



HEPBURN SHIRE COUNCIL

SPECIAL MEETING OF COUNCIL MINUTES

***TUESDAY 31 MARCH 2009
DAYLESFORD TOWN HALL
76 VINCENT ST, DAYLESFORD***

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Hepburn Shire Council Special Meeting of Council

MINUTES

TUESDAY 31 MARCH 2009

**Daylesford Town Hall
Vincent Street, Daylesford
Commencing 7pm.**

| Contents | Page No |
|---|----------------|
| 1. WELCOME TO COUNTRY | 1 |
| 2. OPENING OF MEETING | 1 |
| 3. APOLOGIES | 1 |
| 4. DECLARATION OF CONFLICTS OF INTEREST | 1 |
| 5. GOVERNANCE & STRATEGIC MATTERS | 2 |
| 5.1 Council Plan 2009 – 2013..... | 2 |
| 5.2 Local Law No.1 – Hearing of Submissions..... | 5 |
| 6. CLOSE OF MEETING | 6 |

1. WELCOME TO COUNTRY

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

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

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

2. OPENING OF MEETING The Meeting opened at 7.10pm

PRESENT: Mayor, Cr Bill McClenaghan, Cr Jon Barrell, Cr Rod may, Cr Tim Hayes, Cr Sebastian Klein, Cr Janine Booth, Cr Don Henderson

IN ATTENDANCE: Kaylene Conrick, Chief Executive Officer, Matthew Morgan, Manager Governance and Information

The Mayor opened the meeting and invited Councillors to join him in the Statement of Commitment

STATEMENT OF COMMITMENT

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

3. APOLOGIES: Nil.**4. DECLARATION OF CONFLICTS OF INTEREST:** Nil.

5.1 COUNCIL PLAN 2009 - 2013

(A/O – Manager Governance and Information)

File Ref: 16/22/03

Introduction

This report presents for Council's consideration the Draft Council Plan 2009 – 2013

Report

Council is required to prepare and approve a Council Plan before 30 June 2009 in accordance with Section 125 of the Local Government Act 1989 ("the Act"). A Council Plan essentially contains Council's strategic objectives for the next four years and can be viewed as Council's commitment to the community.

Council has undertaken the necessary preparatory work and has compiled a Draft Council Plan. Council is being asked to approve the Draft Council Plan and place it on Public Exhibition in accordance with the Act and proceed to consult with the community by seeking feedback and submissions on the strategies and objectives of Council for the next four years.

A Council Plan, apart from being a statutory requirement, is a fundamental part of Council's operations as it encapsulates Council's objectives and strategies for the next four years.

Councillors have been committed to the process of developing the draft Council Plan and the resulting document is the outcome from various workshops and sessions which have been held over the last few months. Community aspirations have been captured through continued dialogue between Councillors and the broader Hepburn Shire community since the elections in November 2008.

In the Draft Council Plan, Council is making four fundamental commitments to the Community:

1. We will deliver good governance to the Hepburn Shire.
2. We will help improve economic prosperity.
3. We will assist our residents improve the health, safety and vibrancy of our communities.
4. We will guide our Shire towards environmental sustainability.

Council has proposed more than 80 strategies to deliver on these four broad commitments over the next four years. Accordingly the strategies are grouped under the headings of "Good Governance", "A More Prosperous Economy", "Healthy, Safe and Vibrant Communities" and "Environmental Sustainability".

Council is required to as a minimum, place the Draft Council Plan on public exhibition for 28 days and accept submissions in accordance with Sections 125 and 223 of the Act.

It is recommended however that Council engage in a much more comprehensive public consultation process to ensure that a wider range of

residents and ratepayers are aware of the Draft Council Plan and have the opportunity to discuss the Draft Council Plan with Councillors and to provide feedback and possibly submissions on the objectives and strategies of Council for the next four years.

It is proposed that Council place the Draft Council Plan on exhibition for the period from Thursday 2 April 2009 until Wednesday 6 May 2009. During this time it is suggested that Council undertake a public information session in each of the five wards and one in metropolitan Melbourne to ensure that residents and ratepayers are provided with ample opportunity to discuss the contents of the Council Plan with Councillors in person. It is also proposed that Council attend various community group meetings during this exhibition period to present the Draft Council Plan.

After the public exhibition has closed, Council has the ability to modify the Draft Council Plan as a result of community feedback and will also need to allow for the budget development process to occur and for the development of a Strategic Resource Plan.

The Strategic Resource Plan is required under Sections 125 & 126 of the Act, and will be undertaken in accordance with the 2009/10 budget process. The Strategic Resource Plan is essentially a plan which details the financial and non financial resources required to undertake and fulfil the strategies that are contained within the Council Plan.

It is envisaged that Council will be in a position to formally approve of the Council Plan, including the Strategic Resource Plan by the end of June 2009 in accordance with the Act.

Relevant Policies / Council Plan implications:

Local Government Act 1989

Community / Engagement / Communication / Consultation:

Inform

Council will inform the broader community of residents and ratepayers of the development of the Draft Council Plan and of the dates and times for the public information sessions. Council will also inform the community of the dates and process by which submissions can be made on the Draft Council Plan.

Six hundred ratepayers will be randomly selected and receive a personal invitation to attend one of the six proposed information sessions.

All ratepayers will receive notice of the Draft Council Plan and the dates and times of the proposed information sessions through a flyer which will accompany the final rates instalment notices to be issued in April.

Public notice will be provided, and adverts will appear in The Ballarat Courier and in the Hepburn Shire Advocate, as well as on Council's website.

Consult

Council will consult with the community through holding six information sessions where Councillors will discuss the Draft Council Plan with the public and seek feedback and comments. Sessions will also be held with various community groups upon their request and subject to Councillor availability.

Council will also receive submissions in accordance with Section 223 of the Act and provide the opportunity to be submitters to be heard.

Council will provide direct feedback to people who provide written submissions on the Council Plan. General feedback will be provided on overall comments about the Council Plan at the time that Council resolves to approve the final plan, at this stage, scheduled for late June.

Financial Implications

The financial implications that arise from the strategies and objectives within the Council Plan will need to be considered and evaluated during the development of the Strategic Resource Plan which will coincide with the 2009/2010 budget development process.

Motion:

That Council

- 5.1.1 *approve the Draft Council Plan 2009 – 2013 for public exhibition in accordance with Section 125 and Section 223 of the Local Government Act 1989 for the period 2 April 2009 to 6 May 2009.*
- 5.1.2 *approve the consultation process for the Draft Council Plan which involves six public information sessions, one in each ward and one in metropolitan Melbourne.*

Moved: Cr Tim Hayes

Seconded: Cr Jon Barrell

Carried.

5.2 LOCAL LAW NO. 1 HEARING OF SUBMISSIONS

(A/O – Manager Governance & Information)

File Ref: 44/06/01

Introduction

Council's proposed Local Law No.1 was on public exhibition in accordance with Section 223 of the Local Government Act 1989 for the period from Thursday 26 February 2009 until Thursday 26 March 2009. Council received six (6) submissions by close of business on Thursday 26 March 2009.

Report

Council is required to provide a time for the submitters to be heard in support of their submissions at a meeting of Council as per Section 223 of the Local Government Act 1989, if requested to do so.

Two (2) submitters have requested that they be permitted to be heard in support of their submissions to Council.

Council has been presented with a list of submitters to be heard under separate cover.

Subsequently, all submitters have been advised on the date and time for the hearing of submissions and have been invited to attend.

Relevant Policies / Council Plan implications:

Local Government Act 1989

Community / Engagement / Communication / Consultation:

Consult

The Section 223 procedure as per the Local Government Act 1989 is a consultative process through which the community can provide feedback to Council, in this case in regards to the proposed Local Law No. 1.

Financial Implications

There are no financial implications from Council in hearing submissions.

The Meeting heard verbal statements from the following residents in support of their written submissions:

1. Mr Rod Kirby
2. Mr Chris Eyles
3. Mr Michael Cheshire

Motion:

5.2.1 *That Council adhere to the provisions of the Local Government Act with regards to the hearing of submissions and only hear verbal submissions from those who had already submitted a written submission in respect of the draft Local Law No 1.*

Moved: **Cr Tim Hayes**

Seconded: **Cr Janine Booth**

Carried.

5.2.2 *That Council receive the verbal presentations in support of written submissions that have been presented to Council with regards to the proposed Local Law No. 1.*

Moved: **Cr Tim Hayes**

Seconded: **Cr Jon Barrell**

Carried.

6. The Meeting closed at 7.49pm