indicate speeding as a significant factor, the length of road is not conducive to fatigue and alcohol related accidents are usually indifferent to road conditions.

Both White Hills and Gardiner Street have a significant amount of vegetation in close proximity to the road. Most of these trees would fall within the 'hazard zone' as defined in AusRoads guide, which is 3m for a road with an 85th percentile speed below 60km/hr. Although the vegetation would be classified as a road hazard, VicRoads Tree Policy for areas with speed limits below 50km/hr suggests "At this speed, the risk to road users posed by trees in a road reserve is generally considered to be low".

Where concerns are related to through traffic and excessive speed, other measures such as local area treatments (most likely speed humps at the end of the sealed sections) could be a more cost effective and a targeted way of reducing through traffic. However current data does not indicate large volume of through traffic.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2020

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

1.2 Implement a program of road safety and amenity improvements, including sealing and widening roads, on priority Council managed roads and advocate to VicRoads for improvements on arterial roads.

FINANCIAL IMPLICATIONS

The estimated direct cost to upgrade these two sections of road is between \$250,000-\$400,000 depending on the scope required for drainage, vegetation removal and other roadside treatments.

RISK IMPLICATIONS

There is a risk that acceptance of this petition could set a road upgrade precedence resulting in a series of other petitions.

There are minor safety benefits of sealing roads and appropriate intersection treatments. In order to conform the initial findings of Council officers it may also be appropriate to complete an independent Road Safety Audit to confirm the initial assessment. This can be completed through Councils Road and Pedestrian Safety program.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Vegetation removal would most likely be required for any upgrade. Guidelines within Council's Road Management Plan and DEWLP's guide would not require vegetation offsets as they fall within the drainage lines of the road and exempt from planning considerations.

There is no economic benefit to Council based on guiding principles of Australian Roads Research Board.

Social benefits to local residents can come from reduced dust and increased amenity. However these can sometime be offset by increased traffic speeds and volumes related to better road conditions.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

No additional stakeholder engagement has been undertaken.

CONCLUSION

Council officers acknowledge the concerns raised however have not identified any compelling reason to prioritise the sealing of White Hills Road and Gardiner Street and recommends not proceeding to upgrade these roads. It is also noted that Council has many urban unsealed roads that fall within the same category as these two roads.

OFFICER'S RECOMMENDATION

That Council:

12.12.1. Acknowledge the petition requesting to seal White Hills Road and Gardiner Street.

12.12.2. Set aside \$5,000 from the existing Road and Pedestrian Safety budget for an independent Road Safety Audit to identify any specific road hazards and make recommendations, with the objective of including priority recommendations in future budgets.

12.12.3. Write to the head petitioner informing them of the outcome.

MOTION

That Council:

12.12.1. Acknowledge the petition requesting to seal White Hills Road and Gardiner Street.

12.12.2. Set aside \$5,000 from the existing Road and Pedestrian Safety budget for an independent Road Safety Audit to identify any specific road hazards and make recommendations, with the objective of including priority recommendations in future budgets.

12.12.3. Write to the head petitioner informing them of the outcome.

Moved: Cr Fiona Robson

Seconded: Cr Greg May

Carried

ATTACHMENT 9 - TRAFFIC DATA - WHITE HILLS ROAD

AUTOMATIC COUNT SUMMARY

Street Name :	White Hill Rd	Location :	Outside Property 1
Suburb :	Creswick	Start Date :	00:00 Thu 28/March/2019
Metrocount ID	EK58EHAF	Finish Date :	00:00 Thu 18/April/2019
Site ID Number :	7251	Speed Zone :	50 km/h
Prepared By :	Contractor on behalf of Hepburn Shire		

GPS information	Lat 37° 26' 10.79 North Long 143° 53' 34.67 East	Direction of Travel		
		Combined	Westbound	Eastbound
Traffic Volume :	Weekdays Average	238	118	120
(Vehicles/Day)	7 Day Average	228	113	115
Weekday AM	08:00	19	13	8
Peak hour start PM	17:00	26	10	17
Speeds :	85th Percentile	44.8	45.8	44.6
(Km/Hr)	Average	38.9	38.8	39.2
Classification % :	Light Vehicles up to 5.5m	98.2%	96.8%	96.5%

Location

GPS Information [Load Google Map \(internet required\)](#)
 (Latitude, Longitude) -37.43633, 143.892963



[Speed Data](#) [Speed Graph](#) [Speed Bin](#)
[Volume Data](#) [Volume Graph](#) [Classification](#)



QUALITY ASSURED COMPANY BY ISO 9001:2015
OH&S SYSTEM CERTIFIED TO ISO 4801:2001
ENVIRONMENT MANAGEMENT SYSTEM CERTIFIED TO ISO14001:2015

ATTACHMENT 10 -TRAFFIC DATA - GARDINER STREET

AUTOMATIC COUNT SUMMARY

Street Name :	Gardiner St	Location :	Outside Property 31
Suburb :	Creswick	Start Date :	00:00 Thu 28/March/2019
Metrocount ID	EK73R573	Finish Date :	00:00 Thu 18/April/2019
Site ID Number :	7252	Speed Zone :	50 km/h
Prepared By :	Contractor on behalf of Hepburn Shire		

GPS information	Lat 37° 26' 1.32 North	Direction of Travel		
	Long 143° 53' 42.95 East	Combined	Northbound	Southbound
Traffic Volume : (Vehicles/Day)	Weekdays Average	98	51	47
	7 Day Average	90	48	43
Weekday	AM 09:00	9	5	4
	PM 17:00	11	7	5
Speeds : (Km/Hr)	85th Percentile	40.0	38.9	41.9
	Average	35.3	34.5	36.5
Classification % :	Light Vehicles up to 5.5m	96.4%	96.6%	96.1%

Location

GPS Information [Load Google Map \(internet required\)](#)
 (Latitude, Longitude) -37.43370,143.895265



[Speed Data](#) [Speed Graph](#) [Speed Bin](#)
[Volume Data](#) [Volume Graph](#) [Classification](#)



QUALITY ASSURED COMPANY BY ISO 9001:2015
OH&S SYSTEM CERTIFIED TO ISO 4801:2001
ENVIRONMENT MANAGEMENT SYSTEM CERTIFIED TO ISO14001:2015

12.13. CONTRACT HEPBU RFT2019.15 – HEPBURN PLANNING SCHEME REVIEW

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 for Council to consider awarding contract HEPBU.RFT2019.15 to the preferred Tenderer to complete the Hepburn Planning Scheme Review.

BACKGROUND

The review of the Hepburn Planning scheme is a priority project for Council.

A request for tender was put on public notice seeking consultant services to complete a review of the Hepburn Planning Scheme. The project components are summarised below:

Data Review

In undertaking the project it is important that the consultant gain an understanding of the current planning framework and any key changes or issues that have arisen since the 1999 MSS implementation.

The consultant will deliver a Data and Literature review report.

Review

Following the Data Review the consultant will undertake a planning scheme audit.

The review report will:

- Identify the major planning issues facing the Municipality; this includes a commentary on the rise of peak oil, general sustainability issues affecting the Shire and increasing a focus on local produce and industry;
- Demonstrate how the planning scheme implements the PPF;
- Assess the strategic performance of the scheme;
- Document the strategic work that has been completed or carried out since the previous review of the MSS and any additional work required to strengthen the strategic direction of the planning scheme;
- Document the strategic work committed to in the Scheme that has not been undertaken and/or is no longer relevant;
- Outline the next steps in order to update the planning scheme;
- Describe the monitoring and review process that has been carried out and any issues encountered whilst carrying out these processes;

- Outline the consultation process and its outcomes;

Consultation

The consultation phase is an important element of the project and will focus on:

- assessing the performance of the planning scheme; and
- identifying key planning scheme issues.

Consultation will be undertaken through Councillor Workshops, stakeholder and community workshops.

The consultant will deliver a Consultation Report.

Hepburn Planning Scheme Review, exhibition, panel representation, re-write and submission to the Minister for Planning seeking adoption.

In undertaking the project it is important that the consultant review the Data and Literature Report, Consultant Report and Review Report in order to gain an understanding of the current planning framework and any key changes or issues that have arisen since the 1999 MSS implementation. In reviewing this work, the consultant will then undertake in summary:

- a re-write of the Hepburn Planning Scheme including drafting of new strategic framework plans;
- revise and rewrite local policies and incorporate into the new Planning Policy Framework and overlay schedules as required;
- seek authorisation from Minister for Planning to prepare planning scheme amendment to implement the Planning Scheme Review;
- preparation of the Planning Scheme Amendment to insert the new and revised Local Planning Policy Framework including the MSS, local policies and overlays;
- along with council place the re-write on public exhibition and consider all submissions;
- make any modifications deemed necessary before reporting to council;
- attend and report to Planning Panel Victoria and review the findings and make any subsequent alterations before seeking council approval to resolve to amend the Hepburn Planning Scheme;
- submit all final amendment documents to the Minister for Planning, seeking approval to amend the Hepburn Planning Scheme.

ISSUE/DISCUSSION

Tenders were invited publicly on tenders.net and through Council's website from 05 February 2019 in accordance with Council's procurement policy.

Tenders were invited up until 04 March 2019 and ten submissions were received and subsequently evaluated by a panel consisting of:

Justin Fiddes – Manager Development and Community Safety

Nathan Aikman – Coordinator Planning

Danielle How - Manager Finance

The evaluation panel assessed the tenders against the following criteria as detailed in the tender documents.

- Clear and concise methodology demonstrating an understanding of the brief and delivery of the required outputs;
- Details of the research and assessment approach and how the project will be managed by the consultant;
- Details on consultation processes to be used in conducting the review.
- Details on company project experience relevant to this brief;
- Details on personnel who will be involved on the project (particularly project manager and other key staff), time to be spent on project, and relevant project experience;
- Details of the proposed fee on a staged basis detailing clear breakdown of costs;
- Reference checks.

Consultant skills required;

- Relevant experience of the firm (and any partner firms) on similar projects;
- Relevant qualifications and experience of staff, particularly key project officers;
- Clear demonstration of capacity to deliver within the nominated timeframe

Additional prerequisites were nominated in the tender evaluation process including but not limited to OHS requirements.

The tender pricing is within Council's budget.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

The tender was advertised in accordance with Hepburn Shire Council's Procurement Policy 46 (C) and in accordance with the requirements of Section 186 of the Local Government Act 1989.

The Hepburn Planning Scheme Review is contained as an action in the Council Plan.

Council Plan 2017:2021:

Strategic Objective – Vibrant Economy

Key Strategic Activity:

11.1. Review the Hepburn Planning Scheme and Municipal Strategic Statement in order to balance future growth with the preservation of our heritage and environment.

FINANCIAL IMPLICATIONS

Council has allocated funding in the 2018/2019 budget. The breakdown of budget funding is:

2018/19 = \$80,000.00

2019/20 = \$120,000.00 allocated in the proposed 2019/20 budget.

The preferred tender can be fully funded within the proposed budget allocation.

RISK IMPLICATIONS

Pursuant to Section 12B of the Planning and Environment Act 1987, a municipality must regularly review its Planning Scheme and report the findings to the State Government. Council is required to report its review findings to the Minister for Planning, through the Department of Environment, Land, Water and Planning (DELWP).

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The awarding of a contract to complete the Hepburn Planning Scheme Review will lead to positive social, environmental and economic benefits for our community. These include:

Social

The revised Hepburn Planning Scheme is expected to have a greater emphasis on protection of agricultural land, settlement, bushfire protection, environment and heritage and will support a range of different settlement outcomes and protection of key natural assets that will contribute to the social wellbeing of the Shire.

Environmental

Environmental benefits include supporting future development that will reduce greenhouse gas emissions, managing the Shire's quality mineral water resources, protecting water quality of catchments, achieving a balance in the management of native vegetation while reducing the risk of bushfire and protecting built, natural and cultural heritage values and landscape values.

Economic

Economic benefits include maintaining productive agricultural land in production, encouraging local organic food production, ensuring an adequate supply of land zoned for industrial and business purposes and encouraging well designed and sustainable tourism development.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The tender was publicly advertised however no additional community consultation was undertaken as part of advertising the tender. The delivery of

the project and the requirements of the contract does require extensive community engagement.

CONCLUSION

Following the formal tender process and detailed evaluation of the received tenders, the preferred tender fromis recommended.

OFFICER'S RECOMMENDATION

That Council:

12.13.1. Awards contract HEPBU RFT2019.15 – Hepburn Planning Scheme review to

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

MOTION

12.13.1. That Council defer the decision to award contract HEPBU RFT2019.15 – Hepburn Planning Scheme review and invite tenderers to present to Councillors at a future Councillor Briefing

Moved: Cr Kate Redwood AM

Seconded: Cr Licia Kokocinski

Carried

**ATTACHMENT 11 -CONFIDENTIAL - HEPBU RFT2019.15 TENDER
EVALUATION (ISSUED TO COUNCILLORS UNDER SEPARATE
COVER)**

12.14. CONTRACT HEPBU.RFT2019.65 – CARPENTRY & SITE SUPERVISION SERVICES 2019/21

DIRECTOR INFRASTRUCTURE & DEVELOPMENT SERVICES

In providing this advice to Council as the Director Infrastructure & Development Services, I Bruce Lucas have no interests to disclose in this report.

PURPOSE

The purpose of this report is for council to consider awarding Contract HEPBU.RFT2019.65 – Carpentry and Site Supervision Services 2019/21.

BACKGROUND

Council has a number of building projects requiring the carpentry and building tradespeople and construction site supervision service to support delivery of a range of projects. These projects may include but are not limited to Site works at the Hepburn Hub and a number of public toilet projects.

The tendered services are intended to establish contracts with suitable suppliers for a two year period to facilitate timely delivery of identified projects

ISSUE/DISCUSSION

Tenders were invited publicly on tenders.net and through Council's website from 18 April 2019 in accordance with Council's Procurement Policy. A notice also appeared in the Ballarat Courier on 24 April 2019.

Tenders were invited up to 6 May 2019 and subsequently evaluated by the Evaluation Panel comprising Bruce Lucas – Director Infrastructure & Development Services, Carl Telfar – Manager Major Projects and Angeline Dooley – Project officer.

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

- Contract Rates
- Qualifications
- Provision of vehicle and tools
- Availability to commence and undertake the building projects
- Demonstrated Skills
- Confidence in the ability of the Tenderer to perform the Contract

Three tenders were received and evaluated by the evaluation panel and all tenders were considered compliant.

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

Works to be completed under this contract will be funded from specific project budgets in accordance with Council annual budget and grant funding to deliver the annual works program. There is no specific budget allocation for this contract and as such works will only be offered under this contract with officer delegation and council approved project budgets.

The contract is deemed to be non-exclusive and as such no work is guaranteed. Where a specific project is considered appropriate for a separate procurement / tendering process this contract does not restrict that occurring.

RISK IMPLICATIONS

There are no expected risk implications. The expected construction related risks shall be mitigated by managing the works and work site in accordance with Councils Occupational Health & Safety and risk management requirements.

Council has complied with its Procurement Policy in conducting the tender process.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

There are expected to be social and economic benefits to the community through providing a timely delivery of projects for our community including The Hepburn Hub project and public conveniences.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There has not been any specific community engagement as part of this tender. However it is noted that many projects will involve specific community engagement and discussions prior to works being undertaken.

CONCLUSION

Council has a number of building projects requiring the carpentry and building tradespeople and construction site supervision service to support delivery of a range of projects.

The tendered services are intended to establish contracts with a panel of suitable suppliers for a two year period to facilitate timely delivery of identified projects.

Following an evaluation of the tenders received three providers are recommended for approval.

OFFICER'S RECOMMENDATION

That Council:

12.14.2. Awards Contract HEPBU.RFT2019.65 to the following contractors:

- JGH Building PTY LTD
- McKibbin Carpentry PTY LTD
- MDB Projects

in accordance with their respective tender submissions and conditional upon all Occupational Health & Safety requirements meeting Council requirements for each project engagement.

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

MOTION

That Council:

12.14.1. Awards Contract HEPBU.RFT2019.65 to the following contractors:

- *JGH Building PTY LTD*
- *McKibbin Carpentry PTY LTD*
- *MDB Projects*

in accordance with their respective tender submissions and conditional upon all Occupational Health & Safety requirements meeting Council requirements for each project engagement.

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

Moved: Cr Neil Newitt

Seconded: Cr John Cottrell

Carried

**ATTACHMENT 12 -CONFIDENTIAL TENDER EVALUATION REPORT –
HEPBU.RFT2019.65 (ISSUED TO COUNCILLORS UNDER SEPARATE
COVER)**

12.15. REQUEST FOR APPROVAL TO OPERATE HIGHER MASS LIMIT AND B-DOUBLE VEHICLES ON LOCAL COUNCIL ROADS

DIRECTOR INFRASTRUCTURE & DEVELOPMENT SERVICES

In providing this advice to Council as the Engineering Development Officer, I Ashley Goad have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider new and renewal requests to use Higher Mass Limit (HML) and B-Double vehicles on local roads.

NEW AND RENEWAL APPLICATIONS

The following requests for new and renewal of existing permits have been received from the National Heavy Vehicle Regulator.

Ref	Permit Type	Organisation	Vehicles	Roads	Load Type	Time Frame as per Application	No of Trips (approx)
a)237000	New	Australian Water Systems Pty Ltd	Prime Mover towing oversize load	SpringHill Road Denver Daylesford Malmsbury Road to Kyneton Springhill Road	Water Tank	15/04/2019 – 14/04/2022	1 trip
b)185256	Amend	A & R Magill Pty Ltd	B Double	1) Start: Approved B-Double Network, Ballarat-Daylesford Rd, Dean VIC 3363 End: 151 Myers Rd, Dean VIC 3363	Bulk Produce	24/04/2019-23/04/2022	30 Trips

ISSUE/DISCUSSION

Council officers have assessed the applications considering the following:

- Community safety
- Local amenity
- Physical limitations of the network

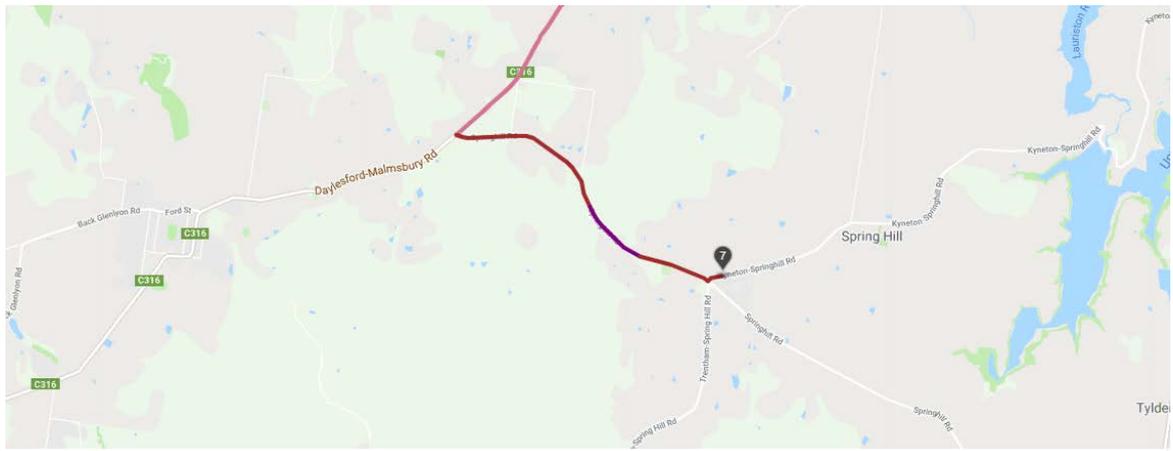
- Economic benefits
- Alternative access
- Cost implications to Council.

The results of the assessments are provided below along with any recommended conditions to be applied to any consent granted by Council.

CONSENT REQUESTS

a) Australian Water Systems - (Road Manager Request Number 237000):

Australian Water Systems requests that Council grant consent for the route shown as follows:

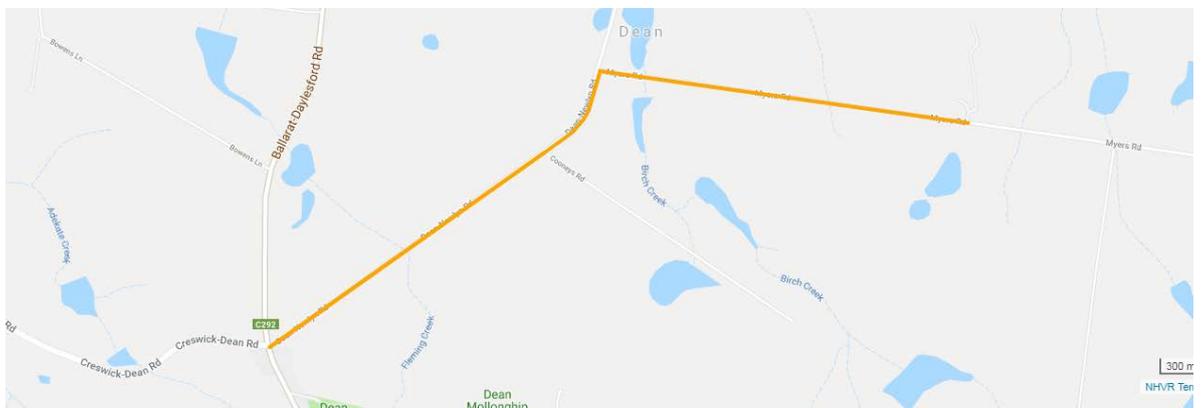


Map a - 1

The requested routes are assessed as being suitable for using Heavy Vehicles in accordance with the application subject to the Standard Conditions and supplementary Conditions A.

b) A & R Magill Pty Ltd - (Road Manager Request Number 185256):

A & R Magill requests that Council grant a renewal of consent for the route shown as follows:



Map b - 1

The requested routes are assessed as being suitable for using Heavy Vehicles in accordance with the application subject to the Standard Conditions and supplementary Conditions A.

STANDARD CONDITIONS

It is the responsibility of the above permit holders to pay attention to:

- Overhead cables
- Overhanging trees
- Steep inclines/declines, tight corners and narrow roads
- Must not trim or remove any trees without all approvals being obtained
- The use of compression brakes is to be avoided in residential areas
- Obey the Load Limit Signs for bridges at all times
- Obey the Height Restriction Signs when appropriate

SUPPLEMENTARY CONDITIONS

It is the responsibility of the above permit holder to operate with the following supplementary conditions:

- A. Hours of Operation shall be 7:00am to 6:00pm
- B. Unloaded vehicles only
- C. Hours of Operation shall not interfere with School Start and End times (8:00am to 9:30am & 2:30pm to 4:00pm).
- D. To notify neighbouring properties prior to undertaking any movements

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

The Heavy Vehicle National Law (HVNL) came into effect on 10 February 2014 which requires Council to consider and provide consent for heavy vehicles to travel along roads under its control. Where consent is not provided, grounds for refusing to grant consent need to be provided.

FINANCIAL IMPLICATIONS

There are no expected financial implications of granting approval to the above operator to use heavy vehicles on subject Council maintained roads.

RISK IMPLICATIONS

There are no expected specific risk implications of granting approval to the above operator to use heavy vehicles on subject Council maintained roads.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

There are expected to be economic benefits for local business and economic development through granting of consents for access.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

No external engagement was undertaken in relation to these requests.

CONCLUSION

Council has received requests from the National Heavy Vehicle Regulator for consent to issue of permits to operate HML vehicles on local roads. Following a review of the referrals, conditional consent is recommended for the operators as detailed within this report.

OFFICER'S RECOMMENDATION

That Council:

12.15.1. Approves Australian Water Systems to use a Prime Mover towing oversize load commencing 22 May 2019 and expiring 14th April 2022 on Springhill Road Denver Between Daylesford Malmsbury Road and Kyneton Springhill Road; Subject to standard conditions 12.15.3 and supplementary conditions 12.15.4A.

12.15.2. Approves A & R Magill to use a B Double towing load commencing 22 May and expiring 23 April 2022 on Myers Road Dean Between Dean Newlyn Road and 151 Myers Road; subject to standard conditions 12.15.3 and supplementary conditions 12.15.4A.

12.15.3. Provides the above approvals subject to the following standard conditions:

It is the responsibility of all the above permit holders to pay attention to:

- Overhead cables.
- Overhanging trees.
- Steep inclines/declines, tight corners and narrow roads.
- Must not trim or remove any trees without all approvals being obtained.
- The use of compression brakes is to be avoided in residential areas.
- Obey the Load Limit Sign for bridges at all times
- Obey Height Restriction Signs when appropriate.

12.15.4. Provides the above approvals where specified subject to the following conditions:

It is the responsibility of the above permit holder to operate with the following supplementary conditions:

- a) Hours of Operation shall be 7:00am to 6:00pm
- b) Unloaded vehicles only.
- c) Hours of Operation shall not interfere with School Start and End times (8:00am to 9:30am & 2:30pm to 4:00pm).
- d) To notify neighbouring properties prior to undertaking any movements

MOTION

That Council:

12.15.1. Approves Australian Water Systems to use a Prime Mover towing oversize load commencing 22 May 2019 and expiring 14th April 2022 on Springhill Road Denver Between Daylesford Malmsbury Road and Kyneton Springhill Road; Subject to standard conditions 12.15.3 and supplementary conditions 12.15.4A.

12.15.2. Approves A & R Magill to use a B Double towing load commencing 22 May and expiring 23 April 2022 on Myers Road Dean Between Dean Newlyn Road and 151 Myers Road; subject to standard conditions 12.15.3 and supplementary conditions 12.15.4A.

12.15.3. Provides the above approvals subject to the following standard conditions:

It is the responsibility of all the above permit holders to pay attention to:

- Overhead cables.
- Overhanging trees.
- Steep inclines/declines, tight corners and narrow roads.
- Must not trim or remove any trees without all approvals being obtained.
- The use of compression brakes is to be avoided in residential areas.
- Obey the Load Limit Sign for bridges at all times
- Obey Height Restriction Signs when appropriate.

12.15.4. Provides the above approvals where specified subject to the following conditions:

It is the responsibility of the above permit holder to operate with the following supplementary conditions:

- a) Hours of Operation shall be 7:00am to 6:00pm
- b) Unloaded vehicles only.
- c) Hours of Operation shall not interfere with School Start and End times (8:00am to 9:30am & 2:30pm to 4:00pm).

d) *To notify neighbouring properties prior to undertaking any movements*

Moved: Cr Greg May

Seconded: Cr Neil Newitt

Carried

12.16. RECORD OF ASSEMBLIES OF COUNCILLORS

CHIEF EXECUTIVE OFFICER

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

PURPOSE

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

BACKGROUND

The Local Government Act 1989 defines Assembly of Councillors as ...a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:

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

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

ISSUE / DISCUSSION

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

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

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

Date	Committee Name	Location
28 March 2019	Municipal Emergency Management Planning Committee	Victoria Park, Daylesford
8 April 2019	Disability Advisory Committee	Daylesford Activity Centre
9 April 2019	Councillor Briefing	Daylesford Town Hall
16 April 2019	Pre-Council Meeting Briefing	Trentham Neighborhood Centre
7 May 2019	Councillor Briefing	Daylesford Town Hall
14 May 2019	Councillor Briefing	Daylesford Town Hall

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Local Government Act 1989, Section 80A

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

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

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

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

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

CONCLUSION

Information provided for noting.

OFFICER'S RECOMMENDATION

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

MOTION

12.16.1. That Council receives and notes the Records of Assemblies of Councillors, with the correction that Cr Neil Newitt was not in attendance at the pre-Council meeting briefing on 16 April 2019 or the Councillor Briefing on 7 May 2019.

Moved: Cr Neil Newitt

Seconded: Cr Kate Redwood AM

Carried

ATTACHMENT 13 -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: Municipal Emergency Management Planning Committee Mtg

Date: 28 March 2019

Time: 11.00am-12.30pm

Venue: Victoria Park Daylesford
 Doug Lindsay Reserve Creswick
 Other (specify)

Councillors present:

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

Members of Council Staff present:

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

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered:

Agenda Attached

Name and title of Officer responsible for this written record:

- | | |
|---|---|
| <input type="checkbox"/> CEO Aaron van Egmond | <input checked="" type="checkbox"/> Other, please specify: Paulette Pleasance |
| <input type="checkbox"/> GM Corporate Services Grant Schuster | |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | |

Signature: 

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

AGENDA

► MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE

MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE

Thursday 28 March 2019 – 11.00am – 12.30pm

Victoria Park Recreation Facility Daylesford

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

No	Time	Agenda Item	Presenter
1	11.01am	Welcome & Apologies	Daryl Clifton
2	11.03am	Adoption of Minutes – 6 December 2019	Daryl Clifton
3	11.06am	Actions arising from minutes	Daryl Clifton
4	11.10am	Incoming Correspondence <ul style="list-style-type: none"> • March Report - VCC Outgoing Correspondence	Paulette
5	11.15am	Standing Agenda Item MEMP Review Action Plan Quarter 3 Jan- March <ul style="list-style-type: none"> • Review the Flood Plan • Review Emergency Communications Sub-Plan • Review Recovery Plan & present to MEMPC for endorsement • Endorse Recovery Operations Plan • Endorse Heat Event Plan • MFMP Committee 	Daryl Clifton

AGENDA

▶ MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE

6	11.30am	MFMP Committee Update	David George
	11.40am	Hepburn Manning's Road Fire Debrief	Daryl Clifton
7	12.00pm	Adoption of Updated Terms of Reference	Daryl Clifton
8	12.10pm	Adoption of Heat Event Plan	Daryl Clifton
9	12.20pm	General Business 1. Community Bank Funds for Emergencies 2.	Daryl Clifton
10		June 2019 Meeting Agenda Items: MEMPC Review Action Plan Quarter 4 Jan- March <ul style="list-style-type: none"> • MEMPC meeting – June 2019 • Conduct a Crisisworks training exercise • Review PIAR Sub-Plan • Develop Community Resilience framework • Relief & Recovery Planning Committee meeting • Municipal Fire Management Planning Committee meeting 	
		Meeting Close	
Next Meeting – Thursday 20 June 2019 Doug Lindsay Recreation Reserve Creswick			

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: April 8th 2019

Time: Midday – 4.00pm

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

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
Grant Schuster | |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | |

Signature: *D Westin*

Disability Advisory Committee

April 8th 2019

Agenda

Date: April 8th 2019
Time: 12 – 4 pm
Location: Daylesford Activity Centre, 79A Raglan Street
Facilitator: Deb Westin
Minutes: Chloe Fryer
Chair: Councillor John Cottrell

Agenda Items:

1. **Attendees:** Councillor John Cottrell, Deb Westin, Andrew Brown, Darren Manning (and Carer), David Moten, Graham Downey, John Condon, Barbara Simpson, Kaylene Howell
2. Apologies: Steve Kelly
3. Minutes of the previous meeting:
4. Actions arising from previous meeting:
5. Guest speakers:
Bradley Thomas, Director Community and Corporate Services
Bruce Lucas, Director Infrastructure and Development Services
6. Individual member reports
7. General Business:
 - DAIP progress or updates: Traffic light model of review for DAIP
 - Feedback re Accessibility issues on Car Show and 'Chill Out' events
 - Debs contract
 - New manager Community Care
 - Business cards and profiles
 - Hazard cards
 - Multilingual disability hub
 - 'Evacuation check list' discussion
 - Footpath drawings
 - Adaptive bike trail update
 - Formalising DAC recommendations for the future
8. Next meeting details: June 3rd 2019, Daylesford Activity Centre, Main Road

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Councillor Briefing
Date: Tuesday, 9 April 2019
Time: 1:00pm – 4:45pm

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

Councillors present:

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

Members of Council Staff present:

- | | |
|---|---|
| <input checked="" type="checkbox"/> CEO Evan King | <input checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | Coordinator Community Safety – David
George, Manager Development and
Community Safety – Justin Fiddes, Manager
Financial Services – Danielle How |
| <input checked="" type="checkbox"/> Director Infrastructure & Development
Services Bruce Lucas | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
Cr Don Henderson	4.17pm / 4.24pm

Matters Considered: Tuesday, 9 April 2019

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 checked="" type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | |
| <input type="checkbox"/> Director Infrastructure & Development
Services Bruce Lucas | |

Signature:  _____

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

Tuesday 9 April 2019
 Council Chamber, Daylesford Town Hall
 1:00 pm – 4:45 pm

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

INVITED:

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

CHAIR:

Mayor Don Henderson Evan King – Chief Executive Officer
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APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.	1:00pm	Report	Draft Budget 2019-20	Director Community and Corporate Services	3
2.	2:30pm	Report	Municipal Association of Victoria State Council Meeting	Chief Executive Officer	44
	3:00pm		Break		

No	Time	Type	Agenda Item	Presenter	Page No
3.	3:15pm	Workshop	Review of General Local Law no 2 – Community Amenity and Municipal Places	Coordinator Community Safety	45
	4:45pm		CLOSE OF MEETING		

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Pre-Council Meeting Briefing
Date: Tuesday, 16 April 2019
Time: 3:30pm – 5:00pm

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

Councillors present:

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

Members of Council Staff present:

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

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered: Tuesday, 16 April 2019 **Agenda of Council Meeting**
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 checked="" type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | |
| <input type="checkbox"/> Director Infrastructure & Development
Services Bruce Lucas | |

Signature: 

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

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Councillor Briefing
Date: Tuesday, 7 May 2019
Time: 9:00am – 4:00pm

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

Councillors present:

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

Members of Council Staff present:

- | | |
|---|--|
| <input checked="" type="checkbox"/> CEO Evan King | <input checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | Coordinator Planning – Nathan Aikman,
Sustainability Officer – Dominic Murphy,
Acting Manager Environment and Waste –
Stuart Ritchie, Manager Development and
Community Safety – Justin Fiddes, Manager
Governance Compliance and Risk – Steve
Millard, Manager Community and Economic
Development – Andrew Burgess,
Coordinator Community Development –
Rachel Palmer, Community Programs Officer
– Rachel Murphy.. |
| <input checked="" type="checkbox"/> Director Infrastructure & Development
Services Bruce Lucas | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
Nil	

Matters Considered: Tuesday, 7 May 2019 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 checked="" type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | |
| <input type="checkbox"/> Director Infrastructure & Development
Services Bruce Lucas | |

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

RECORD OF ASSEMBLY OF COUNCILLORS

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

Signature:  _____

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

Tuesday 7 May 2019
 Council Chamber, Daylesford Town Hall
 9:00am – 4:05pm

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

INVITED:

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

CHAIR:

Mayor Don Henderson Evan King – Chief Executive Officer
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APOLOGIES:

Councillor Neil Newitt

No	Time	Type	Agenda Item	Presenter	Page No
1.	9:00am	Tour	Tour of the Hepburn Hub at the Rex	Director Infrastructure & Development Services	4
2.	10:00am	Report	Central Springs Reserve Pavilion Reconstruction	Director Infrastructure & Development Services	5

No	Time	Type	Agenda Item	Presenter	Page No
3.	10:30am	Report	Policy Reviews - Procurement, Protected Disclosures and Respectful Behaviors	Manager Governance, Compliance and Risk	6
	11:00am		Break		
4.	11:15am	Report	PA2051 – 3 Lot Subdivision - 2803 Creswick-Newstead Road Smeaton	Coordinator Planning	87
5.	11:30am	Report	PA2312 – 2 Lot Subdivision - 26 Jory Street Creswick	Coordinator Planning	93
6.	11:45am	Report	Heavy Vehicle Fuel Options	Sustainability Officer	101
7.	12:00pm	Presentation	Towards Zero Community Grants	Sustainability Officer	110
8.	12:30pm	Report	Old Campbelltown School Site – Transfer of Title	Manager Environment and Waste	121
	12:50pm		Lunch		
9.	1:20pm	Report	Daylesford Motorfest	Manager Community and Economic Development	131
10.	1:50pm	Report	Management of Daylesford Arts, Recreation & Culture Centre (ARC)	Coordinator Community Partnerships	139
11.	2:05pm	Report	Reconciliation Action Plan - Members of the Community Reference Group	Coordinator Community Partnerships	141

No	Time	Type	Agenda Item	Presenter	Page No
12.	2:35pm	Report	Hepburn Shire Active Women and Girls Strategy	Community Programs Officer	144
13.	2:50pm	Report	Community Grants Program – May Recommendations	Community Programs Officer	196
	3:05pm		Break		
14.	3:20pm	Discussion	External Committees Update	CEO	200
15.	3:35pm	Discussion	Executive Issues Update	CEO	201
16.	3:50pm	Discussion	Councillor 'Burning Issues' Discussion	CEO	202
	4:05pm		CLOSE OF MEETING		

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Councillor Briefing
Date: Tuesday, 14 May 2019
Time: 9:00am – 2.30pm

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

Councillors present:

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

Members of Council Staff present:

- | | |
|---|--|
| <input checked="" type="checkbox"/> CEO Evan King | <input checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | Manager Community and Economic
Development – Andrew Burgess, |
| <input checked="" type="checkbox"/> Director Infrastructure & Development
Services Bruce Lucas | Coordinator Economic Development –
Rebecca Pedretti, Manager Major Projects -
Carl Telfar, Project Manager – Ben Grounds,
Project Manager – Sam Hatten, Manager
Waste and Environment – David Watson,
Manager Financial Services – Danielle How,
Coordinator Community Partnerships -
Rachael Palmer. |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
Nil	

Matters Considered: Tuesday, 14 May 2019 - 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 checked="" type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | |
| <input type="checkbox"/> Director Infrastructure & Development
Services Bruce Lucas | |

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

RECORD OF ASSEMBLY OF COUNCILLORS

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

Signature:  _____

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

Tuesday 14 May 2019
Council Chamber, Daylesford Town Hall
9:00 am – 4:00 pm

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

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

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.	9:00am	Report	Capital and operational project reports as at 31 March 2019	Director Community & Corporate Services	3
	10:45am		Break		

No	Time	Type	Agenda Item	Presenter	Page No
2.	11:00am	External Presentation	Introductory meeting the Member for Western Victoria Beverley McArthur MP	CEO	22
3.	11:30am	Discussion	Daylesford Macedon Tourism Strategic Plan Consultation	Steve Wroe, CEO Daylesford Macedon Tourism	23
	12.30pm		Lunch		
4.	1:00pm	Report	Capital and operational project reports as at 31 March 2019 continued	Director Community & Corporate Services	3
5.	2:30pm	Discussion	MAV State Council	CEO	NA
	3:00pm		Break		
6.	3:15pm	Report	Financial Report as at 31 March 2019	Manager Financial Services	24
7.	3:45pm	Report	Hepburn Local Transport Benchmarking Study	Director Community & Corporate Services	31
	4:00pm		CLOSE OF MEETING		

13. COUNCIL SPECIAL COMMITTEES (SECTION 86)

13.1. APPOINTMENT OF MEMBER TO LEE MEDLYN HOME OF BOTTLES SPECIAL COMMITTEE

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 the appointment of member to a Special Committee (Section 86) of Council.

BACKGROUND

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

ISSUE/DISCUSSION

The following application for membership of the Lee Medlyn Home of Bottles was received by Council on 18 April 2019:

- Gayle Crane (returning member)

The application form has been circulated to Councillors out of session.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

None identified.

RISK IMPLICATIONS

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

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

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

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

CONCLUSION

Appointment of this new committee member will enable the Lee Medlyn Home of Bottles Special Committee to continue to operate in accordance with its Instrument of Delegation. The hard work of committee members and volunteers has been, and will continue to be, of considerable value to our local communities and the broader Hepburn Shire.

OFFICER'S RECOMMENDATION

That Council:

13.1.1. Resolves to appoint Ms Gayle Crane as a member of the Lee Medlyn Home of Bottles Special Committee for a period commencing 1 June 2019 until 31 May 2021, and

13.1.2. That Ms Gayle Crane, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.

MOTION

That Council:

13.1.1. Resolves to appoint Ms Gayle Crane as a member of the Lee Medlyn Home of Bottles Special Committee for a period commencing 1 June 2019 until 31 May 2021, and

13.1.2. That Ms Gayle Crane, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.

Moved: Cr Neil Newitt

Seconded: Cr Kate Redwood AM

Carried

13.2. MINUTES OF SPECIAL COMMITTEES (SECTION 86)

CHIEF EXECUTIVE OFFICER

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

PURPOSE

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

BACKGROUND

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

ISSUE/DISCUSSION

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

- Glenlyon Recreation Reserve Special Committee – 13 March 2019
- Lee Medlyn Home of Bottles Special Committee – 22 April 2019

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

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Nil

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Nil

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Members of the community are represented on these committees.

CONCLUSION

Minutes and reports have been provided for noting.

OFFICER'S RECOMMENDATION

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

- Glenlyon Recreation Reserve Special Committee – 13 March 2019
- Lee Medlyn Home of Bottles Special Committee – 22 April 2019

MOTION

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

- *Glenlyon Recreation Reserve Special Committee – 13 March 2019*
- *Lee Medlyn Home of Bottles Special Committee – 22 April 2019*

Moved: Cr Neil Newitt

Seconded: Cr John Cottrell

Carried

14. COUNCIL ADVISORY COMMITTEES

14.1. RECONCILIATION ACTION PLAN (RAP) – MEMBERS OF THE COMMUNITY REFERENCE GROUP

DIRECTOR COMMUNITY & CORPORATE SERVICES

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

PURPOSE

The purpose of this report is for Council to consider the appointment of the members of the Reconciliation Action Plan (RAP) Community Reference Group (CRG) based on an assessment of the Expressions of Interest (EOIs) received from the community.

BACKGROUND

Council adopted a Reconciliation Action Plan (RAP) in July 2018, which outlines what the organisation will do within its sphere of influence to contribute to reconciliation. The plan is based around three key areas of action:

1. Relationships
2. Respect
3. Opportunities

As part of the development of the RAP Community Reference Group (CRG) members were appointed, following a public advertising process to undertake an 18 month term on the group. The function of the group, as outlined in the Terms of Reference, is as follows: “*The Group is not a decision making body but rather a reference group providing advice and expertise. All feedback from the RAPCRG will considered by Council.*” The groups’ term has now concluded.

ISSUE/DISCUSSION

Expressions of Interest for the Community Reference Group were advertised from 21 February 2019 to 20 March 2019 and a total of 7 EOIs were received. The opportunity to apply was promoted through reconciliation networks, local and regional newspapers, social media and directly to the Dja Dja Wurrung Clans Aboriginal Corporation.

The Terms of Reference for the Community Reference Group specify that members will be appointed by Council based on one or more of the following attributes:

- Applied knowledge of Aboriginal and Torres Strait Islander history;
- Relevance of background and expertise to assist in the implementation and future development of Hepburn Shire Council’s Reconciliation Action Plans;

- Influence to promote reconciliation in the Hepburn Shire (e.g. affiliations with community organisations or local businesses); and
- People who identify as Djaara (Traditional Owner), Aboriginal and/or Torres Strait Islander;

The Terms of Reference state that the group will consist of a minimum of 5 members and a maximum of 10. All seven EOIs received were reviewed by the Coordinator Community Partnerships and are being recommended for the Advisory Committee:

- Professor Barry Golding
- Anne E Stewart
- Rod Poxon
- Gary Lawrence
- Erica Higgins
- Warren Maloney
- Peter O'Mara

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2021:

Strategic Objective – Active & Engaged Communities

Key Strategic Activity:

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

FINANCIAL IMPLICATIONS

There are no specific financial implications associated with appointment of Community Reference Group members.

RISK IMPLICATIONS

There is a risk associated with low representation of people who identify as Djaara (Traditional Owner), Aboriginal and/or Torres Strait Islander on this RAP Community Reference Group, although this round of Expressions of Interest has yielded an applicant that does identify as an Aboriginal/Torres Strait Islander person. This risk is also mitigated by the ability to “co-opt” members when required, as outlined in the Terms of Reference.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

There are positive social implications for all residents of Hepburn Shire as the actions and deliverables of Council’s Reconciliation Action Plan are

implemented with the support and advice of the RAP Community Reference Group.

The Reconciliation Action Plan outlines a vision for reconciliation; *“Hepburn Shire Council’s vision for reconciliation is to promote unity, respect and understanding between Aboriginal and Torres Strait Islander peoples and other community members.”*

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The opportunity to apply via an Expression of Interest for the RAP Community Reference Group was promoted through reconciliation networks, local and regional newspapers, Councils website, social media and directly to the Dja Dja Wurrung Clans Aboriginal Corporation.

CONCLUSION

In conclusion, the Expression of Interest process has yielded suitable volume and quality of applications to appoint seven people to an 18 month term as members of the Community Reference Group. The continuation of the CRG will help support the implementation of Council’s adopted Reconciliation Action Plan.

OFFICER’S RECOMMENDATION

15.2.1. That Council appoints seven members to the Reconciliation Action Plan (RAP) Community Reference Group (CRG) based on the suitability of the seven Expressions of Interest received as included in the report.

MOTION

14.1.1. That Council appoints seven members to the Reconciliation Action Plan (RAP) Community Reference Group (CRG) based on the suitability of the seven Expressions of Interest received as included in the report.

Moved: Cr Kate Redwood AM

Seconded: Cr Fiona Robson

Carried

**ATTACHMENT 14 -CONFIDENTIAL - ASSESSMENT OF EOI FOR THE
RECONCILIATION ACTION PLAN COMMUNITY REFERENCE GROUP
(DISTRIBUTED TO COUNCILLORS UNDER SEPARATE COVER)**

14.2. MINUTES OF ADVISORY COMMITTEES

CHIEF EXECUTIVE OFFICER

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

PURPOSE

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

BACKGROUND

Advisory committees are established by Council and their responsibilities outlined in Terms of Reference. Advisory Committees are required to maintain minutes of meetings held and provide a copy of the minutes to Council for review.

ISSUE/DISCUSSION

Please see listed below the minutes and other reports from Advisory Committees, as provided by the Committees:

- Disability Advisory Committee – 8 April 2019
- Mineral Springs Reserve Advisory Committee – 8 April 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

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

- Disability Advisory Committee – 8 April 2019
- Mineral Springs Reserve Advisory Committee – 8 April 2019

MOTION

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

- *Disability Access and Inclusion Advisory Committee – 8 April 2019*
- *Mineral Springs Reserve Advisory Committee – 8 April 2019*

Moved: Cr John Cottrell

Seconded: Cr Greg May

Carried

15. CLOSE OF MEETING

Meeting closed at 8:50pm.
