



HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
MINUTES

TUESDAY 16 AUGUST 2016

CRESWICK SENIOR CITIZENS' CENTRE
WATER STREET, CRESWICK

6:00PM

This Document is printed on 100% Australian recycled paper

MINUTES

TUESDAY 16 AUGUST 2016

Creswick Senior Citizens' Centre
Water Street, Creswick
Commencing 6:00PM

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.....	7
6.2.	NOTICE OF MOTION - TRENTHAM COMMUNITY SERVICES HUB – SITE SELECTION, DESIGN AND COMMUNITY CONSULTATION.....	8
6.3.	NOTICE OF MOTION - TRENTHAM NEW MECHANICS COMPROMISE SOLUTION	12
7.	ITEMS OF URGENT BUSINESS.....	13
8.	PRESENTATION OF COUNCILLOR REPORTS	14
9.	PUBLIC PARTICIPATION TIME.....	21
9.1.	PETITIONS	21
9.2.	QUESTIONS.....	21
9.3.	REQUESTS TO ADDRESS COUNCIL	25
10.	STATUTORY PLANNING REPORTS.....	26
10.1.	PA1175 - SUBDIVISION OF THE LAND INTO 2 LOW DENSITY RESIDENTIAL LOTS, AT 30 ROSES LANE, CLUNES	26
	ATTACHMENT 1 - PA1175 -SITE PLAN - 30 ROSES LANE, CLUNES	36
10.2.	PA1319 - USE AND DEVELOPMENT FOR ANIMAL KEEPING (20 GREYHOUNDS).....	39

	ATTACHMENT 2 - PA1319 - SITE PLAN - 30 BERRY MINE LANE, CRESWICK	44
11.	OFFICER'S REPORTS	46
11.1.	COMMUNITY CONSULTATION PROCESS - TRENTHAM HUB - DEFERRED ITEM.....	46
11.2.	HEPBURN HUB AT THE REX INCLUDING LAND ACQUISITION	51
11.3.	PROPOSED REVISED BUDGET 2016/17	61
	ATTACHMENT 3 - PROPOSED REVISED BUDGET 2016/17 (ISSUED UNDER SEPARATE COVER)	69
11.4.	RECREATION AND OPEN SPACE STRATEGY	70
	ATTACHMENT 4 - RECREATION & OPEN SPACE STRATEGY 2016 -2021 (ISSUED UNDER SEPERATE COVER).....	76
	ATTACHMENT 5 - RECREATION & OPEN SPACE STRATEGY APPENDIX 2016 -2021 (ISSUED UNDER SEPERATE COVER)	77
11.5.	PROCUREMENT POLICY REVIEW.....	78
	ATTACHMENT 6 - POLICY 46 (C) – PROCUREMENT POLICY.....	81
11.6.	REVISED COMMUNITY PLANNING STRATEGY.....	115
	ATTACHMENT 7 -REVISED COMMUNITY PLANNING STRATEGY 2016.....	118
11.7.	REQUEST FOR APPROVAL TO OPERATE B-DOUBLE VEHICLES ON LOCAL COUNCIL ROADS.....	129
11.8.	RECORD OF ASSEMBLIES OF COUNCILLORS.....	133
	ATTACHMENT 8 - RECORDS OF ASSEMBLIES OF COUNCILLORS	136
12.	COUNCIL SPECIAL COMMITTEES (SECTION 86).....	146
12.1.	MINUTES OF SPECIAL COMMITTEES (SECTION 86).....	146
13.	COUNCIL ADVISORY COMMITTEES	148
13.1.	MINUTES OF ADVISORY COMMITTEES	148
13.2.	APPOINTMENT EXTENSIONS OF MEMBERS TO SPECIAL COMMITTEES	150
14.	CONFIDENTIAL ITEMS.....	158
14.1.	CLOSURE OF THE MEETING TO THE PUBLIC	158
15.	RE-OPENING OF MEETING TO PUBLIC	160
16.	CLOSE OF MEETING	161

MINUTES
ORDINARY MEETING OF COUNCIL
▶ 16 AUGUST 2016

AARON VAN EGMOND
CHIEF EXECUTIVE OFFICER
16 AUGUST 2016

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 NEIL NEWITT, COUNCILLOR BILL MCCLENAGHAN, COUNCILLOR KATE REDWOOD AM, COUNCILLOR SEBASTIAN KLEIN, COUNCILLOR PIERRE NICLAS, COUNCILLOR DON HENDERSON, COUNCILLOR GREG MAY

IN ATTENDANCE: AARON VAN EGMOND CHIEF EXECUTIVE OFFICER, GRANT SCHUSTER GENERAL MANAGER CORPORATE SERVICES, KATHLEEN BRANNIGAN GENERAL MANAGER COMMUNITY SERVICES, BRUCE LUCAS GENERAL MANAGER INFRASTRUCTURE, STEVE MILLARD MANAGER STRATEGIC ASSET MANAGEMENT, JUSTIN FIDDES MANAGER PLANNING, RICHARD HOWELL MANAGER MAJOR PROJECTS, TRAFFORD THOMPSON MANAGER FINANCE & INFORMATION TECHNOLOGY, MICHAEL HYNES COORDINATOR COMMUNITY & ECONOMIC DEVELOPMENT, ALEX DALGLEISH COORDINATOR GOVERNANCE & INFORMATION

STATEMENT OF COMMITMENT

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

3. **APOLOGIES**

Nil

4. **DECLARATIONS OF CONFLICTS OF INTEREST**

Cr Bill McClenaghan declared a conflict of interest concerning public question number 5.

Cr Sebastian Klein declared a conflict of interest in item 6.2.

5. **CONFIRMATION OF MINUTES**

RECOMMENDATION

That Council confirms the following Minutes (as previously circulated to Councillors) as required under Section 93 (2) of the Local Government Act 1989:

5.1. Ordinary Meeting of Council held on 19 July 2016

5.2. Special Meeting of Council held on 19 July 2016

MOTION

That Council confirms the following Minutes (as previously circulated to Councillors) as required under Section 93 (2) of the Local Government Act 1989:

5.1. Ordinary Meeting of Council held on 19 July 2016

5.2. Special Meeting of Council held on 19 July 2016

Moved: Cr Don Henderson

Seconded: Cr Kate Redwood

Carried

6. NOTICES OF MOTION

Two notices of motion have been received in accordance with Local Law Number 1 as follows:

Who	Date	Details
Cr Bill McClenaghan	3 August 2016	Trentham Hub - Cr McClenaghan requested that his motion be considered after item 11.1 (Trentham Hub - Community Consultation - Deferred Item).
Cr Sebastian Klein	5 August 2016	Trentham Hub

RECOMMENDATION

- 6.1. That Council adjusts the order of business to consider items 6.2 and 6.3, in the order they were received, following item 11.1 - Community Consultation Process -Trentham Hub - Deferred Item on the agenda.

MOTION

- 6.1. *That Council adjusts the order of business to consider items 6.2 and 6.3, in the order they were received, following item 11.1 - Community Consultation Process -Trentham Hub - Deferred Item on the agenda.*

Moved: Cr Bill McClenaghan

Seconded: Cr Sebastian Klein

Carried

The meeting proceeded to item 7.

The meeting considered the following item (6.2) after item 11.1.

Cr Sebastian Klein declared a conflict of interest in item 6.2 on the basis of an indirect conflict of interest - impact on residential amenity, given that the site referred to in the motion is adjacent to a property he owns.

Cr Sebastian Klein left the meeting at 8:56pm.

6.2. NOTICE OF MOTION - TRENTHAM COMMUNITY SERVICES HUB – SITE SELECTION, DESIGN AND COMMUNITY CONSULTATION

DATE: 3 AUGUST 2016

NOTICE OF MOTION

That Council:

- 6.2.1. *Confirms that the site for the Trentham Community Services Hub shall be Council owned land at 14A Victoria Street, Trentham.*
- 6.2.2. *Prepares and exhibits design plans for this site as adapted from previously presented design plans for the Hub.*
- 6.2.3. *Places the design plans for the Trentham Community Services Hub at 14A Victoria Street Trentham on public exhibition for one month and consults widely with residents and ratepayers to invite submissions on the design, layout and content of the Hub.*
- 6.2.4. *Considers all submissions received from residents and ratepayers before deciding on the final design, costing and content of the Hub and application for Government funding*

PURPOSE

The purpose of this motion and report to Council is to decide on a suitable and available site for the Trentham Community Services Hub and to work with the residents and ratepayers regarding the design and content of the Hub on that site so that there is a clear path ahead. Once general agreement has been reached, this will allow for fresh funding applications to be made to government.

BACKGROUND

Site selection for the Trentham Community Services Hub has been a long and arduous process that has involved considerable work, expense and community debate but which has not resulted in an outcome that sits comfortably within the community. Other levels of government have been unwilling to provide funding for this project whilst it remains controversial and the focus of community division.

This Notice of Motion is offered to provide a practical way forward for Council and the community by proposing that Council builds the Trentham Community Services Hub on Council owned land at 14A Victoria Street, Trentham. This is seen as a logical and sensible solution to the controversy generated by an earlier proposal to build the Hub on the site of the old Trentham Mechanics Institute at 66 High Street

Trentham that involved the demolition of the old Mechanics Institute Hall. The community is divided over the future of the old Mechanics Institute Hall with significant numbers totally opposed to demolition but with significant numbers in favour of demolition in order to create a much needed new and fit for purpose community asset on that site.

The Mechanics Institute Hall is on a large block of crown land through the Department of Environment, Land, Water and Planning. Until recently, a community committee was appointed to manage the Hall and site but this function has now been taken over by Council. Council's intention has been to demolish the Hall to make way for the new Hub and design plans have been created and exhibited for that purpose. These existing designs and plans for the Hub are immediately available as a starting point to show what could be done at 14A Victoria Street.

Council owns 14A Victoria Street outright, having received this land as a Grant from Her Majesty Queen Elizabeth II in 2003. The land can not be sold and can only be used for community purposes. An ideal use for this parcel of land would be for the Trentham Community Services Hub, whereby Council would build the Hub on Council's own land. This totally removes the need to take over other land and demolish a much loved Hall on that land.

ISSUE / DISCUSSION

Council is in total agreement with the Trentham community's aspiration to create a new fit-for-purpose community facility in the town. Divisions have arisen because of proposals to demolish the Mechanics Institute Hall to make way for the Hub. This proposal is to split the two issues apart; one on which there is general agreement and the other on which there are strongly divided views. This proposal allows for the best of both situations to occur whereby:

1. Trentham gets a new Hub and community facility that is fit for purpose and delivers a significant degree of equity with other Hepburn Shire towns; and
2. Trentham also gets the opportunity to keep its Mechanics Institute Hall as the only hall in town with a stage and other useable facilities. Management of this community asset could then be returned to an elected community committee or re-established as a Mechanics Institute with trustees.

Government funding will be available in the future for restoration of the Mechanics Institute Hall by a community committee of management in the same manner as the Glenlyon Progress Association applied for and received funding to restore the former Glenlyon Shire Hall. In the mean time, Government funding can be attracted for the Trentham Community Services Hub at 14A Victoria Street, on Council's own land once agreement has been reached between Council and the community on content and design aspects so that that this proposal is the best way forward.

FINANCIAL IMPLICATIONS

There are no real additional financial implications in building the Hub on a greenfield site where all services are available and where no demolition work is required prior to construction.

RISK IMPLICATIONS

This proposal will result in a lower risk to Council if the responsibility for a newly acquired parcel of land containing a building in need of restoration is transferred back to DELWP once there is no further need for Council to control and manage that land.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The community has been extensively consulted for many years but most especially in the last two years about the creation of a Community Services Hub in Trentham. Rather than consider again what has already been done, it is proposed that Council makes a definitive decision on the site for the Trentham Community Services Hub and consults again regarding the design and content of the Hub through broad based exhibition of design plans and invitation of submissions from residents and ratepayers within a suitable time frame.

CONCLUSION

Building the Trentham Community Services Hub on 14A Victoria Street, Trentham will deliver a much sought after community asset without causing any detriment to any existing community asset. Starting from a point where all agree, being the need to create a new Hub for Trentham, this proposal moves away from areas of division within the community such as demolition of the Trentham Mechanics Hall and concentrates on the positive good that can be achieved.

Council is now well placed with enough information on available sites, understanding of community aspirations, as well as project costings and designs to demonstrate decisive leadership and proceed with the most important project yet undertaken in Trentham.

Councillor Name:

Cr Bill McClenaghan

Councillor Signature:



Chief Executive Officer:

Aaron van Egmond

Chief Executive Officer Signature:



MOTION

That Council:

- 6.2.1. *Confirms that the site for the Trentham Community Services Hub shall be Council owned land at 14A Victoria Street, Trentham.*
- 6.2.2. *Prepares and exhibits design plans for this site as adapted from previously presented design plans for the Hub.*
- 6.2.3. *Places the design plans for the Trentham Community Services Hub at 14A Victoria Street Trentham on public exhibition for one month and consults widely with residents and ratepayers to invite submissions on the design, layout and content of the Hub.*
- 6.2.4. *Considers all submissions received from residents and ratepayers before deciding on the final design, costing and content of the Hub and application for Government funding*
- 6.2.5. *On adoption of this motion, instructs the Chief Executive Officer and relevant officers to immediately begin the process of handing back the management of the current Trentham Mechanics Institute to the relevant government authority, which is the Department of Environment Land Water and Planning (DELWP).*

Moved: Cr Bill McClenaghan

Seconded: Cr Don Henderson

Carried

The Mayor called a break at 9:24pm.

The meeting resumed at 9:31pm.

Cr Sebastian Klein returned to the meeting at 9:31pm.

6.3. NOTICE OF MOTION - TRENTHAM NEW MECHANICS COMPROMISE SOLUTION

DATE: 5 AUGUST 2016

NOTICE OF MOTION

- 6.3.1. *That Council modifies plans to construct the proposed Trentham Hub on the Mechanics site, with a design that incorporates the existing hall as part of the total floor area.*
- 6.3.2. *That the modified plans indicate that the existing hall be restored to a weatherboard cladding in keeping with the original building and heritage features.*

BACKGROUND

Nearing the end of the council term, there is reason to believe that council no longer wishes to consult the community, and so council finds itself in a position where an arbitrary decision must be made if the project is to progress at all.

One of the design iterations by the architects indicated what the floor plan might look like with the hall retained and later additions replaced with features reflecting the original built form of the hall.

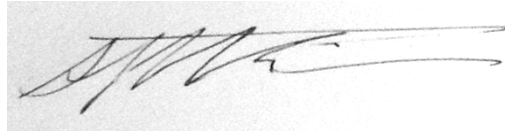
Building sensitively around and restoring the original Institute allows for the accessibility and amenity of a new building to be achieved while preserving the cherished social heritage of the hall. Also, this probably represents the best opportunity to make the investment required to restore the hall to its former glory, including the weatherboard frontage and annex with entrances to the East and West to protect community members from the prevailing southerlies of this area.

Building onto and restoring the much-loved Mechanics Institute Hall represents an opportunity for Council to tread a line of compromise between the extremes of, on the one hand, demolishing the whole building, or on the other, moving the site altogether. It represents a cost effective solution that will ensure the community is able to access the facilities it needs into the future and that it can preserve and cherish its history.

At the end of the day, this proposal is not just a move to salvage a project, or to save a beloved piece of community infrastructure. Through a solution that ensures that both sides of the debate can claim success, it is intended the whole community can come together in a shared venue, owned by everyone. It is a proposal to heal the rift in the community of Trentham.

Councillor Name: Sebastian Klein

Councillor Signature:



Chief Executive Officer: Aaron van Egmond

Chief Executive Officer Signature:



MOTION

- 6.3.1. *That Council modifies plans to construct the proposed Trentham Hub on the Mechanics site, with a design that incorporates the existing hall as part of the total floor area.*
- 6.3.2. *That the modified plans indicate that the existing hall be restored to a weatherboard cladding in keeping with the original building and heritage features.*

Moved: Cr Sebastian Klein

No Seconder

Lapsed

Following item 6.3, the meeting proceeded to item 11.2.

7. ITEMS OF URGENT BUSINESS

Nil

8. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor Neil Newitt, Cameron Ward

It has been a busy month with a number of meetings, including AGMs, Section 86 committee meetings, and facility planning (workshop) meetings.

Two years on from the opening of The Warehouse Clunes, I attended this month the first strategic planning meeting held at the facility, attended by representatives of the various user groups from the Clunes community.

Two years on and the Warehouse meeting rooms and gallery space are being used by many community groups for a range of activities and by a variety of businesses.

Around the table sat representatives from those very community groups and organisations that currently use the facility. These include the two museums, education and health services, neighbourhood house, creative Clunes, arts and other users.

When the Warehouse was proposed, there was a concern that this would draw user groups away from existing buildings (many historic) that were being used in town. One of the arguments at the time was that no-one will want to use old draughty halls and club rooms.

Far from happening, two years later, the Warehouse has become a catalyst for resurgence for these older existing buildings. We heard from the group gathered, that, Instead of being abandoned, these older facilities are attracting new users and increased activity. Examples of this included:

- The Clunes Town Hall is now used in excess of 260 days per year. Amongst the many uses, it is home to the very successful Tuesday community lunch and dinners held each week.
- The former school of mines in Clunes, restored to it's former glory by mint inc (now working heritage). it has been restored to its former glory and is managed by the local angling club.
- VicTrack restored the Clunes train station and this is being managed by the booktown organisers Creative Clunes.
- The Lee Medlyn Home of Bottles now also includes the Clunes Neighbourhood House.
- The Free Library has a committee of management focused on securing the future of this building.

Far from being abandoned with the building of The Warehouse, these historic buildings are now enjoying a resurgence of activity. The committees of management

are enthusiastically chasing and successfully acquiring grants from government and other institutions to deliver projects and activities for our communities - our youth, our seniors and all in between.

Many of the activities enjoyed today were inconceivable a few short years ago, due to space requirements. New ideas are emerging, and there is new enthusiasm and volunteers stepping forward to deliver them.

The population of our region is growing. Our towns are growing. But also growing is the communities' concerns in the crimes being committed in our towns.

As our population grows - so should our emergency services. Our communities have witnessed sharp growth in crime recently. We are being told to be proactive, to be vigilant, to look out for our neighbours, but too often when we need help, the resources are no longer available locally to respond urgently.

We are now being told not to leave valuables, purse/wallet/car keys on the kitchen bench when at home. There are reports of burglary and attempted burglary whilst the owners are present. These crimes are not happening just in public places and from parked cars - they are now happening in our homes.

What can council do to help?

The community wants us to take measures that will reduce vandalism to their towns.

We need to support the community by advocating (to State Government) for better police presence.

We must look at security cameras at our council-owned facilities - we must protect our public property.

And we need to be vigilant on compliance issues. We are a part of our communities - it is time to make sure we are supporting them in reducing vandalism and crime.

COUNCILLOR REPORTS

Councillor Pierre Niclas, Birch Ward

A very brief report this month Mr. Mayor given the small number of Council commitments I had locked in. That said the last four weeks were very interesting,

Unlike previous months this last month other than normal Council and committee meetings, I have engaged with quite a few residents and ratepayers on a number of issues, such as;

1. The Hub project moving to a joint Rex / Town Hall project.
2. The future of the Daylesford Cinema if Council purchased the Rex and adjoining land.
3. The lack of sealed roads within all our Town boundaries in this Shire.
4. Upcoming Council elections. etc, etc.

I can confidently state that the first three Topics mentioned have by far been the key topics of conversation.

In a nutshell, nearly every single person who has approached me on the Rex project has been very positive and excited about the future of the Rex under community ownership, with ideas on how we integrate the Cinema into the new plan, where we could put an Art space, etc, etc.

On the issue of condition of roads within our town boundaries, it has been made very clear to me by many residents that although we are doing a reasonable job with reducing / removing pot holes on some roads, we still have some way to go on extending on or delivering sealed roads in our townships.

Anyway, I'm certain that last topic will be more vigorously debated in the next month or so.

Last Sunday I had the great privilege of participating in the celebration of the Battle of Lon Tan, I wish to note my respect for the men and women who fought and many died for our country in a very unpopular war. I count myself lucky to have had the privilege of placing this councils wreath at the cenotaph.

Councillor Sebastian Klein, Coliban Ward

It often feels these days like the world is falling apart, with righteousness and vitriol apparently the order of the day, where an average rainfall is a reason to celebrate, where the order of peace and prosperity so carefully implemented through the latter part of the 20th Century appears to be shaken by conflicts, the shockwaves of which are felt around the world.

In the context of all of this tumult, it has been said that the best response, the most sustainable approach we can take, is to build community.

In that regards, we may take comfort and strength in, as Ghandi suggested thinking globally and acting locally... And in that vein there have been a number of events in the past have given me cause for comfort in an uncertain world.

In our Leading the Agenda Forum at the VLGA John Della Bosca spoke about the NDIS, and particularly its impacts on Local Government's Home and Complementary Care services. It was a reminder, that the spirit of egalitarianism is alive in our community and that we have not stopped at universal health care but have extended this care for one another to those most vulnerable in our communities.

At the Grampians Central West Waste and Resource Recovery Group Forum meeting, the delivery of the draft Implementation Plan (which I am tabling here tonight) gave us hope that we might be able to work together across three regions to look beyond jobs for the boys and chucking waste in a hole in the ground. The plan recognises some of the great work we are doing here in Hepburn, in aiming towards zero waste, and leading the region, if not the country.

My ward meeting had the second highest attendance in my eight years on council (topped only by one about child care) and was noteworthy for the largely respectful interactions of people with highly divergent views. Among a host of opinions, it was a clear majority at the meeting of 35, who preferred to compromise to meet a solution for the hub, a contingent who remain committed to working out what that compromise should look like by dialogue and discussion, and a small nugget of people who would only accept moving to a different site.

I remain, in the first instance, committed to further consultation on the site and design - as is the standing council resolution commits us to do. The outcome of this would have to be respected by council, by myself as the ward councillor, but most importantly, by all elements of the community as we seek political support for the project.

If council cannot see fit to follow through on their own motion, then I ask that they do not follow through with the effective gagging of debate and dialogue. Rather, on behalf of the community in which I live, the community I represent, I ask that we move for a solution which gives both sides a win and the opportunity to save face. It is definitely the outcome which people on both sides have repeatedly expressed to myself, the mayor and the CEO as one that they could get behind and one that preserves the efforts of six and more years by many Councillors.

Finally, the modern world and its concerns were forgotten for a few hours in the tea rooms of the Mechanics as the Bush Poetry event unfolded once more in fine fashion... This time blissfully politics free, apart from the exhortations of Jones and Dawkins of the town of patient Wombat. Special thanks go to Peta and Charles Sherlock, Bruce McKenzie, the Historical Society who ran it and all of the poets who represented the spirit and tradition of bush poetry so well.

Councillor Greg May, Creswick Ward

No Report Provided

Councillor Bill McClenaghan, Holcombe Ward

There is less than usual to report this month, Mr. Mayor. I conducted my usual monthly ward meeting on Monday 25 July 16 and have identified several issues in the Glenlyon area that will need to be addressed by Council.

No committees that I attend have met in the past month and the only one this week would have been the AGM of the Glenlyon Recreation Reserve Special Committee. Unfortunately the Treasurer is interstate and the Chair is in hospital so the AGM has been postponed until September. I plan to visit the committee chair in hospital and encourage his quick recovery.

Last Sunday, I too attended the march to the cenotaph in Daylesford for Vietnam Veterans' Day. This year is very special being the 50th anniversary of the battle of Long Tan during the Vietnam War. In this battle, a small force of Australian soldiers held off a much superior enemy force, inflicting a heavy toll on them by comparison. These days the battle is not glorified as nobody wins in the terrible tragedy of war. The event is remembered to focus on the sacrifice made by Australian soldiers in that war and to acknowledge the terrible price many servicemen and women have paid both in Vietnam and other wars like Afghanistan and also after they came home. Their suffering and suicide rates have again been recently highlighted as a terrible affliction on our country. My job on the day was to act as parade marshal and I had to again summon up my best parade ground voice

Councillor Kate Redwood AM, Birch Ward

This has been a month focusing on local issues – supporting fundraising for Christmas Cheer, attending the opening of Words in Winter with Dja Dja Wurung celebrity, Jida Gulpilil (son of the actor of the same name, and grandson of Sir Douglas Nicholls), attending the Friends of Wombat Hill Botanic Gardens function for Annie Pyers, and checking the progress of the newly planted bluebell wood, attending the past players home game for Daylesford Football Netball Club at Vic Park, and again selling raffle tickets for the Community Fair at the Farmers Arms.

The month has seen some big issues for Daylesford Neighbourhood Centre - negotiations with Parks Victoria about the ongoing committee of management issues re the site, negotiations with State Government regarding future access to the DNC site given that this has always been through the Old Police Station land, and participating in the recruitment of a new manager. The appointee has now been announced - congratulations to Fiona Robson.

BATA held its monthly breakfast gathering and also its AGM- both events well attended. There was great interest in our CEO's presentation regarding the Rex proposal and strong support. As an aside, the concern re lack of access to public toilets continues to be raised with me by BATA and other members of the community.

Other issues that have been raised with me and which are of concern to many is the increasing number of homeless people sleeping out, in picnic areas and in the bush. There are many reasons why people become homeless and no one size fits all solution. I have asked Hepburn Health CEO to call a meeting of representatives of the relevant agencies that provide support to homeless people.

I attended the local briefings regarding the NDIS and am concerned that some in our community may fall through the cracks given the process of assessing eligibility, and secondly the problem for service providers given the low hourly rates. I believe that in small rural shires, people with a disability and their families are very vulnerable in this NDIS roll out.

I have participated in the Go Women campaign to encourage more women to stand for election for local government, presenting as speaker at public meetings in Melbourne and also locally at Kyneton. There has been a meeting of the IWD advisory committee, in order to plan the next IWD event in March 2017, and to commence the process of advertising for nominations for the Heather Mutimer Hepburn Honour Roll for Women.

The next Birch ward meeting has been planned to address concerns re dogs at large, and is to be held in the Leonards Hill hall on Saturday 20 August. This meeting has been held over by a week to coincide with the Leonards Hill market, with the greater number of people likely to be present. I continue to be approached by people who have experienced dog attacks on pets and stock, particularly in the Musk Vale area.

Councillor Don Henderson, Creswick Ward

I recently attended a meeting of the Public Art Panel which will consider the next installation of public art in Trentham.

VOGA cycling club have been running a series of mountain bike events for young people. These have been well organised and supervised and the intention is to encourage our younger folk out into the fresh air to enjoy themselves. The most recent event took place at Calembreen Park and was attended by children from Clunes, Creswick and other areas.

The communities of Newlyn and Dean attended meetings recently to discuss community plans. Both Cr. May and myself were made very welcome at these events.

Yesterday I attended meeting at Goldfields Resort to discuss opportunities for mountain biking in the Creswick area. RACV are very supportive of these activities

and have flagged their support with over 6 kilometres of their tracks possibly being used as part of the scheme. The meeting was attended by cycling groups, RDV, RACV and council officers. We think that working together will achieve the greatest outcome possible.

I was surprised to receive an appreciation award and I understand that Cr May will also be given one as well, by our Dean Rec Reserve Committee. Since taking charge of the reserve on our behalf they have truly been one group who roll their sleeves up and appreciate every bit of assistance that Council provides. These good folk out there are always looking at ways to work with Council to get a better result rather than just putting their hands out and making demands. They are the ones who should be getting the awards.

Last week I assisted Cr McClenaghan deliver a very fine organ to the North Creswick Primary School. Thanks to Cr McClenaghan for assisting the school music program with this donation which will be greatly appreciated.

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: Cr Don Henderson

Seconded: Cr Bill McClenaghan

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 Chief Executive Officer 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 Chief Executive Officer by 12 noon on the day of the Council Meeting.

Questions received 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 - Georgie Patterson

I asked a question with regard to Childcare for Trentham at the May Council Meeting. I was advised that there was money allocated in the 2015-16 budget for planning and design works. We are now into the 2016-17 budget year.

When is it likely that Council will act on the Childcare Needs Analysis (Dec 2014) by completing planning and design works. Until this is completed there is no chance of calling for expressions of interest for a provider or seeking government subsidies?

Answered by the Chair - Mayor Neil Newitt

The next steps identified in the Trentham Childcare Needs Analysis were to 1) assess the suitability of the Trentham Preschool for a 22 place long day care facility and 2) call for expressions of interest from childcare providers to operate a childcare facility at this site in Trentham.

An expression of interest for a childcare provider will be advertised by the end of August 2016. Planning and design works will only be undertaken if there is a childcare provider willing to operate a childcare facility in Trentham.

Funds allocated for planning and design works in the 2015-16 budget were not expended and therefore will be considered for carry forward in Council's mid-year budget review in December.

Question 2 - Georgie Patterson

Will Council provide a timetable for implementing this much needed facility for Trentham as we are now almost 2 years post the needs analysis?

Answered by the Chair - Mayor Neil Newitt

The timeframe for developing a childcare facility in Trentham is reliant on a childcare provider being interested in operating the facility and capital funding for construction.

Question 3 - Georgie Patterson

At the May meeting I also asked if there was provision in the Budget for implementing this much-needed service to which there was no answer given so could Council please address this question by committing funds to the construction of the building and recruiting a service provider/operator.

Answered by the Chair - Mayor Neil Newitt

Implementation of a childcare service in Trentham will require a combination of capital funding to build the facility and operating costs. The operating costs are met from fee income. Financial modelling included in the Trentham Childcare Needs Analysis showed that an additional subsidy would be required to meet the gap between fee income and operating costs. The operating costs will be considered in Council's budget after a provider and funding is confirmed.

Question 4 - Gary McIntosh

Mr McIntosh was not present at the meeting and therefore his question will be responded to in writing.

Cr McClenaghan declared an indirect conflict of interest due to conflicting duties as a director of the Central Highlands Tourist Railway.

Cr McClenaghan left the meeting at 6:32pm.

Question 5 - Don Harvey

Public Meetings conducted by Hepburn Shire at Bullarto in 2002-03 and again in 2012-13 saw widespread support for a bike path along the railway line to Daylesford. On both Occasions we were advised by Council Officers that this could not be considered as the land was under the control of the Tourist Railway Group.

Last week's press notice of the development of a major bike trail between Maldon and Castlemaine along a successful tourist rail operation and the very successful bike trail between Daylesford and Queenscliff operating alongside a tourist rail line indicates to me that the bike trail could be constructed

Can the Hepburn Shire make an effort to find why the Daylesford to Bullarto section of the line has not been considered for a bike path so far, and take the necessary steps to bring the parties involved together for discussions on more public utilization of the old railway land and hopefully the development of a bike trail which would prove not only popular but financially beneficial?

Answered by the Chair - Mayor Neil Newitt

The Crossing Borders Tracks and Trails Project delivered reports on a number of priority walking and cycling projects across Hepburn Shire. It recommended the staged development of a Daylesford - Macedon Rail Trail on the Daylesford - Carlsruhe railway line.

The Trentham to Lyonville section of the Trail has been developed and consultation undertaken in relation to the Lyonville - Bullarto stage. It is proposed to include the Bullarto to Daylesford section in the overall rail trail, however this is more complicated as it would run next to an active railway line. It is the case that this land is currently leased by VlcTrack to Daylesford Spa Country Railway.

Cr McClenaghan returned to the meeting at 6:37pm.

Question 6 - John Gray

I attended a ward meeting on Tuesday 9 Aug facilitated by Cr Klein, during which Cr Klein passed around to those present plans which he said were prepared in back in February, for a proposed development at the Mechanics Institute site.

The plans indicated a development including a meeting area catering for around 250 people plus other ancillary offices etc catering for yet more attendees.

I asked Cr Klein that given the plans indicated parking spaces of approx 28 what was council's requirement for the provision of onsite parking for such a development.

Cr Klein's response was that he didn't know and that the requirements vary from situation to situation depending upon time of usage etc.

As there were many attendees at the ward meeting from all cross sections of the Trentham community who are greatly concerned about the ongoing decisions regarding this site could council please advise the following.

What is the status of this proposal and what are council's requirements for parking at the development as shown by Cr Klein, and is it council's intention to utilise Bath St and or portions of the Bath St Reserve for parking?

Answered by the Chair - Mayor Neil Newitt

Following consultation earlier this year with the Trentham community and in preparing a response to the petition/s lodged with Council, officers prepared some indicative sketches of how the old hall could be incorporated into the requirements of the Trentham Hub project. The purpose of these was to understand what was and was not possible on the site and are not a resolved architectural output.

The draft Concept Plans endorsed by Council in September 2014 provide for car parking behind the Hub on the Mechanics Institute site, as well as formalised on-street parking in Bath Street and High Street. Sufficient parking will need to be provided at the Trentham Hub to meet Planning Scheme requirements.

Question 7 - Saskia Post

Following on from the Ward Meeting held at the Trentham Library lead by Sebastian Klein.

I believe that Trentham is ready and able to have rigorous discussions and consultation with an outcome that will satisfy a majority of Trentham folk.

I would like to ask the Council if they are prepared to commit to further Community Participation and Engagement and follow through with a process that helps bring about a consensual outcome for Trentham regarding their Community Hub?

Answered by the Chair - Mayor Neil Newitt

At its ordinary meeting on 21 June 2016, Council endorsed "an additional broad-based community consultation process to facilitate the best way to progress the creation of the Trentham Community Hub on a suitable site".

Since then, Council officers have discussed options for that consultation with councillors and members of the public. The matter of further consultation for the Trentham Hub is on tonight's meeting agenda for consideration at item 11.1.

9.3. REQUESTS TO ADDRESS COUNCIL

1. Helen McDonald addressed Council, on behalf of Charles Sherlock, in relation to the Trentham Hub options and concerns about a sudden change in direction.
2. Gina Lyons addressed Council, as a representative of the Committee of Management of the Daylesford Community Cinema, in relation to item 11.2 and the Daylesford Community Cinema.
3. John McCallum addressed Council in relation to the Trentham Hub process to date, supporters to date and concerns with changing direction without consultation.
4. Greg Thompson addressed Council in relation to supporting The Rex proposal.
5. Don Harvey addressed Council in relation to concerns with the proposal to move the Trentham Hub to an alternate site.
6. Gillian Trebilcock addressed Council in relation to homelessness and options to address issues.

10. STATUTORY PLANNING REPORTS

10.1. PA1175 - SUBDIVISION OF THE LAND INTO 2 LOW DENSITY RESIDENTIAL LOTS, AT 30 ROSES LANE, CLUNES CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is for Council to make a determination on the application to subdivide the land at 30 Roses Lane, Clunes into two lots.

BACKGROUND

The subject site has a 201m frontage to Roses Lane and 308m length along its north and south boundaries having a total area of 6.1ha. The land is developed with a dwelling and shed and contains scattered vegetation. The subdivision seeks to create one lot for the existing dwelling, an area of 1.1ha and a vacant lot of 5ha.

The land is zoned Low Density Residential Zone (LDRZ) and is subject to an Environmental Significance Overlay - Schedule 1 (ESO1). The application was advertised and six objections have been received. As a result of the objections, the applicant submitted an amended subdivision layout that made the following changes:

- *Change to the proposed lot sizes (1.2ha to 1.1ha and 4.9ha to 5ha)*
- *Increased setback of the proposed building envelope and waste water envelope from the south boundary from 10m to 20m.*
- *Smaller building envelope.*
- *Change in the location of the driveway to the vacant lot away from the southern boundary.*

The application has been referred to Goulburn Murray Water (GMW) and Central Highlands Water (CHW) pursuant to Clause 66 of the Hepburn Planning Scheme who both gave conditional consent to the application.

The application was referred to Councils Engineering Department who gave conditional consent to the proposal

ISSUE/DISCUSSION

State and Local Policy

Clause 11 refers to Settlement and states:

- Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. Planning is to recognise the need for, and as far as practicable contribute towards:
- Health and safety.
- Diversity of choice
- Accessibility.

Clause 14.02-1 refers Catchment planning and management. The objective of this clause is to assist the protection and, where possible, restoration of catchments, waterways, water bodies and groundwater. The proposal for a two lot subdivision would achieve the objective as outlines above as the application has demonstrated compliance with the relevant Code of Practice for treating and disposing of effluent within both lots

Clause 21.09 refers to Environment and Heritage and includes in its key issues the protection of water quality and significant vegetation in any development proposals. The proposal achieves these key issues as the subdivision would lots each able to treat and dispose of effluent in accordance with the Code of Practice and has been designed to locate development to avoid the loss of vegetation.

As above, both State and Local Planning Policy encourages population growth in sustainable locations throughout the region which seek to minimise impacts of development on water catchments.. The Municipal Strategic Statement (MSS) seeks to encourage growth of existing urban areas on land that is zoned for residential purposes.

Zoning and Overlay Provisions

The purpose of the Low Density Residential Zone is to provide for low density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater. Decision guidelines, apart from those contained in Clause 65, are:

- The State Planning Policy framework and the Local Planning Policy framework, including the Municipal Statement and local planning policies.
- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage, the capability of land to treat and retain waste water.

Clause 32.03-3 of the LDRZ allows for subdivision with a minimum lot size of 0.4ha where reticulated sewerage is not connected. The lot sizes are considered to comply with the objectives and outcomes of the LDRZ as:

- The lot sizes exceed the minimum required (1.1ha & 5ha).
- The layout of the lots would reinforce a consistent subdivision pattern in this area
- The location of the building envelope on the proposed vacant lot provides sufficient setbacks to boundaries, consistent with the existing built form in Roses Lane.

The subdivision has been designed to avoid native vegetation removal from the site and is considered to provide a subdivision pattern and layout that is consistent with the existing development in this section of Roses Lane. The site is located in an existing Low Density Residential area containing a mixture of lot sizes and dwelling designs

Environmental Significance Overlay 1 – Proclaimed Catchment Protection.

The environmental objectives of the overlay are:

- To protect the quality of domestic water supplies within the Shire and the broader region.
- To maintain and where practicable enhance the quality and quantity of water within watercourses.
- To prevent increased runoff or concentration of surface water leading to erosion or siltation of watercourses
- To prevent erosion of banks, streambeds adjoining land and siltation of watercourses, drains and other features.
- To prevent pollution and increased turbidity and nutrient levels of water in natural watercourses, water bodies and storages

The proposal included the provision of a Land Capability Assessment which indicated that the land is able to treat and dispose of effluent in accordance with the

requirements of the Code of Practice. Both Goulburn Murray Water and Central Highlands Water have given conditional consent to the proposal.

Particular Provisions

Clause 52.01 – Provision of open space

This Clause refers to the public open space contribution and provides that a person who proposes to subdivide land must make a contribution to Council for public open space in an amount specified in the schedule to this clause, which is specified at 5% in this instance unless a subdivision is exempt from a public open space requirement, if:

- The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

Given the size of both lots, it is likely that the lots will be further subdivided, therefore this subdivision is not exempted as listed above and the subdivision will include a requirement for the provision of open space.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

N/A

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

N/A

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The application has been advertised by placing a notice on the site and sent to adjoining and adjacent owners and occupiers. As a result, six (6) objections have been received which can be summarised below. Each point is addressed in italics:

- The lots sizes and the subdivision does not reflect or respect the neighbourhood character and amenity of the area.

The proposed subdivision meets the minimum lot size in the LDRZ. The lot sizes proposed are generally larger than those existing in Roses Lane. It is considered that the proposed lots have responded to the layout of the site and would maintain the subdivision pattern along Roses Lane.

The only real change to the locality's neighbourhood character that could result from this subdivision would be the development of a future dwelling on the vacant lot, which would be restricted with the build envelope provided., noting that the building envelope has been provided with sufficient set backs from the southern boundary to allow for appropriate landscaping within this area.

- Approval of the application would create a precedent for an increased number of dwellings. Smaller block sizes will lose country, rural feel.

Roses Lane is an established low density residential area comprising a number of existing dwellings on a mixture of lot sizes. The proposed lot sizes are generally larger than the existing lots but would still allow the prevailing subdivision layout and development of dwellings in this area. The zone allows consideration of subdivision at this location.

- Effluent would not be able to be contained within the envelope provided. *The land capability assessment has demonstrated that both lots are able to treat and dispose of effluent within the boundaries of the land. Both GMW & CHW have given conditional consent.*

- The proposed subdivision site is not located within the urban growth boundary of Clunes, therefore should be refused.

The site is located outside the urban growth boundary of Clunes as shown in the Clunes Structure Plan located within the MSS at Clause 21.05. Being located outside the urban growth boundary does not prevent consideration of a application for subdivision in the Low Density Residential Zone that includes in its objectives to provide for low density residential development on lots of 0.4ha which, in the absence of reticulated sewerage, can treat and retain all wastewater. The proposal is considered to achieve these outcomes.

- Concerns raised regarding existing and future drainage infrastructure and water runoff.

The proposal was referred to Councils engineering department who have given conditional consent to the development subject to all stormwater to be directed to a legal point of discharge.

- Rural residential development should be located in areas to avoid or minimise any adverse impact on the environment, native vegetation and biodiversity of an area

The subdivision and access has been designed to minimise the removal of any vegetation and ample opportunity exists for landscaping within the set back areas that can further contribute to the amenity of the subject site.

CONCLUSION

The proposed subdivision supports the objectives and outcomes as stated in the State and Local policies of the Hepburn Planning Scheme within land zoned for Low Density Residential. The subject site can be serviced with minimal impact on existing infrastructure and provides for a subdivision layout that has avoided vegetation removal and is consistent with the subdivision pattern in this area of Roses Lane.

OFFICER'S RECOMMENDATION

That Council having caused notice of planning application PA 1175 to be given under Section 52 of the Planning and Environment Act 1987, and having considered all the matters required under Section 60 of the Act decides to issue a Notice of Decision to Grant a Permit under the provisions of Clauses 32.03-3 & 42.01-2, of the Hepburn Planning Scheme in respect of the land known and described as 30 Roses Lane, Clunes for a two lot subdivision with the application dated 28/01/2016 subject to the following conditions:

10.1.1. AMENDED PLANS

Before the plan of subdivision is certified under the Subdivision Act 1988, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions then three copies must be provided. The plans must be generally in accordance with the amended plans dated 22/6/2016 but modified to show:

(a) A landscape plan prepared by a suitably qualified person must be submitted to and approved by the responsible authority. Once approved, the plan will be endorsed, and will then form part of the permit. The plan must be drawn to scale and dimensioned and show details of screening vegetation to be planted on the southern boundary of the land extending from the length of the proposed effluent and building envelopes. within proposed Lot 1. Details must include species proposed, plant spacing, a time line for planting and steps to be taken to ensure the ongoing maintenance of the plantings to the satisfaction of the Responsible Authority.

10.1.2. PLANS TO BE ENDORSED

The subdivision must be carried out in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

10.1.3. BUILDING ENVELOPE

Before the Statement of Compliance is issued, the building envelope shown within Lot 1 as endorsed under condition 1, must be shown as a restriction on the plan of subdivision registered under the Subdivision Act, 1988. The restriction must provide that within lot 1 to be created, any future dwelling may only be constructed within the building envelope, as shown on the endorsed plans of this permit.

This envelope cannot be varied except with the consent of the responsible authority.

10.1.4. ENGINEERING

Stormwater Drainage

Stormwater shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No stormwater shall drain or discharge from the land to adjoining properties.

Access

Vehicle access/crossings to all lots are to be located and constructed of all weather surface to the satisfaction of the Responsible Authority.

Vehicle access/crossings to all lots are to be a culvert constructed in compliance with Infrastructure Design Manual Standard drawing SD 255.

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

Any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree.

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

All works must construct and complete prior to statement of compliance.

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

10.1.5. PAYMENT IN LIEU OF OPEN SPACE PROVISION

Before the statement of compliance is issued under the Subdivision Act 1988, the applicant or owner must pay to the responsible authority a sum equivalent to 5 per cent of the site value of all the land in the subdivision.

10.1.6. CENTRAL HIGHLANDS WATER CONDITIONS

a) Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.

b) A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant

10.1.7. GOULBURN MURRAY WATER

a) All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

b) The existing on-site wastewater treatment and disposal systems for new lot 2 must be wholly contained within the boundaries of the new lot created by subdivision. If necessary, the system must be upgraded to the satisfaction of council's Environmental Health Department.

10.1.8. RETICULATED SERVICES

The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

10.1.9. EASEMENTS

All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

10.1.10. CERTIFICATION

The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

10.1.11. TELECOMMUNICATION

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of

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

10.1.12.COMPLETION OF LANDSCAPING

Before the Statement of Compliance is issued or by such later date as is approved by the responsible authority in writing, the landscaping plan as required by condition 1.1.1 must be carried out and completed to the satisfaction of the responsible authority.

NOTE - SUBDIVISION

This permit will expire if the plan of subdivision is not certified within two years of the date of this permit.

The responsible authority may extend this period if a request is made in writing before the permit expires, or within six months afterwards.

Under section 7 of the Subdivision Act 1988, the plan of subdivision must be registered within five years of the date of certification.

James Curzon-Siggers addressed Council in opposition to PA1175.

MOTION

10.1. *That Mr Curzon be given a two minute extension of time to address Council.*

Moved: Cr Don Henderson

Seconded: Cr Bill McClenaghan

Carried

David Scott addressed Council in opposition to PA1175.

Sophie Curzon-Siggers addressed Council in opposition to PA1175.

Marcus Ryan addressed Council in opposition to PA1175.

MOTION

*That Council having caused notice of planning application PA 1175 to be given under Section 52 of the Planning and Environment Act 1987, and having considered all the matters required under Section 60 of the Act decides to **Refuse to Grant a Permit** under the provisions of Clauses 32.03-3 & 42.01-2, of the Hepburn Planning Scheme in respect of the land known and described as 30 Roses Lane, Clunes for a two lot subdivision with the application dated 28/01/2016 for the following reasons:*

10.1.1. *The proposed subdivision is out of character with the existing pattern of subdivision and development in the area.*

10.1.2. *The proposed subdivision may lead to an increase in the residential development that will detrimentally affect the amenity of the area.*

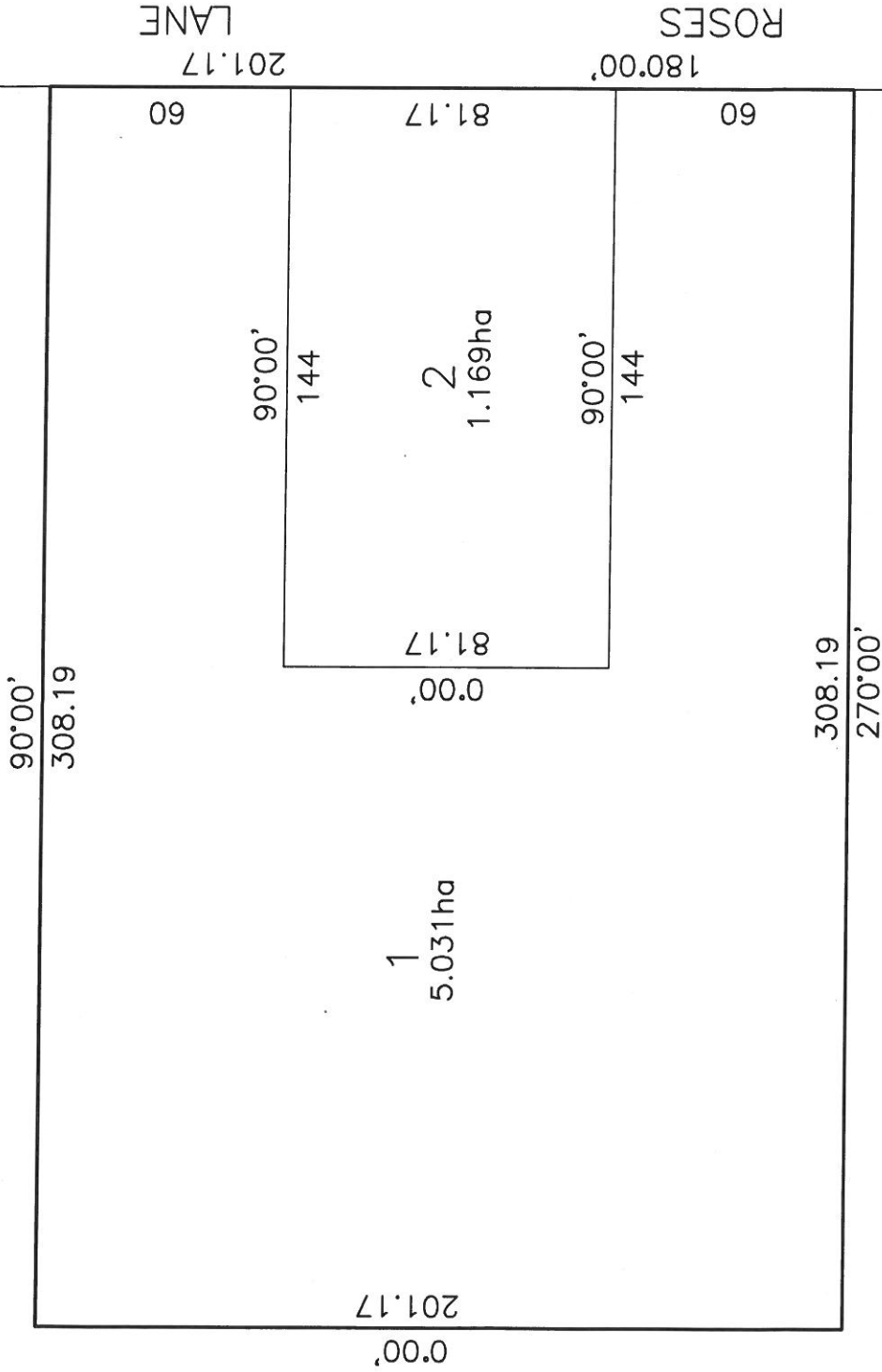
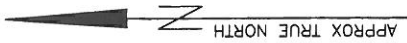
Moved: Cr Don Henderson

Seconded: Cr Pierre Niclas

Carried

ATTACHMENT 1 - PA1175 -SITE PLAN - 30 ROSES LANE, CLUNES

PS 725127H



NORTH CENTRAL LAND SURVEYING
 Ph: 5461 5233 Mob: 0448 884 042
 P.O. Box 172 Maryborough 3465

LICENSED SURVEYOR: MICHAEL CRAIG WILSON

REF No 1832

Version 03

SCALE 1:1250

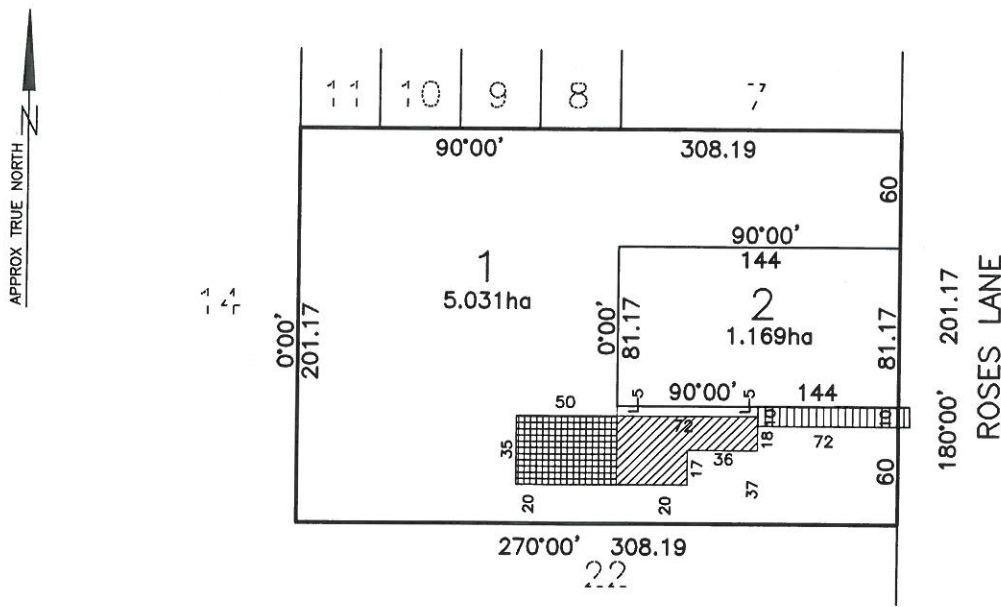
12.5 0 12.5 25 37.5 50
 LENGTHS ARE IN METRES

ORIGINAL SHEET SIZE : A3

Sheet 2

Amended Plans
rec 22/6/16.

PLAN OF BUILDING EFFLUENT & ACCESS ENVELOPES		STAGE NO /	LRS use only EDITION	Plan Number PS
Location of Land Parish: CLUNES Section: 6 Crown Allotment: 21 Title Reference: Vol 8965 Fol 961 Last Plan Ref: TP 593981J Postal Address: 30 ROSES LANE (at time of subdivision) CLUNES 3370 MGA94 Co-ordinates E 745350 (of approx centre of land in plan) N 5869030 ZONE:54		Council Certification and Endorsement Council Name: HEPBURN SHIRE COUNCIL Ref: 1. This plan is certified under Section 6 of the Subdivision Act 1988 2. This plan is certified under Section 11(7) of the Subdivision Act 1988 Date of original certification under Section 6 / / 3. This is a statement of compliance under Section 21 of the Subdivision Act 1988 Open Space (i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has/has not been made (ii) The requirement has been satisfied (iii) The requirement is to be satisfied in Stage Council Delegate Council Seal Date / / Re-certified under section 11(7) of the Subdivision Act 1998 Council Delegate Council Seal Date / /		LRS use only Statement of Compliance/ Exemption Statement Received <input type="checkbox"/> Date / / LRS use only PLAN REGISTERED Time Date / / Assistant Registrar of Titles Notations Depth Limitation Does not apply THIS IS A SPEAR PLAN Staging: This is not a staged subdivision Planning permit No: Land in subdivision is enclosed by thick continuous lines Survey This plan is based on survey This survey has been connected to permanent marks No(s). In Proclaimed Survey Area No. —
Vesting of Roads and or Reserves				
Identifier		Council/Body/Person		
—		—		
Easement Information				
Legend: E – Encumbering Easement or Condition in Crown Grant in the Nature of an Easement A – Appurtenant Easement R – Encumbering Easement (Road)				
Table				
Subject Land	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
—	—	—	—	—



ORIGINAL SCALE 1:2500	SHEET SIZE A3	SCALE 25 0 25 50 75 100 LENGTHS ARE IN METRES	LEGEND DENOTES PROPOSED BUILDING ENVELOPE DENOTES PROPOSED EFFLUENT ENVELOPE DENOTES PROPOSED ACCESS ENVELOPE	Sheet 1 of 1 Sheets
NORTH CENTRAL LAND SURVEYING Ph: 5461 5233 Mob: 0448 884 042 P.O. Box 172 Maryborough 3465			LICENSED SURVEYOR MICHAEL CRAIG WILSON SIGNATURE DIGITALLY SIGNED DATE REF 1832-PBEE VERSION 02	DATE / / COUNCIL DELEGATE SIGNATURE Original sheet size A3

**10.2. PA1319 - USE AND DEVELOPMENT FOR ANIMAL KEEPING (20 GREYHOUNDS)
CHIEF EXECUTIVE OFFICER**

In providing this advice to Council as the Planning Officer, I Alan Todd have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to determine the application PA1319 to use and develop land at 30 Berry Mine Lane, Creswick for keeping 20 greyhounds.

BACKGROUND

The buildings and works proposed are a 32m² extension to an existing shed to be used for kennels, and outdoor spelling and exercise yards. A management plan covering feeding, cleaning, housing of animals and monitoring of the operation was submitted with the application. The applicant has also indicated their intention to operate the establishment in accordance with the DEPI "Code of Practice for the Operation of Greyhound Establishments"

The application site is zoned Rural Living Zone and sits centrally in a large area of Rural Living land on the North West of Creswick. Many of the lots in this area, including the application site, have been developed with dwellings. The application site has an area of 4Ha, which is consistent with the pattern of subdivision in the vicinity. Land is generally fairly level, with little significant vegetation. This lends a character of open dispersed rural settlement to the area.

The application was advertised by placing a sign on the land, by notice in the Advocate newspaper, and by letter to owners and occupiers within approximately 500m of the application site. Thirteen objections were received. The concerns raised by the objectors are summarised as:

1. Potential for unacceptable noise from barking dogs
2. Adverse effect on the rural living character and amenity of the area
3. Effect on other animals – sheep particularly – due to inadequate fencing
4. Feed will attract foxes
5. Problems with effluent from animals
6. Unacceptable visual impact
7. Concern for animals in the event of a bushfire
8. If approved, it will set a precedent
9. Effect on neighbouring property values

The application was referred to Central Highlands Water and Council's EHO.

ISSUE/DISCUSSION

State and Local Policy

STATE POLICY clause 14.02-2 seeks to protect water quality.

To achieve this objective, planning should ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.

LOCAL POLICY clause 22.04 Rural Land seeks to ensure that rural amenity is not adversely affected by use or development in the rural areas.

Zoning and Overlay Provisions

Rural Living Zone

The purpose of the Rural Living Zone is

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for residential use in a rural environment.
- To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
- To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Environmental Significance Overlay 1 – Proclaimed Catchment Protection.

A permit is not required for the use of animal keeping under this overlay.

The buildings and works do not trigger a permit under this overlay.

KEY ISSUES

The key issue for this application is whether the keeping of greyhounds is an appropriate use in a Rural Living Zone, having regard to the policy framework, the existing land use and development in the area, and the requirement to protect rural residential amenity.

The Rural Living Zone differs significantly from the Farming Zone in that its purpose is to provide for residential use in a rural environment. The primary importance of residential use is further supported by the restriction on agricultural uses to those

which do not adversely affect the amenity of surrounding land uses. Agricultural uses (including animal keeping of more than 2 animals) require planning approval.

The application site is within an area already well established with rural living developments, in the form of dwellings and hobby farms. In this context, there are expectations that the amenity will be high.

A number of potentially significant amenity issues arising from the proposed greyhound keeping have been raised by objectors.

Objectors have raised significant concerns about the potential for unacceptable noise from barking dogs. The applicant submitted a management plan for the proposal which addressed the issue of barking by stating that it would be kept to a minimum, and that barking muzzles may be used. This is not considered adequate to control what is a serious noise concern wherever dogs are kept. The potential for unacceptable barking noise is further increased by the identified flat and open nature of the land in the area.

The effect of a greyhound establishment on the existing rural living character of the area was raised as a concern. This concern is supported. Agricultural uses in the Rural Living Zone are required to not adversely affect the amenity of surrounding land uses.

Other amenity concerns raised related to the safety of other animals on adjoining land, the likelihood that foxes would be attracted by animal feed, the visual impact of the proposed buildings and works, and potential water quality issues due to animal waste/effluent. It is considered that these matters could be adequately addressed by permit conditions.

Three further areas of concern, not relating to amenity, were raised. These were concern that animals were not properly protected in the event of a bushfire, concern that the proposal would set a precedent, and concern that property values would be affected. The land is not in a bushfire overlay, and planning has no role in protecting animals in the event of a bushfire. Planning has no role in considering property values.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

NA

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

NA

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The application was advertised in accordance with Section 52 of the Planning and Environment Act 1987.

CONCLUSION

The proposal to keep 20 greyhounds is not considered a good planning outcome. It is considered to have an unacceptable impact on the rural residential amenity of the area.

OFFICER'S RECOMMENDATION

That Council, having considered all the matters required under Section 60 of the Planning & Environment Act 1987 decides to Refuse to Grant a Permit under the provisions of clause 35.03 of the Hepburn Planning Scheme in respect of the land known and described as 30 Berry Mine Lane Creswick for Use and development for animal keeping (20 greyhounds) in accordance with the submitted plans, with the application dated 13/5/2016

For the following reasons:

10.2.1. The proposal does not protect rural amenity, which is required under local policy clause 22.04, rural land.

10.2.2. The proposal will adversely affect the amenity of surrounding land contrary to the purposes of clause 35.03, rural living zone.

Stefano Cassar, applicant, addressed Council in support of PA1319.

Ross Jones addressed Council in opposition to PA1319.

Elizabeth Ashman addressed Council in opposition to PA1319.

MOTION

*That Council, having considered all the matters required under Section 60 of the Planning & Environment Act 1987 decides to Refuse to Grant a Permit under the provisions of clause 35.03 of the Hepburn Planning Scheme in respect of the land known and described as **30 Berry Mine Lane Creswick** for **Use and development for animal keeping (20 greyhounds)** in accordance with the submitted plans, with the application dated **13/5/2016***

For the following reasons:

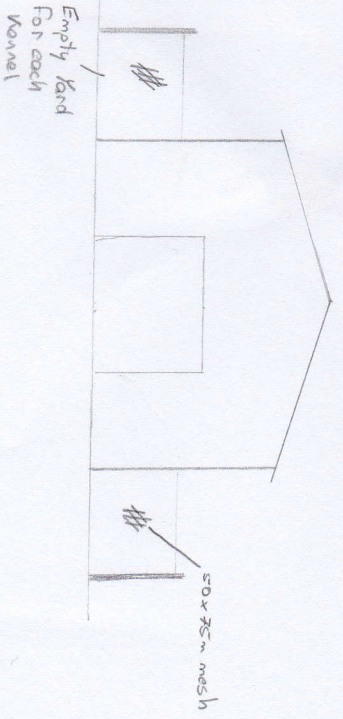
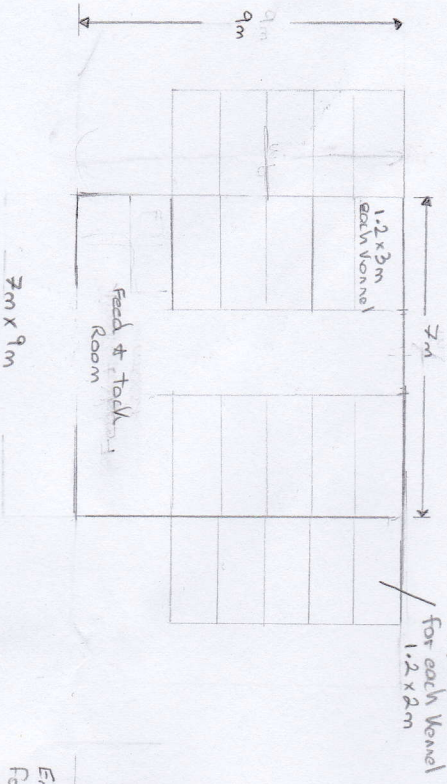
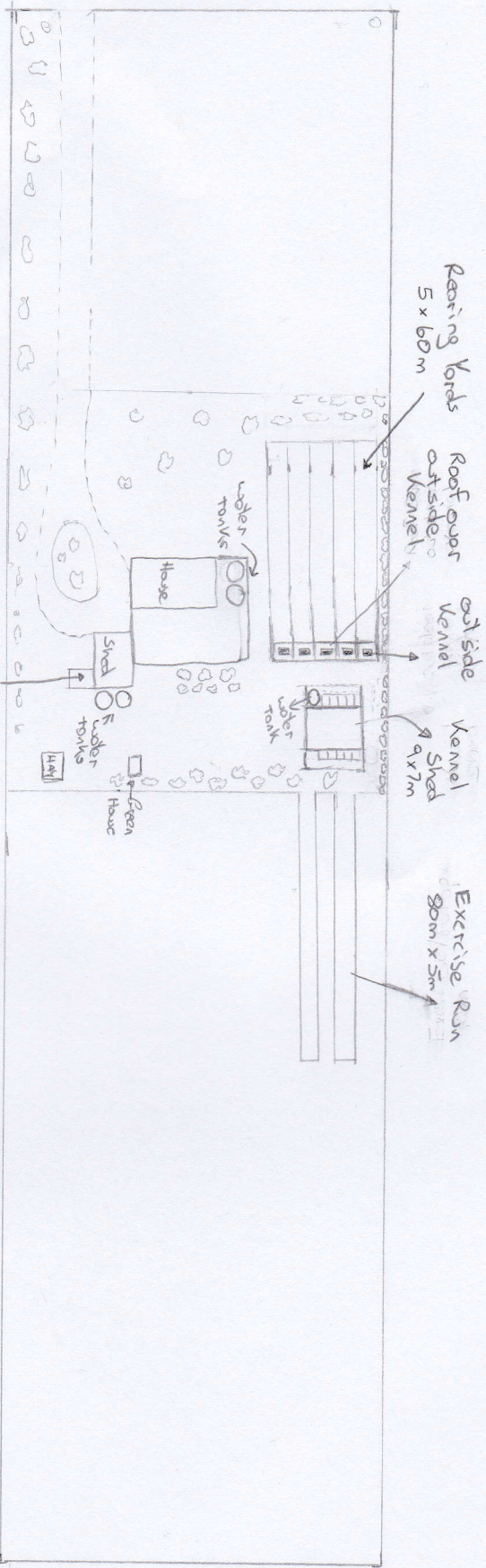
- 10.2.1. *The proposal does not protect rural amenity, which is required under local policy clause 22.04, rural land.*
- 10.2.2. *The proposal will adversely affect the amenity of surrounding land contrary to the purposes of clause 35.03, rural living zone.*

Moved: Cr Kate Redwood

Seconded: Cr Pierre Niclas

Carried

ATTACHMENT 2 - PA1319 - SITE PLAN - 30 BERRY MINE LANE, CRESWICK



11. OFFICER'S REPORTS

11.1. COMMUNITY CONSULTATION PROCESS - TRENTHAM HUB - DEFERRED ITEM CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is for Council to endorse a deliberative consultation process to progress the creation of the Trentham Community Hub on a suitable site.

BACKGROUND

The Trentham Community Facilities Review (2013) recommended development of a multi-use community hub in Trentham, combining the operations and services of the Trentham Neighbourhood Centre, Mechanics Institute Hall, Library and providing a Visitor Information Centre presence. It recommended that the Hub be built on the site of the existing Mechanics Institute.

In September 2014 Council endorsed the draft concept design, proposed governance model and business plan for the Trentham Community Hub. Council also noted that officers would commence applying for external funding for the capital cost of the Trentham Community Hub.

This item was originally on the agenda at the 19 July 2016 ordinary meeting, but was deferred. Following the July meeting, this matter has been workshopped by Council at its briefing on 2 August 2016, with a range of options considered. The recommendation from the previous meeting is presented again for consideration.

ISSUE/DISCUSSION

At its June 2016 meeting Council resolved to endorse an additional broad-based community consultation process to facilitate the best way to progress the creation of the Trentham Community Hub on a suitable site and which considers the utilisation of the existing Mechanics Institute building.

With initial contact through the community there had been some preliminary discussions about a different approach to engagement with New Democracy Foundation, an independent research organisation which conducts practical real world trials of innovative democracy, including Citizens Juries.

The consultation process should meet the following criteria. It should be:

- Broad based and representative of the community;
- Independent from key interest and stakeholder groups;
- Collaborative – “When we work actively with the community in developing solutions”;and,

- Based on facts and evidence.

It is proposed to empower a more representative sample of the community to recommend an approach forward for the Trentham Hub project by using a Citizens' Jury.

A Citizens' Jury is an innovative means of involving everyday people in the process of decision-making. It is a group of randomly selected members of a community convened to consider a given topic and provide a response or recommendation to the governing body.

Citizens' Juries work because the wider community see that citizens like them are:

1. being given complete access to information;
2. studying detailed evidence; and,
3. hearing from subject-matter experts.

Consultation Scope

There will no consultation on the need for a Trentham Hub and the services to be included as it is agreed that a community hub is needed in Trentham and will include a function area, kitchen, library, meeting/classroom space, research room, office and visitor services, an area of 1,128 square metres. The Citizens Jury will be asked to consider the best site to for the Trentham Hub, with no limitation on site options.

Consultation process

It is proposed to conduct a Citizens Jury made up of a random, representative sample of Coliban Ward residents and rate payers. This will involve:

1. Inviting a random sample of Coliban residents and rate payers to be part of the jury.
2. Stratifying responses by age, gender, and family status to select a jury of 20-24 people. People who have publically advocated strong views about the location of the Trentham Hub and/or future use of the Trentham Mechanics Institute, including demolition will be excluded from the jury. They may however be invited to present their views.
3. Conduct of a Citizens Jury with an independent facilitator. It is envisaged that this will involve one - two sessions where the jury hears from witnesses, asks questions and initial facilitated deliberation, including any requests for follow up information from the jury. All information provided to the jury, except where it is commercial in confidence, will be made publically available. This will be followed by final deliberation and recommendation to Council.

Once the jury recommendation is received Council will consider the recommendation and make a decision. Jury members and the community will be advised of the outcome and next steps.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2013:2017:

Strategic Objective – Active and Engaged Communities

Key Strategic Activity:

1. Work with and support communities and residents to implement community driven projects through community planning, provision of advice, information and community grants, acknowledging the significant contribution made by community volunteers.

FINANCIAL IMPLICATIONS

Costs associated with conducting a Citizens Jury include cost of undertaking an independent random sampling and invitation to participate in the jury, payment of an honorarium to jurors, engaging independent facilitator, catering and other miscellaneous costs. The estimated cost is between \$15,000 and \$20,000. New Democracy have offered to oversight the process at no cost. Council has allocated funding for construction of the Trentham Hub project in its 2016-17 budget.

RISK IMPLICATIONS

The risks associated with the proposed Citizen's Jury to recommend a preferred site for the Trentham Hub are minimal.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The focus of a community hub is to provide a space and environment that supports collaboration between user groups in a way that builds capacity and enables each organisation to deliver opportunities that would otherwise not be available. Additional benefits for Trentham are to consolidate services and activities and reduce operational burdens on volunteers.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There were two rounds of broad community engagement about concept designs for the Trentham Hub including community presentations and displays, surveys and the Trentham Hub web page.

In February, March and April 2016 community members were invited to consultation sessions regarding the Trentham Hub Project with the Mayor, Cr Neil Newitt, Ward Councillor, Cr Sebastian Klein and CEO, Aaron van Egmond. Over 60 people took up the invitation to meet and express their views.

A cross section of Trentham community members and people who have been active in the discussion about the location of the Hub and the future of the existing Mechanics Institute building met on Friday 15 July to discuss and endorse the consultation scope and process. Once the Citizens Jury process is completed these

community members will be asked to confirm that the process undertaken was what had been agreed.

CONCLUSION

The benefits of undertaking a deliberative process to work through the location of the Trentham Hub are that a variety of viewpoints are heard and discussed. Based on the previous Citizens Jury experiences, outcomes of the process are trustworthy, balanced and considered.

OFFICER'S RECOMMENDATION

That Council:

11.1.1. Endorse the proposed Citizens Jury process set out in the report to make a recommendation to Council on the preferred site for the Trentham Hub.

11.1.2. Approve an allocation of up to \$20,000 to conduct the Citizens Jury process.

MOTION

That Council:

11.1.1. *Endorse the proposed Citizens Jury process set out in the report to make a recommendation to Council on the preferred site for the Trentham Hub.*

11.1.2. *Approve an allocation of up to \$20,000 to conduct the Citizens Jury process.*

Moved: Cr Sebastian Klein

Seconded: Cr Pierre Niclas

Cr May called a point of order that he had signalled his intent to move a motion prior to Cr Klein's motion. The Mayor considered and determined that the meeting would hear Cr Klein's motion, and if that is lost then Cr May would be given the opportunity to move an alternate motion. The meeting proceeded to debate the motion.

Lost

MOTION

11.1.1. *The Council conducts a mail out survey of Coliban Ward residents to determine the preferred site for the Trentham Community Hub.*

Moved: Cr Greg May

Seconded: Cr Kate Redwood

Lost

MOTION

11.1.1. *That this matter lapses.*

Moved: Cr Bill McClenaghan

Seconded: Cr Kate Redwood

Carried

Following item 11.1, the meeting proceeded to item 6.2.

The meeting considered the following item (11.2) after item 6.3.

11.2. HEPBURN HUB AT THE REX INCLUDING LAND ACQUISITION

CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is for Council to consider whether to exercise its option to purchase The Rex property (47-53 Vincent Street Daylesford, and 6 Duke Street Daylesford) and 8 Duke Street Daylesford in order to deliver the Hepburn Hub across both the Daylesford Town Hall and The Rex sites.

BACKGROUND

Over the past two years, Council has been undertaking the Hepburn Community and Council Services Hub ('Hepburn Hub') planning and design project. The project seeks to improve services shire wide and integrate Council services to achieve cost savings and reduce Council's environmental impact.

Following extensive consultation on the spaces required in the Hub and concept designs, Council resolved in July 2015 to:

- *Confirm the Daylesford Town Hall and Swimming Pool site for the proposed Hepburn Community and Council Services Hub development in accordance with Concept 02.*
- *Approve the project to progress to the planning permit and detailed design stages.*
- *Confirm its commitment to funding Council's contributions to the project, including through asset sales as per the financial model and long term finance paid off through efficiency savings resulting from the project.*
- *Seek funding for the various components of the project from external sources.*

Although the resolution of July 2015 has been progressed, there have been delays, in particular with the Planning Permit associated with the project. In recent weeks, a new opportunity has arisen following discussions with the owner of The Rex in Daylesford, and at its 19 July 2016 Council meeting Council resolved to secure an option for the purchase of The Rex and neighbouring land (8 Duke Street).

ISSUE/DISCUSSION

Following the July 2016 meeting, Council has secured the option for purchase, informed the community of the proposal and undertaken an extensive range of

public consultation. The community consultation has included 10 public sessions in The Rex (attended by approximately 200 people), media announcement, public newspaper and Facebook information, and hard copy feedback forms. A number of additional presentations on the proposal were delivered at the request of local community groups, or to individuals that were unable to attend the advertised sessions.

A number of key themes have emerged from the Community consultation process and are also consistent with the nature of discussion on Social Media. Feedback forms/emails have been received up until 12 noon on 11 August 2016. Overall the feedback has been very positive and supportive of the revised Council direction.

The following themes have emerged throughout the process:

1. Concern for the Daylesford Cinema
2. Opportunities for the Arts Community
3. Opportunities for youth spaces
4. Support for the Library location and expansion
5. Support for the savings to ratepayers
6. Support for not selling the Visitor Information Centre and Library buildings
7. Support for the provision of public toilets at The Rex
8. Community opposition to the proposed unit development on The Rex car park
9. Support for the revitalisation of the site by Council
10. Support for the location of the Visitor Information Centre in Town Hall
11. Support for the increased public open space at Town Hall
12. Support for not building in the pool grounds
13. Suggestion to lease Duke St offices rather than selling

There are also a range of ideas, opportunities and concerns that have been provided throughout the process. The majority of these ideas, opportunities and concerns relate more specifically to the design of spaces and their locations within the space. This feedback will be considered in more detail prior to the construction phase of the project.

The Hepburn Hub project is a transformational project for the Hepburn Shire community. It will deliver significant social, environmental and financial benefits. The revised direction does not diminish the benefits of the former proposal at the Town Hall site. It does however demonstrate from a time, cost and quality perspective that "The Rex" combined with the Town Hall option will significantly improve the delivery time frame, increase financial benefits to ratepayers and improve the quality of the project; in particular, minimising risks associated with construction. This has been

confirmed and supported by the community during the community consultation process.

It is also noted that, prior to negotiations with Council commenced, the current owner of the property had lodged a Planning Application to further develop the site. The owner has formally suspended the application, which occurred prior to the signing of the option for purchase of the properties.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2013:2017:

Strategic Objective – High Performing Organisation

Key Strategic Activity:

27. Review Council's future office accommodation needs with a view to improving service delivery, environmental efficiency and universal access while progressing the rationalisation of redundant Council assets.

Action: Implement the Hepburn Council Services and Community Hub Business Case and Design Project

Strategic Objective – Sustainable Financial Management and Innovative Corporate Systems

Key Strategic Activity:

20. Continue to pursue alternate revenue streams and procurement efficiencies within Council's operating budget with a view to reducing the reliance on rate revenue.

Local Government Act 1989

Under the *Local Government Act 1989* section 146(1), Council cannot borrow money unless the proposed borrowings were included in a budget or revised budget.

Council has obtained written legal advice from Maddocks Lawyers in relation to the requirements and restrictions on Council in this regard if it resolves to purchase The Rex and adjust its plans for the Hepburn Hub. This advice confirmed the following:

"If Council exercises the option to purchase The Rex and 8 Duke Street, Daylesford and needs to borrow in order to finance the purchase or works associated with the Hepburn Hub Project:

1. *Council must prepare and adopt a Revised Budget;*
2. *the Revised Budget is capable of being adopted during the election period;*
and
3. *adoption of a Revised Budget is unlikely to be compromised by the fact that Council is already contractually committed to purchase the land."*

Therefore, if Council resolves to purchase The Rex, then it will also need to prepare a revised budget. A separate report is on this agenda to consider a proposed revised budget, subject to the decision for this item.

FINANCIAL IMPLICATIONS

Since day one of the project, the Hepburn Hub has aimed to make long-term cost savings for rate-payers, while improving services. Funding will include state and federal government grants, proceeds from the sale of surplus Council property and a long-term loan. By developing an integrated facility and rationalising assets, an overall cost reduction is achievable for rate-payers.

The financial model for this project has been updated to consider the revised Hub across both the Daylesford Town Hall and The Rex site. The land acquisition and fit out costs have been updated in the model, as well as the forecast income from commercial tenants in existing shops in The Rex and in existing Council assets including the current Daylesford Regional Visitor Information Centre and Daylesford Library.

The revised cost estimate for acquisition and construction, based on completion by 30 November 2017, is:

The Rex land acquisition	\$5,995,000
8 Duke St land acquisition	\$350,000
Title Office fees	\$5,000
Fit-out - Library and offices at The Rex	\$1,250,000
Outdoor Community Plaza at Town Hall and Pool	\$200,000
Town Hall and Seniors renovation	\$750,000
On-street Car Parking	\$0
Total	\$8,550,000

In addition to the core Hepburn Hub costs, the following expenditure will deliver new benefits to the pool, renewable energy generation and green waste management to at least the benefits shown in Concept 02 in July 2015 (for the Hub at the Town Hall site):

Swimming Pool Upgrades	\$700,000
Biomass Cogeneration	\$500,000

Total	\$1,200,000
The total cost of \$9,750,000 is proposed to be met with the following sources:	
Grant Funding - Swimming Pool Upgrades	\$200,000
Grant Funding - Living Libraries	\$500,000
Grant Funding - Daylesford Town Hall performance space and VIC	\$500,000
Grant Funding - Biomass Cogeneration	\$500,000
Asset Sales	\$2,345,000
Council Cash - Debt Management Financial Reserve	\$450,000
Council Cash - Waste Income 2017/18	\$250,000
Council Cash - Building Renewal 2017/18	\$600,000
Council Cash - Retained Earnings @ 30 June 2016	\$1,000,000
Borrowings	\$3,405,000
Total	\$9,750,000

In terms of using retained earnings versus borrowing, the cost of money is higher for borrowings. Therefore it is beneficial to utilise cash first, provided that Council retains enough to meet both current and future liabilities. Based on current expectations of our 30 June 2016 position, Council can contribute at least \$1 million in cash to delivering this project and save \$10,000 a year compared to taking out that in borrowings. The final amount to be borrowed should be confirmed later in the financial year when our 30 June 2016 position is confirmed, together with certainty on projects which have been carried forward into 2016/17.

The forecast **operating result**, after savings, additional rental income and interest repayments, is **\$457,800 saving per year**.

If the capital principal is paid off over 20 years (consistent with previous Hub modelling), the **net result** after capital repayments and the reduction in interest from cash held is a **\$257,550 saving per year**, compared to **\$122,660 saving per year for Concept 02** at the Daylesford Town Hall site.

It is however proposed that a shorter loan period of 10 years is committed to. The financial impact of the 10 year loan term is a **net result** after capital repayments and the reduction in interest from cash held of **\$87,300 saving per year**.

It should be noted that the financial benefits above reflect an improved financial position compared to what was presented to the community. This is due to a reduction in the acquisition cost of the two properties compared to what was originally modelled.

The agreed terms in the option for the purchase of The Rex and 8 Duke St require the deposit to be paid by 7 September 2016 and settlement on 26 September 2016. As a revised budget will not be finalised by settlement, Council will need to pay the settlement using cash. Cash can be obtained from cash on deposit, cash on call and Council's overdraft facility. By 30 June 2017, the cash contribution will be partially reduced using borrowings and income from asset sales and grants, such that the final result is as shown above. In terms of managing cash flow, current forecasts show that Council will have sufficient cash at call to pay the settlement balance. In the event that income from the first rate instalment comes in later than prior years, Council can draw on its overdraft facility. Even in the worst case, this is anticipated to be needed for less than 14 days.

In summary, the financial model demonstrates that the Hepburn Hub project at The Rex and Town Hall will deliver an even stronger cost positive position compared to Concept 02, with loan repayments and new costs more than offset by efficiency cost savings and extra income.

RISK IMPLICATIONS

The Hepburn Hub project seeks to address a number of long standing risks to Council's operations, including:

- Non-compliance with access requirements (e.g. disability) for staff and members of the public resulting in legal liability and inability to use facilities
- Future escalating costs from having a number of assets to deliver the same services or assets that are not fit-for-purpose
- Libraries in Creswick and Daylesford that are too small to service the growing demand into the future resulting in a decrease in patronage
- Poor reputation of Council resulting from a low level of environmental sustainability performance of its buildings.

All the above risks will be addressed through the new proposal across The Rex and Town Hall sites.

The proposed acquisition of The Rex and adjacent land is a significant investment for Council, but has a much reduced construction cost. The Hepburn Hub planning and design project has considered and responded to a number of risks, including the development of a robust financial model. This financial model has allowed the efficient assessment of an alternate option and confirmed its viability.

This project is significant and complex, and has project delivery risks that need to be managed. Consequently, a detailed risk management plan has been prepared. This plan is continually monitored, updated and is used to inform the actions taken throughout the process. New risks introduced with this change include:

- Displacing the Community Movie Theatre and the need to work with them to find an alternate location.
- Moving the location of the proposed library and the potential that community members will not be supportive.
- Different financial considerations, which have been considered using our robust financial model.

One of the key strengths of the proposed project, is the reduction or elimination of a number of risks that existed with the Hepburn Hub project.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The project seeks to achieve benefits across environmental, social and economic areas. The Hepburn Community and Council Services Hub in the new proposed configuration will deliver improved Council services and community outcomes, will be more cost efficient for Council and its ratepayers, will be accessible to all and will demonstrate the highest levels of environmental sustainability.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

This project has included, and continues to include, a wide range of community engagement processes in order to understand community views and make changes to address them:

- Key stakeholder consultation – current facility issues and needs
- Hepburn Hub website – project information, plans and comments
- Community Event and Workshops – project information, displays and workshop sessions and seeking input about concept plans
- OurSay Forum - community ideas, comments and voting
- Drop-in sessions and workshops - community ideas, comments and feedback
- Hard copy feedback forms with drop boxes at the Daylesford Town Hall and Daylesford Library
- Shire News, Facebook page and The Advocate - providing information and advising dates for consultation sessions

There has been an extensive community consultation process over the last two years on the Hepburn Hub. Speaking with the community, stakeholders and user groups has enabled Council to determine the best way to improve and integrate services into a hub model. We have a significantly greater understanding of the Hub's

requirements, particularly how services and spaces can be consolidated to benefit the community.

CEO Aaron van Egmond has been speaking with members of the community about the new proposal at consultation sessions held at The Rex on the following dates

- July - Wednesday 27th, Thursday 28th, Friday 29th, Saturday 30th
- August -Monday 1st, Wednesday 3rd, Saturday 6th, Tuesday 9th

Additional sessions have been delivered to interested community members and community groups throughout the consultation period who were unable to attend the specified sessions.

CONCLUSION

The new proposal for the Hepburn Hub across The Rex and Town Hall sites meets the aims of the project, and is responsive to community feedback during consultation. Investigations have confirmed the feasibility of the project across these two sites, and will achieve improved outcomes to the other options considered. The acquisition of The Rex land will enable this project to be delivered, and therefore Council should exercise the option to purchase The Rex and neighbouring land.

Detailed discussions have taken place with the management committee of the Daylesford Cinema. These discussions have been productive and have assessed a range of potential sites. Although further work is required it has been identified that 2 sites in particular have the potential to meet the needs of the Cinema being the existing Daylesford Library site or in the Rex. Council officers are supportive of these 2 sites subject to more detailed assessment. Council officers will continue to work with the Daylesford Cinema committee in the pursuit of a mutually beneficial outcome.

OFFICER'S RECOMMENDATION

That Council:

- 11.2.1 Notes the financial, time and quality benefits associated with delivering the Hepburn Hub across The Rex and Daylesford Town Hall sites, including significant additional income expected from commercial leases in The Rex and current VIC and Daylesford library.
- 11.2.2. Exercises the option for purchase of The Rex and 8 Duke Street Daylesford, and authorises the Chief Executive Officer to sign the contract documents.
- 11.2.3. Commits to delivering the Hepburn Hub across The Rex and Town Hall site at a cost estimate of \$9.75 million (including \$6.345 million for land acquisition and \$3.405 million for construction).
- 11.2.4. Finances the Hepburn Hub through a combination of property sales income, cash (asset renewal funding, debt management financial reserve, retained

earnings, waste management income), grant income and borrowings (up to \$3.405 million).

- 11.2.5. Notes that it will not take out borrowings until a revised budget 2016/17 has been adopted in accordance with the Local Government Act 1989, and may use a short term overdraft to fund the property settlement if required until all first instalment rate income is received.
- 11.2.6. Calls for expressions of interest from third parties to purchase Hepburn Shire Council owned properties being 59 Main Road Hepburn (Old Hepburn Depot) and 1 Bleakley Street Daylesford (2 lots of vacant land).
- 11.2.7. Calls for expressions of interest for the lease of Hepburn Shire Council owned properties being Daylesford Visitor Information Centre (96 Vincent Street) and Daylesford Library (33 Albert Street).
- 11.2.8. In order to further assess its options, calls for expressions of interest to either purchase or lease all or part of the 10 Albert Street Daylesford (Duke St offices) property.
- 11.2.9. Calls for expressions of interest for the lease of available retail spaces within The Rex building.
- 11.2.10. Authorises the Chief Executive Officer to evaluate, negotiate and sign the lease/rental arrangements (on behalf of Council) within the limits of CEO delegation, and where relevant in accordance with section 190 of the Local Government Act 1989.

MOTION

That Council:

- 11.2.1. *Notes the financial, time and quality benefits associated with delivering the Hepburn Hub across The Rex and Daylesford Town Hall sites, including significant additional income expected from commercial leases in The Rex and current VIC and Daylesford library.*
- 11.2.2. *Exercises the option for purchase of The Rex and 8 Duke Street Daylesford, and authorises the Chief Executive Officer to sign the contract documents.*
- 11.2.3. *Commits to delivering the Hepburn Hub across The Rex and Town Hall site at a cost estimate of \$9.75 million (including \$6.345 million for land acquisition and \$3.405 million for construction).*
- 11.2.4. *Finances the Hepburn Hub through a combination of property sales income, cash (asset renewal funding, debt management financial reserve, retained*

earnings, waste management income), grant income and borrowings (up to \$3.405 million).

- 11.2.5. *Notes that it will not take out borrowings until a revised budget 2016/17 has been adopted in accordance with the Local Government Act 1989, and may use a short term overdraft to fund the property settlement if required until all first instalment rate income is received.*
- 11.2.6. *Calls for expressions of interest from third parties to purchase Hepburn Shire Council owned properties being 59 Main Road Hepburn (Old Hepburn Depot) and 1 Bleakley Street Daylesford (2 lots of vacant land).*
- 11.2.7. *Calls for expressions of interest for the lease of Hepburn Shire Council owned properties being Daylesford Visitor Information Centre (96 Vincent Street) and Daylesford Library (33 Albert Street).*
- 11.2.8. *In order to further assess its options, calls for expressions of interest to either purchase or lease all or part of the 10 Albert Street Daylesford (Duke St offices) property.*
- 11.2.9. *Calls for expressions of interest for the lease of available retail spaces within The Rex building.*
- 11.2.10. *Authorises the Chief Executive Officer to evaluate, negotiate and sign the lease/rental arrangements (on behalf of Council) within the limits of CEO delegation, and where relevant in accordance with section 190 of the Local Government Act 1989.*

Moved: Cr Pierre Niclas

Seconded: Cr Kate Redwood

Carried

**11.3. PROPOSED REVISED BUDGET 2016/17
GENERAL MANAGER CORPORATE SERVICES**

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

PURPOSE

The purpose of this report is for Council to consider the Proposed Revised Budget 2016/17.

BACKGROUND

Council adopted its 2016/17 Budget at the 21 June 2016 ordinary meeting. The adopted Budget has no proposed borrowings.

Subject to Council's decision at item 11.2 on tonight's agenda in relation to the acquisition of The Rex and development of the Hepburn Hub, Council may need to take out borrowings this financial year. The *Local Government Act 1989* requires Council to specify any planned borrowings in its budget or revised budget. Therefore, if Council requires borrowings to acquire The Rex, it is required to prepare a revised budget and provide the opportunity for people to make a submission under section 223 of the Act on any proposal contained in the revised budget.

ISSUE/DISCUSSION

The attached Proposed Revised Budget 2016/17 is based on the Budget 2016/17 adopted by Council in June, with adjustments made for:

- Revised 30 June 2016 balances based on current knowledge in preparing 2015/16 financial statements
- Changes in Capital Expenditure for the Hepburn Hub across The Rex and Daylesford Town Hall sites in both 2016/17 and 2017/18
- \$3.405 million of borrowings to partially fund acquisition of The Rex and adjoining property
- Increased asset sales to partially fund acquisition of The Rex and adjoining property
- Increased use of cash reserves to partially fund the Hepburn Hub and property acquisition
- Increased income from rental premises at The Rex
- Reduced capital grants, reflecting capital grants received in advance in 2015/16 and reduced capital grants expected for the Hepburn Hub in 2016/17 and 2017/18
- Updated recording of medium term investments (>90 days) as financial instruments in accordance with accounting standards

There are no proposed changes to:

- rates and charges
- operating expenditure not related to interest costs
- non-capital initiatives
- capital projects (other than those related to the Hepburn Hub and acquisition of The Rex and adjoining property)

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council has obtained written legal advice from Maddocks Lawyers in relation to the requirements and restrictions on preparing a revised budget if Council resolves to purchase The Rex and adjust its plans for the Hepburn Hub. This advice confirmed the following:

"If Council exercises the option to purchase The Rex and 8 Duke Street, Daylesford and needs to borrow in order to finance the purchase or works associated with the Hepburn Hub Project:

4. *Council must prepare and adopt a Revised Budget;*
5. *The Revised Budget is capable of being adopted during the election period;*
and
6. *Adoption of a Revised Budget is unlikely to be compromised by the fact that Council is already contractually committed to purchase the land."*

Under the *Local Government Act 1989* section 146(1), Council cannot borrow money unless the proposed borrowings were included in a budget or revised budget.

When preparing a revised budget, Council has a statutory responsibility to prepare a proposed revised budget and advertise it for public comment.

The attached report contains the necessary statutory information required under the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2014*.

The recommendations below are the formal resolutions to be passed by Council to finalise the Proposed Revised Budget 2016/17, which will be placed on public display until 5pm Wednesday 28 September 2016.

FINANCIAL IMPLICATIONS

The following summarise the differences between the adopted Budget 2016/17 and the Proposed Revised Budget 2016/17:

<i>Income Statement</i>	Budget 16/17 \$'000	Proposed Revised Budget 16/17 \$'000
Total Income	33,422	32,274
Total Expenditure	27,844	27,855
Surplus	5,578	4,422

<i>Balance Sheet</i>	Budget 16/17 \$'000	Proposed Revised Budget 16/17 \$'000
Total Current Assets	13,712	12,755
Total Non-Current Assets	228,072	235,043
Total Current Liabilities	6,182	4,901
Total Non-Current Liabilities	2,468	5,784
Equity	233,134	237,113

<i>Cash Flow Statement</i>	Budget 16/17 \$'000	Proposed Revised Budget 16/17 \$'000
Net cash provided by operating activities	11,760	10,505
Net cash provided by/ (used in) investing activities	(12,837)	(8,192)
Net cash provided by / (used in) financing activities	(554)	2,840

<i>Cash Flow Statement</i>	Budget 16/17 \$'000	Proposed Revised Budget 16/17 \$'000
Net increase/(decrease) in cash	(1,630)	5,154
Cash and equivalents at start of year	12,457	3,931
Cash and equivalents at end of year	10,826	9,085

<i>Statement of Capital Works</i>	Budget 16/17 \$'000	Proposed Revised Budget 16/17 \$'000
Land	0	6,345
Buildings	6,049	5,304
Total Expenditure	13,936	19,536

RISK IMPLICATIONS

The revised budget is increasing Council's borrowings, however when Council's revised forecast is assessed against VAGO indicators the following both remain low risk:

Indicator	Budget 16/17	Proposed Revised Budget 16/17
Working Capital	222%	260%
Indebtedness	12%	27%

Although working capital may appear relatively high, with interest only loans it is prudent that cash reserves are increased each year to be able to pay off the full principal when it becomes due at the end of the loan.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

No change from adopted Budget 2016/17.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Proposed Revised Budget 2016/17 will be publicly advertised in the local newspapers and on our website seeking submissions from interested parties in accordance with Section 223 of the Local Government Act 1989.

The Proposed Revised Budget and prescribed information will be available for inspection for 28 days at Council offices in Daylesford, Creswick and Clunes, at all Hepburn libraries and from Council's website at www.hepburn.vic.gov.au

Any person may make a submission to Council on any proposal contained in the revised budget. Submissions received by the Council before 5pm Wednesday 28 September 2016 will be considered when Council adopts the revised budget on 18 October 2016.

CONCLUSION

If Council resolves to purchase The Rex, it is required to prepare and publicly advertise a Proposed Revised Budget 2016/17. The attached Proposed Revised Budget demonstrates how The Rex acquisition will have an overall positive impact on Council's financial position into the future.

OFFICER'S RECOMMENDATION

That Council, having complied with the requirements in the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014 regarding the preparation and content of the Revised Budget for the 2016/17 financial year:

- 11.3.1. Determines that the Revised Budget for 2016/17, as presented to the meeting, be proposed for the purpose of Section 128 of the Local Government Act 1989.
- 11.3.2. Makes the following declarations in relation to the Proposed Revised Budget 2016/17, which commences 1 July 2016:
 - \$3.405 million is proposed to be borrowed during the 2016/17 financial year.
 - The total amount of borrowings as at 30 June 2017 is projected to be \$5.71 million, which is \$2.995 million more than the amount at 30 June 2016.
 - No changes are proposed to rates or charges in the Revised Budget for 2016/17 compared to the Budget for 2016/17 adopted on 21 June 2016.
- 11.3.3. Gives Public Notice of the preparation of a Proposed Revised Budget 2016/17.

- 11.3.4. Makes the Proposed Revised Budget 2016/17 available for public inspection for 28 days at Council offices in Daylesford, Creswick and Clunes; at Libraries in Daylesford and Trentham and on Council's website.
- 11.3.5. Invites any person to make a written submission up until 5pm on Wednesday 28 September 2016, addressed to the Chief Executive Officer.
- 11.3.6. Intends to meet on Tuesday 18 October 2016 at 6pm to hear submissions received, and to consider and determine the adoption of the Revised Budget 2016/17.

MOTION

That Council, having complied with the requirements in the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014 regarding the preparation and content of the Revised Budget for the 2016/17 financial year:

- 11.3.1. *Determines that the Revised Budget for 2016/17, as presented to the meeting, be proposed for the purpose of Section 128 of the Local Government Act 1989.*
- 11.3.2. *Makes the following declarations in relation to the Proposed Revised Budget 2016/17, which commences 1 July 2016:*
 - *\$3.405 million is proposed to be borrowed during the 2016/17 financial year.*
 - *The total amount of borrowings as at 30 June 2017 is projected to be \$5.71 million, which is \$2.995 million more than the amount at 30 June 2016.*
 - *No changes are proposed to rates or charges in the Revised Budget for 2016/17 compared to the Budget for 2016/17 adopted on 21 June 2016.*
- 11.3.3. *Gives Public Notice of the preparation of a Proposed Revised Budget 2016/17.*
- 11.3.4. *Makes the Proposed Revised Budget 2016/17 available for public inspection for 28 days at Council offices in Daylesford, Creswick and Clunes; at Libraries in Daylesford and Trentham and on Council's website.*
- 11.3.5. *Invites any person to make a written submission up until 5pm on Wednesday 28 September 2016, addressed to the Chief Executive Officer.*
- 11.3.6. *Intends to meet on Tuesday 18 October 2016 at 6pm to hear submissions received, and to consider and determine the adoption of the Revised Budget 2016/17.*

Moved: Cr Kate Redwood

Seconded: Cr Bill McClenaghan

Carried

Councillor Don Henderson called for a division.

Councillors that voted in favour of the motion: Councillor Bill McClenaghan, Councillor Greg May, Councillor Pierre Niclas, Councillor Neil Newitt, Council Kate Redwood, Councillor Sebastian Klein

Councillors that voted against the motion: Councillor Don Henderson

ATTACHMENT 3 - PROPOSED REVISED BUDGET 2016/17
(ISSUED UNDER SEPARATE COVER)

11.4. RECREATION AND OPEN SPACE STRATEGY

GENERAL MANAGER COMMUNITY SERVICES

In providing this advice to Council as the Community and Economic Development Project Coordinator, I Michael Hynes have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to present the Recreation & Open Space Strategy 2016 - 2021.

BACKGROUND

The 2013- 2017 Council plan included the key strategic activity of Active and Engaged Communities. Priority #4; Implement a proactive and planned approach to the maintenance, renewal and upgrade of recreation assets. In order to deliver this priority, Council committed to the development of a Recreation and Open Space Strategy 2016 - 2021.

The Recreation and Open Space Strategy will inform Council on the planning, provision, management and priorities for a diverse range of sustainable sport and recreation facilities, infrastructure and services that address community needs and contribute to the overall liveability of Hepburn Shire.

ISSUE/DISCUSSION

Hepburn Shire features a diversity of quality, accessible and sustainable open spaces and recreational facilities supported by passionate community members.

The Recreation and Open Space Strategy 2016 – 2021 is presented in two separate documents.

Attachment 4- Recreation and Open Space Strategy 2016 - 2021.

Attachment 5– Recreation & Open Space Strategy Appendixes 2016 -2021

The strategy outcomes have been organised into pillars that form the basis of what HSC sets out to achieve over the coming five years. These pillars link to the priorities actions outlined in the Recreation and Open Space Strategy 2016 – 2021 Document No.1

STRATEGIC PILLARS

Projects identified in the strategy are based around five pillars underpinning what each project sets out to achieve. They are:

Facilities	The provision of recreational facilities and open space for structured and unstructured physical activity
Community Support & Development	Increase the capacity of the Community to provide recreational activity and opportunity
Sustainability	Adopt best practice design and sustainability principles in the implementation of facilities and open space projects
Utilisation & Participation	Facilitate participation and equality in physical activity through the provision of facilities and activities across Hepburn Shire
Policy & Management	Guide decision making in the effective management of recreation and open spaces in a clear and transparent way

PLANNING PRINCIPLES

The following planning principles have been defined to guide the development and management of open space and recreation in Hepburn Shire. Where possible initiatives will be supported providing that they:

- 1 Align with the Council Plan, relevant policies and strategic directions such as community plans, master plans and management plans and the need can be clearly demonstrated
- 2 Increase participation in physical activity
- 3 Are financially viable to develop and maintain and reduce the impact on volunteers
- 4 Increase the diversity of opportunities available, are multi-purpose in design and increase accessibility for people of all abilities where possible
- 5 Provide social and networking opportunities for the community
- 6 Provide a safer or more comfortable experience for participants / spectators
- 7 Minimise / reduce the impact on the environment and protect / enhance township character
- 8 Are consistent with best practice initiatives and local, regional, state or national trends (if relevant)

ACTION PLAN

The action plan provides a set of objectives to guide Hepburn Shire Council in the planning, development and management of recreation and open space facilities and opportunities from 2016-2021. Priorities have been developed from:

- An assessment against Council's vision and planning principles for recreation and open space;
- Community Workshops;
- An assessment of existing strategies and Reports;
- Physical audit of facilities;
- Review of existing practices and procedures;
- Assessment of best practice;
- Community Surveys;
- Interviews with Key Stakeholders;
- Demographic review;
- Analysis of existing programs;
- Examination of trends and participation rates;
- Review of available or potentially accessible resources.

Each of the actions is prioritised, required resources identified and the potential sources of funds outlined. Resources or costs are indicative only and are based on 2016 costs. Supplier quotations will need to be sourced in order to gain accurate costing. It is anticipated that wherever possible, external funds will be sourced to help fund initiatives.

The Actions are listed according to their respective Pillar for Recreation and Open Space and can be found in the Recreation and Open Space Strategy 2016 - 2021.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2013:2017:

Strategic Objective – Active and Engaged Communities

Key Strategic Activity:

4. Implement a proactive and planned approach to the maintenance, renewal and upgrade of recreation assets.

FINANCIAL IMPLICATIONS

Indicative costing for each project along with possible funding support that may be required is included in the strategy. Funding for each project will need to be secured on an individual basis.

RISK IMPLICATIONS

This strategy delivers minimal risk to Council as all actions identified are clearly linked to required resources and funding. Risk assessments will be carried out on a project by project basis prior to implementation.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Recreation and Open Space Strategy delivers key tools and processes to assist Council in its delivery of equitable facilities and programs across the Shire. The levels and standards of deliver are clearly documented and address important environment/social/economic impacts.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

In-depth community consultation was undertaken. The community were provide with an opportunity to comment through community group sessions, face to face interviews, online and written surveys, internal workshops and phone interviews. All key user groups and stakeholders were consulted or given the opportunity to comment at length and have input into the Recreation and Open Space Strategy. All consultation outcomes are captured in the appendixes.

CONCLUSION

The Recreation and Open Space Strategy 2016 -2021 identifies key focus areas and priorities that will guide Council over the next 5 years on our project delivery. It informs Council on the planning, provision, management and priorities for a diverse range of sustainable sport and recreation facilities, infrastructure and services that address community needs and contribute to the overall liveability of Hepburn Shire

OFFICER'S RECOMMENDATION

11.4.1. That Council endorses the Recreation and Open Space Strategy 2016 -2021.

MOTION

That Council

- 11.4.1. *Endorses the Recreation and Open Space Strategy 2016 - 2021*
- 11.4.2. *That the strategy include reference to accessible public toilets at public recreation facilities in "Issues and Opportunities" on page four of the appendix and also at point 4 on page 44 of the main doc.*
- 11.4.3. *That the strategy include reference to master planning at the Trentham Recreation Reserve for future infrastructure needs at point 15 on page 44 under Actions, and re-categorise to Medium Priority to be completed in year 1*
- 11.4.4. *Various minor administrative amendments as per discussion in briefing*
- 11.4.5. *That the issues and opportunities section on page 23 of the appendix be amended to show a cricket/soccer pitch, second netball court and new pavilion all be shown as "Y*" demonstrating that they would be considered in a plan or strategy*

Moved: Cr Sebastian Klein

Seconded: Cr Don Henderson

Lost

MOTION

- 11.4.1. *That Council endorses the Recreation and Open Space Strategy 2016 - 2021*

Moved: Cr Don Henderson

Seconded: Cr Kate Redwood

Carried

ATTACHMENT 4 - RECREATION & OPEN SPACE STRATEGY 2016 -2021
(ISSUED UNDER SEPERATE COVER)

ATTACHMENT 5 - RECREATION & OPEN SPACE STRATEGY APPENDIX 2016 -2021
(ISSUED UNDER SEPERATE COVER)

11.5. PROCUREMENT POLICY REVIEW

GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Manager Finance and Information Technology, I Trafford Thompson have no interests to disclose in this report.

PURPOSE

The purpose of this report is to review Council's Policy 46 (C) – Procurement Policy.

BACKGROUND

Section 186A of the *Local Government Act, 1989* (the Act) requires Council to prepare and approve a procurement policy. Subsection 186A (7) requires Council, at least once in each financial year, to review the current procurement policy and may, in accordance with this section, amend the procurement policy. This section of the Act defines procurement policy to mean the principles, processes and procedures that will apply to all purchases of goods, services and works by Council.

ISSUE/DISCUSSION

Significant changes were made to the Procurement Policy adopted by Council in June 2015 after taking into consideration requirements of the Act and Model Procurement Policy as prepared by the Municipal Association of Victoria. As a result, only minor changes to the policy have been proposed during this legislated review. Numerous changes have however been made to procedures, guidelines and templates to assist staff in complying with the policy. These documents are available to all staff via the intranet and TRIM. Changes within the policy document include the removal of references to out of date supporting documents and position titles.

A suite of documents have been developed during the past year for staff use to provide them with procedural guidelines that step through the necessary and optional requirements for procurement at Hepburn Shire Council. Different templates have been produced for the varying purchasing value thresholds.

Templates have been developed to deliver consistent application across Council departments and to external suppliers when seeking quotations, tenders or expressions of interest. A new online portal is being utilised for the advertising and receipt of tenders. This portal is also utilised to seek requests for quotation, thereby opening up Council's procurement process to additional prospective suppliers.

Administration of the procurement policy within Council's financial management systems, TechnologyOne, has also been amended. Users are now unable to approve their own purchase requisitions. All requisitions now require dual authorisation before they can be released to suppliers in the form of an order. Requisitions are workflowed to a second staff member for approval.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Section 186A of the *Local Government Act, 1989* requires Council to prepare and approve a procurement policy. Subsection 186A (7) requires Council, at least once in each financial year, to review the current procurement policy and may, in accordance with this section, amend the procurement policy.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

The Procurement Policy is a key control in managing purchasing risks for Council.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The Procurement Policy provides a mechanism for considering environmental and social implications through the use of questionnaire templates which may be used when seeking expressions of interest or evaluating tenders or quotations. Economic implications are addressed by providing suppliers a fair opportunity to compete for work with Council.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Consultation with departments across Council was utilised to assist in preparing the suite of user templates and guidelines. The policy is available to the public via Council's website and will also be available for inspection in Council offices.

CONCLUSION

The Procurement Policy has been reviewed in accordance with the Act and continues Council's focus on obtaining Best Value for rate-payers in all purchasing decisions and supports Council in purchasing goods, services and works in a fair and transparent manner.

OFFICER'S RECOMMENDATION

11.5.1. That Council adopts Policy 46 (C) – Procurement Policy and makes it available for public inspection on Council's website and at Council's offices.

MOTION

11.5.1. *That Council adopts Policy 46 (C) – Procurement Policy and makes it available for public inspection on Council’s website and at Council’s offices.*

Moved: Cr Kate Redwood

Seconded: Cr Sebastian Klein

Carried

ATTACHMENT 6 - POLICY 46 (C) – PROCUREMENT POLICY

POLICY NUMBER: 46 (C)

NAME OF POLICY: Procurement Policy

DATE AMENDED: August 2016

DATE OF NEXT REVIEW: June 2017

RESPONSIBLE OFFICER: Manager Finance and Information Technology

REFERENCES:

Local Government Act 1989

Policy 45 (C) Fraud Prevention

Policy 51 (O) Acceptance of Gifts or Other Gratuities by Employees

Policy 54 (O) Corporate Credit Card

Policy 57 (O) Staff Code of Conduct

CEO Instrument of Delegation to Staff – Purchasing

FOL/15/851 Procurement - Guidance

FOL/15/852 Procurement - Templates

TechOne - Purchasing Procedure – DOC/12/4903

Best Value Principles

Hepburn Shire Council has the responsibility to provide its ratepayers with best value, with all services provided by Council meeting the expectations in terms of quality and cost. In providing this, all services need to be accessible, responsive to the needs of the community, considerate of the natural environment and subject to continuous improvement.

To achieve the best over life outcome for Council's expenditures, which meets quality and service expectations, there will be periodic review of services against best on offer in both the public and private sectors.

All Council staff members are responsible for supporting best value principles in their normal day to day actions to ensure services are recognised by the community as delivering best value.

To promote the best value principles, Council has, through this policy, developed processes where consistent and continual market testing is required to deliver and demonstrate best value for all areas of procurement. When procuring any goods or services, staff should seek to spend Council funds as if they were their own.

Contents

1.	Introduction.....	5
1.2	Scope.....	5
1.3	Purpose	6
1.4	Treatment of GST.....	6
1.5	Definitions and Abbreviations.....	6
2.	Policy Compliance and Control.....	9
2.1	Ethics and Probity.....	9
2.1.1	Conduct of Councillors and Council Staff.....	9
2.1.2	Members of Professional Bodies.....	9
2.1.3	Tender Processes.....	9
2.1.4	Conflict of Interest	10
2.1.5	Fair and Honest Dealing	10
2.1.6	Accountability and Transparency	10
2.1.7	Acceptance of Gifts and Hospitality.....	11
2.2	Governance.....	11
2.2.1	Structure	11
2.2.2	Standards.....	11
2.2.3	Methods	12
2.2.4	Responsible Financial Management	12
2.2.5	Preferred Supplier Selection and Review.....	12
2.3	Procurement Thresholds and Competition.....	13
2.3.1	Competition Thresholds.....	13
2.3.1.1	Public Tenders and Expressions of Interest.....	13
2.3.1.2	Late Tenders.....	14
2.3.1.3	Quotations.....	15
2.3.1.4	Purchases through an existing Council, or Collaborative Purchasing scheme .	16
2.3.1.5	Evaluation Criteria.....	17
2.4	Delegation of Authority (Section 98 of the Act)	18
2.4.1	Delegations	18
2.4.1.1	Council Officer	18
2.4.1.2	Purchasing Decisions reserved for the Council.....	18

2.4.1.3	Contract Variation.....	18
2.4.1.4	Purchasing Delegation Thresholds.....	19
2.5	Internal Controls.....	20
2.6	Risk Management.....	20
2.6.1	Supply by Contract.....	20
2.7	Contract Terms.....	21
2.8	Terms of Payment.....	21
2.9	Dispute Resolution.....	21
2.10	Contract Management.....	21
2.11	Engagement of Contract Staff.....	21
3.	Demonstrate Sustained Value.....	22
3.1	Achieving Value for Money.....	23
3.1.1	Approach.....	23
3.1.2	Role of Specifications.....	23
3.2	Performance Measure and Continuous Improvement.....	24
3.2.2	Performance Indicators.....	24
3.2.3	Management Information.....	24
3.3	Sustainability – (refer Attachment 3 Environmental Sustainability Questionnaire)...	25
3.3.1	Sustainable Procurement.....	26
3.4	Diversity.....	27
3.5	Support of Local Business.....	27
3.6	Social Procurement – Refer Attachment 4 Social Procurement Questionnaire.....	27
3.7	Performance Reporting.....	28
4.	Build and Maintain Supply Relationships.....	28
5.	Policy Review.....	28

Attachments

1. Purchasing Policy Quick Reference Guide
2. Environmentally Sustainable Purchasing Questionnaire
3. Social Procurement Questionnaire

Procurement Policy

1. INTRODUCTION

Hepburn Shire Council requires that Council's contracting, purchasing and contract management activities endeavour to:

- support the Council's corporate strategies, aims and objectives including, but not limited to those related to value for money, sustainability, waste minimisation, protection of the environment, youth, local employment and corporate social responsibility;
- take a long term strategic view of its procurement needs while continually assessing, reviewing and auditing its procedures, strategy and objectives;
- provide a robust and transparent audit trail which ensures that projects are delivered on time, within cost constraints and that the needs of end users are fully met;
- are conducted, and are seen to be conducted, in an impartial, fair and ethical manner;
- achieve value for money and quality in the acquisition of goods, services and works by the Council;
- ensure that risk is identified, assessed and managed at all stages of the procurement process;
- use strategic procurement practices and innovative procurement solutions to promote sustainability and best value, in particular making use of collaboration and partnership opportunities;
- use social procurement to enhance sustainable and strategic procurement to effectively contribute towards building stronger communities and meeting the wider social objectives of the Council;
- comply with legislation, corporate policies or other requirements, ensuring that all staff responsible for procurement and contract management are aware of and adhere to the legislative requirements, Council standards and best practice.

1.2 Scope

Section 186A of the *Local Government Act 1989* ("the Act") 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, and 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

1.3 Purpose

The purpose of this policy is to:

- achieve consistency and control over procurement activities;
- demonstrate accountability to rate payers;
- provide guidance on ethical behaviour in public sector purchasing;
- apply best practice in purchasing;
- obtain best value when purchasing goods and services; and
- support the 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.

1.4 Treatment of GST

All monetary values, being Procurement Thresholds 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	Information that, if released, may prejudice the business dealings of a party e.g., prices, discounts, rebates, profits, methodologies and process information.
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.
Expression of Interest Process	A process, either public or to select respondents, seeking submissions from potential supplier to provide goods, services or works. An Expression of Interest may be followed by a select tender, request for quotations or negotiation with a shortlisted number of respondents. Depending on the amount of the purchase, specific rules relate to purchasing options following an expression of interest process.
Probity	Probity relates to Council conducting its business in a fair, honest, ethical and open manner, demonstrating the highest levels of integrity consistent with the public interest. In the context of a procurement process, probity is a defensible process which is able to withstand internal and external scrutiny – one which achieves accountability and transparency, and provides potential suppliers with fair and equitable treatment.
Preferred /Panelled Supplier Agreements	Preferred/Panelled suppliers are in place for regular use items, commodities and services that have been market tested, and compliant with copies of insurances and qualifications held to file 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 tender within a set timeframe, followed by evaluation of submissions and selection of a successful bidder or tenderer. Under the Act, purchasing thresholds dictate when a tender is mandatory and the options for conducting it. A tender can also be used for purchases less than the mandated thresholds.
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 in a Monopoly Market	For some purchases, it may be that there is only one provider providing the required supply in the market. The only transparent means of demonstrating that multiple suppliers do not exist is to undertake a public tender or expression of interest. If that action demonstrates that there is only one supplier then a council is free to enter into a contract with that supplier, while being 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 fairly, openly and honestly. Procurement activities must be able to withstand the closest possible internal or external 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 to both the Councillors Code of Conduct and Employees Code of Conduct). Staff and Councillors will:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of Commercial in Confidence information such as contract prices, intellectual property and other sensitive information;
- present the highest standards of professionalism and probity;
- deal with suppliers in an honest and impartial manner;
- declare and appropriately manage conflicts of interest so that they do not impact on purchasing decisions;
- provide all suppliers and tenderers with the same information and equal opportunity; and
- be able to account for all decisions and provide feedback on them.

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 Conflict of Interest

Councillors and Council staff shall at all times avoid situations in which private interests conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties.

Councillors and Council staff involved in the procurement process must declare any interest that may conflict or could be perceived to conflict with an impartial assessment of the purchasing decision being made.

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 or may not be financial in nature. For example, a conflict may arise from a personal relationship or from involvement with a community based organisation.

Having an actual or potential conflict of interest in itself it 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/15/14726 Conflict of Interest and Confidentiality Declaration-Internal).

Following declaration of a potential conflict of interest by a staff member, that staff member's supervisor or a member of the Leadership Team needs to determine how the conflict will be managed. Managing a conflict can be achieved by excluding the staff member from the related procurement or determining that there is no conflict and allowing the staff member to continue to be involved. If there is any doubt as to the impact of the potential conflict on fairness and probity, the staff member must be excluded from any further involvement in the related procurement process.

Declarations of conflicts by Councillors are managed in accordance with the Act.

2.1.5 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.

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.

2.1.6 Accountability and Transparency

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. All documentation (including but not limited to specifications,

correspondence, meeting notes, tenders, quotes, and evaluation notes) related to procurement activities must be saved into Council's records management system (TRIM).

2.1.7 Acceptance of Gifts and Hospitality

All offers of gifts from potential suppliers to staff must be considered in accordance with Council's Acceptance of Gifts or Other Gratuities Policy 51(O). Under section 78C of the Act, a conflict exists if a staff member has accepted a cumulative value of gifts greater than \$500 from a particular person or supplier over a five year period.

No Councillor or member of Council Staff shall, either directly or indirectly solicit 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.

2.2 Governance

2.2.1 Structure

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 Council's procurement structure:
 - is flexible enough to purchase in a timely manner the diverse range of material, goods, works and services required by Council;
 - ensures that prospective contractors and suppliers are afforded an equal opportunity to tender/quote;
 - encourages competition; and
- ensure that policies that impinge on the purchasing policies and practices are communicated and implemented.

2.2.2 Standards

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

- The Act,
- Council's Code of Conduct;

- Other Council policies;
- Other relevant legislative requirements such as but not limited to the Trade Practices Act, Goods Act, Environmental Protection Act and OH&S Act.

2.2.3 Methods

The Council's standard methods for purchasing goods, services and works include:

- purchasing card or corporate credit card;
- store card;
- purchase order following a quotation process, including obtaining a minimum number of quotations, from suppliers for goods or services that represent best value for money;
- purchase order following an Expression of Interest (EOI) and/or Request for Quotation (RFQ) process;
- under contract following a Expression of Interest (EOI) and Tender process;
- under contract following a Tender process;
- using aggregated purchasing arrangements with other Councils, MAV Procurement, Victorian Government, or other bodies;
- other arrangements authorised by the Council or the CEO on a needs basis as required by exceptional circumstances such as emergencies.

2.2.4 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)

2.2.5 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 Council's records system (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.

The use of a preferred supplier does not eliminate the requirement to obtain quotations in accordance with quotation thresholds and the minimum number and type of quotations received.

2.3 Procurement Thresholds and Competition

The following thresholds are set by the Act and Council and define the minimum requirements in terms of publically advertising EOIs and tenders, and the number of quotations required.

2.3.1 Competition Thresholds

2.3.1.1 Public Tenders and Expressions of Interest

Purchase of all goods and services for which the estimated expenditure exceeds \$150,000 inc GST, and all works for which the estimated expenditure exceeds \$200,000 inc GST, must be undertaken by a public process. These thresholds are set in the Act, and may be varied by the Victorian Government in accordance with the process detailed in the Act.

Before Council enters into a contract for the purchase of goods or services, to the value of \$150 000, or for the carrying out of works, to the value of \$200,000 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 the project to which the contract relates and invite expressions of interest from any person interested in undertaking the contract or all, or any part of, the project.

Where Council invites expressions of interest -

- (a) it must register those expressions of interest; and
- (b) when it is ready to enter into the contract, it must invite tenders from some or all of those who registered their interest in undertaking the contract (or part of the project to which the contract relates).

The public notice, tenders and expressions of interest must be in the prescribed form (if any) and must contain any details that are prescribed by the Act.

Nothing in this policy requires Council to accept the lowest tender or to accept any tender.

Whenever practicable, a Council must give effective and substantial preference to contracts for the purchase of goods, machinery or material manufactured or produced in Australia or New Zealand.

The above thresholds dictate the value of purchases that must use a public tender and/or EOI process. However, should the CEO or delegated staff member consider that the nature of the requirement and the characteristics of the market are such that a public process would lead to a better result for the Council, public expressions of interest and/or tenders may be called for the purchase of goods, services or works for which the estimated expenditure is below these thresholds.

Excluded Respondents - 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 Situations – 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. Situations 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 Council to call for tenders for a new contract or replacement service provider. All details, including approvals, for use of the emergency provision must be documented in Council's records system (TRIM).

2.3.1.2 Late Tenders

As a general rule, Council should not accept late tenders or expressions of interest.

The integrity of the tender process may be compromised if a tenderer is provided with extra time to submit a tender response, 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, where practicable, 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 or CEO

Where this occurs, it must be disclosed in the tender evaluation report, e.g. Late Tender received - rejected 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.

2.3.1.3 Quotations

Purchase of goods or services having a total annual value of up to \$150,000, or for contracts carrying out works having a total value of up to \$200,000 or less may be undertaken by obtaining a minimum number of quotations as listed in the table below:

Purchase value (inc GST)	Minimum Number of Quotes
Up to \$1,000	1 verbal or written
\$1,001 – \$5,000	1 Written / email
\$5,001 - \$10,000	2 Written / email

\$10,001- \$150,000 (up to \$200,000 for works)	3 Written / email
---	-------------------

The application of the above purchasing ranges and associated minimum quotation numbers will assist staff to deliver and demonstrate best value for money to Council in all procurement practices. Staff are encouraged to obtain additional quotations beyond the minimum number required to further seek best value for money.

Copies / evidence of the request for quotations and all quotations received must be held to file to support best value for money, policy compliance and audit. Successful quotations must be attached to purchase requisitions for future reference.

On occasions, when the minimum number of quotations cannot be received after being reasonably requested, approval to proceed with one of the quotations can be granted by General Manager. For this to apply, the council officer must document the reasonable action taken to obtain the necessary quotations and provide this with the request for approval.

2.3.1.4 Purchases through an existing Council, or Collaborative Purchasing scheme

Council Officers should:

- be aware of the Procurement Australia Supplier contracts available to Council for use as a participant in their contracts;
- be aware of the MAV Procurement contracts available to Council as a MAV member organisation; and
- be aware of the Victorian State Government Whole of Government (WHOG) Contracts that are available for Local Government use.

All procurement involving hourly rates requires the minimum number of quotes to be obtained in order to achieve best value. The existing supply arrangements or panels provide a convenient method to identify potential suppliers to seek the number of quotes required.

When the purchase value can be fully derived from the services and rate structures contained within these contracts or agreements, and best value is confirmed, then the minimum number of quotes is not required. In these cases, and only these cases, a preferred supplier on an existing contract or supply agreement may be engaged without obtaining the minimum number of quotes. An example of this would be supply of raw materials that are charged per tonne. This exemption is not able to be applied if there is any uncertainty in the total costs due to hourly rates or delivery fees.

If an existing supply arrangement was not established, or a preferred supplier was not selected, through a public tender and/or expression of interest process, then the

annual spend with that supplier cannot exceed \$150,000 for goods and services, or \$200,000 for works. If the spend is forecast to exceed these thresholds, then a compliant public process must be undertaken.

For support on understanding or access to these available supply facilities, Council Officers can contact the Manager Contracts and Procurement.

2.3.1.5 Evaluation Criteria

Selection Criteria

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

The Selection Criteria must reflect the outcome that you desire. e.g. **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.

Cost and value for money are essential factors to consider in awarding any contract. As Best Value is essential to any decision, total cost to council or value for money needs to be assessed with a significant weighting in any evaluation.

In addition to assessing cost or value for money, Tender and EOI selection criteria should include qualitative criteria such as, but not limited to, the following:

Selection Criteria	Definition
Proven Quality	Potential supplier of goods or services or works is of known industry/category quality
Previous Experience	Potential supplier has provided these goods or services or works on other occasions and can be supported by testimonials
Capacity to Supply	Stated or confirmed capacity to provide the goods or services or works
Social Procurement/Sustainability	Social Procurement – Refer Attachment 1 Environmental Sustainability Questionnaire – Refer Attachment 2

Individual weightings of each criterion should be set, prior to reading tenders or EOI responses. Cost or value for money can be assessed on its own and other qualitative criteria assessed separately, or it can be assessed in conjunction with other qualitative criteria provided that it is provided with a significant weighting. Weightings should be set to suit the factors relevant to the purchase with increased

weightings on the most critical criteria. It is not necessary to indicate weightings of criteria in your tender or EOI document, but they need to be applied consistently in assessing all responses.

All tenders and EOI responses must then be evaluated against the published/advertised selection criteria and **no other criteria** can subsequently be included. It is therefore important to have well considered and clearly defined selection criteria.

Depending on the complexity of the purchasing decision, selection criteria should also be developed, documented and consistently applied for purchases less than the tender thresholds where multiple quotes are being obtained.

2.4 Delegation of Authority (Section 98 of the Act)

Delegations define the limitations within which Council staff are permitted to authorise expenditure. Delegation of procurement authority allows specified Council staff to approve certain purchases, quotation, tender and contractual processes without prior referral to the Council. This enables the Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

2.4.1 Delegations

2.4.1.1 Council Officer

Council will maintain a documented scheme of procurement delegations, identifying Council staff (employees only and excluding contract 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 Instruments of Delegation, "S5 Council to CEO" and "CEO to Staff – Purchasing". The delegations of authority will be reviewed annually.

Council officers without purchasing delegations and contract staff members are unable to make purchasing commitments in writing or verbally to suppliers, until a purchase requisition has been approved either by a staff member with appropriate delegation or by a formal Council resolution.

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 an Ordinary or Special Council meeting.

2.4.1.3 Contract Variation

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

2.4.1.4 Purchasing Delegation Thresholds

These thresholds align with Council's adopted Instrument of Delegation Purchasing. Where inconsistencies exist, the most recently adopted document is to be enforced.

Delegation (Includes GST)	Position
Goods or Services Up to \$150,000 <i>or Works Contract</i> Up to \$200,000	Chief Executive Officer
Up to \$50,000	General Managers (Executive Team)
Up to \$25,000	Managers (Leadership Team)
Up to \$10,000	Supervising Coordinators
Up to \$3,000	Other Delegated Council Officers, as appropriate and specified in the instrument of delegation
Up to \$500	Other Delegated Council Officers, as necessary and specified in the instrument of delegation

Implementation of threshold values:

All Thresholds Include GST	Minimum Number of Quotes	Quote
Up to \$1,000 (\$909 Excl. GST)	One (1) Verbal	Prices can be obtained from known or Preferred Suppliers and Purchase Order Raised under delegation
\$1,001 – \$5,000 (\$4,545 Excl. GST)	One (1) Written	Written Quotation obtained for file for future audit and Purchase Order raised under delegation

All Thresholds Include GST	Minimum Number of Quotes	Quote
\$5,001 - \$10,000 (\$9,090 Excl. GST)	Two (2) Written	Written quotations where an expenditure/analysis report is prepared and presented to supervisor/manager for approval under delegation and held to TRIM file for future audit
\$10,001 - \$150,000 Goods or Services (\$136,363 Ex. GST)	Three (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
\$25,001 - \$200,000 Works (\$181,818 Ex. GST)	Three (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

2.5 Internal Controls

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

- independent approval of purchase orders by a delegated staff member (different to the staff member who raised the order)
- 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 Council's capability to prevent, withstand and recover from interruption to the supply of goods services and works.

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 relevant legal advice.

2.8 Terms of Payment

Council’s standard terms of payment are 30 days 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 and Information Technology or delegate.

2.9 Dispute Resolution

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the chance of disputes leading to claims of loss or legal action.

2.10 Contract Management

A contract supervisor will be assigned 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. Furthermore, contracts are to be proactively managed by the member of Council staff responsible for the delivery of the contracted goods, services or works to ensure the Council receives value for money.

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.

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 deliver 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 the lifecycle;
- 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, where relevant, includes the "Environmental Sustainability Questionnaire";
- eliminates unnecessarily stringent requirements;
- wherever possible specifies technical standards and requirements that are within the capabilities of local suppliers; and

- include outcome measures or key performance indicators (KPIs) to ensure ongoing performance standards are met.

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 “Environmental Sustainability 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 – (refer Attachment 2 Environmental Sustainability Questionnaire)

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 environmentally responsible 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 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 "Environmental Sustainability Questionnaire" 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.

The purpose of the Environmental Sustainability Questionnaire is to provide suppliers or contractors that have business dealings with our Council a positive environmental lead into 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 suppliers to encourage their good environmental behaviour and further promote ideas exchange between the parties for mutual benefit.

Where relevant to the purchase, the Environmental Sustainability Questionnaire document should be used in all initial dealings or potential dealings with suppliers to provide them with the opportunity to inform Council of their environmental considerations and if appropriate a copy of their environmental plan or policy.

The questionnaire should therefore be a part of all requests for quotations and Requests for Tender or Expressions of Interest if environmental impacts are relevant to the purchasing decision. The document can provide a further assessment or differential of potential suppliers in the selection or tender/quotation evaluation process. The document should also be used as a data collection and environmental rating of existing established suppliers.

It is anticipated that through the use of this questionnaire, Council will encourage suppliers to:

- reduce, reuse, and recycle;

- buy recycled;
- promote green procurement;
- adopt sustainable practices.

Potential benefits that may be achieved include:

- 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.

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

Council is committed to supporting procurement from local businesses in order to build a stronger community. As such Council will have consideration for those local businesses in procurement decisions in determining best value for money and as may be considered and recommended by the evaluation panel. 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.

The mechanism for incorporating the support of local businesses into procurement decisions may be through the use of a local content element in the evaluation criteria. Higher weighting may be given to local production and processing activities which produce greater local employment outcomes whilst achieving value for money.

3.6 Social Procurement – Refer Attachment 3 Social Procurement Questionnaire

Social Procurement generates positive outcomes by building on initiatives already undertaken by Council in enhancing sustainable and strategic procurement practice, further enabling procurement to effectively contribute towards building stronger communities and meeting the social objectives of Council. 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;
- youth outcomes and other community benefits;

If relevant to the purchase, suppliers and potential suppliers will be required to complete the "Social Procurement Questionnaire" allowing Council to evaluate the supplier's broader impact on the community.

3.7 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 their 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. Where relevant, this process will include the supplier response to the "Environmental Sustainability 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. POLICY REVIEW

Council will review this Policy annually in accordance with the requirement as determined within section 186 of the Act, and this is the responsibility of the Manager Finance and Information Technology.

Purchasing Policy Quick Reference Guide

Attachment 1

Quotations must be obtained where:

- Purchase of goods, services having a total valuation of up to \$150,000 including GST, or
- For contracts carrying out works having a total valuation of up to \$200,000 including GST

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

Threshold (Inc GST)	Minimum Quotes	Quote
Up to \$1,000	1 Verbal	Prices can be obtained from known or Preferred Suppliers and Purchase Order Raised under delegation
\$1,001 – \$5,000	1 Written	Written Quotation obtained for file for future audit and Purchase Order raised under delegation
\$5,001 - \$10,000	2 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
\$10,001 - \$150,000 (Goods or Services)	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
\$10,001 - \$200,000 (Carrying out Works)		

These thresholds align with Council's adopted Instrument of Delegation – Purchasing.

NOTE:

- Quotations must be saved to Council's records management system (TRIM) and attached to the relevant purchase requisition in TechOne;
- Public requests for expressions of interest, tenders or quotations may be carried out at the Managers discretion despite these thresholds;

Request for tenders or expressions of interest **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, including GST, are close to these thresholds it is advisable to utilise the request for tender or expressions of interest process to avoid any possible non compliance.

Following receipt and assessment of the quotations, a Purchase Order must be raised prior to provision of the goods or services or works. All expenditures must be within budget and authorised with regard to Council's Instrument of Delegation. Where insufficient quotations

(2/3) are obtained the reasons should be documented and approved by a General Manager prior to raising the purchase order.

Applying Delegations and Thresholds

- 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
- Where there is no fixed term, the purchasing threshold is based on the annual expenditure with a specific supplier or for a specific service.
Example: Typical annual spend is six transactions of \$5,000 (annual spend \$30,000) then three quotes should be obtained for this service.
- For fixed term contracts, the aggregate spend over the life of the contract shall be utilised to determine the appropriate threshold. The aggregate spend includes the proposed tenure of the procurement arrangement plus planned or optional extensions i.e. three years plus two one year extensions is five years planned expenditure or commitment.

Purchases using established Preferred/Panelled Supplier Agreements

- 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 and in any event purchasing thresholds still must be observed in obtaining the required number of quotations.
- Where the known or estimated spend is over the tender thresholds, the public tender and/or expression of interest process must be followed.
- If the full order amount cannot be confirmed, or is unclear from the panel arrangements (e.g. hourly rates quoted but unconfirmed quantity of hours) officers must obtain quotations for specific works from these “panelled” suppliers and other suppliers as necessary to ensure the appropriate minimum number of quotations are obtained.
- When prices are derived from the specific Panelled / Preferred Supplier Contract, reference to this should be included as an attachment to the Purchase Order.

If you require assistance or advice in determining your process requirement for any action relative to the above please contact:

- Manager Finance and Information Technology
- Coordinator Governance and Information

Environmental Sustainability Questionnaire

Attachment 2

Environmental Management

Does the respondent have an Environmental Management System? YES / NO

Provide details _____

If YES, is the System certified by a recognised independent authority? YES / NO

Provide details _____

Please provide responses to the following questions:

Question	Yes/No	Comments
1. Has your company conducted an energy assessment to identify energy saving opportunities in your business?		
2. If yes to question 1, have you implemented changes to reduce energy consumption (e.g. insulation, low energy lights, light sensors, renewable energy sources)?		
3. Does your company use recycled copy paper?		
4. Are your photocopiers defaulted to double sided?		
5. Does your company have an in-office paper recycling process in place?		
6. Do your company vehicles receive the recommended manufacturer's servicing?		
7. Do you have low emissions and smaller four cylinder vehicles in your fleet? If yes, provide your average L/100kms fuel consumption of your fleet.		
8. Are your plant items (e.g. graders, excavators) eligible for the fuel rebate in relation to age?		
9. Do you have water minimisation strategies in place (e.g. water saving taps/toilets, waterless urinals)?		
10. Do you have waste minimisation strategies in your staff kitchens (e.g. non-disposable cups/cutlery and food compost bins)?		

To be included in Tender/Quotation documents as required or to establish a new preferred supplier.

The Following Questionnaire needs to be included in Quotation/Tender/Expression of Interest Requests

Social Procurement Questionnaire

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.

5 Youth and Community Development

- 5.1 Does your company support any of the youth groups in Trentham, Clunes, Daylesford or Creswick? (If so please circle which)

5.2 Does your company provide any other form of support for young people such as, youth mentoring or donations to local sporting bodies? Please outline

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 included in Tender/Quotation documents as required

**11.6. REVISED COMMUNITY PLANNING STRATEGY
GENERAL MANAGER COMMUNITY SERVICES**

In providing this advice to Council as the Community and Cultural Development Officer I Kate Gerritsen, have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider adopting a revised Community Planning Strategy.

BACKGROUND

In July 2014, Council adopted its current Community Planning Policy and Community Planning Strategy. Since then, these key documents have formed the basis for a number of successful community planning outcomes.

Subsequently, Council has set a budget for its Community Planning Implementation Fund in 2015/16 and 2016/17 for an amount greater than that specified in the Community Planning Strategy. It is timely to make minor revisions to the Community Planning Strategy to reflect the current practices.

ISSUE/DISCUSSION

The Community Planning Policy and Strategy remain relevant and valuable guiding documents.

In both 2015/16 and 2016/17 Council has set a budget of \$50,000 to fund a range of community planning priority projects across the Shire. In 2015/16 this saw three projects being funded for between \$15,000 and \$17,500 each.

It is proposed to amend the Strategy to allow projects to be funded to expend the total budget each year as set as part of Council's annual budget process.

Other minor changes to the strategy include: an update of the indicative plans to be created and revised; and updated information referring to Council's Community Engagement Policy (new Policy adopted October 2015).

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2013-2017:

Strategic Objective - Active and Engaged Communities

Key Strategic Activity:

1. Work with and support communities and residents to implement community driven projects through community planning, provision of advice, information and community grants, acknowledging the significant contribution made by community volunteers.

Action: Prepare Community Planning Strategy and Policy

FINANCIAL IMPLICATIONS

The Revised Community Planning Strategy recommends that Council provides a Community Planning Implementation Fund to support communities to deliver priority projects from community plans. The total amount available will be set in the annual budget (e.g. \$50,000 has been provided in 2016/17).

RISK IMPLICATIONS

The Strategy clearly sets out the roles and responsibilities of Council and communities and provides a mechanism for communication between parties. In doing so, it reduces the risk of unmet expectations in the community.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Community planning provides a forum for public participation where community members identify who they are, what is important to them in their region and what they would like to see happen in the future. The program to date has delivered inclusive engagement methods that result in diverse participation.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Development of the Community Planning Policy and Strategy in 2013/14 involved community consultation through a survey and individual conversations. In addition, Council officers surveyed other Victorian Council officers working in community planning, participated in state-wide forums and sought input from Hepburn Shire Council's Leadership Team.

The revision of the strategy has been based on feedback from councillors and officers.

CONCLUSION

The Community Planning Strategy, together with the Community Planning Policy, continues to deliver inclusive community discussions to identify community priorities. The revised Strategy will continue to enable this through the increased Community Planning Implementation Fund that has been allocated in Council's annual budget.

OFFICER'S RECOMMENDATION

That Council:

11.6.1. Adopts the revised Community Planning Strategy 2016

11.6.2. Makes the revised Community Planning Strategy available on Council's website and from its service centres in Daylesford, Creswick and Clunes.

MOTION

That Council:

11.6.1. *Adopts the revised Community Planning Strategy 2016*

11.6.2. *Makes the revised Community Planning Strategy available on Council's website and from its service centres in Daylesford, Creswick and Clunes.*

Moved: Cr Don Henderson

Seconded: Cr Kate Redwood

Carried

ATTACHMENT 7 -REVISED COMMUNITY PLANNING STRATEGY 2016

PURPOSE

The Community Planning Strategy will provide direction to Hepburn Shire Council to work with communities in our Shire to develop community plans.

WHAT IS COMMUNITY PLANNING

Community planning is a forum for public participation where community members identify who they are, what is important to them in their region and what they would like to see happen in their region in the future.

BENEFITS OF COMMUNITY PLANNING

Council has recognised community planning as an effective mechanism for Hepburn Shire Council and communities to ascertain and act on community aspirations. The benefits of community planning can be seen across three inter-related areas:

Connecting Communities

- Community members meet each other and/or further develop their connections
- Similar concerns/projects of interest are identified
- Common values are identified and documented

Developing resilience

- Generosity and helpfulness is developed amongst community members
- Community successes are recognised and celebrated
- Community members coordinate to help each other

Connecting with Council

- Communities present their plan to Councillors and plans are acknowledged at council meetings
- Community plan outcomes are considered as part of Council Plan reviews and budget processes



HEPBURN SHIRE COUNCIL'S COMMITMENT TO COMMUNITY PLANNING

Hepburn Shire Council Plan (2013-2017)

Strategic Objective – Active and Engaged Communities

Key Strategic Activities:

“Work with and support Communities and residents to implement community driven projects through community planning, provision of advice, information and community grants, acknowledging the significant contribution made by community volunteers.”

and

“In partnership with communities, Community Services will identify community priorities and work to deliver services, programs and projects that promote community health and well-being.”

At minimum, Hepburn Shire Council will work with one community per year to produce a new community plan and one community will review and update an existing community plan.

The strategy and policy for community planning indicates a desire to create community plans with as many communities as possible. To date nine communities in Hepburn Shire have completed community plans.

DEVELOPING A COMMUNITY PLAN

Council will work with communities to develop processes for creating community plans, and engaging with their communities that are effective in each community.

The following flow chart shows a general progression for developing a community plan:

► COMMUNITY PLANNING STRATEGY 2014:2018



COMMUNITY ENGAGEMENT PRINCIPLES

Hepburn Shire community planning will adopt the internationally recognised 'best-practice' principles of community engagement established by the International Association of Public Participation (IAP2).

Council's Community Engagement Framework (2010-2013) expresses a commitment to open, participatory and transparent governance. The framework incorporates the five levels of engagement recognised in the IAP2 model for community engagement:



Inform: when we will provide information in an unbiased, neutral manner

Consult: when we will listen to issues, concerns and ideas

Involve: when we will listen and advise how ideas have been incorporated (or not) into decisions

Collaborate: when we actively work with the community in developing solutions

Empower: when we actively develop mechanisms that will enable individuals or groups to make decisions and accept those decisions.

Community planning provides opportunities for Council to inform, consult, involve and collaborate with communities.

Additionally the principles we will apply when we engage with the community are:

- We will model our values of accountability, respect, excellence, trust and, where appropriate, fun
- We will clearly define the purpose and scope of the engagement
- We will be inclusive and where possible remove barriers to inclusion, such as location, time constraints, language, age or mobility issues
- We will provide, accurate and relevant information in a timely manner

See Appendix 2: *Methods of community engagement identified in the Hepburn Shire Community Engagement Framework (2010-2013).*

WHICH COMMUNITIES PARTICIPATE IN COMMUNITY PLANNING?

The guidelines for establishing which communities will develop a new community plan are:

- The defined area will support a population of at least 300 residents
- Small communities are encouraged to link with neighbouring communities with common values
- The community must have willing and active participants who will work to assist the community planning process

THE ROLE OF COMMUNITY PARTICIPANTS IN COMMUNITY PLANNING

The role of community members is to lead and participate in discussions within their communities to ensure a community plan fully represents their community. Within the community planning process community members will:

- Participate in developing a community engagement strategy
- Work within Council's Community Engagement Framework guidelines and work respectfully with other community members to ensure an inclusive and positive process
- Provide information and assistance to ensure a timely completion of the community planning process

THE ROLE OF HEPBURN SHIRE COUNCIL IN COMMUNITY PLANNING

The role of Council is to partner with the community on community planning, with the outcome being a plan that is decided upon, and owned by, the community. Within the community planning process Council will:

- Facilitate and resource community engage strategies in line with Council's Community Engagement Framework, within a defined budget
- Provide administration support to community planning
- Assist communities in gaining approval for, developing and implementing the priority projects identified in community plans
- Support communities through provision of advice from relevant Council officers
- Support communities to connect to organisations external to Hepburn Shire Council where needed



WHAT INFORMATION IS INCLUDED IN A COMMUNITY PLAN?

The content of Hepburn Shire community plans will be as diverse as the residents who make up our communities. Each community is able to direct aspects of the plan content, however all community plans must be structured as simple, plain language documents that can be accessible to all. The following aspects will be included in a designed template provided by Council:

- A community snapshot – including information about the towns demographic, social-economic profile and relevant issues.
- A community map – indicating where community services, facilities and infrastructure exist, crown land, Council land and leased public spaces, potential areas of change or improvement
- A short description of the community planning process and engagement strategy undertaken to develop the plan
- Summarised priority projects, including; a description of the project and its order in the priority list; indication if project can be delivered by Council and/or the community; any Council and/or community resource commitments that have been made to the project; the next steps needed to implement the priority. See examples in Fig 3.4.
- A list of existing community groups and/or services and contact details
- A list of action or project groups established through the community planning process if applicable and contact details

Fig. 3.4



WHAT HAPPENS AFTER THE COMMUNITY PLAN IS COMPLETE?

Presentation of the community plan to the community

After the completion of a community plan Council will distribute the plan to all addresses on Council's database within the defined community. In conjunction with community planning participants, the plan will also be distributed by other local networks which may include: links from community websites and newsletters, school newsletters, availability in community venue such as community centre, hall, noticeboard, newsagent or post office.

Presentation to Council

Each community will have the opportunity to present their finalised plan to Hepburn Shire Councillors at a Council briefing session. Those involved in the plan can nominate to be part of the group present, with the aim of diverse representation of the community. Community Plans will be formally acknowledged by Councillors at the next available ordinary meeting of Council following the community presentation.

Community Groups Network

Council's community planning program will provide networking for community planning groups and support the development of new groups arising from the community planning process through:

- Assistance with establishing a community planning group including the payment of incorporation fees and establishment of model rules for incorporation
- Maintaining a email list of community planning groups and encouraging networking between all groups responsible for community plans
- Alerting community planning groups to relevant opportunities and events
- Celebrating new and reviewed community plans amongst a network of community groups and volunteers
- Assisting applications to the Community Planning Fund

COMMUNITY PLANNING FUND

Purpose of the Community Planning Fund

The purpose of the Community Planning Fund is to provide financial assistance to a priority project identified in Hepburn Shire community plans. The funding assists communities to deliver a priority project from their plan. The total funds available per annum are subject to Council processes.

Eligibility

The following eligibility criteria apply to applications to the Community Planning Fund:

- Projects must be identified within a Hepburn Shire community plan. The plan must be complete and have been presented to the community and Council
- The application must be made by an incorporated not-for-profit group within the Shire or able to be sponsored by such a group
- The applicant must have financial systems to account for money
- The applicant must have all permits, permissions and approvals for the project
- The proposed project cannot be the funding responsibility of the State or Federal government
- The applicant must not have any outstanding community grant acquittals or unpaid invoices due to Council
- The project must not have commenced or already been completed

Application process

- The Community Planning Fund will accept applications in conjunction with Council's Community Grants program
- Applications to the Community Planning Fund should be discussed with a Council Officer prior to submission
- Applicants to the Community Planning Fund must meet all of the eligibility criteria and submit a complete application as requested by Council
- Applicants will be advised of the outcome of their Expression of Interest to the Community Planning Fund decisions in conjunction with Community Grant decisions
- Applicants then have the opportunity to develop their proposals and present to Council

(NB: Strategy updated August 2016 to reflect changed Community Planning Fund amounts. Strategy first adopted by Council on 15 July 2014.)

Appendix 1: Planning for new Community Plans and reviewing Community Plans

Current Community Plans

The following communities have completed community plans, have plans in progress:

- Mollonghip
- Dean
- Clunes
- Smeaton
- Bullarto/Musk
- Franklinford/Clydesdale/Yandoit
- Glenlyon
- Creswick
- Trentham
- Lyonville
- Newlyn/Rocklyn
- Daylesford

These plans will be reviewed as need and interest arises in the community. Hepburn Shire Council aims to review community plans within a five year cycle.

Potential future community plans

These communities have indicated that a community plan would be of interest to them. Hepburn Shire Council will work to develop the below community plans by 2020:

- Hepburn/Hepburn Springs
- Coomoora/Wheatsheaf
- Drummond
- Sailors Falls/Leonards Hill

Please note the above suggested community planning projects are indicative only. The initiation of a community plan or review depends on community need, capacity and desire. See page 6 'Which communities participate in community planning?' for further details.

Appendix 2: Hepburn Shire Council's policy for engaging with communities. Adopted October 2016.

POLICY

Hepburn Shire Council will:

1. Provide opportunities for community members to be informed and participate in decision making processes.
2. Promote the opportunities for community participation in a timely way.
3. Develop our skills and capacity to undertake effective engagement with our diverse community.

Our community engagement processes are informed by the International Association of Public Participation's (IAP2's) model for community engagement , which includes five levels of engagement:

Inform: when we will provide information in an unbiased, neutral manner

Consult: when we will listen to issues, concerns and ideas

Involve: when we will listen and advise how ideas have been incorporated (or not) into decisions.

Collaborate: when we actively work with the community in developing solutions.

Empower: when we actively develop mechanisms that will enable individuals or groups to make decisions, and accepting those decisions.

Principles

The following principles will be used in developing community engagement strategies and activities.

Inclusive and Accessible - We will proactively engage with the community on issues that affect them. We will consider barriers to participation and remove them, if possible.

Diverse and Innovative - We will provide multiple ways for people to participate and seek innovate and creative methods to engage with the community. We will adapt our engagement strategies and activities, in line with the type and scope of the project and/or activity.

Effective and Issues Focussed - We will be clear about the purpose and scope of the engagement. We will plan engagement activities to maximise opportunities for participation and avoid duplication of processes.

Good Communication - We will provide relevant and timely information and a variety of ways for people to contribute. We will provide a range of ways to provide feedback and accept it in any form. We will acknowledge the input of community members.

Timeliness - We will provide adequate timeframes for participation and feedback. We will provide information about outcomes and/or decisions to participants and the community within specified timeframes.

Evaluation - We will review and evaluate the effectiveness of our engagement strategies and processes.

11.7. REQUEST FOR APPROVAL TO OPERATE B-DOUBLE VEHICLES ON LOCAL COUNCIL ROADS

GENERAL MANAGER INFRASTRUCTURE

In providing this advice to Council as the Property & Assets Coordinator, I Mahmud Kaiser have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider a new request to use B-double vehicles on local roads.

BACKGROUND

The following request for a new permit has been received from the National Heavy Vehicle Regulator (NHVR).

Ref	Organisation	Vehicles	Roads	Load Type	Time Frame as per Application	No of Trips (approx)
New Permit						
a) 79066	Clearwater Logging and Transport Pty Ltd	B-double	King Street and Frenchmans Road, Creswick	General freight	19/08/2016-23/04/2018	10 Per Year

ISSUE/DISCUSSION

Council officers have assessed the application considering the following:

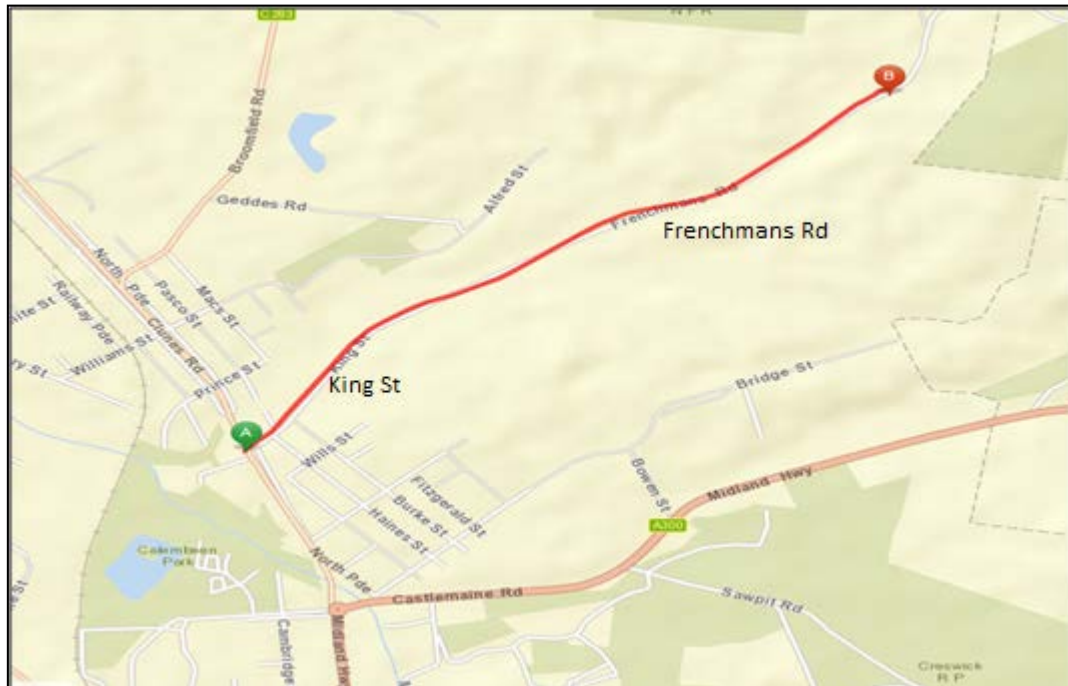
- Community safety
- Local amenity
- Physical limitations of the network
- Economic benefits
- Alternative access
- Cost implications to Council.

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

NEW REQUESTS

- Clearwater Logging and Transport Pty Ltd (Road Manager Request Number 79066):

Clearwater Logging and Transport requests that Council grants a permit for the following route which is shown in the following map:



Map 1

The requested road has been assessed as being suitable for using B-double vehicles subject to the Standard Conditions.

STANDARD CONDITIONS

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

- Overhead cables
- Overhanging trees
- Steep inclines/declines, tight corners and narrow roads
- Must not trim or remove any trees without all approvals being obtained
- The use of compression brakes is to be avoided in residential areas
- Hours of Operation shall be 7:00am to 6:00pm

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2013:2017:

Strategic Objective – *Sustainable Environment and a Vibrant Economy*

Key Strategic Activity:

12. Support and develop existing businesses within Hepburn Shire and continue to explore opportunities to diversify Hepburn Shire's Economic base.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

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

COMMUNITY AND STAKEHOLDER ENGAGEMENT

No external engagement was undertaken in relation to this request. Relevant internal road staff has been involved in assessing these requests.

CONCLUSION

Council has received a request from the National Heavy Vehicle Regulator for consent to the issue of a permit to operate B-double vehicles on local roads. Following a review of the request, conditional consent is recommended for the operator as detailed.

OFFICER'S RECOMMENDATION

That Council:

- 11.7.1. Approves Clearwater Logging and Transport Pty Ltd to use B-double vehicles for the period of 20 months commencing 19th of August 2016 and expiring 23rd of April 2018 on King Street and Frenchmans Road in Creswick, subject to following conditions:

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

- Overhead cables.
- Overhanging trees.
- Steep inclines/declines, tight corners and narrow roads.
- Must not trim or remove any trees without all approvals being obtained.
- The use of compression brakes is to be avoided in residential areas.

- Hours of Operation shall be 7:00am to 6:00pm.

MOTION

That Council:

11.7.1. Approves Clearwater Logging and Transport Pty Ltd to use B-double vehicles for the period of 20 months commencing 19th of August 2016 and expiring 23rd of April 2018 on King Street and Frenchmans Road in Creswick, subject to following conditions:

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

- Overhead cables.
- Overhanging trees.
- Steep inclines/declines, tight corners and narrow roads.
- Must not trim or remove any trees without all approvals being obtained.
- The use of compression brakes is to be avoided in residential areas.
- Hours of Operation shall be 7:00am to 6:00pm.

Moved: Cr Bill McClenaghan

Seconded: Cr Greg May

Carried

**11.8. RECORD OF ASSEMBLIES OF COUNCILLORS
GENERAL MANAGER CORPORATE SERVICES**

In providing this advice to Council as the Administration Support Officer, I Tracye Sutton have no interests to disclose in this report.

PURPOSE

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

BACKGROUND

The Local Government Act 1989 defines Assembly of Councillors as

...a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be

-

- (a) the subject of a decision of the Council; or*
- (b) subject to the exercise of a function, duty or 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, an audit committee established under Section 139, a club, association, peak body, political party or other organisation.

ISSUE / DISCUSSION

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

1. reported at an Ordinary Meeting of the Council; and
2. incorporated in the minutes of that Council Meeting.

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

Assemblies of Councillors		
Date	Location	Committee Name
5-07-2016	Council Chamber	Councillor Briefing
12-07-2016	Council Chamber	Councillor Briefing
19-07-2016	The Warehouse -Clunes	Councillor/CEO Meeting
19-07-2016	The Warehouse - Clunes	Pre 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

That Council

11.8.1. Receives and notes the Records of Assemblies of Councillors for the 05-07-2016, 12-07-2016 and 19-07-2016

MOTION

That Council

11.8.1. *Receives and notes the Records of Assemblies of Councillors for the 05-07-2016, 12-07-2016 and 19-07-2016*

Moved: Cr Pierre Niclas

Seconded: Cr Kate Redwood

Carried

ATTACHMENT 8 - RECORDS OF ASSEMBLIES OF COUNCILLORS

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Councillor Briefing
 Date: Tuesday 5 July 2016
 Time: 1:30pm - 5:00pm

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

Councillors present:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Cr Don Henderson | <input checked="" type="checkbox"/> Cr Greg May |
| <input checked="" type="checkbox"/> Cr Kate Redwood AM | <input type="checkbox"/> Cr Neil Newitt |
| <input checked="" type="checkbox"/> Cr Sebastian Klein | <input type="checkbox"/> Cr Pierre Niclas |
| <input checked="" type="checkbox"/> Cr Bill McClenaghan | |

Members of Council Staff present:

- | | |
|--|--|
| <input type="checkbox"/> CEO Aaron van Egmond | <input checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> GM Corporate Services Grant Schuster | Manager Planning, Justin Fiddes |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | Planning Coordinator, Louise Johnston |
| <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas | Property Officer, Karen Ratcliffe |
| | Manager Community & Economic Development, Mark Travers |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
Cr Kate Redwood AM	1:35pm to 1:39pm

Matters Considered:

Agenda Attached

Name and title of Officer responsible for this written record:

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

Signature: 

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

CONFIDENTIAL

► COUNCILLOR BRIEFING AGENDA
TUESDAY 5 JULY 2016

Tuesday 5 July 2016
Council Chamber, Daylesford Town Hall
1:30pm – 5:00pm

PRESENT: Councillors Kate Redwood AM, Don Henderson, Sebastian Klein, Greg May, Bill McClenaghan, Pierre Niclas

Officers General Manager Corporate Services, General Manager Community Services, General Manager Infrastructure and other officers as required

CHAIR: Cr Pierre Niclas

APOLOGIES: Mayor Cr Neil Newitt, Chief Executive Officer

No	Time	Agenda Item	Presenter	No
1.	1:30pm	Report Councillor Code of Conduct Review Attachment 1 - Draft Policy 47 (C) - Councillor Code of Conduct	General Manager Corporate Services	Page 4 Page 6
2.	2:00pm	Report First Right of Refusal to purchase former Daylesford Police Station and Police Residence at 15 Camp Street, Daylesford Attachment 2- Map and Plan of 15 Camp Street, Daylesford	Property Officer	Page 29 Page 31

CONFIDENTIAL

► COUNCILLOR BRIEFING AGENDA
TUESDAY 5 JULY 2016

No	Time	Agenda Item	Presenter	No
3.	2:15pm	Report Trentham Hub	General Manager Community Service	Page 33
4.	2:45pm	Report Communities of Respect and Equality - A Strategy to Prevent Violence against women across the Grampians	General Manager Community Services	Page 34
	3:00pm	Break		
5.	3:15pm	Report New Licence - Rotary Club of Daylesford Inc - Occupancy at Victoria Park, Daylesford Attachment 3- Licence - Rotary Club of Daylesford	Property Officer	Page 37 Page 39
6.	3:30pm	Report Proposed New Licence - Clunes Museum -36 Fraser Street, Clunes Attachment 4 - Council Licence - Clunes Museum	Community and Cultural Development Officer	Page 49 Page 52
7.	3:45pm	Report Licence Renewals - Various Groups at Glenlyon Recreation Reserve, Glenlyon Attachment 5 - Seven (7) x Draft 17(2) Licences - Glenlyon Recreation Reserve	Property Officer	Page 75 Page 77

CONFIDENTIAL

► COUNCILLOR BRIEFING AGENDA
TUESDAY 5 JULY 2016

No	Time	Agenda Item	Presenter	No
8.	4:00pm	Presentation Youth Strategy	Manager Community & Economic Development	Page 150
		Attachment 6 - Draft Youth Strategy		Page 153
9.	4:30pm	Report PA581 - 25 King Street, Daylesford - Six lot subdivision and development	Planning Coordinator	Page 230
10.	4:45pm	Planning Update	Manager Planning	Page 235
		Attachment 7- VCAT Hearing List as at 29-06- 2016		Page 236
11.		For Noting Agenda Items – Next Council Meeting		Page 238
12.	5:00pm	CLOSE OF MEETING		Page 239

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor Kate Redwood hereby disclose
a conflict of interest in the following matter Old Police Station
available for purchase

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on 5/7/2014

The class of the interest is (tick appropriate box)

- a direct interest
- OR
- an indirect interest (see below)

Please select from the following types of indirect interest:

- Indirect interest - close association (section 78)
- Indirect financial interest (section 78A)
- Indirect interest – conflicting duty (section 78B)
- Indirect interest – applicable gift(s) (section 78C)
- Indirect interest – party to matter (civil proceedings) (section 78D)
- Indirect interest – impact on residential amenity (section 78E)

NB All references to sections are references to sections in the *Local Government Act 1989*.

The nature of the interest is as follows:

I am on the C.M. of the Daylesford
Neighbourhood Centre which wants
to purchase the police station

Print Name: KATE REDWOOD

Signed: [Signature]

Date: 5/7/2014

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Councillor Briefing
Date: Tuesday 12 July 2016
Time: 12:15pm – 1:50pm

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

Councillors present:

<input checked="" type="checkbox"/> Cr Don Henderson	<input checked="" type="checkbox"/> Cr Greg May
<input checked="" type="checkbox"/> Cr Kate Redwood AM	<input checked="" type="checkbox"/> Cr Neil Newitt
<input checked="" type="checkbox"/> Cr Sebastian Klein	<input checked="" type="checkbox"/> Cr Pierre Niclas
<input checked="" type="checkbox"/> Cr Bill McClenaghan	

Members of Council Staff present:

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

Conflict of Interest Disclosures:


Councillor Name	Time Left and Returned
Nil	

Matters Considered: Hepburn Hub Update

Agenda Attached

Name and title of Officer responsible for this written record:

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

Signature: _____  _____

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

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Councillor/CEO Meeting
 Date: Tuesday 19 July 2016
 Time: 2:00 pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify) – The Warehouse - Clunes

Councillors present:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Cr Don Henderson | <input checked="" type="checkbox"/> Cr Greg May |
| <input checked="" type="checkbox"/> Cr Kate Redwood AM | <input checked="" type="checkbox"/> Cr Neil Newitt |
| <input checked="" type="checkbox"/> Cr Sebastian Klein | <input checked="" type="checkbox"/> Cr Pierre Niclas |
| <input checked="" type="checkbox"/> Cr Bill McClenaghan | |

Members of Council Staff present:

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

Conflict of Interest Disclosures:

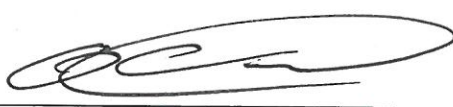
	Time Left and Returned

Matters Considered:

Agenda Attached

Name and title of Officer responsible for this written record:

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

Signature: 

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

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Pre Council Meeting
 Date: Tuesday 19 July 2016
 Time: 3:30 pm - 5:15pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify) – The Warehouse-Clunes

Councillors present:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Cr Don Henderson | <input checked="" type="checkbox"/> Cr Greg May |
| <input checked="" type="checkbox"/> Cr Kate Redwood AM | <input checked="" type="checkbox"/> Cr Neil Newitt |
| <input checked="" type="checkbox"/> Cr Sebastian Klein | <input checked="" type="checkbox"/> Cr Pierre Niclas |
| <input checked="" type="checkbox"/> Cr Bill McClenaghan | |

Members of Council Staff present:

- | | |
|--|--|
| <input checked="" type="checkbox"/> CEO Aaron van Egmond | <input checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> GM Corporate Services Grant Schuster | Manager Planning, Justin Fiddes |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | Manager Community & Economic |
| <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas | Development <i>Marie Travers</i> |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
Nil	

Matters Considered:

Council Meeting Agenda - Tuesday 19 July 2016

Agenda Attached

Name and title of Officer responsible for this written record:

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

Signature: 

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

COUNCILLOR & CEO MEETING

Tuesday 19 July 2016

The Warehouse - Clunes

2:00PM

PRESENT: Councillors Neil Newitt, Pierre Niclas, Greg May, Bill McClenaghan, Sebastian Klein, Don Henderson, Kate Redwood AM, CEO Aaron van Egmond

CHAIR: Councillor Neil Newitt

APOLOGIES:

No.	Time	Agenda Item	Presenter
1.	2:00PM	Daylesford Secondary School - special breakfast	Cr Neil Newitt
2.		Provision of Public Toilets	Cr Kate Redwood AM
3.		Dogs escaping and at large in Creswick	Cr Don Henderson
4.		Creswick Mineral Spring	Cr Pierre Niclas
5.		Council policies and strategy	Cr Don Henderson
6.		Vincent Street Public Toilets	Cr Kate Redwood
7.		Broad Based Community Consultation for Trentham Hub	Cr Bill McClenaghan

12. COUNCIL SPECIAL COMMITTEES (SECTION 86)

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

In providing this advice to Council as the Administration Support Officer, I Tracye Sutton have no interests to disclose in this report.

PURPOSE

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

BACKGROUND

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

ISSUE/DISCUSSION

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

- *Minutes from the Creswick Museum Special Committee - 04-07-2016*
- *Minutes from the Lee Medlyn Home of Bottles Special Committee - 14-07-2016*
- *Minutes from the Lyonville Hall Special Committee - 19-07-2016*

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

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Nil

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Nil

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Members of the community are represented on these committees.

CONCLUSION

Minutes and reports have been provided for noting.

OFFICER'S RECOMMENDATION

That Council:

12.1.1. Receives and notes the following minutes of Special Committees (Section 86) which have been distributed under separate cover:

- Minutes from the Creswick Museum Special Committee - 04-07-2016
- Minutes from the Lee Medlyn Home of Bottles Special Committee - 14-07-2016
- Minutes from the Lyonville Hall Special Committee - 19-07-2016

MOTION

That Council:

12.1.1. *Receives and notes the following minutes of Special Committees (Section 86) which have been distributed under separate cover:*

- *Minutes from the Creswick Museum Special Committee - 04-07-2016*
- *Minutes from the Lee Medlyn Home of Bottles Special Committee - 14-07-2016*
- *Minutes from the Lyonville Hall Special Committee - 19-07-2016*

Moved: Cr Pierre Niclas

Seconded: Cr Sebastian Klein

Carried

13. COUNCIL ADVISORY COMMITTEES

13.1. MINUTES OF ADVISORY COMMITTEES GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Administration Support Officer, I Tracye Sutton 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

- Minutes of the White Ribbon Advisory Committee - 05-07-2016

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

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

- Minutes of the White Ribbon Advisory Committee - 05-07-2016

MOTION

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

- *Minutes of the White Ribbon Advisory Committee - 05-07-2016*

Moved: Cr Greg May

Seconded: Cr Kate Redwood

Carried

13.2. APPOINTMENT EXTENSIONS OF MEMBERS TO SPECIAL COMMITTEES

GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Manager Strategic Asset Management, I Steve Millard have no interests to disclose in this report.

PURPOSE

The purpose of this report is to provide Council with recommendations for the appointment extensions of members to five of Council's Special Committees.

BACKGROUND

The terms of appointment for some members will expire at the start or end of August 2016. In July and August, Council officers advertised for applications from members of the public to be appointed to the following Special Committees to fill vacancies:

Special Committee	Vacancies	Membership Minimum	Current Membership
Creswick Museum	4	7	3
Dean Recreation Reserve & Tennis Courts	8	5	9
Drummond Hall	1	5	4
Glenlyon Recreation Reserve	3	7	7
Lee Medlyn Home of Bottles	4	7	0* see below
Lyonville Hall	3	7	8

ISSUE/DISCUSSION

Creswick Museum Special Committee

Number of appointment extensions required to meet minimum quorum: 4

- Wendy Ohlsen
- John Sewell AM
- Margaret Fullwood
- Phyllis Wright

As there are no identified concerns, it is proposed to extend the appointments of expiring members to 30 September 2016.

Dean Recreation Reserve & Tennis Courts Special Committee

Number of appointment extensions required to meet minimum quorum: 5

- Brian Maher
- Jon Rofe
- Wayne Slater
- Sheryl Gatens
- Liz Kelly
- Jarrod Quick

As there are no identified concerns, it is proposed to extend the appointments of expiring members to 30 September 2016.

Drummond Hall Special Committee

The following new member application was omitted from the report that went to the Council meeting held on 16 February 2016 and was therefore not appointed.

Number of new members needed to meet minimum for quorum: 1

- Barry McGrath

This application was received from a new member of the community. As there are no identified concerns, it is proposed to appoint this applicant.

Glenlyon Recreation Reserve Special Committee

Number of appointment extensions required to meet minimum quorum: 3

- Bob Kennedy
- Neil Bruce
- Shelley Sandow

As there are no identified concerns, it is proposed to extend the appointments of expiring members to 30 September 2016.

Lee Medlyn Home of Bottles Special Committee

* Due to an administrative error the following new members were omitted from the Motion that was carried at the Council meeting held on 18 August 2015 and were therefore not officially appointed.

Number of new members needed to meet minimum for quorum: 3

- Stephen Greenwood
- Yvonne Yates
- Gayle Smith

Three applications were received from current serving committee members. As there are no identified concerns, it is proposed to appoint all applicants.

Number of appointment extensions required to meet minimum quorum: 4

- Jan Turner
- Barbara Webb
- Christine Rowe
- Cathryn Billing

As there are no identified concerns, it is proposed to extend the appointments of expiring members to 30 September 2016.

Lyonville Hall Special Committee

Number of appointment extensions required to meet minimum quorum: 4

- Tony Corneille
- Anne Bremmer
- Dorothy Fuller
- Joanna Mason

Shirley Corneille has recently resigned from this committee.

As there are no identified concerns, it is proposed to extend the appointments of expiring members to 30 September 2016.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

None identified.

RISK IMPLICATIONS

None identified.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

None identified.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The call for nominations to the above Special Committees was undertaken via a public advertisement in *The Courier Ballarat* and *The Advocate* newspapers, on Council's website and Facebook page and via a letter to existing committee members whose term of appointment is due to expire.

CONCLUSION

Appointment extensions of committee members will enable Council's Special Committees to continue to operate in accordance with their Instruments of Delegation.

OFFICER'S RECOMMENDATION

That Council:

13.2.1. Resolves to extend the appointment terms of the following persons as members of the Creswick Museum Special Committee from 3 August 2016 until 30 September 2016:

- Wendy Ohlsen
- John Sewell AM
- Margaret Fullwood
- Phyllis Wright

13.2.2. Resolves to extend the appointment terms of the following persons as members of the Dean Recreation Reserve & Tennis Courts Special Committee from 31 August 2016 until 30 September 2016:

- Brian Maher
- Jon Rofe
- Wayne Slater
- Sheryl Gatens
- Liz Kelly
- Jarrod Quick

13.2.3. Resolves to appoint the following person as a member of the Drummond Hall Special Committee for a period of three years commencing 12 August 2016 until 31 August 2019:

- Barry McGrath

13.2.4. Resolves to extend the appointment terms of the following persons as members of the Glenlyon Recreation Reserve Special Committee from 31 August 2016 until 30 September 2016:

- Bob Kennedy
- Neil Bruce
- Shelley Sandow

13.2.5. Resolves to appoint the following persons as members of the Lee Medlyn Home of Bottles Special Committee for a period of three years commencing 31 August 2015 until 31 August 2018:

- Stephen Greenwood
- Gayle Smith
- Yvonne Yates

13.2.6. Resolves to extend the appointment terms of the following persons as members of the Lee Medlyn Home of Bottles Special Committee from 31 August 2016 until 30 September 2016:

- Jan Turner
- Barbara Webb
- Christine Rowe
- Cathryn Billing

13.2.7. Resolves to extend the appointment terms of the following persons as members of the Lyonville Hall Special Committee from 31 August 2016 until 30 September 2016:

- Tony Corneille
- Anne Bremmer
- Dorothy Fuller
- Joanna Mason

MOTION

That Council:

13.2.1. *Resolves to extend the appointment terms of the following persons as members of the Creswick Museum Special Committee from 3 August 2016 until 30 September 2016:*

- *Wendy Ohlsen*
- *John Sewell AM*
- *Margaret Fullwood*
- *Phyllis Wright*

13.2.2. *Resolves to extend the appointment terms of the following persons as members of the Dean Recreation Reserve & Tennis Courts Special Committee*

from 31 August 2016 until 30 September 2016:

- *Brian Maher*
- *Jon Rofe*
- *Wayne Slater*
- *Sheryl Gatens*
- *Liz Kelly*
- *Jarrold Quick*

13.2.3. *Resolves to appoint the following person as a member of the Drummond Hall Special Committee for a period of three years commencing 12 August 2016 until 31 August 2019:*

- *Barry McGrath*

13.2.4. *Resolves to extend the appointment terms of the following persons as members of the Glenlyon Recreation Reserve Special Committee from 31 August 2016 until 30 September 2016:*

- *Bob Kennedy*
- *Neil Bruce*
- *Shelley Sandow*

13.2.5. *Resolves to appoint the following persons as members of the Lee Medlyn Home of Bottles Special Committee for a period of three years commencing 31 August 2015 until 31 August 2018:*

- *Stephen Greenwood*
- *Gayle Smith*
- *Yvonne Yates*

13.2.6. *Resolves to extend the appointment terms of the following persons as members of the Lee Medlyn Home of Bottles Special Committee from 31 August 2016 until 30 September 2016:*

- *Jan Turner*
- *Barbara Webb*
- *Christine Rowe*
- *Cathryn Billing*

13.2.7. *Resolves to extend the appointment terms of the following persons as members of the Lyonville Hall Special Committee from 31 August 2016 until 30 September 2016:*

- Tony Corneille
- Anne Bremmer
- Dorothy Fuller
- Joanna Mason

Moved: Cr Kate Redwood

Seconded: Cr Greg May

AMENDMENT

Questions regarding insurability of members over the age of 90 be clarified by the September Council meeting.

Accepted by Mover and Seconder

Carried

14. CONFIDENTIAL ITEMS

14.1. CLOSURE OF THE MEETING TO 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

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:

14.1.1. 89(2) (d) Contractual Matters

- Awarding of Contract HEPBU.RFT2016.34 - Reconstruction of Zig Zag Road
- Awarding of Contract HEPBU.RFT2016.33 - Reconstruction of Hepburn-Newstead Road
- Awarding of Contract HEPBU.RFT2016.31 - Wide Area Network

14.1.2. 89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.

- Chief Executive Officer's Performance Appraisal

MOTION

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:

14.1.1. *89(2) (d) Contractual Matters*

- *Awarding of Contract HEPBU.RFT2016.34 - Reconstruction of Zig Zag Road*
- *Awarding of Contract HEPBU.RFT2016.33 - Reconstruction of Hepburn-Newstead Road*
- *Awarding of Contract HEPBU.RFT2016.31 - Wide Area Network*

14.1.2. *89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.*

- *Chief Executive Officer's Performance Appraisal*

Moved: Cr Kate Redwood

Seconded: Cr Bill McClenaghan

Carried

The meeting was closed to the public at 10:47pm.

15. RE-OPENING OF MEETING TO PUBLIC

RECOMMENDATION

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

MOTION

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

Moved: Cr Kate Redwood

Seconded: Cr Don Henderson

Carried

The Meeting was re-opened to the public at 10:55pm

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

That Council:

14.2.1 *Awards the tender for Contract HEPBU.RFT 2016.34 – Reconstruction of Zig Zag Road, Drummond North to Recivil PTY LTD for the lump sum of \$435,452.12, excluding GST.*

That Council:

14.3.1 *Awards the Tender for Contract HEPBU.RFT 2016.33 – Reconstruction of Hepburn-Newstead Road, Hepburn Springs to Bitu-Mill (Civil) Pty Ltd for the lump sum of \$919,267.45, excluding GST.*

That Council:

14.4.1 Award contract HEPBU-2016.31 to Telstra Corporation Ltd for three (3) years at a cost of \$301,909 (ex. GST) for the three years.

16. **CLOSE OF MEETING**

The meeting was closed at 11:00pm
