



***HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
MINUTES***

TUESDAY 18 DECEMBER 2012

**TRENTHAM NEIGHBOURHOOD CENTRE
HIGH STREET
TRENTHAM
5:30PM**

This Document is printed on 100% Australian recycled paper

**Hepburn Shire Council
Ordinary Meeting of
Council**



MINUTES

TUESDAY 18 DECEMBER 2012

**Trentham Neighbourhood Centre
High Street, Trentham
Commencing 5:30PM**

CONTENTS PAGE

1.	ACKNOWLEDGEMENT OF TRADITIONAL OWNERS	5
2.	OPENING OF MEETING	5
3.	APOLOGIES	6
4.	DECLARATIONS OF CONFLICTS OF INTEREST	6
5.	CONFIRMATION OF MINUTES.....	6
6.	NOTICES OF MOTION	6
7.	ITEMS OF URGENT BUSINESS	6
8.	PRESENTATION OF COUNCILLOR REPORTS.....	7
9.	PUBLIC PARTICIPATION TIME	17
	9.1. PETITIONS	17
	9.2. QUESTIONS	17
10.	OFFICERS' REPORTS	19
	10.1. CLUNES COMMUNITY AND INTERPRETIVE CENTRE PROGRESS REPORT	19
	10.2. MID YEAR BUDGET REVIEW	24
	ATTACHMENT 1 - FINANCIAL STATEMENTS	26
	ATTACHMENT 2 - 2012-2013 CAPITAL AND PROJECT PROGRAM.	31
	10.3. DAYLESFORD STREETScape REVITALISATION PROJECT	36
	10.4. HEPBURN NEIGHBOURHOOD SAFER PLACE - DESIGNATION	40
	10.5. PROCUREMENT POLICY ANNUAL REVIEW.....	43

Hepburn Shire Council Ordinary Meeting of Council



	ATTACHMENT 3 - POLICY NUMBER 46(C) – PROCUREMENT POLICY AND PROCESSES – REVIEWED NOVEMBER 2012	48
10.6.	HEPBURN PLANNING SCHEME – AMENDMENT C55 – REZONING OF LAND FROM PUBLIC PARK AND RECREATION ZONE TO RESIDENTIAL 1 ZONE	82
	ATTACHMENT 4 - HEPBURN PLANNING SCHEME – AMENDMENT C55 INSTRUCTION SHEET	85
	ATTACHMENT 5 - AMENDMENT C55 – LIST OF CHANGES TO HEPBURN PLANNING SCHEME	87
	ATTACHMENT 6 - HEPBURN PLANNING SCHEME – AMENDMENT C55 – EXPLANATORY REPORT.....	89
	ATTACHMENT 7 - HEPBURN PLANNING SCHEME – AMENDMENT C55 – MAP	94
10.7.	HEPBURN PLANNING SCHEME – AMENDMENT C57 – REZONING OF LAND FROM FARMING ZONE TO PUBLIC USE ZONE 5.....	96
	ATTACHMENT 8 - HEPBURN PLANNING SCHEME – AMENDMENT C57 - MAP	99
10.8.	CHANGE TO ROAD NAME.....	101
10.9.	CRESWICK FOOTBALL NETBALL CLUB LIQUOR LICENCE APPLICATION.....	104
10.10.	RECORD OF ASSEMBLIES OF COUNCILLORS – NOVEMBER 2012	107
	ATTACHMENT 9 - RECORD OF ASSEMBLIES OF COUNCILLORS – NOVEMBER 2012 (ISSUED UNDER SEPARATE COVER).....	110
11.	COUNCIL SPECIAL COMMITTEES (SECTION 86).....	111
11.1.	MINUTES OF SPECIAL COMMITTEES (SECTION 86)	111
12.	COUNCIL ADVISORY COMMITTEES.....	113
12.1.	MINUTES OF ADVISORY COMMITTEES.....	113
13.	CONFIDENTIAL ITEMS.....	115
13.1.	CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC.....	115
13.2.	CONFIDENTIAL - AUSTRALIA DAY AWARDS 2013	
13.3.	CONFIDENTIAL - CONTRACT H202-2009 - EXTENSION SUPPLY OF BANKING SERVICES	

**Hepburn Shire Council
Ordinary Meeting of
Council**



- 13.4. CONFIDENTIAL - CONTRACT H337-2012 - KERBSIDE COLLECTION SERVICES FOR WASTE, RECYCLABLES AND PUBLIC LITTER
- 13.5. CONFIDENTIAL - CONTRACT H340-2012 - CLUNES MT CAMERON ROAD, CLUNES - PAVEMENT CONSTRUCTION, BITUMINOUS SURFACING, DRAINAGE CONSTRUCTION AND ASSOCIATED WORKS, CH 6.1 KM TO CH 9.1 KM
- 13.6. CONFIDENTIAL - CONTRACT H341-2012 - BALD HILLS ROAD, CRESWICK - PAVEMENT CONSTRUCTION, BITUMINOUS SURFACING, DRAINAGE CONSTRUCTION AND ASSOCIATED WORKS, CH 2.180 KM TO CH 1.085 KM
- 14. RE-OPENING OF MEETING TO PUBLIC 117
- 15. CLOSE OF MEETING 119

AARON VAN EGMOND
CHIEF EXECUTIVE OFFICER
18 DECEMBER 2012

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

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

2. OPENING OF MEETING

PRESENT: Mayor Councillor Bill McClenaghan, Deputy Mayor Councillor Don Henderson, Birch Ward Councillor Pierre Niclas, Birch Ward Councillor Kate Redwood, Cameron Ward Councillor Neil Newitt, Creswick Ward Councillor Greg May.

IN ATTENDANCE: Chief Executive Officer Aaron van Egmond, General Manager Corporate Services Evan King, General Manager Infrastructure Bruce Lucas, General Manager Community Services Kathleen Brannigan, Acting General Manager Sustainable Development Mark Hogan.

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. DECLARATIONS OF CONFLICTS OF INTEREST

Nil

5. CONFIRMATION OF MINUTES

RECOMMENDATION

5.1 That the Minutes of the Ordinary Meeting of Council held on 20 November 2012 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the *Local Government Act 1989*.

MOTION

5.1. *That the Minutes of the Ordinary Meeting of Council held on 20 November 2012 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

Moved: Councillor Don Henderson
Seconded: Councillor Kate Redwood
Carried.

6. NOTICES OF MOTION

Nil

7. ITEMS OF URGENT BUSINESS

Nil

8. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor Bill McClenaghan, Holcombe Ward

It has been a very busy month with many important events and functions to attend. December sees the annual Daylesford Agricultural Show and the Daylesford Highland Gathering, both held at Victoria Park and this year it was the 61st Highland Gathering. These events are totally organised and run by local volunteers and it is an absolute credit to them. I also attended functions in Daylesford and Creswick to thank our valued Visitor Information Centre volunteers for their efforts over the past year at the Daylesford, Creswick and Clunes VICs.

On Monday 3 December, the first sod was turned for the new Community Interpretive Centre, Museum and Library in Clunes and I attended to officiate with Catherine King, Federal MP for Ballarat.

On Wednesday 5 December, I attended the Municipal Association of Victoria's (MAV's) Annual Conference in Melbourne and heard numerous informative speakers on a range of local government issues. I will bring details of these to Council in my January 2013 Councillor Report. I returned to Daylesford later that day to attend the official opening of our new Bushfire Memorial at the Community Park with Mr. Simon Ramsay, MLC for Western Victoria who cut the ribbon on a memorial tree-fountain sculpture by Dr Anton Hassell. Although no lives were lost in this community on Black Saturday 2009, this event was a good time to remember local men who have died in the past whilst protecting their community from bushfires particularly Des Collins and Allan Lynch, bulldozer drivers at the Greendale Fire in the early 1980's.

On Friday 7 December, I attended the official opening of the new youth space at the Daylesford ARC and the 150th celebration dinner for the Daylesford Hospital as run by the Hepburn Health Service.

On Monday 10 December, we hosted a delegation from Bozhou City in China at the Daylesford Town Hall. A nine member delegation came over to see what Hepburn Shire has to offer with our mineral water, rich soils and organic farm produce.

I have also attended end of year breakups with the Glenlyon community and the Porcupine Ridge CFA, together with the Jim Crow Planning Group at Yandoit. On Wednesday 12 December, I attended the annual concert at the Drummond Primary School followed by the Grade 6 Graduation Night for the Daylesford Primary School the next evening where I presented a Hepburn Shire sponsored citizenship award.

COUNCILLOR REPORTS

Councillor Greg May, Creswick Ward

My first weeks as one of the two councillors of the Creswick Ward have been both hectic and rewarding. Trying to develop an understanding of the many council issues can be daunting but as those issues unfold I believe I am slowly gaining an appreciation of the complexities of local government. I have spoken with many ratepayers in my ward in recent weeks about a variety of council issues with roadside slashing and road conditions being a common theme.

I have visited the Creswick Neighbourhood House and spoken with them about their role in the community and the many courses they have available. I have also attended an information session conducted by the Creswick Flood Recovery Office regarding flood recovery works at Calembeen Park and the ongoing issues regarding the diving tower there.

I also joined other councillors and council officers recently on a walk around Hepburn Mineral Springs Reserve to inspect the works being undertaken there and those planned for the near future. The Dean Recreation Reserve has recently been the subject of council discussions, so I have visited the reserve and spoken to some local residents there to help with my understanding of the matter.

I would also like to add that I am appreciative of the information sessions and workshops provided to councillors and I feel sure they will be of great benefit in the long term to help councillors work cooperatively together and with council officers.

Councillor Pierre Niclas, Birch Ward

On 20 November, I attended the Daylesford Agricultural Show at Victoria Park. The Mayor, Cr Redwood and I joined Federal Minister Catherine King for lunch with the show committee. It was a great opportunity to get to talk to some of the main users of this important facility in Daylesford and once again be able to confirm the importance of a fully re-developed Victoria Park.

26 November - I attended the Hepburn Health Service AGM with the Mayor and Cr Redwood. I was very impressed to hear senior management's report about the year and current plans and objectives for the coming year.

3 December - attended the Official opening of the Clunes Community and Interpretive Centre. Present that day was the Federal Member for Ballarat - Catherine King. Also in attendance were the Mayor and a very proud Cr Neil

Newitt. I was very impressed by the way the new building was designed as it appeared to work in seamlessly with its much older partner and how the interior effortlessly delivered its multi functional design requirement.

I was much more impressed by the local people and their passion for the project and their pride in finally seeing it come to life - well done team Clunes.

3 December - attended the Daylesford & Hepburn Springs Business & Tourism's Christmas function with Cr Redwood where we spoke at length with many of the Traders about the current status of the Streetscape project and this Council's ongoing commitment to delivering a Streetscape plan that better reflected the broader community views.

11 December - Through the Hepburn Mineral Springs Reserve Advisory Committee, I was able to arrange a short tour of Hepburn Mineral Springs Reserve for those Councillors and Committee members to receive directly from the management team a full update on the progress of the flood recovery works currently underway in that location.

Also took the opportunity to view the Gardener's Cottage which is being considered for alternative purposes that will bring both a financial as well as social benefit to the shire and the mineral springs Reserve.

Councillor Kate Redwood, Birch Ward

The last month has been exceptionally busy with many engagements and end of year functions in addition to Council meetings and assemblies, and informal representation of constituents.

Highlights were:

- The submission of the Expression of Interest for the Victoria Park Community Facility on 6 December. This is a milestone in itself, however, work continues in order to achieve the balance of the funding required if the project is to be successful. My efforts have been to seek funds from the philanthropic sector, and have included a visit to the Executive Officer of the Hugh Williamson Foundation and letters to a number of other philanthropic trusts. Short listing by the Federal Regional Development Australia Fund will be known in February 2013.
- Working with the Friends of Wombat Hill Botanic Gardens and the Wombat Hill Botanic Gardens Advisory Committee on the 150th anniversary of the Gardens. This involves support for the planning of events, and working with Council officers and the Advisory Committee on the planning of projects for the Gardens.

- Our second Birch Ward meeting was held on 17 December and attracted 7 attendees who wished to discuss a range of issues with Cr Niclas and myself.

Council commitments during the month that I attended were:

- 20/11/2012 Wombat Hill Botanic Gardens Advisory Committee
- 20/11/2012 Council briefings and Council Meeting
- 24/11/2012 Daylesford Show
- 26/11/2012 Hepburn Health AGM
- 27/11/2012 Handover of ongoing Council work from Dr Jon Barrell
- 27/11/2012 MAV Working Together Workshop
- 28/11/2012 International Women's Day and Women's Honour Roll Advisory Committee
- 29/11/2012 Daylesford Visitor Information Centre Volunteers; Christmas Party
- 3/12/2012 Daylesford and Hepburn Springs Business and Tourism Association (BATA) Christmas function
- 4/12/2012 Council Briefings
- 4/12/2012 Daylesford Horticultural Society Christmas party and AGM
- 5/12/2012 Meetings re approaches to philanthropic trusts re Victoria Park
- 5/12/2012 Launch of Hepburn Bushfire Memorial
- 7/12/2012 Hugh Williamson Foundation visit re Victoria Park project
- 11/12/2012 Hepburn Mineral Springs Reserve Tour of works and cottage
- 11/12/2012 Council Briefings and Planning Committee
- 12/12/2012 International Women's Day and Women's Honour Roll Advisory Committee
- 14/12/2012 Meetings re Wombat Hill Botanic Gardens
- 14/12/2012 Friends of Wombat Hill Botanic Gardens Christmas function
- 17/12/2012 Birch Ward meeting
- 18/12/2012 Briefing re Flood Response Works

Councillor Neil Newitt, Cameron Ward

As with other Councillors, I too have had a busy month leading up to the end of the year and Christmas.

On 3 December I attended a milestone event - the sod turning at the site of the Clunes Community and Interpretive Centre along with Catherine King, the Mayor, fellow councillor Pierre Niclas, council staff and many Clunes residents (who as Cr Niclas referred to were just like proud parents). I echo the Mayor's comments on the day in recognising the hard work put in by the many volunteers and look forward to the opportunities the new centre will bring to the community when it is completed in the New Year.

Thursday 6 December I attended Christmas lunch for volunteers of the Creswick and Clunes Visitor Information Centres. Thirty-four percent of our population volunteer in our communities with a dollar value of some \$10 billion so I was pleased to join these volunteers, for without them, we couldn't provide the services we deliver to the communities.

12 December I attended the Clunes Men's Shed meeting which with renewed interest, is looking to setup, and under the guidance of the Clunes Neighbourhood House, put in place the appropriate structure to move forward. Councillors, I believe we will hear further of this project next year.

Also on 12 December the Flood Recovery Office held a community meeting discussing swing bridge/football oval lighting/tennis courts. With around 60-70 people in attendance, much discussion was around whether the tennis courts should be relocated to the Lee Medlyn Centre (bottle museum).

The Clunes Neighbourhood House is also looking toward this area for their future. What has become apparent is the desire of various groups to use this facility into the future, and I believe the time has come to look at some form of master plan for the site and we will be hearing more from the various groups in the future.

Finally, I had the chance to inspect the work on the new seal to Blackmores Road in Clunes. Both it and the new surface to the Clunes-Mt Cameron Road is fantastic and I'm sure the local residents will be happy to see these new works.

Councillor Sebastian Klein, Coliban Ward

The new council term has left no room for cooling of heels and I am cognisant as ever of the fact that time marches on and takes no prisoners. And along with the Christmas whirlwind, we have a kerbside waste tender rushing up to

meet us numerous applications for large quantities of federal funding and of course the preparations for a new council plan and a new council budget and ten year financial plan into the new year.

Timing is of course critical and programs like the Municipal Association of Victoria's (MAV) working together workshops are essential to understanding how Councillors and staff can work together to get the best results for the shire. Of course this requires open conversations and a smooth approach to the interaction between the strategic role of Councillors and the operational role of staff.

- Australian Rural Leadership Program Module 3
- MAV Working Together to Deliver workshop
- Breast Cancer Morning Tea
- Trentham Community Groups Forum meeting
- Trentham Sustainability Group Christmas Dinner
- Waste management strategy steering committee
- Newbury Public Hall AGM
- Trentham VIC Volunteer Christmas Dinner
- Youth Space - *Youth Illuminate* Launch
- Sustainable Living Committee for the Committee of Ballarat
- Daylesford Youth Space Meeting
- Trentham Elderly Citizens Christmas Dinner hosted by the CWA and Lions

Councillor Sebastian Klein – Report for November

Well it has been a long month and while the active duties of mayor were limited to those within the bounds of caretaker mode, there were nonetheless a number of engagements required in the last weeks as Mayor before the election and consequent swearing in of a new mayor and Council.

The month was peppered with events that honoured history and the future: from the Daylesford Brass Band 150th Anniversary Celebrations to the Central Highlands History Association History Festival celebrating childhood memories. Such memories included family baths in the old copper, night soil collection, bread and milk deliveries and the strains of 'God Save the Queen'. Importantly, this event also included lectures on the heritage of houses and public buildings – a matter of continued importance to council decision making, and I enjoyed a lecture on herbal apothecary from Sovereign Hill. Our own Creswick and Trentham Historical Societies were represented here and were in fine fettle.

I had the difficult task of making local government and council elections relevant to year nines at Daylesford Secondary College, and I remain committed to the idea that we need to invest far more time in ensuring that our students of today are better equipped to understand the political system and economy such that they become productive citizens of tomorrow.

The future of these students was at heart as I attended a Beyond Zero Emissions presentation in Ballarat detailing how Australia can reach base load renewable electricity with technology available in the market today. An idea that was further expanded upon at the Ballarat Sustainability and Urban Wellbeing Forum with a landscape management volunteer program for depressed and psychologically challenged showing great gains from connecting people to landscape and honest hard work. An holistic approach to a local government report card was also presented.

The concept of locally produced electricity that supports local industries and economy was also the core reason for deciding to take myself to New Zealand in my first week out of the Mayoral role. There I spent three intensive days touring wood energy facilities making use of waste timber from softwood plantations to replace dirty coal and gas boilers in heating public and large scale facilities. This is just one example of straight forward market ready technologies that we can begin kicking goals with tomorrow – supporting local jobs and industry while cleaning up our environment.

And finally I was fascinated by a direct insight into our Kiwi cousins' take on local government, including delegated Community Boards, providing local democratic input in the wake of amalgamation, also investment in the landscape to prevent inappropriate development and preserve important agricultural land and enhance biodiversity values. I was also made aware of the dangers of over investment in public facilities without sound business planning and the consequent 'albatross round the neck' of ongoing debt and infrastructure maintenance costs that can be incurred with such projects. I was also very interested to see the amazing country side, with mountain ranges, seascapes and glacial grandeur and historic townships. I was inspired not to sell our towns completely over to tourism as I witnessed the difference between a town that has been facaded for visitors alone and in the process lost what draws those same visitors, and towns which remain independently unique and with this maintain their drawing power. For my part it was a worthy personal investment and a great way to arm myself with the information and inspiration to drive another four years of council.

Finally, I write this report from Module 3 of the rural leadership program where I have learnt much from the likes of National Farmers Federation CEO Matt Linnegar, fishing lobbyist Dean Logan, Agriculture Minister Joe Ludwig,

coalition Senator Richard Colbeck and leader of the Greens Senator Christine Milne. Presentations on informing parliamentary committee processes and debate on contentious issues like the Marg Gheris supertrawler, live export and climate change.

Tomorrow we head to Sydney to look at ethics at the St James Centre and the Oasis Youth Centre. I look forward to reporting on these challenging issues.

A full list of the events I attended during the month follows:

- Understanding planning
- Spoke about local government to Year 9 Secondary College students
- Attended a session from Beyond Zero Emissions on how renewable baseload electricity can be achieved
- Attended a talk by Lindsay Tanner with the Trentham Labour Party Branch
- The Daylesford Community Brass Band 150th Anniversary Gala
- Central Highlands Historical Association - History Festival 'Childhood Memories'
- Attended an Environmental Sustainability Advisory Committee meeting
- Attended a *Future of Local Government* session
- Trentham Neighbourhood Centre Committee of Management meeting
- Proclamation of council elections
- Celebration of local food at the Neighbourhood Centre
- Was interviewed on energy transition in Hepburn Shire by Andrew Lucas from Transition Consulting
- Attended the statutory council meeting that saw the swearing in of Councillors for the new term
- Attended part of the "Visions of Resilience" workshop held by the Victorian Eco Innovation
- Lab in Creswick Regional Planning Committee in Ballarat Launch of
- Hilhairyass Poems by local poet Medyhne Lebachen
- Ballarat Sustainability and Urban Wellbeing Project
- Bullarto Goat Festival
- Wood energy tour in New Zealand Meeting with Dunedin Mayor David Cull and Cr Jinty MacTavish
- Trentham Remembers at the Trentham Cenotaph for Remembrance Day
- Daylesford Rotary Club launch dinner - Agricultural Scholarship
- Daylesford Youth Group Community Leaders dinner
- Australian Rural Leadership Program - Module 3.

Councillor Don Henderson, Creswick Ward

During the past month I have attended all statutory meetings as well as briefings.

I also attended:

Creswick Ward Community Committee.

Grampians Regional Forum breakup.

Breakup for Creswick and Clunes volunteers.

Last meeting for the year of the Creswick Action Network

I had the pleasure of seeing students graduate from the Creswick Railway School of Woodwork.

Two delegations from China were welcomed to the Shire one from Bozhou and another from Shanghai.

International Women's Day celebration is on track. I have been asked by the committee to attend their meetings to assist them and new chair Cr Redwood.

A function at the Creswick station celebrated a milestone with the arrival of a new kitchen and the fact that refurbishment is nearing an end.

Senator John Madigan attended and manufactured a Ned Kelly Helmet as a fund raiser although The Mayor who was in attendance warned against wearing it to Council meetings.

A public meeting was held to discuss the Waste Strategy. A small number of the public were scathing about the lack of consultation by consultants and the absence of any data to back up assumptions.

This meeting was described by a resident as a disgrace as they were unable to get any real answers to their questions. I would not disagree.

RECOMMENDATION

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

MOTION

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

Moved: Councillor Pierre Niclas

Seconded: Councillor Neil Newitt

Carried.

9. PUBLIC PARTICIPATION TIME

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

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

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

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

9.1. PETITIONS

Nil

9.2. QUESTIONS

Question 1: From Mr John Endacott, Newlyn

What provision does the Hepburn Council make for the payment of shire rates by people on low incomes?

Answered by Mayor Councillor Bill McClenaghan

Council provides a number of support initiatives for the payment of rates by low income rate payers. These include:

- Revenue & Collections Policy – Part payment arrangements are available for residents wishing to pay on a more regular basis for budgeting reasons. Council considers all requests for alternative payment arrangements.
- Pensioner Rebates – Holders of pensioner concession cards are entitled to a rebate. This \$21 rebate is on top of the State Government rebate of \$198.

- Hardship Policy No 63 (C) - provides for the deferment or waiver of rates and charges. A deferment of payment can be provided in whole or in part and be for a specified period. A waiver may be for the whole or part of any rate, charge or interest for late payment. To be eligible for a deferment or waiver the ratepayer is required to be assessed by a financial counsellor at Hepburn Child and Family Services at no cost to the rate payer.
- In cases of emergency a deferment of rates and charges can be arranged.

10. OFFICERS' REPORTS

10.1. CLUNES COMMUNITY AND INTERPRETIVE CENTRE PROGRESS REPORT

GENERAL MANAGER COMMUNITY SERVICES

In providing this advice to Council as the General Manager Community Services, I Kathleen Brannigan have no interests to disclose in this report.

PURPOSE

The purpose of this report is to provide Council with a progress report about the Clunes Community and Interpretive Centre (CCIC) project for the following reporting period:

Reporting Period: 19 September 2012 - 30 November 2012

BACKGROUND

This is a great project for the township of Clunes, Hepburn Shire and the region. It will deliver enhanced services to the community and encourage increased economic activity in Clunes and surrounding communities.

The building will be created through the redevelopment and expansion of the existing Clunes Museum building, which once completed will incorporate the Clunes Library, the Clunes Museum, visitor information services and community activity and exhibition spaces.

Key focuses of the project over the next twelve months are the construction of the facility, ongoing engagement and consultation with the Clunes community and stakeholders, planning for the operation of the facility and relocation of the library to the new facility.

Nicholson Construction Pty Ltd (Nicholson Construction) was awarded the tender to construct the Clunes Community Interpretive Centre at the Ordinary Council meeting on 18 September 2012.

ISSUE / DISCUSSION

PROGRESS DURING REPORTING PERIOD

Construction

All required documentation provided by Nicholson Construction 23 October 2012

- Full handover of the site to Nicholson Construction occurred on 26 October 2012.

- Asbestos removed by 26 October 2012.
- Non structural demolition complete 31 October 2012.
- Structural demolition complete 13 November 2012.
- Excavate footings for refurbishment complete 29 November 2012.
- First floor framing for refurbishment in progress.
- Treatment of rising damp in progress.
- Shop drawings of structural steel framing for extension in progress.

Administration, Funding and Reporting

- Progress Report 3 Milestone 4 submitted to Regional Development Australia 31 October 2012.

Budget

Budget Item	Original Budget	Revised Budget	Actual (including Commitments)
Design Phase	\$307,000	\$228,126	\$215,562
Construction Phase	\$2,401,000	\$2,452,050	\$2,348,745
Other (including multi-media & fit out).	\$351,000	\$428,824	\$123,001
Total	\$3,059,000	\$3,109,000	\$2,686,308

- Note a further \$50,000 Living Libraries grant has been received, increasing the total budget

Construction Phase Budget - Progress and Variations

Budget Item	Original Budget	Revised Budget	Actual (including Commitments)
Contract	\$2,276,000	\$2,298,709	\$2,298,709
Contingency	\$113,000	\$62,341	-
Electricity supply	-	\$50,000	-
Tender	-	\$1,000	\$718
Sewer	\$12,000	\$40,000	\$49,318
Total	\$2,401,000	\$2,452,050	\$2,348,745

Design Phase Budget - Progress and Variations

Budget Item	Original Budget	Revised Budget	Actual (including Commitments)
Contract	\$200,000	\$198,800	\$198,800
Contingency	\$107,000	\$21,200	\$8,636
Tender	-	\$8,126	\$8,126
Total	\$307,000	\$228,126	\$215,562

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

We will create healthier, safer more vibrant communities.

FINANCIAL IMPLICATIONS

The Clunes Community and Interpretive Centre development has been made possible through funding contributions from the Federal Government Regional Development Australia Fund, the Victorian State Government Living Libraries program, Hepburn Shire Council and the Clunes Museum.

RISK IMPLICATIONS

The following summarises the key risks and actions taken during the reporting period in relation to the project.

Key Risks	Controls Implemented	Additional Controls / Next Steps
Potential injuries to workers and the public resulting from renovation works.	Site formally handed over to Nicholson Construction, including sign-off on detailed Site Safety Plan. Ongoing monitoring against the Site Safety Plan by Senior Project Engineer has commenced.	Ongoing monitoring against the Site Safety Plan will continue.
The community is not involved in decision making in relation to operation of the facility and therefore does not embrace and use the facility.	Engagement with the Community Reference Group and key users of the new building has commenced and is continuing in relation to the operation, governance and fit out of the building.	Feedback from engagement will be considered by the Project Control Group to prepare an updated business plan and to finalise the fit out requirements in order to implement in time for opening in late 2013.
Approvals and preliminary works are not completed prior to hand over of the building resulting in delays in the construction.	The Project Control Group identified the separate tasks that were required (e.g. sewer diversion) and the Senior Project Engineer worked diligently to confirm that they were completed in advance of hand over. The Building Permit was also obtained prior to the agreed hand over date.	None required.
Part of the existing building is in an unstable condition and may collapse.	The architect's engineers designed the supporting 'props' required during the renovation process, and the builder has implemented these. During the demolition process, a section of wall was identified as being in a poorer condition than expected. As a result, all parties agreed to further removal of this wall and the need to rebuild it.	None required.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

No changes noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

- Media release issued about awarding of the construction tender for the CCIC to Nicholson Construction.
- Information in the October issue of the Clunes Community Newsletter about awarding the construction tender for the CCIC to Nicholson Construction and opportunity for residents to collect heritage roses from Collins Place that would be removed during construction of the CCIC.
- Roses removed and made available for residents to collect - 19 October 2012.
- Information in the November issue of the Clunes Community Newsletter about construction of the CCIC commencing and thanking the Clunes Museum Special Committee and volunteers for all their efforts in packing up the collection and relocating the Museum temporarily to the Hepburn Health Service building at 69 Service Street, Clunes.
- Fact sheet number five distributed in the Clunes Community about the awarding of the construction tender and thanking the Clunes Museum Special Committee and volunteers for all their efforts in packing up the collection for storage and relocating the Museum administration temporarily to the Hepburn Health Service site.
- Community Reference Group meetings held on 11 October and 8 November 2012. Discussions are focusing upon planning for the operation of the facility.
- Council website updated with information about the awarding of the tender for construction and project timelines.

CONCLUSION

This report provides Council with an update on progress of the Clunes Community and Interpretive Centre Project for the reporting period 19 September 2012 – 30 November 2012.

OFFICER'S RECOMMENDATION

- 10.1.1 That Council receives and notes the progress report for the period 19 September 2012 – 30 November 2012.

MOTION

10.1.1. That Council receives and notes the progress report for the period 19 September 2012 – 30 November 2012.

Moved: Councillor Neil Newitt

Seconded: Councillor Greg May

Carried.

10.2. MID YEAR BUDGET REVIEW

GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Manager Finance, I Anthea Lyons have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to approve and adopt the reviewed Budget for 2012-2013.

BACKGROUND

Council adopted the 2012-2013 Budget at its Ordinary Meeting held on 19 June 2012. Each year, Council reviews the budget at mid-year to take into account unanticipated changes in revenue and expenses, additional grants and/or projects and new or changed priorities that have arisen in the past 5 months.

ISSUE / DISCUSSION

Using October YTD results, the Extended Leadership Group have completed an in-depth analysis of all income and expenditure in order to formulate a forecast to 30 June 2013.

All additional costs identified during the review have been offset by savings.

Projects not completed but committed to during 2011-12 have been “carried forward” and included in the reviewed Budget.

An estimate of flood recovery expenditure has been included in the revised Budget, offset by anticipated reimbursements.

A reviewed set of Financial Statements are attached (refer Attachment 1). A list of all Capital and other projects is also attached (refer Attachment 2).

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council has a statutory responsibility to prepare and adopt a budget. A reforecast to 30 June 2013 at mid-year supports good financial management and good governance.

The Council Plan is the Council’s medium term planning tool which guides the development of the Council budget. The Council Plan strategic objectives are achieved through the funding of the activities and initiatives that support each objective within the Council Budget.

FINANCIAL IMPLICATIONS

Outlined in this report.

RISK IMPLICATIONS

This review will assist in decision making and help mitigate the risk that departments will exceed their budget allocations.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Any changes to projects that will impact on Council staff, our community or the environment have been detailed in the report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

As per the Hepburn Shire's Community Engagement framework, level 1 engagement has been undertaken. This information will be available to the public via the minutes published on the Council's website.

This mid-year review and reforecast does not require specific community engagement under the *Local Government Act 1989*.

CONCLUSION

The mid-year budget review has been completed. All additional costs have been offset by savings.

OFFICER'S RECOMMENDATION

10.2.1 That Council approves and adopts the reviewed budget for 2012-2013 financial year.

MOTION

<p>10.2.1. <i>That Council approves and adopts the reviewed budget for the 2012-2013 financial year.</i></p>
--

Moved: Councillor Kate Redwood

Seconded: Councillor Neil Newitt

Carried.

ATTACHMENT 1 - FINANCIAL STATEMENTS

Income Statement for year ending 30 June 2013

	Annual Budget 2012/13 \$'000	Revised Budget 2012/13 \$'000	Variance		
			\$'000		
Revenues from ordinary activities					
Rates & charges	15,719	15,719	(0)	0%	
Statutory fees and fines	1,241	1,265	24	2%	
Grants - Recurrent	6,251	4,118	(2,133)	-34%	1
Grants - Non recurrent	2,251	5,617	3,366	150%	2
Contributions	71	144	73	103%	3
Other revenue	1,364	14,203	12,839	941%	4
Total revenue	26,897	41,066	14,169	35%	
Expenses from ordinary activities					
Employee benefits	10,335	10,887	(552)	-5%	5
Materials and services	7,983	12,486	(4,504)	-36%	6
Bad and doubtful debts	5	5	-	0%	
Depreciation/amortisation	5,150	5,150	-	0%	
Finance costs	271	271	-	0%	
Other expenses	1,084	819	265	32%	7
Total expenses	24,828	29,618	(4,791)	-16%	
Surplus (deficit) for the year	2,068	11,448	9,378	453%	

1. Decrease is associated with Grants Commission allocation - \$2,036,911 was prepaid and recognised in the prior financial year. \$111,270 is the difference between the budget to actual Grants Commission allocation due to overpayment in prior year.

2. Refer to Table 1.

3. Refer to Table 2.

4. \$12.7M in flood recovery reimbursements expected, plus additional interest & housing income.

5. Revised Budget includes funded positions from Advancing Country Town, Flood Office Manager & Bushfire Planning projects and Library Co-ordinator funded from existing CHRL contribution (\$454,000). \$100,000 budgeted travel allowance for home carers has been reclassified as employee benefits, rather than materials.

6. Refer to Table 3.

7. \$318,000 was included in the Budget for library contributions. \$159,000 is now estimated to be paid, with the software costs now classified as materials & the Library Co-ordinator salary as per comment above. Also, event expenses were treated as other expenses when setting the original budget and have been reclassified to materials (\$50,000)

Cashflow Statement for year ended 30 June 2013

	Annual Budget 2012/13 \$'000	Revised Budget 2012/13 \$'000	Variance \$'000	
Cash flows from operating activities				
<i>Receipts</i>				
Rates & Charges	15,719	15,719	(0)	0%
Statutory & user fees and fines	1,241	1,265	24	2%
Grants - recurrent	6,251	4,118	(2,133)	-34%
Grants - non recurrent and Contributions	2,322	5,761	3,439	148%
Other revenue	1,064	13,808	12,744	1198%
Interest	300	450	150	50%
	26,897	41,121	14,224	
<i>Payments</i>				
Employee costs	(10,335)	(10,887)	(552)	
Materials & consumables	(7,983)	(12,486)	(4,504)	56%
Finance costs	(281)	(281)	(1)	0%
Other expenses	(1,084)	(819)	265	-24%
	(19,683)	(24,474)	(4,791)	
Net cash provided by operating activities	7,214	16,648	9,433	
Cash flows from investing activities				
Proceeds from property, plant and equipment	379	559	180	8
Payments for property, plant and equipment	(6,755)	(26,097)	(19,342)	9
Net cash used in investing activities	(6,375)	(25,538)	(19,162)	
Cash flows from financing activities				
Proceeds from borrowings	-	-	-	
Repayment of borrowings	(589)	(589)	-	
Net cash provided by (used in) financing activities	(589)	(589)	-	
Net decrease in cash & cash equivalents	250	(9,480)	(9,729)	10
Cash & cash equivalents at beginning of year	3,237	13,473		
Cash & cash equivalents at end of period	3,487	3,993	506	

8. Proceeds associated with carryforward plant purchases

9. Refer to Table 4.

9. Refer to Table 5.

Balance Sheet 30 June 2013

	Annual Budget 2012/13 \$000's	Revised Budget 2012/13 \$000's	Variance \$000's	
Assets				
Current assets				
Cash and cash equivalents	3,486	3,993	507	15%
Trade and other receivables	1,205	2,260	1,055	88%
Other Assets	140	80	(60)	-43%
Total current assets	4,831	6,333	1,502	
Non-current assets				
Financial assets	999	521	(478)	-48%
Investments in associates accounted for using the equity method	-	120	120	
Property, plant and equipment, infrastructure	202,270	208,976	6,706	3%
Total non-current assets	203,269	209,617	6,349	
Total assets	208,100	215,951	7,851	
Liabilities				
Current liabilities				
Trade and other payables	(2,667)	(3,188)	(521)	20%
Trust Funds and Provisions	(1,764)	(4,560)	(2,796)	159%
Interest-bearing loans and borrowings	(583)	(583)	-	0%
Total current liabilities	(5,013)	(8,331)	(3,317)	
Non-current liabilities				
Provisions	(943)	(785)	158	-17%
Interest-bearing loans and borrowings	(3,002)	(3,002)	-	0%
Total non-current liabilities	(3,945)	(3,787)	158	
Total liabilities	(8,958)	(12,118)	(3,159)	
Net Assets	199,141	203,833	4,692	
Equity				
Accumulated surplus	(126,025)	(128,749)	(2,724)	2%
Asset Revaluation reserve	(72,097)	(74,091)	(1,994)	3%
Other reserves	(1,019)	(992)	27	-3%
Total Equity	(199,141)	(203,833)	(4,692)	

Table 1 - increase in non-recurrent grants		\$'000
Advancing Country Towns project funding	\$	150
Grants associated with Carryforward projects	\$	2,821
Wayfinding project grant	\$	15
Additional pre-schools grant	\$	10
Additional youth grant (Engage Youth)	\$	40
Regional Living Expo grant	\$	10
Flood Mitigation grant funding	\$	550
Crossing Borders Tracks & Trails Grant	\$	93
Bullarto Track Repair grant will not be received by Council	\$	(210)
Hepburn Netball Court Upgrade grant funding unsuccessful	\$	(40)
less double counting of Emergency Management Grant	\$	(70)
Other	\$	(3)
	\$	3,366

Table 2 - increase in contributions		\$'000
Contributions associated with Carryforward projects		128
Bullarto Track Repair contribution will not be received by Council		(50)
Additional BMX track contribution		10
Smeaton Bowling Club contribution to additional costs		7
Hepburn Netball Court project contribution not required		(21)
		74

Table 3 - increase in materials		\$'000
Carryforward non capital projects (per spreadsheet)	\$	1,174
Transport connections carryforward	\$	241
Flood Mitigation new project	\$	650
Asset revaluation new project (Maloney)	\$	99
Crossing Borders Tracks & trail new project (planning)	\$	100
Bullarto Track repair works to be completed outside Council	\$	(260)
Reclassification of library software costs (as per comment in other expenses)	\$	50
Reclassification of homcarers travel allowance (as per comment in salaries)	\$	(100)
Reallocation of Duke St office accommodation project to capital	\$	(40)
Engage Youth new project	\$	50
Reclassification of events expenses	\$	50
Reallocation of non capital funds to Doug Lindsay Oval Resurfacing	\$	(73)
Return of Daylesford Streetscape Project funds rec'd in advance	\$	283
Flood Recovery office expenditure, including contractors	\$	2,275
Other	\$	4
	\$	4,504

Table 4 - increase in capital		
Carryforward capital projects (per spreadsheet)	\$	7,216
Removal of Daylesford Streetscape Project	\$	(283)
Additional funds for Corporate System (funded from recurrent budget additional income)	\$	24
Reallocate of funds to Flood mitigation works (per table above)	\$	(100)
Reallocation of non capital funds to Doug Lindsay Oval Resurfacing	\$	73
Reforecast of Country Roads & Bridges projects due to PM salary	\$	(117)
Flood recovery works	\$	12,556
other	\$	(27)
	\$	19,342

Table 5 - cash flow movement		
Net carryforward capital projects	\$	(4,346)
Net carryforward non - capital projects	\$	(1,162)
Timing grants commission payment	\$	(2,040)
net flood carryforwards	\$	(2,238)
less double counting of Municipal Fire & Emergency Grant	\$	70
other	\$	(13)
	\$	(9,729)

ATTACHMENT 2 - 2012-2013 CAPITAL AND PROJECT PROGRAM

2012/2013 CAPITAL WORKS PROGRAM

Financials								
Financials	TECHONE	C/Fwd + Budget	Revised Budget	Variance Original Budget (inc. c/f) to Revised	Expected June 30 Forecast	Estimated Carryforward	PROJECT MANAGER	
ROADS								
Reseals (under contract)	cap	100	\$1,575,000	\$1,575,000	\$0	\$1,575,000		Darren
Reseal Preparation	cap	102	\$85,000	\$85,000	\$0	\$85,000		John B
Gravel Resheets	cap	103	\$230,000	\$230,000	\$0	\$230,000		John B
Shoulder Sealing	cap	108	\$225,000	\$0	\$225,000	\$0		John B
Mossops Road Re-establishment stage 2	cap	113	\$25,306	\$25,306	\$0	\$25,306		Richard
Transition Tapers for Seal Width changes and safety works	cap	400	\$50,000	\$50,000	\$0	\$50,000		John B
→ Clunes Mt Cameron Road Section 1	cap	107	\$290,000	\$290,000	\$0	\$290,000		Darren/GB
→ Clunes Mt Cameron Road Section 2	cap	107	\$450,000	\$450,000	\$0	\$450,000		Darren/GB
→ Birch Creek Clunes Daylesford Road	cap	107	\$100,000	\$0	\$100,000	\$0		Darren/GB
Revaluation (Maloney)	non	164		\$99,320	-\$99,320	\$75,000	\$24,320	Ross
Review of Road Management Plan	non		\$0	\$0	\$0	\$0		Richard/Ross
Country Roads & Bridges Renewal								
13/14 Road design program	cap	366		\$27,007	-\$27,007	\$27,007		Ross/Darren
→ Blackmores Rd Reconstruction Clunes	cap	301	\$365,000	\$365,000	\$0	\$365,000		Darren
→ Mulcahys Rd Trentham	cap	375	\$240,000	\$240,000	\$0	\$240,000		Nick/JBeer
→ Springhill Tylden Rd Upgrade (cost shared with MRSC)	cap	365	\$120,000	\$120,000	\$0	\$120,000		Bruce L
→ Luttet Street Reconstruction Creswick	cap	302	\$100,800	\$127,800	-\$27,000	\$127,800		Darren/Kirmani
→ Bald Hills Road Reconstruction	cap	377	\$420,000	\$385,000	\$35,000	\$385,000		Darren/Kirmani
→ Clunes-Daylesford Reconstruction	cap	299	\$368,528	\$283,521	\$85,007	\$283,521		Darren/Kirmani
Kooroocheang-Swamp Road Bridge Replacement (1 Mill Country Rds Renewal) - Bridge 51	cap	376	\$80,000	\$10,000	\$70,000	\$10,000	\$0	Kirmani
Zig Zag Rd Bridge	Cap	392	\$0	\$28,500	-\$28,500	\$15,000	\$13,500	Kirmani
LGIF (LGIF drainage is below)								
Bleakley St Bridge Design & Construction (projects 9,10,11)	cap	319	\$101,525	\$101,525	\$0	\$21,525	\$80,000	Darren/Inoka
Trentham Sportsground Lighting Stage 2 - LGIF	cap	323	\$79,000	\$69,000	\$10,000	\$69,000		Laura C
Signage Renewal - LGIF	cap	312	\$50,000	\$50,000	\$0	\$50,000		John C
Street Tree Replacement - LGIF	cap	315	\$25,000	\$25,000	\$0	\$25,000		John B/James
Pedestrian Path Hepburn - Newstead Road - LGIF	cap	320	\$35,000	\$35,000	\$0	\$35,000		Richard R
Domino Trail Extension- LGIF	cap	321	\$50,000	\$50,000	\$0	\$50,000		Darren D
WHBG East West Footpath Upgrade - LGIF	cap	322	\$30,000	\$30,000	\$0	\$30,000		Richard/Nick
Victoria Park Netball Pavilion	cap	292	\$75,888	\$103,000	-\$27,112	\$103,000		Darren/PC
Doug Lindsay Lighting and Fencing & sub station upgrade	cap	295	\$7,000	\$27,000	-\$20,000	\$27,000		Darren D
Doug Lindsay Soccer Pitch Top Soil & Seed	cap	296	\$10,000	\$8,680	\$1,320	\$8,680		Darren/PC
Clunes School Footpath	cap	293	\$61,257	\$61,777	-\$520	\$61,777		Peter/Graeme
BRIDGES								
Bridge Renewal Maintenance								
→ Hep Newstead Shivers Bridge & Guard Rail - Bridge 38	cap	114	\$200,000	\$184,000	\$16,000	\$24,000	\$160,000	Kirmani
→ Creswick Ascot Road - Bridge 141 (no guard rails)	cap	114	\$35,000	\$35,000	\$0	\$35,000		Kirmani
→ Fish Tail End Replacement	cap	114	\$25,000	\$14,000	\$11,000	\$14,000		Kirmani
→ Old Ballarat Rd - Clunes Evansford Rd Bridge 91	cap	114	\$25,000	\$25,000	\$0	\$25,000		Kirmani
Guardrail Project (carry over)	cap	114	\$15,000	\$0	\$15,000	\$0		Kirmani
Creswick Dean Culvert Replacement (bridge renewal)	cap	114	\$200,000	\$160,000	\$40,000	\$160,000		Graeme B
Bridge design	cap	398		\$82,000	-\$82,000	\$82,000		Ross/ Darren
Bridge Replacement Design - 2nd part for Wheelers Bridge	cap	110	\$154,000	\$154,000	\$0	\$40,000	\$114,000	Richard/Nic
Andersons Mill Bridge Design	cap	111	\$15,000	\$15,000	\$0	\$15,000		Graeme B
FOOTPATHS & STREETS								
Footpath Improvement & Renewal								
Footpath Renewal Program (including Cosmo)	cap	112	\$70,000	\$70,000	\$0	\$70,000		Richard/PC
DDA Access at Crossings	Non	112	\$0	\$0	\$0	\$0		J Smeaton
Audit of Parking Compliance (disabled & loading)	Non	112	\$0	\$0	\$0	\$0		J Smeaton

Financials	TECHONE	C/Fwd + Budget	Revised Budget	Variance Original Budget (inc. c/f) to Revised	Expected June 30 Forecast	Estimated Carryforward	PROJECT MANAGER	
Creswick Creek Path (project 20)	cap	317	\$250,000	\$250,000	\$0	\$0	\$250,000	Richard R
Albert St, Daylesford Footpath - Special Charge Scheme	cap	118	\$34,500	\$34,500	\$0	\$34,500		Richard R
Daylesford Avenue of Honour project	cap	281	\$3,810	\$3,810	\$0	\$3,810		Bruce L
Ullina Avenue of Honour project	non	173	\$141	\$141	\$0	\$141		Bruce L
Daylesford Cenotaph Restoration project	cap	174	\$4,628	\$4,628	\$0	\$4,628		Bruce L
Daylesford Streetscape Revitalisation Project	cap	129	\$300,847	\$17,798	\$0	\$17,798		Bruce L
BUILDING								
Capital Building Renewal Program	cap	287						
→ North Street Units	cap	287	\$76,941	\$76,941	\$0	\$76,941		Graeme B
→ Creswick Town Hall Public Toilets	cap	287	\$10,000	\$10,000	\$0	\$10,000		Kevin B
→ Duke St Fence Replacement	cap	287	\$6,000	\$6,000	\$0	\$6,000		Richard R
→ Duke Street - Roof Repairs,	cap	287	\$15,000	\$0	\$15,000	\$0		Richard R
→ HMSR Sound Shell Repairs	cap	287	\$38,000	\$38,000	\$0	\$38,000		Kev B/James
→ Essential Services (Fire extinguishers)	cap	287	\$20,000	\$20,000	\$0	\$20,000		Ross Mc
→ General Painting Works (swimming pool)	cap	287	\$35,000	\$35,000	\$0	\$35,000		Laura C
→ List as per Urgent Building Renewal Works	cap	287	\$126,000	\$119,645	\$6,355	\$119,645		Ross
→ Duke Street - Office Accommodation Upgrading	cap	331	\$62,000	\$77,000	-\$15,000	\$37,000	\$40,000	Inoka S/Chris W
Cameron Court units	cap	141	\$580,336	\$580,336	\$0	\$0	\$580,336	Kathleen B
Clunes Community & Interpretative Centre Design & Construction	cap	124	\$2,973,307	\$2,973,307	\$0	\$2,573,307	\$400,000	Darren D
DRAINAGE								
Drainage Works (Capital) -Clunes, Creswick, Daylesford, Trentham (LGIP \$165K & council \$35K)								
→ American Hotel	cap	115	\$5,000	\$5,000	\$0	\$5,000		Graeme B
→ Tonnas Drainage	cap	115	\$10,000	\$10,000	\$0	\$10,000		Graeme B
→ Harvey St Creswick	cap	115	\$8,000	\$8,000	\$0	\$8,000		Graeme B
→ Fraser St Catchment design Clunes	cap	115	\$20,000	\$20,000	\$0	\$20,000		GB/Rich
→ Trehwella Ave Daylesford	cap	115	\$10,000	\$3,000	\$7,000	\$3,000		Peter/GB
→ Allendale Drainage (Design) VicRoads	cap	115	\$0	\$15,000	-\$15,000	\$15,000		Graeme B
→ 128 Clunes Road Creswick(\$30k)	cap	115	\$32,000	\$32,000	\$0	\$32,000		Graeme B
→ 4 Hammond Street Creswick	cap	115	\$5,000	\$5,000	\$0	\$5,000		Graeme B
→ Golf Links Road Easement Hepburn (easement)	cap	115	\$128,401	\$145,029	-\$16,628	\$145,029		Graeme B
→ Fulcher Street	cap	115			\$0	\$0		R & B PE
→ 4 Vincent Street Daylesford	cap	115	\$10,000	\$10,000	\$0	\$10,000		Graeme B
→ Drainage Farmers Arms Hotel / East Street Daylesford	cap	135	\$84,900	\$15,871	\$69,029	\$15,871		John B
WASTE MANAGEMENT								
Waste Strategy - Capital Requirements	Non	163	\$33,347	\$33,347	\$0	\$33,347		Tim G
Waste Tender - Capital Requirements / Procurement A	Non	307	\$10,173	\$10,173	\$0	\$10,173		Tim G
Replacement of Litter Bin Receptacles	cap	127	\$0	\$5,000	-\$5,000	\$5,000		Tim G
Mt Beckworth	non	384	\$217,500	\$217,500	\$0	\$217,500		Richard R
RECREATION								
Trentham Football Netball Application	non	402	\$0	\$10,000	-\$10,000	\$0	\$10,000	Laura C
Doug Lindsay Recreation Reserve Resurfacing	cap	391	\$0	\$309,680	-\$309,680	\$309,680		Bruce L
Crossing Borders Tracks and Trails	Non	383	\$0	\$100,000	-\$7,500	\$100,000		Adam M
Playground Replacement Equipment Program	cap	122	\$22,000	\$22,000	\$0	\$22,000		Richard
Playground Replacement Equipment Program	cap		\$20,000	\$20,000	\$0	\$20,000		flood
Calembeen Park Creswick Tower Relocation	cap	150	\$108,403	\$108,403	\$0	\$0	\$108,403	Adam M
Bushfire Memorial - Daylesford Community Park	non	187	\$66,038	\$66,038	\$0	\$66,038		Tegan L
Bullarto Railway Track Repair	non	338	\$310,000	\$50,000	\$0	\$50,000		Kathleen B
Swimming Pool Upgrade - Trentham, Clunes, Daylesford	cap	119-121	\$107,075	\$107,075	\$0	\$107,075		Laura C
Calambeen Park Walking track	cap	145	\$23,825	\$23,825	\$0	\$23,825		Adam M
Old shelter at Calambeen Park	cap	395	\$16,610	\$16,610		\$16,610		Adam M
Skate Park Improvement Program	cap	142	\$4,000	\$4,000	\$0	\$4,000		Adam M
Wombat Gardens Irrigation Bore / Power	cap	146	\$12,834	\$12,834	\$0	\$12,834		Darren/PC
PLANT & EQUIPMENT								
Works Plant & Equipment	cap	130	\$1,322,670	\$1,322,670	\$0	\$627,350	\$695,320	Kevin C
Passenger & Commercial Fleet	cap	131	\$403,000	\$403,000	\$0	\$203,000	\$200,000	Kevin C
Corporate Information System	cap	133	\$289,805	\$313,536	-\$23,731	\$313,536		Chris W
IT Hardware & Equipment	cap	132	\$69,000	\$69,000	\$0	\$69,000		Chris W
OTHER								
Creswick Flood Mitigation Plan Implementation	non	397		\$650,000	-\$100,000	\$650,000		Bruce/Graeme
Anne Street removal of AC in Road Reserve	non	390		\$6,500	-\$6,500	\$6,500		Graeme
Calambeen Park special projects	non	399		\$35,723	-\$35,723	\$35,723		Laura C

Financials		TECHONE	C/Fwd + Budget	Revised Budget	Variance Original Budget (inc. c/f) to Revised	Expected June 30 Forecast	Estimated Carryforward	PROJECT MANAGER
Wayfinding Initiative Clunes Talbot Creswick	non	382		\$15,000	\$0	\$15,000		Adam
Hepburn Netball Court Upgrade	cap	311	\$65,740	\$0	\$5,000	\$0		Laura C
Smeaton Bowling Club Risk Mitigation Works	cap	371	\$10,000	\$10,000	\$0	\$10,000		Kevin C
Trentham Spudfest Event Funding	non	324	\$5,000	\$5,000	\$0	\$5,000		John C
Small Town Tracks & Trails (mapping)	non	325	\$44,600	\$44,600	\$0	\$44,600		Kathy R
Event & Christmas Decorations (Brackets)	non	326	\$12,500	\$0	\$12,500	\$0		John C
Industrial Land Study	non	327	\$40,000	\$40,000	\$0	\$40,000		Kate J
Regional Economic Development Data	non	328	\$10,000	\$0	\$10,000	\$0		John C
Regional Victoria Living Expo	non	308		\$20,000	-\$10,000	\$20,000		john c
RV Friendly Town (Parking)	non	329	\$7,500	\$7,500	\$0	\$7,500		John C
Tree Maintenance & Removal	non	370	\$43,000	\$43,000	\$0	\$43,000		J Beer
Publication Quality Photography	non	330	\$2,500	\$2,500	\$0	\$2,500		John C
Goldfield Heritage Region	non	332	\$60,167	\$10,167	\$50,000	\$10,167		John C
Public Health & Wellbeing Plan	non	333	\$10,000	\$10,000	\$0	\$10,000		Terry C
Planning Panels - Hepburn Planning Scheme	non	GL 1102	\$45,000	\$25,000	\$20,000	\$25,000		Kate J
Planning Panels - Significant Tree Register	non	GL 1102	\$5,000	\$5,000	\$0	\$5,000		Kate J
Rural Land Use Review & Strategy	non	334	\$50,000	\$25,000	\$25,000	\$25,000		Kate J
Transport Trial for Glenlyon	non	336	\$20,000	\$20,000	\$0	\$20,000		Adam
Chinese Sister City	non	335	\$10,000	\$10,000	\$0	\$10,000		John C
Bio-energy Pilot Study	non	337	\$20,000	\$20,000	\$0	\$20,000		John C
Daylesford Brass Band * Creswick Municipal Band	non	GL 1036	\$3,000	\$3,000	\$0	\$3,000		Kathleen B
BMX Track Completion - Trentham	non	339	\$10,000	\$20,000	\$0	\$20,000		Jane B
Backflow Metres to Reserves & Commercial Buildings	cap	313	\$50,000	\$33,000	\$17,000	\$33,000		Richard R
Wombat Trail Stage 1 (Project 15)	cap	316	\$45,000	\$45,000	\$0	\$0	\$45,000	GB/Darren
Lindsay Arts Trail - Stage 3 Design	non	158	\$64,809	\$64,809	\$0	\$64,809		Kathleen B
Lindsay Arts Trail - Stage 4 Construction (Council \$)	cap	318	\$200,000	\$200,000	\$0	\$0	\$200,000	Kathleen B
Freight strategy	non	165	\$6,560	\$3,145	\$3,415	\$3,145		Richard R
HPV Vaccination Program	non	310	\$2,795	\$2,795	\$0	\$2,795		Terry C
Bushfire planning provisions	non	179	\$100,804	\$100,804	\$0	\$100,804		Justin F
Neighbourhood Safer Places - Hepburn	non	223	\$232,947	\$232,947	\$0	\$232,947		Eric W
Victorian Local Sustainability Accord project	non	367	\$44,737	\$44,737	\$0	\$44,737		John V
MSS Review	non	168	\$29,327	\$19,327	\$10,000	\$19,327		Justin F
HACC special projects	non	284	\$18,182	\$12,331	\$5,851	\$12,331		Scott K
HACCPAC Mobile	cap	386	\$52,646	\$52,646	\$0	\$25,000	\$27,646	Scott K
HACC Seeding Training Grant	non	387	\$12,317	\$12,317	\$0	\$12,317		Scott K
HACC Bushfire Preparedness	non	200	\$12,516	\$12,516	\$0	\$12,516		Scott K
HACC staff & IT support, Minor Capital funding	non	388	\$35,761	\$25,761	\$10,000	\$25,761		Scott K
Trentham Library	non	171	\$40,707	\$40,707	\$0	\$40,707		Kathleen B
Vic Park Review	non	172	\$15,000	\$15,000	\$0	\$15,000		Kathleen B
Preschools Project	non	177	\$16,349	\$26,349	\$0	\$26,349		Kathleen B
Celebrating 150 years of Local Government	non	176	\$8,662	\$8,662	\$0	\$8,662		Tegan L
LEAP	non	193	\$2,090	\$2,090	\$0	\$2,090		Tegan L
Significant Tree Register	non	167	\$5,000	\$5,000	\$0	\$5,000		Justin F
Economic Development Strategy implementation	non	166	\$14,142	\$14,142	\$0	\$14,142		John C
Daylesford PAG modifications	cap	401	\$35,303	\$65,303	-\$30,000	\$65,303		Graeme B/Inoka
Community Infrastructure Planning Trentham	non	157	\$10,000	\$10,000	\$0	\$10,000		Kathleen B
Advancing Country Towns	non	178	\$214,047	\$364,447	\$0	\$364,447		Mark H
→ Social Media Resident Attraction Project								Mark H
→ Residential Land Analysis								Mark H
Revegetation of Roadsides	non	340	\$50,000	\$50,000	\$0	\$50,000		Dale T

Financials		TECHONE	C/Fwd + Budget	Revised Budget	Variance Original Budget (inc. c/f) to Revised	Expected June 30 Forecast	Estimated Carryforward	PROJECT MANAGER
Grazing Pilot Trial for Weed Control	non	341	\$10,000	\$10,000	\$0	\$10,000		Dale T
Contribution to Landcare Groups	non	10-1105	\$24,000	\$24,000	\$0	\$24,000		Dale T
Sustainability Community Grants	non	10-1105	\$13,000	\$13,000	\$0	\$13,000		John V
Other & Sustainability Rebate	non	304	\$12,000	\$12,000	\$0	\$8,000	\$4,000	Dale T
HMSR Victorian Mineral Water Committee								
Mineral Springs Lake Daylesford Bore	cap	264	\$159,594	\$159,594	\$0	\$159,594		Sue H
HMSR Parking & Traffic Strategy	cap	267	\$15,500	\$15,500	\$0	\$15,500		Richard R
Hepburn Springs Pedestrian Strategy Implementation	cap	269	\$25,000	\$25,000	\$0	\$25,000		Richard R
Lake Daylesford Central Springs Master Plan	cap	265	\$6,618	\$6,618	\$0	\$6,618		Sue H
HSMR replace concrete channel (+ flood contribution)	cap	268	\$38,940	\$38,940	\$0	\$38,940		Sue H
Hepburn Emergency Bore	cap	237	\$44,181	\$44,181	\$0	\$44,181		Darren/PC
Total Budget			\$16,016,936	\$16,272,791	-\$21,744	\$13,320,266	\$2,952,525	

carryforward capital	\$7,215,978
carryforward non capital	\$1,173,951
2012-13 budget capital and non capital	\$7,627,007
	\$16,016,936

10.3. DAYLESFORD STREETScape REVITALISATION PROJECT GENERAL MANAGER INFRASTRUCTURE

In providing this advice to Council as the General Manager Infrastructure, I Bruce Lucas have no interests to disclose in this report.

PURPOSE

The purpose of this report is to formally advise Council of the status of the funding agreement for the Daylesford Streetscape Revitalisation Project.

BACKGROUND

In October 2010 Council made application for grant funding for the Daylesford Streetscape Revitalisation Project and received advice of the successful funding application. The successful funding provided a \$300,000 grant from Regional Development Victoria (RDV) as part of the Sustainable Small Towns Development Fund, with a Council contribution of \$100,000 providing for a \$400,000 project.

The funding agreement dated 7 April 2011 detailed a payment schedule subject to agreed milestones being achieved as follows:

1. 31 July 2011 Project Ready to Proceed
2. 31 Oct 2011 Incurred costs of \$175k
3. 31 Dec 2012 Final report and grant acquittal.

ISSUE / DISCUSSION

Council considered and adopted the Daylesford Streetscape Revitalisation Strategy at its meeting on 18 September 2012, however, the preparation of the strategy and master plan was significantly more involved than anticipated. This resulted in significant delays being encountered due to several changes in project staff and extensive community consultation. These areas have contributed to the project milestones not being achieved and becoming significantly overdue.

Council officers are also about to commence a review of the Revitalisation Strategy previously adopted which may influence the key actions identified in the strategy and in turn the implementation plan and priorities for funding.

This review is anticipated to be completed early in 2013 with a further report expected to be presented to Council in February or March 2013.

KEY ISSUES

Council officers have been working with RDV over recent months regarding the completion of project milestones and the funding arrangements as detailed in the funding agreement.

Throughout these discussions, Council was encouraged to withdraw from the current funding agreement as it was unlikely that the funding in its current form would be able to be acquitted or extended.

Written correspondence has now been provided to the funding agency requesting agreement for Council to withdraw from the funding agreement with a pro rata payment of the grant for project costs already incurred.

In addition, Council officers have begun discussions with RDV for the development of a further project funding application under the 'Putting Locals First Program' which will be coordinated immediately following the review of the strategy early in the new year.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

This development of the strategy directly meets initiative 32 of the *Council Plan 2009-2013* which states:

We will foster a more prosperous Shire by:

'Preparing main street revitalisation plans for our key towns and completing as a priority the rejuvenation of Vincent Street, Daylesford.'

In achieving this direct objective, the preparation and implementation of this strategy also contributes to other Council objectives and strategies such as

- Walking & Cycling Strategy
- Health & Well Being Plan
- Economic Development Strategy
- Positive Aging Strategy

all of which deliver on Council's core commitments of

- A more Prosperous Economy, and
- Healthy Safe and Vibrant Communities.

FINANCIAL IMPLICATIONS

Council currently has a project budget of \$400,000 of which approximately \$132,000 has been spent on the development of the Revitalisation Strategy and implementation of the 'small wins'.

Council has requested a pro rata payment of the grant funds for these costs already incurred as part of the formal request to withdraw from the funding

agreement. Any expenditure not covered by the pro rata payment will need to be covered from Council contribution to this project.

RISK IMPLICATIONS

There is a risk that a new funding agreement will not be successful, however Council officers continue to work with the funding agency to optimise our opportunity for further grant funds for this project.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

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

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There has been significant consultation with the funding agency regarding the overdue milestones and the most appropriate means of renegotiating the funding arrangements. It was concluded that the withdrawal from the existing funding agreement and the development of a new project was the most appropriate way forward.

CONCLUSION

The preparation of the Daylesford Streetscape Revitalisation Strategy was significantly more involved than anticipated, resulting in significant delays being encountered which is attributed to several changes in project staff and extensive community consultation. These areas have contributed to the project milestones not being achieved and becoming significantly overdue.

Following discussions with the funding agency, RDV, it was concluded that the withdrawal from the existing funding agreement and the development of a new project was the most appropriate way forward.

OFFICER'S RECOMMENDATION

10.3.1 That Council receives and notes the report.

MOTION

10.3.1. *That Council receives and notes the report.*

Moved: Councillor Don Henderson

Seconded: Councillor Sebastian Klein

Carried.

10.4. HEPBURN NEIGHBOURHOOD SAFER PLACE - DESIGNATION ACTING GENERAL MANAGER SUSTAINABLE DEVELOPMENT

In providing this advice to Council as the Compliance Coordinator, I Eric Wright have no interests to disclose in this report.

PURPOSE

The purpose of this report is to seek a formal resolution of Council to designate the Hepburn Neighbourhood Safer Place (Place of Last Resort) (NSP/PLR) as per the requirements of Council's Neighbourhood Safer Places Plan (Section 2, Part 3) and Appendix 3 of the Hepburn Recreation Reserve NSP/PLR Implementation Plan as submitted to the Fire Services Commissioner.

BACKGROUND

Following the identification of an appropriate site for the Hepburn NSP, a concept design was provided. The project has been fully funded by the State Government via the Fire Services Commissioner.

The Hepburn NSP/PLR (Hepburn Recreation Reserve) has been completed as per the Implementation Plan provided to the Fire Services Commissioner.

ISSUE / DISCUSSION

The next step in the process is for Council to formally designate the NSP/PLR by resolution (Municipal Safer Places Plan (Section 2, Part 3) and Appendix 3 of the Hepburn Recreation Reserve NSP/PLR Implementation Plan.

Following formal designation by Council, notification will be provided to the Country Fire Authority (CFA) and the Department of Sustainability and Environment (DSE). CFA will then publish the details on its website.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Hepburn Shire Council Plan 2009-2013:

Healthy, Safe and Vibrant Communities – Initiative 49

Country Fire Authority Act 1958

2009 Victorian Bushfire Royal Commission

FINANCIAL IMPLICATIONS

A condition of the funding provided requires Council to carry out an annual inspection of the structure, access and egress roads and vegetation

encroachments. It is expected that some minor works will be required each year which will be identified during the budget process.

RISK IMPLICATIONS

The key challenge for the fire services and Council is to clearly stipulate the purpose of an NSP/PLR.

There is a risk that this facility is considered to be a refuge area and on this basis, members of the community may consider it to be a significant focus of their personal fire plan.

A communication strategy will need to take place once the NSP has been formalised that involves CFA and Council. The strategy must include, but not be limited to, pre-summer advice in the form of highlighting localised actions and arrangements.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Native vegetation adjustment has taken place during this project in the form of pruning and trimming of trees. Approval was granted for the removal of three native trees.

The building of this structure has, by default, created an extra facility for the local netball club during the winter months.

A 15,000 litre water tank has been plumbed into the structure to capture roof water which will have standard tap access and will also be fitted with a CFA coupling.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Individual letter drops, CFA briefings and stakeholder meetings have all taken place during the process of establishing the NSP/PLR. Responses have been positive and further positivity will be gained by media exposure following designation and at the formal opening, which has been confirmed for Wednesday 19 December.

CONCLUSION

The establishment of the NSP/PLR not only provides a place that may save lives but also highlights the State Government and Council's commitment to community safety.

The location of this structure has also provided an extra facility for the Hepburn Netball Club outside of the Fire Danger Period.

OFFICER'S RECOMMENDATION

- 10.4.1 That Council resolves to designate the Hepburn Recreation Reserve Netball Precinct identified structure as a Neighbourhood Safer Place/Place of Last Resort.

MOTION

- 10.4.1. That Council resolves to designate the Hepburn Recreation Reserve Netball Precinct identified structure as a Neighbourhood Safer Place/Place of Last Resort.*

Moved: Councillor Pierre Niclas
Seconded: Councillor Don Henderson
Carried.

10.5. PROCUREMENT POLICY ANNUAL REVIEW GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the General Manager Corporate Services, I Evan King have no interests to disclose in this report.

PURPOSE

The purpose of this report is to advise Council of the annual review of Council's Procurement Policy No 46 and to further seek Council endorsement for changes and updates to this Policy as detailed in this report.

BACKGROUND

Under Section 186 of the *Local Government Act 1989* (the Act), Councils are required to have an adopted Procurement Policy. The Act also requires that Councils review their Procurement Policy on an annual basis.

The current review has involved presentation at the November 2012 Extended Leadership Team meeting and the Councillor Briefing session on 4 December 2012.

ISSUE / DISCUSSION

The Procurement Policy has been reviewed with the following changes:

1. Inclusions to the policy

By association

Victorian Local Government – Best Practice Guidelines August 2012

Sustainable Purchasing Guidelines DOC/10/14559

Techone - Purchasing

Purchasing Procedures 2012 – DOC/12/4903

Purchasing Frequently Asked Questions 2012

Social Procurement (Attachment)

2. Clarifications on adopted purchasing thresholds

2.1 These thresholds align with Victorian Government Purchasing Board (VGPB) and Local Government Recommendations and Best Practise Guidelines all of which form part of this adopted policy.

- 2.2 Request for Tenders must be publicly advertised for all goods, services and works where the estimated or known expenditure(s) including contingencies is above these thresholds.
- 2.3 Where expenditure estimates are close to these thresholds it is advisable to utilise the Request for Tender process to avoid any possible non compliance.
- 2.4 The aggregated spend includes the proposed tenure of the procurement arrangement plus planned or proposed extensions i.e. Three years plus two by one year extensions is five years planned expenditure or commitment.

3. Definitions included for

- Sustainability (Local Government Victoria Definition)
- Local Supply
- Sole Provider
- Public Notice.

4. Collaborative Purchasing scheme clarification

Where existing contracts or supply agreements are available through these existing facilities, Council Officers do not need to obtain quotations providing they use the services and rate structures contained within these contracts or agreements and planned expenditures are within Council's adopted thresholds and delegations.

5. Evaluation Criteria/Selection Criteria to include Social Procurement

6. Late Tenders process included

As a general rule, a council should not accept late tenders.

The integrity of the tender process may be compromised if a tenderer is provided with extra time to submit tenders, thus providing an unacceptable advantage in comparison to compliant tenders.

Similarly, if tender submissions have been distributed to the evaluation panel members, the possibility arises that the confidentiality of compliant tender submissions is compromised.

Once tenders have closed, late tenders should be kept unopened in a secure location pending a decision on acceptance.

Late tenders which are rejected should be returned to the tenderer unopened with appropriate accompanying advice.

There may be circumstances where a council wishes to accept tenders or expressions of interest which are not received by the closing time. This would only be in exceptional circumstances and where the integrity of the tender process is not compromised.

A late tender should only be accepted if it can be clearly documented that:

- There was system failure/interruption with the electronic tender system.
- Access was denied or hindered in relation to the physical tender box.

Any policy which accepts late tenders in exceptional circumstances must clarify the grounds upon which they will be accepted and authorised as follows:

- Tender Panel to make recommendation
- Endorsed by Tender Panel Chairperson
- Approved by General Manager.

This process needs to be clearly indicated in the tender evaluation report i.e. Late Tender received - rejection as recommended by panel (for reason) or accepted as recommended by panel (for reason) endorsed by Panel Chairperson and approved by General Manager (or CEO if deemed appropriate).

7. Sustainability principles included

Council is committed to achieving sustainable procurement outcomes incorporating the following waste minimisation principles:

1. **AVOID:** Purchases will only be made once it has been determined that the product or service is necessary.
2. **REDUCE:** Using less in the first place and avoiding waste.
3. **REUSE:** Using the same item more than once, and extending the useful life of products and equipment before replacing an item.
4. **RECYCLE:** Purchase products that contain recycled materials or those that have been or can be re-manufactured.

Council will increase the percentage of green product purchasing, aligning to Council Plan initiatives and ensuring it monitors and reports on Council activities and programs that have an impact on or contribute to the environment including but not limited to:

- Minimise waste
- Minimise Greenhouse Gas emissions
- Maximise Energy Efficiency

- Maximise Water Efficiency
- Minimise Habitat Destruction
- Minimise Soil Degradation
- Minimise Toxicity.

Council has a lead role to play to encourage suppliers to produce/provide sustainable products and practices.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council is required to review and update its adopted Procurement Policy.

FINANCIAL IMPLICATIONS

There are no intended financial implications from this policy review.

RISK IMPLICATIONS

This Procurement Policy review continues to support value for money and good governance over Council's expenditure for goods and services and works.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

This Policy update has included social procurement, sustainability principles in support of value for money.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

This Policy was presented to Councils Extended Leadership Team for information and comment.

CONCLUSION

That Council accepts the Officer's Recommendation.

OFFICER'S RECOMMENDATION

That Council:

- 10.5.1 Adopts the Revised Policy Number 46(C) Procurement Policy and Processes dated December 2012.
- 10.5.2 Places the policy on the Hepburn Shire Council website for public information.

MOTION

That Council:

10.5.1. Adopts the Revised Policy Number 46(C) Procurement Policy and Processes dated December 2012.

10.5.2. Places the policy on the Hepburn Shire Council website for public information.

Moved: Councillor Kate Redwood

Seconded: Councillor Don Henderson

Carried.

**ATTACHMENT 3 - POLICY NUMBER 46(C) – PROCUREMENT POLICY
AND PROCESSES – REVIEWED NOVEMBER 2012**



POLICY NUMBER 46 (C) Procurement Policy and Processes

DATE AMENDED:	November 2012
DATE OF NEXT REVIEW:	November 2013
DATE ADOPTED:	December 2012
RESPONSIBLE OFFICER:	Manager Contracts and Procurement

ASSOCIATED POLICIES/ACTIONS:

Contract Procedure Manual DOC/11/47807
Council Policies Contained within TRIM Folder FOL/10/2659
Youth Policy No 43
Staff Code of Conduct Policy No 57
Complaints Handling Policy No 64
Corporate Credit Card Policy No 54
Acceptance of Gifts or Other Gratuities by Employees Policy No 51
Gift Declaration Form- DOC/11/30888
Risk Management Policy No 24
Hepburn Shire Council Our Values our Behaviours
Victorian Local Government – Best Practice Guidelines August 2012
Sustainable Purchasing Guidelines DOC/10/14559
Techone - Purchasing
Purchasing Procedures 2012 – DOC/12/4903
Purchasing Frequently Asked Questions 2012

PROGRESSIVE ORGANISATIONS HAVE GOOD POLICIES

Policies help organisations and the public to better understand an organisation's priorities and where it is heading. Hepburn Shire Council is committed to developing and maintaining a comprehensive set of policies to guide the organisation towards a better future. Policies are regularly reviewed and staff input is actively sought in this process. Community input is sought for those policies which have a major public focus.

Comments are also welcomed after policies have been adopted to assist in their continuous review and improvement.

Statement by the Chief Executive Officer

Value for Money

Local Government along with all government has the responsibility to provide its constituents with value for money.

Value for money is gaining the best possible outcome for Councils expenditure which includes the required quality, best over life result for expenditures and competitive pricing.

In achieving these outcomes council needs always to have consideration to the environment and have regard to social procurement issues in the impact of the purchase selection with regard to the product and the conduct of the chosen supplier. Our selection processes need therefore to include sustainable use of resources, waste minimisation considerations and social procurement which includes the suppliers own environmental policies and conduct within their normal course of business.

In achieving value for money Councils procurement actions must be, **and seen to be**, fair and open and reasonably available for all potential suppliers where innovation is encouraged and suppliers are provided with the opportunity to provide their best value offer. That is Council should not over specify to a higher cost outcome than is reasonably required but rather define its ongoing needs to allow the market, potential suppliers, to provide their best value option to service our defined needs.

Successful suppliers to Council must always be aware that their provision of goods and services must always be at the specified and agreed service levels and that their ongoing supplier status is reliant on their ongoing competitiveness which will be consistently market tested.

Council will always consider over life costs for its purchases to achieve value for money which may include quality considerations, end of life disposal options and re-use or recycle opportunities for selected purchases.

All Council staff members have this responsibility in supporting value for money in their normal day to day actions to ensure usage of council goods or equipment is appropriate and efficient and wastage is always minimised. Feed back on Councils purchasing policies and processes and possible innovations to improve value for money or our environmental conduct is very much encouraged.

Aaron van Egmond
Chief Executive Officer
Hepburn Shire Council



Purchasing Policy Quick Guide

Quotations must be obtained where:

- Purchase of goods, services having a total valuation of up to \$150,000(Inc GST)
- Or for contracts carrying out works having a total valuation of \$200,000(Inc GST)or less

Quotations must be obtained in accordance with the thresholds listed in the table below:

Threshold (Inc GST)	Number of Quotes	Quote
Up to \$2,500	1 Verbal	Prices can be obtained from known or Preferred Suppliers and Purchase Order Raised under delegation
\$2,501 – \$25,000	1 Written	Written Quotation obtained for file for future audit and Purchase Order raised under delegation
\$25,001 - \$150,000	3 Written	Written quotations where an expenditure/analysis report is prepared and presented to supervisor/manager for approval under delegation and held to TRIM file for future audit

These thresholds align with VGPB (Vic Gov) and Local Government Recommendations and Best Practise Guidelines all of which form part of this adopted policy

NOTE:

- Quotations must be kept in accordance with Audit requirements for up to seven years
- Advertising of Quotations may be carried out at the Managers discretion despite these thresholds
- Where Insufficient Quotations (3) cannot be obtained the reasons should be documented and presented to the General Manager for approval and copy held to file
- All expenditures must be within budget and authorised with regard to Council's Instrument of Delegation

Request for Tenders **must be** publicly advertised for all goods, services and works where the estimated or known expenditure (s) including contingencies is above these thresholds

Where expenditure estimates are close to these thresholds it is advisable to utilise the Request for Tender process to avoid any possible non compliance

Don'ts and Audit Checks

- Do not “split” orders to fit within delegations or purchase thresholds
(Example)
Two like plant items say tractors at \$80,000 require a tender process where the combined expenditure is above \$150,000
- The purchasing threshold is based on the annual expenditure with a specific supplier or service to determine i.e.
(Example)
Typical annual spend is six transactions of \$5000 (Annual Spend \$30,000) then three quotes should be obtained for this service.
Also
The aggregated spend includes the proposed tenure of the procurement arrangement plus planned or proposed extensions i.e. Three years plus two one year extension is five years planned expenditure or commitment
- Where there are more than one nominated Preferred Suppliers an attempt to share the required work over the period, nominally over twelve months(This will be an audit question i.e. Why preference for any one supplier)

Purchases using established Preferred Supplier Agreements under Standing Order Arrangements do not require quotations

- Where Council has “panelled” suppliers Council Officers should choose value for money in the lowest overall cost by price/rate or location to works or specific expertise.
It may also be appropriate to obtain quotations for specific works from “panelled” suppliers.
Where the known or estimated spend is over the tender thresholds the tender process must be followed.
- For Goods and Services currently under Standing Order Arrangements or Preferred or Panelled Suppliers refer TRIM DOC/12/27290

Local Government Act Section 186

- (1) Before a Council enters into a contract for the purchase of goods or services, or for the carrying out of works, to the value of \$100,000 (or such higher amount as may be fixed by Order in Council) or more, it must –
 - (a) Give public notice of the purpose of the contract and invite tenders from any person wishing to undertake the contract; or
 - (b) Give public notice of the purpose of the contract or project to which a contract relates and invite expressions of interest from any person interested in undertaking the contract, or any part, of the project.

If you require assistance or advice in determining your process requirement for any action relative to the above please Contact Councils Contract and Procurement Officer or Manager Finance:

- **Brian Coustley Ext 401**
- **Anthea Lyons Ext 410**

Contents

1. Objective	7
1.2 Purpose.....	7
1.3 Scope.....	7
1.4 Treatment of GST.....	8
1.5 Definitions and Abbreviations.....	8
2. Policy Compliance and Control	10
2.1 Ethics and Probity.....	10
2.1.1 <i>Conduct of Councillors and Council Staff</i>	10
2.1.2 <i>Members of Professional Bodies</i>	11
2.1.3 <i>Tender Processes</i>	11
2.1.4 <i>Fair and Honest Dealing</i>	11
2.1.5 <i>Accountability and Transparency</i>	11
2.1.6 <i>Acceptance of Gifts and Hospitality</i>	11
2.1.7 <i>Conflict of Interest</i>	12
2.2 Governance.....	12
2.2.1 <i>Standards</i>	12
2.2.2 <i>Responsible Financial Management</i>	13
2.2.3 <i>Preferred Supplier Selection and Review</i>	13
2.3 Procurement Thresholds and Competition.....	13
2.3.1 <i>Minimum Spend Competition Thresholds</i>	13
2.3.1.1 <i>Tenders</i>	13
2.3.1.2 <i>Quotations</i>	14
2.3.1.3 <i>Purchases through an existing Council, or Collaborative Purchasing scheme</i>	15
2.3.1.4 <i>Evaluation Criteria</i>	15
2.4 Delegation of Authority.....	16
2.4.1 <i>Delegations</i>	16
2.4.1.1 <i>Council Officer</i>	16
2.4.1.2 <i>Purchasing Decisions reserved for the Council.</i>	16
2.4.1.3 <i>Contract Variation</i>	16
2.5 Internal Controls.....	16
2.6 Risk Management.....	17
2.6.1 <i>Supply by Contract</i>	17
2.7 Contract Terms.....	17
2.8 Terms of Payment.....	17

2.9	Dispute Resolution.....	17
2.10	Contract Management.....	17
2.11	Engagement of Contract Staff.....	18
2.12	Late Tenders.....	18
3.	Demonstrate Sustained Value.....	19
3.1	Achieving Value for Money.....	19
3.1.1	<i>Approach</i>	19
3.1.2	<i>Role of Specifications</i>	20
3.2	Performance Measure and Continuous Improvement.....	20
3.2.1	<i>Standard Processes</i>	20
3.2.2	<i>Performance Indicators</i>	21
3.2.3	<i>Management Information</i>	21
3.3	Sustainability.....	21
3.3.1	<i>Sustainable Procurement</i>	22
3.4	Diversity.....	22
3.5	Support of Local Business, Sustainable Procurement and Social Procurement.....	22
3.6	Youth Policy.....	23
3.7	Social Procurement.....	23
3.8	Performance Reporting.....	23
4.	Build and Maintain Supply Relationships.....	23
5.	Related Documents.....	24
6.	Adoption of Policy.....	24
7.	Policy Review.....	24
	WHY COUNCIL SUPPORTS SOCIAL PROCUREMENT.....	29
	EVALUATION OF SOCIAL PROCUREMENT.....	31

Attached

- 1. Tender Contract Checklist**
- 2. Green Purchasing Purpose and Questionnaire**
- 3. Youth Development Questionnaire**
- 4. Social Procurement**

Procurement Policy

1. Objective

Hepburn Shire Council:

Requires that Council's contracting and purchasing activities:

- support the Council's corporate strategies, aims and objectives including, but not limited to those related to sustainability, waste minimisation, protection of the environment, and corporate social responsibility;
- span the whole life cycle of an acquisition from initial concept to the end of the useful life of an asset, including its disposal, or the end of a service contract;
- achieve value for money and quality in the acquisition of goods, services and works by the Council;
- apply risk management strategies to prevent, withstand, and recover from interruption to the supply of goods, services and works and
- generate and support business in the local community.

1.2 Purpose

- Comply with Sections 186 and 186A of the *Local Government Act 1989* ("the Act") and its content:
- provides policy and guidance to Council Officers to allow consistency and control over procurement activities;
- demonstrates accountability to rate payers;
- provides guidance on ethical behaviour to Council in public sector purchasing;
- demonstrates the application of elements of best practice in purchasing and;
- increases the probability of obtaining the right outcome when purchasing goods and services.
- will enhance achievement of Council objectives such as sustainable and socially responsible procurement; bottom-line cost savings, supporting local economies; achieving innovation; and better services for communities.
- will provide a purchasing framework that will advance the sustainable use of resources and reduce impacts on the Shire environment and community health.

1.3 Scope

The Local Government Act 1989 requires Council to prepare, approve and comply with a Procurement Policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by the Council.

This policy applies to all contracting and procurement activities at Council and is binding upon Councillors, Council Officers, temporary employees, contractors and consultants while engaged by the Council.

Expenditure not applicable to this policy includes:

- Payments for utilities where the utility provider is the only provider in the market
- A contract for Legal Services (refer Part 4 – Local Government Regulations)
- All Payroll expenses and deductions and
- All refunds

1.4 Treatment of GST

All monetary values stated in this policy include GST except, where specifically stated otherwise.

1.5 Definitions and Abbreviations

Term	Definition
Act	<i>Local Government Act 1989.</i>
Commercial in Confidence	e.g. prices, discounts, rebates, profits, methodologies and process information, etc.
Contract Management	The process that ensures both parties to a contract fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.
Council Staff	Includes full time and part-time council officers, and temporary employees, contractors and consultants while engaged by the Council.
Probity	The dictionary definition of probity refers to uprightness, honesty, proper and ethical conduct and propriety in dealings. Within Government, the word "probity" is often used in a general sense to mean "good process." A Procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with the Council's policies and legislation are established, understood and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Preferred Supplier Agreements	Agreements in place for regular use items, commodities and services with established and market tested suppliers for on demand whole of Council use. However, no commitment is made under the agreement to purchase a specified value or quantity of goods or services.

Standing or Annual Purchase Order	A procurement arrangement whereby agreement a Standing/Annual Purchase Order is issued on a supplier for regular or on demand or for the pickup of materials as may be required. However, no commitment is made under the agreement to purchase a specified value or quantity of goods or services
Sustainability (LGV Definition)	“a process whereby organisations meet their needs for goods, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment”
Procurement	Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.
Tender Process	The process of inviting parties to submit a quotation or tender by public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.

Value for Money	<p>Value for Money in Procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including:(Refer Page 2 CEO statement)</p> <ul style="list-style-type: none"> • contribution to the advancement of the Council's priorities; • non-cost factors such as fitness for purpose, quality, service and support; and • cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.
Local Supply	Refers to suppliers and potential supplier businesses located within or around the boundaries of Hepburn Shire and also includes potential suppliers within the Central Highlands Region
Sole Provider	The only transparent means of demonstrating that multiple suppliers do not exist is to place the required public notice. If that action demonstrates that there is only one supplier then a council is free to enter into a contract with that supplier (mindful of its obligation to obtain value for money)
Public Notice	Public notice is defined as notice published in a newspaper generally circulating in a municipal district of the council chosen by the council for the purpose. The council must also ensure any public notice required to be given by the council is published on its internet website

2. Policy Compliance and Control

2.1 Ethics and Probity

Council's procurement activities shall be performed with unquestionable integrity and in a manner able to withstand the closest possible scrutiny.

2.1.1 Conduct of Councillors and Council Staff

Councillors and Council Staff shall at all times conduct themselves in ways that are, and are seen to be, ethical and of the highest integrity

(Refer Councillors/Employees Code of Conduct) and *will*:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of Commercial in Confidence such as contract prices and other sensitive information;

- present the highest standards of professionalism and probity;

2.1.2 Members of Professional Bodies

Councillors and Council Staff belonging to professional organisations shall, in addition to the obligations detailed in this policy, ensure that they adhere to any code of ethics or professional standards required by that body.

2.1.3 Tender Processes

All tender processes shall be conducted in accordance with the requirements of this policy and any associated procedures, relevant legislation, relevant Australian Standards and the Act.

2.1.4 Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote.

Impartiality must be maintained in selecting contractors and suppliers so that no action is taken that could evoke criticism of the Council.

The commercial interests of existing and potential suppliers must be protected.

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing and product information.

2.1.5 Accountability and Transparency

The processes by which all procurement activities are conducted will be in accordance with the Council's Procurement Policies and Procedures as set out in this policy and related Council Policies and Procedures.

All Council Staff must be able to account for all Procurement decisions made over the lifecycle of all goods, services and works purchased by the Council and provide feedback on them; and all procurement activities are to leave an audit trail for monitoring and reporting purposes.

2.1.6 Acceptance of Gifts and Hospitality

No Councillor or member of Council Staff shall, either directly or indirectly solicit or accept gifts or presents from any member of the public who is involved, either directly or indirectly, with any matter that is connected with the duties of the officer, or in which the Council is interested and must not use his/her position, knowledge, contacts or influence to extract, demand, intimidate, cajole or coerce any supplier, customer or competitor of the Council to provide or offer any gift, hospitality or gratuity to the employee or any other person.

(Refer to Acceptance of gifts or other gratuities by employees Policy No51)

2.1.7 Conflict of Interest

Council staff involved in any purchasing process must declare any interest that may conflict or could be perceived to conflict with an impartial on merits purchasing decision being made.

The community needs to be confident that we have strong processes for identifying, disclosing and managing real and perceived conflicts of interest.

Conflicts of interest can be any personal or professional association or interest which may influence, or be perceived to influence, an individual's decision-making in relation to a particular matter. The conflict of interest may not be financial in nature; it may arise from a personal relationship or from involvement with a community based organisation.

Sometimes people think if they have a conflict of interest, it means they have done something wrong and they are frightened to declare it. Having a conflict of interest in itself is not a bad thing, but it must be declared promptly to avoid creating problems for Council and the employee. (Refer Employee Code of Conduct Policy 57) (Refer TRIM DOC/10/38571 Conflict of Interest and Confidentiality Declaration-Internal)

2.2 Governance

Council shall:

- establish a procurement management responsibility structure and delegations ensuring accountability, traceability and audit ability of all Procurement decisions made over the lifecycle of all goods, services and works purchased by the Council;
- ensure that the Councils Procurement structure is flexible enough to purchase in a timely manner the diverse range of material, goods, works and services required by Council;
- ensure that policies that impinge on the purchasing policies and practices are communicated and implemented.

2.2.1 Standards

The Council's procurement activities shall be carried out to the professional standards required by best practice and in compliance with the:

- Act,
- The Council's policies,
- The Council's Code of Conduct, and other related policies
- Other relevant legislative requirements such as but not limited to the Trade Practices Act, Goods Act and the Environmental Protection Act and OH&S Act.

Council will have regard to available Procurement Australia and MAV Contracts where such standards by these professional organisations is implied

2.2.2 Responsible Financial Management

The principle of responsible financial management shall be applied to all procurement activities.

To give effect to this principle:

- the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any Procurement action for the supply of goods, services or works.
- Council Staff must not authorise the expenditure of funds in excess of their financial delegations. (Purchasing-Instrument of Delegation-DOC/12/40378)

2.2.3 Preferred Supplier Selection and Review

Preferred Suppliers will be selected or determined through annual spend review of trends and as requested by Council staff to support their activities.

Market testing and approvals including obtaining copies of insurance policies and or qualifications as appropriate will be required. Preferred suppliers must be recommended by the Manager and signed off by the General Manager. All appropriate documentation must be stored in TRIM.

Preferred suppliers will be subject to at least an annual review for performance and at least bi-annual market test for value for money. The same approval process must occur.

2.3 Procurement Thresholds and Competition

Council will from time to time decide and publish in this policy clear guidelines for minimum spend competition thresholds. These will be decided by Council based on the size and complexity of the proposed Procurement activities.

2.3.1 Minimum Spend Competition Thresholds

2.3.1.1 Tenders

Purchase of all goods, services and works for which the estimated expenditure exceeds \$150,000 Inc GST (for contracts for goods and services) or \$200,000 Inc GST for contracts carrying out works) must be undertaken by public tender.

However, should the CEO consider that the nature of the requirement and the characteristics of the market are such that the public tender process would lead to a better result for the Council, public tenders may be called for purchase of goods, services and works for which the estimated expenditure is \$150,000 Inc GST or less.

Note:

Where a consultant has been utilised to substantially develop or determine the specification this would normally exclude that consultant from then providing a subsequent tender response any such deviation would require CEO approval.

Emergency – Council may enter into a Contract up to or beyond the limits above for the provision of goods services or works without first putting that contract to public tender if the Council resolves that the contract must be entered into because of an emergency.

As a matter of policy and principle, the use of this emergency provision, should be limited to situation where a real emergency has arisen. Situations¹ where this might occur include:

- the occurrence of a natural disaster such as flooding, bushfire or epidemic which may require the immediate procurement of goods, services or works to provide relief;
- the occurrence of an event such as flooding or fire at an LGE (Local Government Entity) property which may require the immediate procurement of goods, services or works to ensure business continuity;
- the unforeseen cessation of trading of a service provider due to bankruptcy and a need to appoint a replacement service provider on the grounds of public safety; and
- unforeseen delays to the finalisation of a tender process arising from circumstances outside the control of the LGE, for example legal action taken by one of the tenderers.

By the very nature of the provisions, contracts entered into under the emergency provisions must be limited in scope to that which is necessary to only deal with the emergency. The period for any contract should only be sufficient to enable the LGE to call for tenders for a new contract or replacement service provider.

It is essential to document (TRIM) all such occurrence for future audit

2.3.1.2 Quotations

Purchase of goods, services having a total annual value of up to \$150,000, or for contracts carrying out works having a total valuation of up to \$200,000 or less may be undertaken using the Procurement by Quotation method as described below in accordance with the thresholds listed in the table below:

Threshold Inc GST	Number of Quotes
Up to \$2,500	1 Verbal Quotation/Email
\$2,501 – \$25,000	1Written/email
\$25,001 - \$150,000 (up to \$200,000 for works)	3 Written/email

Where three quotations are reasonably requested and where three quotations from this request are not received the requirement of requesting three quotations is deemed as having been met.

Copies /evidence of the request for three quotations must be held to file to support audit.

Where it is determined that three quotations cannot be obtained, those reasons need to be documented and recommended for the reasons therein by the supervisor manager and approved by the General Manger.

2.3.1.3 Purchases through an existing Council, or Collaborative Purchasing scheme

Council Officers should:

- utilise the established Hepburn Shire Preferred Suppliers listing for supplier selection Refer **TRIM Doc/12/27290**
- also be aware of the **Procurement Australia** Supplier contracts available to Council for use as a participant in their contracts
- also be aware of the **MAV** Procurement contracts available to Council as a MAV member organisation
- and also be aware of the Victorian State Government Whole of Government (WHOG) Contracts that are available for Local Government use

Where existing contracts or supply agreement are available through these existing facilities Council Officers do not need to obtain quotation providing they use the services and rate structures contained within these contracts or agreements and planned expenditures are within Councils adopted thresholds and delegations.

For support on understanding or access to these available supply facilities Council Officers can contact the Contracts and Procurement Officer Extension 401

2.3.1.4 Evaluation Criteria

Selection Criteria

The Selection Criteria must be selected before advertising for a tender and must be specified in the tender documentation.

The Selection Criteria must reflect the outcome that you desire. i.e. **Highly Qualified** and or **Experienced**, providing **Value for Money**, and the **Timely** delivery of the service and have consideration to social procurement and sustainability issues

Typical tender selection criteria could therefore include:

Selection Criteria	Weighting	Alternate 1	Alternate 2
Proven Quality	20	10	20
Previous Experience	30	30	20
Price- Value for Money	30	20	20
Capacity to Supply	10	30	30
Social Procurement/Sustainability	10	10	10
	100	100	100

It is not necessary to indicate weightings in your tender document.

Any variation of the above should be set to suit your desired outcome needs with increased weightings on the most critical criteria for the purpose.

All tenders must then be evaluated against this published/advertised selection criteria and **no other criteria** can subsequently be included.

It is therefore important to have a well considered selection criteria.

2.4 Delegation of Authority

Council delegated responsibilities relating to the expenditure of funds for the purchase of goods, services and works, the acceptance of quotes and tenders and for Contract Management activities, will be reviewed annually.

2.4.1 Delegations

2.4.1.1 Council Officer

Council will maintain a documented scheme of procurement delegations, identifying Council Staff authorised to make Procurement commitments in respect of goods, services and works on behalf of the Council.

The delegated limits are set out in the Instrument of Delegation CEO to Staff Purchase of Goods And Services TRIM Doc/12/40378.

2.4.1.2 Purchasing Decisions reserved for the Council.

Commitments and processes which exceed the Chief Executive Officer's delegation must be approved by the Council at the Ordinary or Special Council meetings

2.4.1.3 Contract Variation

Contract variation must follow the delegations and where the Council approved contract value is exceeded a further report to Council may be deemed necessary as determined by the CEO

2.5 Internal Controls

Council will maintain a framework of internal controls over procurement processes that will ensure:

- dual authorisation of payments;
- transparency in the procurement process;
- a clearly documented audit trail exists for procurement activities;
- appropriate authorisations are obtained and documented; and
- systems are in place for appropriate monitoring expenditure within the thresholds and performance measurement.

2.6 Risk Management

Risk Management will be appropriately applied at all stages of Procurement activities which will protect and enhance the Councils capability to prevent, withstand and recover from interruption to the supply of goods services and works (TRIM DOC/11/16648 Contract Procedure Manual-Procurement and Risk Management Processes)

2.6.1 Supply by Contract

Council will minimise its risk exposure by measures such as:

- standardising contracts to include current, relevant clauses;
- establishing where appropriate a panel of suitable suppliers
- requiring security deposits where appropriate;
- requiring signed contractual agreement before allowing the commencement of work;
- referring complicated technical specifications to relevant experts.
- Adhering to Council's Risk Management Policy and OH&S contractor compliance procedures

2.7 Contract Terms

All contractual relationships will be documented in writing based on standard terms and conditions.

Where this is not possible, approval must be sought from the CEO or relevant General Manager. A request for such an approval should be supported with procurement details and legal relevant advice.

2.8 Terms of Payment

Councils Standard Terms of Payment are 30days from receipt of invoice.

These terms must be included as the standard payment for organisations dealing with Council and any change to these standard terms must be negotiated to the advantage of Council and further approved by Manager Finance.

2.9 Dispute Resolution

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the chance of disputes getting out of hand and leading to legal action.

2.10 Contract Management

A Contract/Project Officer will be delegated for each Contract to ensure that the Council, and where applicable its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the contract by establishing a system reinforcing the performance of both parties' responsibilities and obligations under the contract.

2.11 Engagement of Contract Staff

All contractors engaged as personnel are to be authorised by the Chief Executive Officer, as with the recruitment of staff.

In order to facilitate the Chief Executive Officer authorisation and account payment the following process will be required to be followed:

- Requirement for a contractor identified
- Preferred supplier listing checked for employment agencies
- Quotes obtained from employment agencies as per the Procurement Policy
- Preferred contractor selected
- Engagement contract obtained
- The following documentation prepared for authorisation by General Manager, Human Resources Manager and Chief Executive Officer
 - Request For Chief Executive Officer Signature Memorandum
 - Request to Engage a Contractor Form
 - Engagement Contract
 - Purchase Order regardless of value so that the Finance Department know that the Chief Executive Officer has authorised the engagement of the contractor

This process will ensure that the Chief Executive Officer authorises all contractors engaged as personnel, Human Resources are aware of all new contractors and can undertake induction programs and the Finance Department has a Chief Executive Officer authorised purchase order for the payment of accounts.

This process does not apply where we have an external contractor engaged on a specific task, i.e. (Architects/Design/Consultants) and not located at Council's premises to carry out the required work, this should be covered by our procurement policy where quotations and Purchase Orders have been raised for the specific task. This comparison should not be used to circumvent the Engagement of contractors/personnel – Process in any way.

2.12 Late Tenders

As a general rule a council should not accept late tenders.

The integrity of the tender process may be compromised if a tenderer is provided with extra time to submit tenders thus providing an unacceptable advantage in comparison to compliant tenders.

Similarly if tender submissions have been distributed to the evaluation panel members the possibility arises that the confidentiality of compliant tender submissions is compromised.

Once tenders have closed late tenders should to be kept unopened in a secure location pending a decision on acceptance.

Late tenders which are rejected should be returned to the tenderer unopened with appropriate accompanying advice.

There may be circumstances where a council wishes to accept tenders or expressions of interest which are not received by the closing time in exceptional

circumstances and where the integrity of the tender process is not compromised.

A late tender should only be accepted if it can be clearly documented that:

- there was system failure/interruptions in case of the electronic tender system
- access was denied or hindered in relation to the physical tender box.

Any policy which accepts late tenders in exceptional circumstances must clarify the grounds upon which they will be accepted and authorised as follows:

- Tender Panel to make recommendation
- Endorsed by Tender Panel Chairperson
- Approved by General Manager

This process needs to be clearly indicated in the tender evaluation report i.e. Late Tender received - rejection as recommended by panel (for reason) or accepted as recommended by panel (for reason) endorsed by Panel Chairperson and approved by General Manager (or CEO if deemed appropriate)

3. Demonstrate Sustained Value

This Council procurement policy supports the Council Plan, its corporate aims and objectives, including but not limited to those related to sustainability, waste minimisation, protection of the environment, corporate social responsibility and meeting the needs of the local community such as:

- feeling safe,
- living in a clean and pleasant environment
- providing good quality well managed Council services that are Value for Money

3.1 Achieving Value for Money

Council's procurement activities will be carried out on the basis of obtaining Value for Money. This means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability and delivery considerations.

Value for money will be subject to regular and ongoing market testing against annual expenditure review and requesting of quotation or tenders or confirming ongoing participation in agreed appropriate collaborative purchasing schemes

To test value for money, Council will:

Review annual expenditure by commodity groups or service provision for aggregation

- Conduct market tests including internal versus external
- Request competitive quotation or tenders
- Investigate the inclusion of Council expenditures in Local Government Procurement Contracts with MAV or Procurement Australia or Victorian Government WHOG Contracts

3.1.1 Approach

This will be facilitated by:

- developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout;
- effective use of competition;
- using aggregated spend where appropriate;
- identifying and rectifying inefficiencies in procurement processes;
- developing a more cost efficient tender process including appropriate use of e-solutions;

3.1.2 Role of Specifications

Specifications used in quotations, tenders and contracts will support and contribute to the Council's Value for Money objectives through being written in a manner that:

- ensures impartiality and objectivity;
- encourages the use of standard products;
- encourages sustainability; and includes the "Green Purchasing Questionnaire"
- eliminates unnecessarily stringent requirements
- wherever possible specifies technical standards and requirements that are within the capabilities of local suppliers; and
- include outcome measures to ensure ongoing performance standards

3.2 Performance Measure and Continuous Improvement

Appropriate performance measures will where appropriate be put in place. Reporting systems will be used to monitor performance against compliance with procurement policies, procedures and controls.

Procurement procedures, practices and costs will be benchmarked externally. Internal service standards will be agreed within the Council as appropriate and performance against these targets will be measured and reviewed regularly to support continuous improvement.

3.2.1 Standard Processes

Council will provide effective commercial arrangements covering standard products and standard service provisions across the Council to enable employees to source requirements in an efficient and cost effective manner.

This will be achieved via harmonisation of the following areas where possible:

- Information Systems
- Relevant Established Preferred Supplier Arrangements
- Processes, Procedures and techniques
- Tools and business systems.
- Reporting requirements
- Application of standard contract terms and conditions.

3.2.2 Performance Indicators

Performance indicators will be determined where appropriate to measure procurement performance. They will include criteria such as:

- The proportion of spend against corporate contracts
- User and supplier satisfaction levels
- The extent to which procurement is involved in supporting larger projects
- Measuring the success of procurement initiatives e.g. purchasing cards

3.2.3 Management Information

The Council will capture where information systems allow Procurement Management information in a variety of areas, including:

- Volume of spend
- Number of transactions per supplier
- Supplier performance
- User satisfaction
- Category management
- Green spend
- Supplier responses to “Green Purchasing Questionnaire”

Council will also use external sources of management information to assist with the procurement decision making process including:

- Benchmarking data with other Local Government Enterprises
- Information from professional bodies such as MAV and Procurement Australia
Supplier generated reports

3.3 Sustainability

Council is committed to achieving sustainable procurement outcomes incorporating the following waste minimisation principles:

1. AVOID: Purchases will only be made once it has been determined that the product or service is necessary.
2. REDUCE: Using less in the first place and avoiding waste
3. REUSE: Using the same item more than once, and extending the useful life of products and equipment before replacing an item
4. RECYCLE: Purchase products that contain recycled materials or those that have been or can be re-manufactured

Council will increase the percentage of green product purchasing, aligning to strategic documents and ensuring it monitors and reports on Council activities and

programs that have an impact on or contribute to the environment including but not limited to:

- Minimise waste
- Minimise Greenhouse Gas emissions
- Maximise Energy Efficiency
- Maximise Water Efficiency
- Minimise Habitat Destruction
- Minimise Soil Degradation
- Minimise Toxicity

3.3.1 Sustainable Procurement

Council is committed to adopting a Green Procurement approach by supporting the principles of sustainable Procurement within the context of purchasing on a Value for Money basis.

Value for Money purchasing decisions made by the Council are made on the basis of cost and non cost factors including contribution to the Council's sustainability objectives.

Council has a lead role to play to send a market signal to suppliers to uptake sustainable products and practices. Suppliers and potential suppliers will be required to complete the "Green Purchasing Questionnaire" in their initial dealing with Council, allowing Council to evaluate the suppliers own internal environmental conduct

The Council will therefore encourage suppliers to:

- Reduce, Reuse, and Recycle
- Buy Recycled:
- Promote green procurement
- Adopt sustainable practices

For more information, refer to the *Green Purchasing Policy* TRIMDOC/10/42608

3.4 Diversity

Promoting equality through procurement can improve competition, Value for Money, the quality of public services, satisfaction among users, and community relations.

3.5 Support of Local Business, Sustainable Procurement and Social Procurement

Council is committed to supporting from local businesses, as such Council may pay up to a 10% premium to buy local, provided that the required quality standards are met. This support to local business will have regard to local employment, local youth initiatives by local suppliers and those aspects of environmental good governance and social procurement relative to the commodity supply or service provision.

3.6 Youth Policy

Co-objectives

1. Develop the capacity of young people to plan and act on their own ideas and initiatives on their own behalf
 - a. Employment of young people for localised projects where funding permits
2. Develop the capacity of communities to engage and invest in young people in diverse meaningful ways
 - a. Develop the capacity of community organisations and businesses to initiate and support youth development activities and programs

3.7 Social Procurement

To have regard to Social Procurement Specifications when engaging local suppliers and or service providers or contractors where respondents to supplier requests for these service provisions to Hepburn Shire Council will have regard for:

- Employment of disadvantaged groups
- Employment of apprentices
- Employment of recognised youth traineeships
- Employment of youth labour permanent or part time in relation to Council Contracts
- Additional cost to the contract or service provision in compliance to Social Procurement

3.8 Performance Reporting

It is typical through the life of a Supply Contract to record by regular review the ongoing performance of the supplier and ensure these review outcomes are placed on file as a future reference and support or otherwise for contract extension or renewal.

As suppliers are aware of these reviews they are encouraged to continue to provide that quality of performance value for money and supply sustainable products and services which supported the initial selection.

4. Build and Maintain Supply Relationships

Council recognises that in order to achieve sustainable value, appropriate relationships must be developed and maintained with suppliers and that it seeks to operate with 'informed choice' on what supply strategy it adopts – whether to 'do it yourself', participate in regional or sector aggregated projects or to access Procurement Australia, MAV OR State Government panel agreements. Council will consider which supply arrangement delivers best value outcomes for council in terms of time, cost, value and outcome. This process will include the supplier response to the "Green Purchasing Questionnaire" as part of the supplier evaluation process. Within these desired supply relationship suppliers to Council will have knowledge of Councils ongoing review of such commodity supply and service needs to ensure measured ongoing value for money.

5. Related Documents

- Local Government Act 1989
- Department of Planning and Community Development-Local Government Procurement Best Practice Guidelines
- Corporate Credit Card Policy
- Council Plan 2009-2013

6. Adoption of Policy

This Policy is for adoption by Council and subject to at least annual review.

7. Policy Review

Council will review this Policy annually, and this is the responsibility of the Manager Contracts and Procurement

Tender Contract Checklist

The following points are listed to support a consistent tender process across the organisation

1. Tender Number Allocated & Details Inserted in Contract Register
2. Trim Folder requested and entered into Contract Register
3. Specification Approved, by..... Date.....
4. Tender Document Approved, by.....Date.....
5. Advertisement Approved, by.....Date
6. Tender Request entered on Council's e-tender portal
7. Document Issue Mail List Form to appropriate Officer
8. Copy of Tender (placed on file-TRIM)
9. Evaluation Scoring/Weighting determined by Panel
10. Tender Evaluation Conducted by Evaluation Panel
11. Conflict of Interest Doc's/10/38571&38556 signed by tender panel
12. Interviews Questions determined by panel (if required)
13. Tenderers to be interviewed notified (if required)
14. Risk Management (Risk Assessment if required)
15. Negotiation Details (if required)
16. Tender Recommendation-Council Report reference Tender Analysis
17. Council Approval
18. Letter of Acceptance
19. Unsuccessful Letters
20. Copy of Contract signed
21. Contract Register Updated Date
22. Insurance policies obtained from successful tender and held to file ...

ALL OF THE ABOVE MUST BE PLACED IN THE CONTRACT/TENDER ELECTRONIC-TRIM FOLDER

Green Purchasing

Purpose

The purpose of this document is to provide suppliers or contractors that have business dealings with our Council a positive environmental lead in their own internal operations.

The questionnaire deliberately does not discuss or question their product or service to be provided but rather questions their typical internal behaviour in consideration to the environment.

The questions are intended to be basic and a first point of dialogue to engender discussion with our suppliers to encourage their good environmental behaviour and further promote ideas exchange between the parties for mutual benefit.

Where the document can be used

This document should be used in all initial dealings or potential dealings with suppliers to provide them with the opportunity to provide Council with their environmental considerations and if appropriate a copy of their environmental plan or policy.

The document "Green Purchasing Questionnaire" should therefore be a part of all requests for quotations and Requests for Tender or Expressions of interest. The document should also be used as a data collection and environmental rating of existing established suppliers.

The document can provide a further assessment or differential of potential suppliers in the selection or tender/quotation evaluation process.

It should be mandatory that this document be completed by all suppliers in our consideration of their proposal.

Potential Benefits

- Awareness by suppliers of Councils ongoing consideration of the environment in its business dealings.
- Encouragement of suppliers to adopt "simple" in-house good environmental behaviour
- A reward in recognition for those suppliers with sound environmental policies
- An opportunity for information exchange and review for continual improvement
- A positive promotion of Council image in regard to carry for the environment with a broad base of constituents and others.

Green Purchasing Questionnaire

To be completed by Contractors and Accredited/Potential Suppliers

Name of Company/ Contractor:

Address:.....

Provide an explanation of the type of product items or services provided:.....

You are requested to provide your best answers to the following questions:

Does your company have an Environmental Management Policy/Plan?	Yes*	No	Comment NA Insert Column
Does your company use re-cycled copy paper?	Yes	No	
Are your Photo Copiers defaulted to double side?	Yes	No	
Does your company vehicle receive the recommended manufacturers servicing?	Yes	No	
Do your heavy vehicles, truck have a retread policy other than steer tyres?	Yes	No	
Do you have alternate fuel type vehicles in your car fleet? Nominate type and quantity, Hybrid, Diesel or LPG?	Yes	No	
Do you have smaller four cylinder vehicles in your fleet?	Yes	No	
Are your plant items, Graders, Excavators etc eligible for the fuel rebate in relation to age?	Yes	No	
Does your company have an in-office paper recycling process in place?	Yes	No	
Do you use non disposable cups in your staff kitchen?	Yes	No	

*Attach copy

Authorised Company Representative:

Title: Date:

Return to Hepburn Shire Council PO Box 21 Daylesford Vic 3460

Youth Development - Hepburn Shire Council

To be completed by Contractors and Accredited/Potential Suppliers

Name of Company/ Contractor:

Address:.....
.....

Provide an explanation of the type of product items or services provided:.....
.....

You are requested to provide your best answers to the following questions:

Is your company aware of the Commonwealth and State Governments Youth Training and Employment Support Initiatives?	Yes*	No	Comment
Does your company engage young people (up to 25 years) through traineeships or apprenticeships?	Yes	No	
Would your company support young people in providing short term/labouring position?	Yes	No	
Would your company be prepared to be involved in career and workplace preparedness program for young people?(e.g. as a guest speaker or industry expert session)	Yes	No	
Does your company support local school job experience opportunities for students?	Yes	No	
Does your company contribute to Daylesford Enterprising Youth, as a Sounding Board Member, Business Mentor or through financial contributions?	Yes	No	
Does your company support any of the youth groups in Trentham Youth Group, Clunes, Daylesford or Creswick? (If so please circle which)	Yes	No	
Would you like information on supporting these local youth development opportunities?	Yes	No	
Does your company provide any other form of support for young people such as, youth mentoring or donations to local sporting bodies? Please outline:	Yes	No	

Authorised Company Representative:

Title: Date:

Return to Hepburn Shire Council PO Box 21 Daylesford Vic 3460

WHY COUNCIL SUPPORTS SOCIAL PROCUREMENT

1. SOCIAL PROCUREMENT

Social procurement involves using procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works. For local government, social procurement builds on initiatives already undertaken by the sector in enhancing sustainable and strategic procurement practice, enabling procurement to effectively contribute to building stronger communities.

Social procurement is a key mechanism by which to generate wider social benefits for triple bottom line reporting, by providing a mechanism for linking and integrating social and economic agendas.

2. POTENTIAL OUTCOMES OF SOCIAL PROCUREMENT

The outcomes of social procurement may include:

- creation of training and employment opportunities through procurement processes, clauses and specifications in contracts
- addressing complex local challenges, such as intergenerational employment, crime, vandalism and economic decline in local communities or amongst disengaged groups
- encouragement of local economic development and growth
- promotion of fair and ethical trade
- social inclusion, particularly for vulnerable groups - giving them the opportunity to participate in the community and the economy
- engagement of small-to-medium enterprises and social benefit suppliers - providing them with the same opportunities as other businesses, including the ability to engage in procurement processes
- securing a council's reputation and leadership in recognising and implementing corporate social responsibility initiatives in the public sector.

3. SOCIAL PROCUREMENT IN A LOCAL GOVERNMENT SECTOR

3.1 Purchasing Power

Victorian councils collectively spend approximately \$3 billion annually on the procurement of goods, works and services.

Based upon the significant procurement spend of Victorian councils, a commitment to social procurement may:

- generate the social outcomes, as stipulated in a councils' "triple bottom line" reporting
- stimulate and influence markets to develop strategies and processes which generate positive social outcomes.

Given the purchasing influence local government has, there may be the opportunity to pursue social outcomes in even a small proportion of procurement spend. In doing so, the benefits that the councils local community receives may be considerable.

4. Legislative Requirements

Under the Victorian *Local Government Act* 1989, councils are required to:

- achieve the best outcomes for the local community (section 3C(1))
- achieve continuous improvement in the provision of services for its community (section 208B(d)).

These requirements may well be satisfied through social procurement initiatives.

5. How Social Procurement May Be Structured

Two primary forms of social procurement have been identified in local government:

- 1) engaging a social benefit provider to deliver a good or service
- 2) inclusion of a social benefit as a component of a procurement contract.

6. Achievement of Long-term Social Outcomes

Social procurement offers a great vehicle for councils in addressing complex social issues in the long term. For example, the City of Yarra, in working with a social benefit supplier, the Brotherhood of St Lawrence, were able to create long term pathway for employment for 17 public housing tenants through a street cleaning contract. Employment of these tenants led to long term positive social outcomes across the municipality, such as a reduction in unemployment rates.



EVALUATION OF SOCIAL PROCUREMENT

1. INTRODUCTION

The evaluation of procurements involving social outcomes is no different to the evaluation of a general procurement.

2. CONTEXT

Section 186 of the Victorian *Local Government Act* 1989 requires local governments to undertake a competitive process to test the market before entering into contracts for:

- the purchase of goods or services with a value of \$150,000 or more
- the carrying out of works with a value of \$200,000 or more, unless specified exceptions apply.²

Councils must award a contract on the basis of quality and cost standards required by Section 208D of the Act.

In developing quality and cost standards for services to the community, councils may take into account factors set out in Section 208C:

- (i) the need to review services against the best on offer in both the public and private sectors
- (ii) an assessment of value for money
- (iii) community expectations and values
- (iv) the balance of affordability and accessibility of services to the community
- (v) opportunities for the growth or retention of local employment
- (vi) potential environmental advantages for the council's municipal district.

Therefore, the value for money requirement can incorporate how well the suppliers' offerings address the council's objectives in securing social value, sustainability and public benefit



Questions to be answered by potential suppliers

1. Employment and Training

- 1.1 Describe the steps that will be taken to ensure that local apprentices, trainees, unemployed persons and residents of the Hepburn Shire Council will be engaged for the duration of each contract.
- 1.2 Describe how you will achieve compliance from sub-contractors necessary to meet the employment requirements.
- 1.3 Describe your policy with regard to training and new apprenticeships and identify and describe opportunities for increasing skills of employees.

2 Targeted Recruitment

- 2.1 Describe the steps that will be taken to ensure that all vacancies, including those with subcontractors, are notified to local agencies.
- 2.2 Describe the steps that will be taken to ensure that information on the numbers of vacancies filled by local people are recorded for monitoring and reporting purposes.
- 2.3 Describe the steps that will be taken to ensure that suitable apprentices / trainees are engaged.

3 Local Business

- 3.1 Describe activities that you will undertake to identify local SMEs and assess their capacity to deliver works, services or supplies that are required for the contract.
- 3.2 Describe any actions you will undertake to support or assist local SMEs to obtain contracts in relation to the Revitalising Clunes Township initiative.

4 Social Enterprise

- 4.1 Describe any experience or evidence from other areas that has influenced your thinking on support for social enterprises.
- 4.2 Describe the support you will give to social enterprises, including development support, business support and funding.

Contractors are also required to complete information about how the above will be recorded, monitored and reported, including sub-contractor requirements. In addition contractors are required to name who will be responsible for ensuring that the Community Benefit requirements are met.

Finally, potential suppliers are required to list the predicted outcomes for each community benefit requirement.

Requirement	Unit of Measure	Predicted Outcome
Number of new recruits	No. of people	
Number of apprentices that will be recruited	No. of people	
Number of trainees that will be recruited.	No. of people	
Level of local content	No. of people	
Vacancies to be advertised	No. of vacancies	
Work opportunities for social enterprises	% of overall spend	
Work experience opportunity	No. of placements	
Local SMEs assessed as potential suppliers	% of overall spend	

Certification

The information provided in this questionnaire and in the attachment is true and correct.

Company Name:

.....

Signed: Name:

Position: Date:

To be submitted with Expression of Interest

10.6. HEPBURN PLANNING SCHEME – AMENDMENT C55 – REZONING OF LAND FROM PUBLIC PARK AND RECREATION ZONE TO RESIDENTIAL 1 ZONE

ACTING GENERAL MANAGER SUSTAINABLE DEVELOPMENT

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

PURPOSE

The purpose of this report is to request Council to adopt exhibited Amendment C55 (the Amendment). The amendment proposes to re-zone part of 2 Jory Street, Creswick from Public Park and Recreation Zone (PPRZ) to Residential 1 Zone (R1Z).

BACKGROUND

A landowner in Hepburn Shire is seeking an amendment through Council to re-zone a parcel of land in their ownership from PPRZ to R1Z. An amendment has been lodged with Council, as land cannot be re-zoned without going through an amendment process.

The amendment applies to Crown Allotment 6, Section 41C, Township and Parish of Creswick, also known as 2 Jory Street, Creswick.

ISSUE / DISCUSSION

Privately owned land should not be shown in the Planning Scheme and on the Planning Scheme maps as public land. Section 7 (5) of the *Planning and Environment Act 1987*, clause 12 states 'A planning scheme may only include land in a Public Use Zone, a Public Park and Recreation Zone or a Public Conservation and Resource Zone if the land is Crown Land, or is owned by, vested in or controlled by a Minister, government department, public authority or municipal council'.

The land for which the amendment is being sought is privately owned land and therefore should be rezoned R1Z. This will correctly apply the Victorian Planning Provisions to this parcel of land. The land abutting this parcel is in the same ownership and zoned R1Z.

Under delegation from the Minister for Planning, the Department of Planning and Community Development (DPCD) has authorised Council to approve the amendment under Section 35B of the *Planning and Environment Act 1987*.

The exhibited documents are contained in Attachments 4, 5 6 and 7 to this report with no changes proposed.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Subject to Section 29 of the Act, Council must adopt the exhibited Amendment before seeking certification from the Secretary of the Department of Planning and Community Development.

FINANCIAL IMPLICATIONS

All costs to be borne by the applicant.

RISK IMPLICATIONS

There are no risk implications evident.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

There are no adverse social, economic or environmental effects arising from this amendment.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The amendment was placed on exhibition for one month in accordance with Section 20(2) of the *Planning and Environment Act 1987*. No objection was received to date.

CONCLUSION

Council has received authorisation from the Minister for Planning to approve the amendment under section 35B of the *Planning and Environment Act 1987*.

Land in private ownership should not be zoned Public Park and Recreation Zone. The amendment seeks to re-zone the parcel of land to Residential 1 Zone to correctly apply the Victorian Planning Provisions. Further to this the amendment seeks to rectify an anomaly to the zoning maps.

OFFICER'S RECOMMENDATION

That Council:

- 10.6.1 Under Section 29 of the Planning and Environment Act 1987, resolves to adopt Amendment C 55 – Rezoning of Land from Public Park and Recreation Zone to Recreation Zone to Residential 1 Zone without any changes.

- 10.6.2 Submits the adopted Amendment C55 – Rezoning of Land from Public Park and Recreation Zone to Recreation Zone to Residential 1 Zone to the Secretary of the Department of Planning and Community Development for certification.

MOTION

That Council:

- 10.6.1. *Under Section 29 of the Planning and Environment Act 1987, resolves to adopt Amendment C 55 – Rezoning of Land from Public Park and Recreation Zone to Recreation Zone to Residential 1 Zone without any changes.*
- 10.6.2. *Submits the adopted Amendment C55 – Rezoning of Land from Public Park and Recreation Zone to Recreation Zone to Residential 1 Zone to the Secretary of the Department of Planning and Community Development for certification.*

Moved: Councillor Neil Newitt
Seconded: Councillor Pierre Niclas
Carried.

**ATTACHMENT 4 - HEPBURN PLANNING SCHEME – AMENDMENT C55
INSTRUCTION SHEET**

Planning and Environment Act 1987

HEPBURN PLANNING SCHEME

AMENDMENT C55 INSTRUCTION SHEET

The planning authority for this amendment is Hepburn Shire Council

The Hepburn Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 1 attached map.

Zoning Maps

1. Planning Scheme Map No 20 is amended in the manner shown on the attached map marked Hepburn Planning Scheme, Amendment C55.

End of document

**ATTACHMENT 5 - AMENDMENT C55 – LIST OF CHANGES TO
HEPBURN PLANNING SCHEME**

Amendment C55

List of changes to the Hepburn Planning Scheme

Clause / Map Numbers	Change	Comment
PARTICULAR PROVISIONS		
Map 20	Planning Scheme Map is amended in the manner shown on the attached map marked “Hepburn Planning Scheme, Amendment C55”	Amends planning scheme maps.
List of amendments	Insert: Amendment Number “C55”, In operation from “[DATE TO BE INSERTED BY DPCD]”, Brief description: “The amendment rezones the land at Crown Allotment 6 Section 41C Township and Parish of Creswick; which is privately owned from Public Park and Recreation Zone to Residential 1 Zone.”	Updates the list of amendments in the Hepburn Planning Scheme

**ATTACHMENT 6 - HEPBURN PLANNING SCHEME – AMENDMENT C55 –
EXPLANATORY REPORT**

HEPBURN PLANNING SCHEME

AMENDMENT C55

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Hepburn Shire Council, which is the planning authority for this amendment.

The amendment has been made at the request of BJT Legal who is acting on behalf of the estate of Johanna Krijanowski (deceased).

Land affected by the amendment.

The amendment applies to Crown Allotment 6 Section 41C Township and Parish of Creswick also known as 2 Jory Street, Creswick. Please find map of the subject site attached as Appendix 1.

What the amendment does.

The amendment seeks to re-zone the land at Crown Allotment 6 Section 41C Township and Parish of Creswick; which is privately owned from Public Park and Recreation Zone to Residential 1 Zone.

Strategic assessment of the amendment

- **Why is the amendment required?**

The amendment is required to re-zone a privately owned parcel of land from Public Park and Recreation Zone (PPRZ) to Residential 1 Zone (R1Z). Privately owned land should not be shown in the Planning Scheme and on the Planning Scheme maps as public land.

Section 7 (5) of the Planning and Environment Act 1987, Structure of Planning Schemes states "The Minister may issue directions or guidelines as to form and content of any planning scheme or planning schemes."

Ministerial Direction Number 12 Formal Content of Planning Scheme has directed as per point/clause 12 that "A planning scheme may only include land in a Public Use Zone, a Public Park and Recreation Zone or a Public Conservation and Resource Zone if the land is Crown Land, or is owned by, vested in or controlled by a Minister, government department, public authority or municipal council." The land subject of this amendment is privately owned land and therefore should not be zoned PPRZ. The most appropriate zone should be R1Z as is the land which abuts this parcel and is subject of the same ownership.

Section 19 of the Planning and Environment Act 1987, sets out what notice requirements of an amendment a planning authority must give. A council must normally give notice under Section 19(1)(b) of the Planning and Environment Act 1987 to the owners (except persons entitled to be registered under the Transfer of Land Act 1958 as proprietor of an estate in fee simple) and occupiers of land that it believes may be materially affected by the amendment.

Council has formed the view that the notice requirements for the amendment Sec 19(1)(b) are not warranted as the amendment is seeking to rectify an anomaly in the planning scheme and therefore seeks exemption from giving notice of the amendment under Section 20(2) of the Planning and Environment Act 1987.

- **How does the amendment implement the objectives of planning in Victoria?**

The implementation of the Amendment will further the objectives of s.4 (1) (a) of the Planning and Environment Act 1987 which requires Council to “provide for the fair, orderly, economic and sustainable use and development of land”, by ensuring that the Planning Scheme provisions are correctly applied to land to enable it to be used and developed in accordance with the provisions of the Act.

- **How does the amendment address the environmental effects and any relevant social and economic effects?**

There are no adverse social, economic or environmental effects arising from this amendment.

Any proposal submitted to council for land use or development would be assessed against the relevant zoning and overlay protections and against the relevant Building Code requirements.

The land should be correctly zoned as Residential 1 Zone to enable Hepburn Shire Council to best use the Planning Scheme to assess land use and development proposals on this parcel of land.

Correctly re-zoning the land to Residential 1 Zone will allow for appropriate infill development inside the Urban Growth Boundary of Creswick for the benefit of the community.

The land is located adjacent to an existing Residential 1 Zoned area and approx 150 metres from an Industrial 1 Zone, which is currently a rubbish depot reserve. The land separating these two uses is Public Park and Recreation Zone, which provides an appropriate buffer to separate the two zones.

- **Does the amendment address relevant Bushfire risk?**

Council is satisfied that the amendment will not result in an increase to the risk to life, property, community infrastructure or the natural environment from bushfire.

The amendment seeks to apply the correct zoning to a parcel of land in private ownership. The site is not recognised as an area subject to the Bushfire Management Overlay or at immediate risk from bushfire. The addition of one residential lot will not result in an increase to other properties from bushfire.

The amendment is not affected by any local policy or strategies that apply to bushfire risk. The amendment is consistent with State Policy Clause 13.05-1 in that the area has not been identified as an area affected by bushfire hazard.

Notice of the amendment will be given to the Country Fire Authority during the exhibition of the amendment.

- **Does the amendment comply with the requirements of any Minister’s Direction applicable to the amendment?**

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

- **How does the amendment support or implement the State Planning Policy Framework?**

The amendment is consistent with the State Planning Policy Framework (SPPF), and implements State policy on settlement, environment, housing, economic development and infrastructure. There are no implications for the SPPF.

- **How does the amendment support or implement the Local Planning Policy Framework?**

The amendment does not seek to change the objectives or strategies of the Municipal Strategic Statement. The amendment does not seek to change the objectives or strategies of the Local Planning Policy Framework. The zoning of the land abutting this site is Public Park and Recreation Zone. Part of the land owners site is also zoned Public Park and Recreation Zone. This amendment seeks to re-zone the small parcel of land to Residential 1 Zone to more accurately reflect the intended use of the land. The Residential 1 Zone is the most appropriate tool with which to control land use and development in this instance.

- **Does the amendment make proper use of the Victoria Planning Provisions?**

The VPP contains a number of zones to achieve a private land use outcome. The most appropriate zone for the parcel of land subject to this proposed amendment is Residential 1 Zone. Considering the estate also owns land abutting this parcel which is zoned Residential 1 Zone and also Residential 1 Zone provides for a range of housing needs in an area that is near existing infrastructure and community services and facilities.

The amendment does not affect or conflict with any other provision in the Hepburn Planning Scheme.

- **How does the amendment address the views of any relevant agency?**

The proposed amendment affects a single parcel of land in Creswick in private ownership. The amendment is intended to rectify an anomaly and will not affect any relevant agencies.

- **Does the amendment address relevant requirements of the *Transport Integration Act 2010*?**

Is the amendment likely to have a significant impact on the transport system, as defined by section 3 of the Transport Integration Act 2010?

The amendment will not impact on the transport system.

Are there any applicable statements of policy principles prepared under section 22 of the Transport Integration Act 2010?

There are no applicable statements under section 22 of the Transport Integration Act 2010.

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The Amendment is not expected to have any negative impact on the resource and administrative costs of Council as the responsible authority for the Planning Scheme. The amendment is considered to be of a minor nature to rectify a zoning anomaly.

Where you may inspect this Amendment.

The amendment is available for public inspection, free of charge, during office hours at the following places:

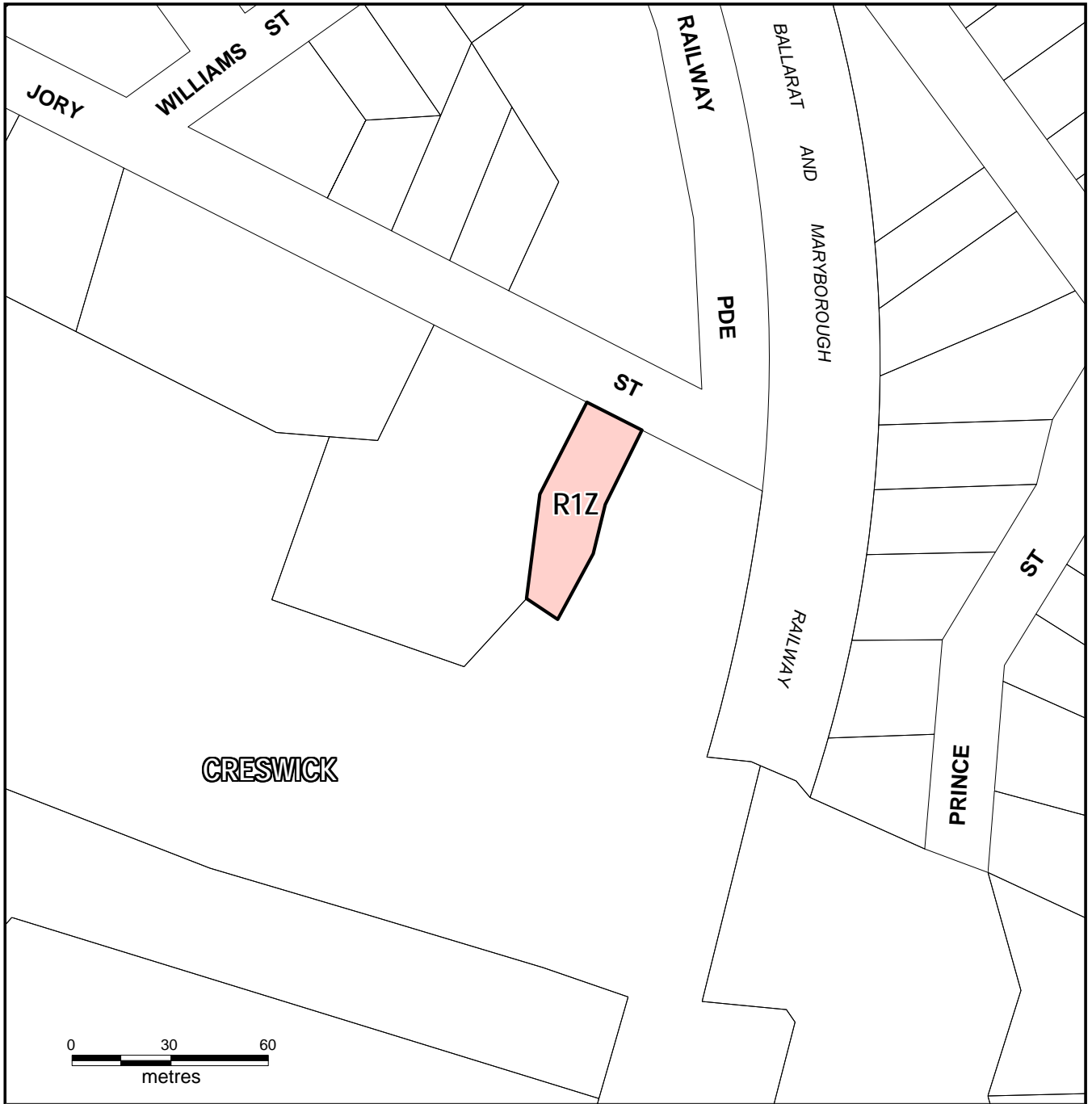
Hepburn Shire Council
Cnr Duke and Albert Streets
Daylesford 3460

Hepburn Shire Council
Creswick Office
Albert Street
Creswick

The amendment can also be inspected free of charge at the Department of Planning and Community Development web site at www.dpcd.vic.gov.au/planning/publicinspection.

**ATTACHMENT 7 - HEPBURN PLANNING SCHEME –AMENDMENT C55 –
MAP**

HEPBURN PLANNING SCHEME LOCAL PROVISION



Part of Planning Scheme Map 20

LEGEND

 RESIDENTIAL 1 ZONE

AMENDMENT C55

10.7. HEPBURN PLANNING SCHEME – AMENDMENT C57 – REZONING OF LAND FROM FARMING ZONE TO PUBLIC USE ZONE 5

CROWN ALLOTMENT 2080, PARISH OF WOMBAT, 146 DAYLESFORD – TRENTHAM ROAD, DAYLESFORD

ACTING GENERAL MANAGER SUSTAINABLE DEVELOPMENT

In providing this advice to Council as the Senior Strategic Planner, I Esther Oluyide have no interests to disclose in this report.

PURPOSE

The purpose of this report is to request Council to adopt exhibited Amendment C57 (the Amendment). The amendment proposes to rezone the parcel of land described as Crown Allotment 2080, Parish of Wombat (146 Daylesford – Trentham Road, Daylesford) from Farming Zone (FZ) to Public Use Zone 5 (Cemetery/Crematorium).

BACKGROUND

The Daylesford Cemetery Trust has requested the rezoning of the above site from the current Farming Zone to Public Use Zone 5 (Cemetery / Crematorium). The land was surrendered to the Crown via the Department of Health following the successful acquisition of the land by the Cemetery Trust in 2008. Council issued a planning permit for a two-lot subdivision, use and development of the land for a cemetery on 16 February 2009. The rezoning of the land to Public Use Zone 5 is required to ensure that the land is appropriately zoned to facilitate use and development of the site for a cemetery or crematorium on an ongoing basis without the need to obtain further planning approval from Council. The land is permanently reserved for use as cemetery, having been surrendered to the Crown and pursuant to Section 34 of the *Cemeteries and Crematorium Act 2003*. The current farming zone is now inappropriate for the current and future use of the land.

Public exhibition of the Amendment was undertaken from 10 October 2012 until 20 November 2012 in accordance with Council's resolution at its meeting of 18 September 2012. No submissions were received during the exhibition period.

ISSUE / DISCUSSION

The Minister for Planning authorised Council to prepare and also approve the amendment under Section 35B of the *Planning and Environment Act 1987* (the Act). Public exhibition was undertaken from 10 October to 20 November

2012. The exhibited document is contained in Attachment 8 to this report with no changes proposed.

However, subject to Section 29 of the Act, Council must adopt the exhibited Amendment before seeking certification from the Secretary of the Department of Planning and Community Development (DPCD).

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council is committed to ongoing review of the Hepburn Planning Scheme to support the needs of the community. The proposed rezoning will ensure availability of land for future needs of the cemetery.

This report has been prepared in accordance with Part 3 (amendments) of the *Planning and Environment Act 1987*.

FINANCIAL IMPLICATIONS

The cost of the Planning Scheme Amendments will be borne by the proponent, Daylesford Cemetery Trust.

RISK IMPLICATIONS

It is not envisaged that the proposed rezoning will present any risk to Council. The proposal will enable the land to be appropriately zoned to reflect its current public ownership and permanent reservation for a facility.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The proposed Amendment will have a positive social outcome of meeting future needs for a cemetery, in proximity of the existing cemetery.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The amendment was placed on exhibition for one month in accordance with Section 20(2) of the *Planning and Environment Act 1987*. No objection was received.

CONCLUSION

The proposed Amendment is considered appropriate and will implement the objectives of planning in Victoria, which amongst other things are:

- *To provide for the fair, orderly, economic and sustainable use and development of land.*
- *To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.*

- *To facilitate development in accordance with the objectives set out in the points above.*
- *To balance the present and future interests of all Victorians.*

OFFICER'S RECOMMENDATION

That Council:

- 10.7.1 Under Section 29 of the Planning and Environment Act 1987, resolves to adopt the Amendment C57 – Rezoning of Land from Farming Zone to Public Use Zone5 (Cemetery/Crematorium) without any changes.
- 10.7.2 Submits the adopted Amendment C57 – Rezoning of Land from Farming Zone to Public Use Zone 5 (Cemetery/Crematorium) to the Secretary of the Department of Planning and Community Development for certification.

MOTION

That Council:

- 10.7.1. *Under Section 29 of the Planning and Environment Act 1987, resolves to adopt the Amendment C57 – Rezoning of Land from Farming Zone to Public Use Zone5 (Cemetery/Crematorium) without any changes.*
- 10.7.2. *Submits the adopted Amendment C57 – Rezoning of Land from Farming Zone to Public Use Zone 5 (Cemetery/Crematorium) to the Secretary of the Department of Planning and Community Development for certification.*

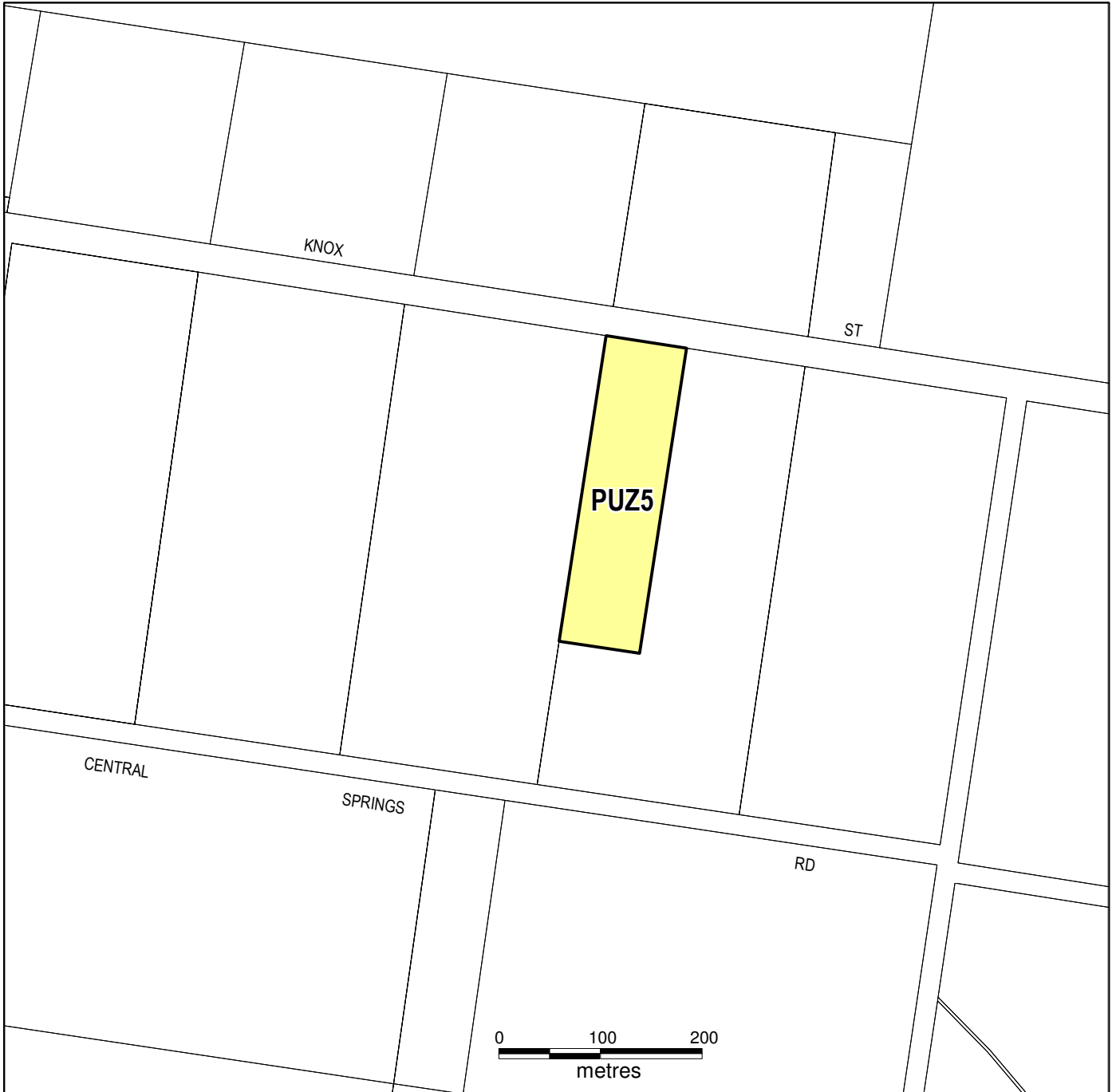
Moved: Councillor Kate Redwood

Seconded: Councillor Neil Newitt

Carried.

**ATTACHMENT 8 - HEPBURN PLANNING SCHEME – AMENDMENT C57 -
MAP**

HEPBURN PLANNING SCHEME LOCAL PROVISION

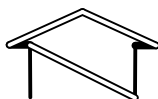


Part of Planning Scheme Map 36

LEGEND

PUZ5 PUBLIC USE ZONE - CEMETERY / CREMATORIUM

AMENDMENT C57



10.8. CHANGE TO ROAD NAME

GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Manager of Finance and the Financial Accountant, we Anthea Lyons and Kathie Attwood have no interests to disclose in this report.

PURPOSE

The purpose of this report is to amend the road names allocated to two roads off Matts Lane, Coomoora.

BACKGROUND

A report was presented to Council on 17 January 2012 with a recommendation to adopt two new road names:

- Djurkovic Road
- Maric Court.

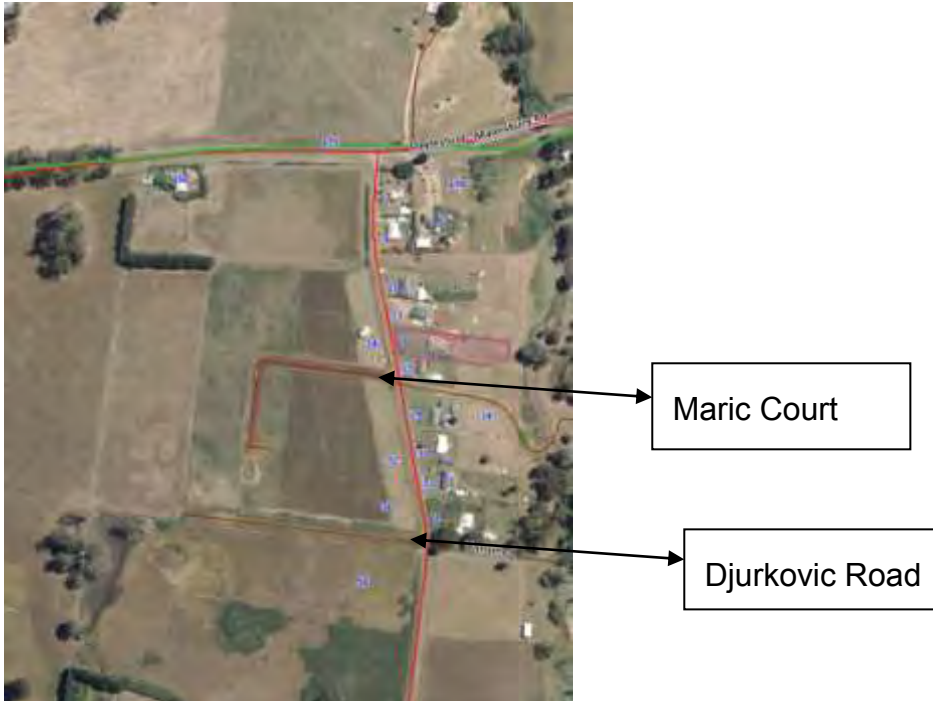
The map attached to the 17 January 2012 report was incorrect. The map indicated that Djurkovic Road was Maric Court and vice versa. The cul de sac was labelled as Djurkovic Road and the through road was labelled Maric Court.

ISSUE / DISCUSSION

As per the Geographic Place Names Act and Guidelines (2010), the cul de sac should be called a Court. Therefore the road naming previously adopted by Council was incorrect.

Following discussions with Geographic Place Names, it was recommended to correct the error by Council endorsing the correct road names.

Please refer to the map below for correct road labelling.



COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Geographic Place Names Act and Guidelines (2010).

FINANCIAL IMPLICATIONS

No cost as signs have already been purchased, they just need to be relocated.

RISK IMPLICATIONS

This change will ensure compliance with the Geographic Place Names Act and Guidelines (2010).

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

None noted

COMMUNITY AND STAKEHOLDER ENGAGEMENT

An advertisement was placed in *The Advocate* on 31 August, 2011 and also at the entrance of each road to be named calling for road name suggestions.

CONCLUSION

In January 2012 Council endorsed the naming of two roads Maric Court and Djurkovic Road Coomoora. Unfortunately the Council report incorrectly

allocated these road names to the wrong roads. In order to correct this error Council is asked to endorse the correct allocation of road names.

OFFICER'S RECOMMENDATION

10.8.1 That Council endorses the re-signage of Maric Court and Djurkovic Road, Coomoora.

MOTION

10.8.1. That Council endorses the re-signage of Maric Court and Djurkovic Road, Coomoora.

Moved: Councillor Neil Newitt

Seconded: Councillor Greg May

Carried.

10.9. CRESWICK FOOTBALL NETBALL CLUB LIQUOR LICENCE APPLICATION

GENERAL MANAGER COMMUNITY SERVICES

In providing this advice to Council as the Manager Community Development, I Adam McSwain have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider a request from Creswick Football Netball Club to support its application for an extended liquor licence for the Doug Lindsay Multi Purpose Facility, Creswick.

BACKGROUND

Currently the Creswick Football Netball Club holds two liquor licences for Doug Lindsay Multi Purpose Facility at Doug Lindsay Reserve.

The first licence is an annual Restricted Club Licence which covers the period of 1 April through to 30 September. This licence 'authorises the licensee to supply liquor on the licensed premises to a member of the club or a guest of a member for consumption on the licensed premises during the trading hours'.

The trading hours are:

- Sunday: Between 11 am and 8 pm
- Tuesday & Wednesday: Between 6 pm and 10 pm
- Thursday: Between 6 pm and 11 pm
- Friday: Between 6 pm and 12 midnight
- Saturday: Between 12 noon and 12 midnight.

The second licence is an annual Renewable Limited Licence which also covers the period of 1 April through to 30 September. It authorises the licensee to supply liquor to a person attending a pre-booked function or to a person from a specified point/s of sale during a sporting event. Trading hours for the supply at a pre-booked function are:

- Tuesday & Wednesday between 6 pm and 10 pm
- Thursday between 6 pm and 11 pm
- Friday between 6 pm and 12 midnight
- Saturday between 12 noon and 12 midnight
- Sunday between 11 am and 8 pm.

Trading hours for supply from a point of sale during a sporting event are:

- Saturday & Sunday between 12 noon and 6 pm.

ISSUE / DISCUSSION

Creswick Football Netball Club is seeking to extend its existing Restricted Club and Renewable Limited Licence to cover the full 12 months of the year. Without an extension of the period which the licence covers the venue, the venue will not be licensed outside 1 April to 30 September.

For an extension to be granted a new planning permit and Council letter of support are required.

The Creswick Football Netball Club have confirmed that 'upon such time as the venue management is in place and ready to take it over, the Football Netball Club will gladly relinquish the licence to the Doug Lindsay Reserve management committee'.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Under the *Liquor Control Reform Act 1998* a licence is required for a facility to be able to serve liquor.

FINANCIAL IMPLICATIONS

The ability to sell liquor and hold functions where alcohol can be served will generate an income to assist with operating costs of the facility.

RISK IMPLICATIONS

As per the *Liquor Licence Reform Act 1998* the Creswick Football Netball Club will be responsible for adhering to a number of conditions around the provision of liquor at the facility.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Creswick Football Netball Club is currently part of the Australian Drug Foundation Good Sports program. The Club is approved as a level 3 club under this program which is the highest level available. A level 3 club must have bar management strategies, Responsible Service of Alcohol training, smoke-free environment, enhanced bar management, food and drink options, safe transport, diverse revenue generation and an alcohol management policy.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Doug Lindsay Reserve and Community Facility Management Advisory Committee has endorsed having a single liquor license for the overall Doug Lindsay Facility that would be held by the Incorporated Committee once formed.

CONCLUSION

The extension to the licence is necessary for the successful operation and income generation of the Doug Lindsay Multi Purpose Facility.

OFFICER'S RECOMMENDATION

- 10.9.1 That Council provides a letter of support to the Liquor Licensing Commission to extend the period of Creswick Football Netball Club's Restricted Club Licence at the Doug Lindsay Multi Purpose Facility.

MOTION

10.9.1. That Council provides a letter of support to the Liquor Licensing Commission to extend the period of Creswick Football Netball Club's Restricted Club Licence at the Doug Lindsay Multi Purpose Facility until 30 April 2013 or to transfer to the new Association's Management Committee if established sooner than that date.

Moved: Councillor Kate Redwood
Seconded: Councillor Greg May
Carried.

10.10. RECORD OF ASSEMBLIES OF COUNCILLORS – NOVEMBER 2012
GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the General Manager Corporate Services, I Evan King have no interests to disclose in this report.

PURPOSE

This report summarises Assemblies of Councillors for November 2012.

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 -

(a) the subject of a decision of the Council; or

(b) 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;

Assemblies of Councillors		
Date	Location	Committee Name
7 November 2012	Council Chamber, Daylesford	Councillor Briefing
13 November 2012	Council Chamber, Daylesford	Councillor Briefing
19 November 2012	Creswick RSL	Creswick Ward Community Committee
20 November 2012	Council Chamber, Daylesford	Wombat Hill Botanic Gardens Advisory Committee
20 November 2012	Hepburn Health Service, Clunes	Councillor/CEO Meeting
20 November 2012	Hepburn Health Service, Clunes	Pre Council Meeting
22 November 2012	Council Chamber, Daylesford	Hepburn Mineral Springs Reserve Advisory Committee

28 November 2012	Council Chamber, Daylesford	International Women's Day Women's Honour Roll Meeting
------------------	--------------------------------	--

ISSUE / DISCUSSION

1. 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.
2. The *Local Government Act 1989* (as amended) requires the record of an Assembly of Councillors to be incorporated in the minutes of that Council Meeting.

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

- 10.10.1 That Council receives and notes the Records of Assemblies of Councillors November 2012.

MOTION

10.10.1. That Council receives and notes the Records of Assemblies of Councillors November 2012.

Moved: Councillor Neil Newitt
Seconded: Councillor Kate Redwood
Carried.

**ATTACHMENT 9 - RECORD OF ASSEMBLIES OF COUNCILLORS –
NOVEMBER 2012**

(Issued Under Separate Cover)

11. COUNCIL SPECIAL COMMITTEES (SECTION 86)

11.1. MINUTES OF SPECIAL COMMITTEES (SECTION 86) GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the General Manager Corporate Services, I Evan King 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 (Section 86) Committees.

BACKGROUND

Special committees are established by Council and their function and responsibilities outlined in an Instrument of Delegation. Under the Instrument 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 and Advisory Committees, as provided by the Committees over the past month, for your information:

- Minutes from The Lee Medlyn Home of Bottles Special Committee General Meeting 07/11/2012.
- Minutes from the Lyonville Hall Special Committee General Meeting 23/10/2012.

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

The following recommendations have been received by Council and are presented for Council to consider adopting:

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

11.1.1 That Council notes the minutes of the Special Committees (Section 86) listed above which have been distributed under separate cover.

MOTION

11.1.1. That Council notes the minutes of the Special Committees (Section 86) listed above which have been distributed under separate cover.

Moved: Councillor Don Henderson

Seconded: Councillor Sebastian Klein

Carried.

12. COUNCIL ADVISORY COMMITTEES

12.1. MINUTES OF ADVISORY COMMITTEES

GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the General Manager Corporate Services, I Evan King, 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 over the past month, for your information:

- Creswick Ward Community Committee 19/11/2012
- International Women's Day Women's Honour Roll Meeting 28/11/2012.

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

12.1.1 That Council receives and notes the minutes of the Advisory Committees listed above which have been distributed under separate cover.

MOTION

12.1.1. That Council receives and notes the minutes of the Advisory Committees listed above which have been distributed under separate cover.

Moved: Councillor Neil Newitt
Seconded: Councillor Kate Redwood
Carried.

13. CONFIDENTIAL ITEMS

13.1. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

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

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

RECOMMENDATION

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

- 89(2)(d) Contractual matters:

Contract H202-2009 – Extension of Supply of Banking Services

Contract H337-2012 – Kerbside Collection Services for Waste, Recyclables and Public Litter

Contract H340-2012 – Clunes Mount Cameron Road, Clunes – Pavement Reconstruction, Bituminous Surfacing, Drainage Construction and Associated Works, Ch 6.1 km to CH 9.1 km.

Contract H341-2012 – Bald Hills Road, Creswick – Pavement Reconstruction, Bituminous Surfacing and Associated Works, Ch 1.085 km to Ch 2.180 km; and

13.1.2 89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person:

Australia Day Awards 2013.

MOTION

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

- *89(2)(d) Contractual matters:*

Contract H202-2009 – Extension of Supply of Banking Services

Contract H337-2012 – Kerbside Collection Services for Waste, Recyclables and Public Litter

Contract H340-2012 – Clunes Mount Cameron Road, Clunes – Pavement Reconstruction, Bituminous Surfacing, Drainage Construction and Associated Works, Ch 6.1 km to CH 9.1 km.

Contract H341-2012 – Bald Hills Road, Creswick – Pavement Reconstruction, Bituminous Surfacing and Associated Works, Ch 1.085 km to Ch 2.180 km; and

13.1.2. *89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person:*

Australia Day Awards 2013.

Moved: Councillor Sebastian Klein

Seconded: Councillor Greg May

Carried.

The Meeting closed to Members of the Public at 6:38 pm.

14. RE-OPENING OF MEETING TO PUBLIC

RECOMMENDATION

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

MOTION

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

Moved: Councillor Don Henderson
Carried.

The Meeting re-opened to the Public at 7:16 pm.

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

MOTIONS

That Council:

- 14.1.1. *That Council defers Confidential Item 13.2 – Australia Day Awards 2013.*
- 14.1.2. *Awards the tender for Contract H337-2012 – Kerbside Collection Services for Waste, Recyclables and Public Litter to Wheelie Waste Pty Ltd for a five year term with the option for a further two years, as per the request for tender document specifications, for an estimated year one tender price of \$683,075.92.*
- 14.1.3. *Awards the Tender for Contact No H340-2012 – Clunes Mt Cameron Road, Clunes - Pavement reconstruction, bituminous surfacing and associated works, Ch 6.100km to Ch 9.100km, for the lump sum of \$532,752.24 to Downer EDI Works Pty Ltd.*
- 14.1.4. *Awards the Tender for Contract No H341-2012 – Bald Hills Road, Creswick – Pavement reconstruction, bituminous surfacing and associated works, Ch 2.180km to Ch 1.085km, for the lump sum of \$333,652.25 to Fulton Hogan Industries Pty Ltd.*

15. CLOSE OF MEETING

The Meeting closed at 7:16 pm.
