



HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
PUBLIC AGENDA

Tuesday 27 May 2025

Council Chamber
24 Vincent Street Daylesford

6:00PM

A LIVE STREAM OF THE MEETING CAN BE VIEWED
VIA [COUNCIL'S YOUTUBE CHANNEL](#)

AGENDA

Tuesday 27 May 2025

Council Chamber

24 Vincent Street Daylesford

Commencing at 6:00PM

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BRADLEY THOMAS

CHIEF EXECUTIVE OFFICER

Tuesday 27 May 2025

1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Hepburn Shire Council acknowledges the Dja Dja Wurrung as the Traditional Owners of the lands and waters on which we live and work. On these lands, Djaara have performed age -old ceremonies of celebration, initiation and renewal. We recognise their resilience through dispossession and it is a testament to their continuing culture and tradition, which is strong and thriving.

We also acknowledge the neighbouring Traditional Owners, the Wurundjeri to our South East and the Wadawurrung to our South West and pay our respect to all Aboriginal peoples, their culture, and lore. We acknowledge their living culture and the unique role they play in the life of this region.

2 OPENING OF MEETING

COUNCILLORS PRESENT:

OFFICERS PRESENT:

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

4 DECLARATIONS OF CONFLICTS OF INTEREST

5 CONDOLENCE MOTION

5.1 CONDOLENCE MOTION ON THE PASSING OF KATHLEEN AND CRAIG BROWN

The Motion was put forward by Cr Brian Hood on 16 May 2025.

MOTION AS PROPOSED

That Council acknowledges with great sadness the sudden and tragic passing of Kathleen and Craig Brown of Trentham and extends its deepest sympathy to the Brown family.

The Brown family are a much respected and loved institution in Trentham and have been so for many decades and generations. Community service is at their core.

Kathleen Brown was inducted into the Heather Mutimer Women's Honour Roll in 2009 in recognition of her stellar service to the community. She was about to receive an award recognising 35 years service to the CFA. Craig was approaching 40 years service to the CFA.

Popular and respected members of the community they have unexpectedly and shockingly met with tragedy and will be sadly missed.

6 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 29 April 2025 and the Minutes of the Special Meeting of Council held on 13 May 2025 (as previously circulated to Councillors) be confirmed.

7 PUBLIC PARTICIPATION TIME

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

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

Community members are invited to be involved in public participation time in accordance with Council's Governance Rules.

Individuals may submit written questions or requests to address Council to the Chief Executive Officer by 10:00am the day before the Council Meeting.

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

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

BEHAVIOUR AT COUNCIL MEETINGS

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

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

Respectful behaviour includes:

- Being courteous when addressing Council during public participation time and directing all comments through the Chair

- Being quiet during proceedings
- Being respectful towards others present and respecting their right to their own views

Inappropriate behaviour includes:

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

7.1 PETITIONS

7.2 REQUESTS TO ADDRESS COUNCIL

Members of our community who have submitted a request in accordance with Council's Governance Rules will be heard.

7.3 PUBLIC QUESTIONS

The CEO will read questions received in accordance with Council's Governance Rules and the Mayor will respond on behalf of Council.

8 OFFICER REPORTS

8.1 ADOPTION OF THE FUTURE HEPBURN: SETTLEMENT STRATEGY OVERVIEW AND IMPLEMENTATION PLAN

DIRECTOR DEVELOPMENT AND COMMUNITY

In providing this advice to Council as the Manager Strategic Planning, I Bronwyn Southee have no interests to disclose in this report.

ATTACHMENTS

1. Future Hepburn overview and implementation – 15 May 2025 [8.1.1 - 65 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *Notes the Council resolution of 3 September 2024, requiring officers to prepare a detailed implementation plan, including an estimated budget, for each Structure Plan and the Rural Strategy having regard to Council's financial plan and other relevant considerations;*
2. *Adopts the attached "Future Hepburn: Settlement Strategy Overview and Implementation Plan";*
3. *Supports the prioritisation of actions detailed in this report at Table 1 - Implementation Priorities, which focuses on planning scheme amendments that will embed Council's adopted Future Hepburn Strategies, and provides the best balance of cost, and the immediacy of achieving rural, environmental and township character protections across the Shire. This approach requires a total budget allocation of \$750,000 over four years; and,*
4. *Notes that officers will continue to seek Government grant funding and partnerships with public agencies to support the implementation of the Future Hepburn program.*

EXECUTIVE SUMMARY

September 2024 marked a significant milestone in Hepburn Shire's, once in a generation, strategic land use planning program, known as Future Hepburn. Council adopted a Rural Strategy, and Town Structure Plans for Clunes, Creswick, Daylesford-Hepburn Springs, Glenlyon and Trentham, following extensive community and stakeholder engagement, including five township community panels.

This sets a solid foundation for the next phase of Future Hepburn; the translation of the Council and community strategic land-use priorities into planning scheme provisions which will direct all future planning decisions in the Shire.

The next phase will require further community and stakeholder consultation, further Council decisions at key stages, and approval from the Minister for Planning and support from an independent planning panel. An important requirement for the next phase is a Council adopted implementation plan. This is a requirement of the Minister's Department of Transport and Planning, and it needs to contain specific information as required by the Department.

This report presents an implementation plan for Council adoption. It further discusses the best way to prioritise the actions contained in the implementation plan, having carefully considered financial sustainability, ongoing committed strategic planning projects, the deliverables and their immediacy in providing community benefit, and risks and opportunities.

The recommended method of implementation and prioritisation discussed in this report will provide the best balance of cost, and the immediacy of achieving rural, environmental and township character protections across the Shire. Broadly, it seeks to implement our adopted strategies and their key protections across the Shire, particularly character and environmental protections, and achieved within this Councillor term.

BACKGROUND

Council Resolutions

At the 3 September 2024 Special Council Meeting, Council adopted five township structure plans and a rural strategy, collectively known as Future Hepburn. At Item 7.1, Council resolved:

That, having considered community, stakeholder and agency submissions to the draft Future Hepburn documents received between May and July 2024, and after multiple councillor and officer workshops, Council:

...

...

3. Notes that officers will prepare a detailed implementation plan, including an estimated budget, for each structure plan and rural strategy having regard to Council's financial plan and other relevant considerations. The implementation plans will be prepared and be presented to Council for endorsement by 31 March, 2021.

4. Notes that the adoption of the structure plans and rural strategy (in accordance with the recommended changes and corrections) will result in the commencement of planning scheme amendments. These processes will require extensive, further community, stakeholder, and government agency consultation, and require Council consideration and resolutions at key stages of the planning scheme amendment process. The success of future planning scheme amendments will be dependent on authorisation by the Minister for Planning.

...

Furthermore, at the 25 March 2025 Ordinary Council Meeting, Council resolved:

That Council:

- 1. Notes that the preparation of an implementation plan is progressing. However, this body of work has several complex considerations and will require additional time to complete, including further discussions with senior planning advisors at the Department of Transport and Planning; and,*
- 2. Notes that a detailed implementation plan will be presented to Council for endorsement, including an estimated budget for each structure plan and rural strategy, by no later than May 2025.*

Following a number of Councillor Briefings, officers have drafted an implementation plan for the adopted *Future Hepburn* strategy documents.

The *Future Hepburn* strategy documents adopted on 3 September 2024 are:

- Rural Hepburn
- Town Structure Plans for Clunes, Creswick, Daylesford-Hepburn Springs, Glenlyon and Trentham

The attached implementation plan sets out how and when Council intends to carry out each recommendation and action in these documents. This report presents the implementation plan together with financial and other considerations, as outlined in the 3 September 2024 resolution.

The Council resolution also required officers to further consult on specific structure plan changes that varied significantly compared to the June 2024 consultation draft. These consultations are to occur before any planning scheme changes are initiated by Council for those areas under this implementation plan.

Ongoing work

The Future Hepburn program is only one aspect of Council's strategic planning function. In addition to setting broad land and development strategy, the strategic planning team is responsible for the following, which is supported by an ongoing annual budget allocation:

- Integrated Transport Strategy – development and community/stakeholder engagement
- Planning Advocacy - which includes officers making submissions and council representation for State Government plans - Plan for Victoria, various Victorian Planning Provisions and other proposed land use and development policies and amendments to the scheme.
- Responses to State projects that may impact the Shire - renewable energy projects such as VNI West, Nyaninyuk windfarm, and opposition to the proposed Western Renewables Link.
- Development and implementation of the Biodiversity strategy, best practice land management and education.
- Supporting on ground and policy implementation of Sustainable Hepburn.
- GIS mapping of planning and development matters to ensure internal units can identify when strategic matters affect their work.
- Developing and implementing protective planning controls against the impacts of flooding and bushfire and ensuring the preservation of heritage, cultural heritage, landscapes and the environment, and the significant tree register.
- Interim planning protection for Lalgambook.
- Policy development.
- Working with Council partners to preparing regional assessments and advocacy such as the Ballarat Regional Transport Assessment and regional biolinks.

DISCUSSION

Officers have identified 235 specific actions in the documents across three streams, or methods of action:

Stream 1 Planning scheme changes (107 actions) is currently unfunded project work to undertake the consultative planning scheme amendment process to implement Future Hepburn's settlement framework, rezonings, overlays and policy changes across rural and town areas.

This is the primary stream comprising direct regulatory implementation enabling Council to apply Future Hepburn in planning permit decisions. This is what is referenced in the 3 September 2024 Council resolution, that *“Notes that the adoption of the structure plans and rural strategy (in accordance with the recommended changes and corrections) will result in the commencement of planning scheme amendments. These processes will require extensive, further community, stakeholder, and government agency consultation, and require Council consideration and resolutions at key stages of the planning scheme amendment process. The success of future planning scheme amendments will be dependent on authorisation by the Minister for Planning.”* The 107 actions can be carried out in one, two or three planning scheme amendments depending on which of the three options discussed below are selected.

Stream 2 Council planning and delivery (86 actions) is a mix of business as usual across Council and funded strategic planning project work, i.e. infrastructure renewal design, infrastructure by others, commissioning of former landfill gas migration assessments, preparation of a shire wide landscape strategy.

This is a secondary delivery stream as it can occur by importing strategic directions into existing operational work practices and planning or will generate further strategic planning or infrastructure planning project work with a separate course to the primary planning scheme changes.

Stream 3 Advocacy and partnerships (42 actions) is generally business as usual across Council i.e. making submissions to State and Federal enquiries, programs, approval processes; working with the Greater Ballarat Alliance of Councils on transport, biodiversity, tourism and other initiatives. This is a secondary delivery stream as it seeks action by entities other than Council.

Stream 1 Implementation – The Key Priority

The Implementation Plan focuses on Stream 1 planning scheme changes.

Planning scheme changes are the main way Council can deliver on *Future Hepburn’s* settlement directions and provide the current and future community clarity on land use and development expectations across the Shire. As a process, planning scheme amendments for settlement planning need a considered rollout approach – they involve intensive work with community, contain inter-dependent parts, and can be costly.

A full list of Planning scheme amendments is included at the back of the attached implementation plan. The main amendments for *Future Hepburn* include:

1. Changing the Farming Zone to increase the minimum subdivision lot size in all rural areas to 40 hectares, and to require a permit for a dwelling on any land below 80 hectares in generally high and very high quality farming areas.
2. Introducing the Rural Activity Zone to generally mid-lower quality agricultural land between Trentham and Daylesford and between Glenlyon and Malmsbury that currently host a mix of rural, rural lifestyle living and tourism functions.
3. Introducing the Rural Conservation Zone to private rural land with very high remnant forest cover.
4. Update the planning scheme's strategic framework and settlement policy to reflect the Future Hepburn strategy including rural policy areas, rural living areas, town boundary reductions and expansions, and town development frameworks.
5. Applying Environmental Significance Overlays to town creek and important land connections to ensure adjacent private development takes account of environmental protection and habitat maintenance.
6. Applying Neighbourhood Character Overlays to small areas of towns generally where land is between sensitive heritage buildings/precincts and currently has no planning guidance on how to fit in with heritage.
7. Including Design and Development Overlays to set expectations for development scale and presentation at selected prominent locations of towns.
8. Preparation of development plans for newly zoned areas to guide the layout and presentation of new town areas (can occur following planning scheme amendments).

Implementing Planning Scheme Changes

Officers considered various ways to implement the planning scheme changes outlined in Stream 1. These alternatives varied in terms of timing, cost, risk, output and community benefit.

More specifically, implementation options varied in:

- The option's implementation focus
- The total cost, and yearly cost
- What will be achieved or delivered each year
- The pros and cons of each option
- Risks and opportunities
- The number of engagement and planning panel stages
- What can realistically be achieved given the current financial and resource challenges
- A key land use issues approach vs a township-by-township approach

Common to all implementation options required Council to be cognisant to changes in circumstances, such as State policy or grant funding opportunities, that may require adjustments to implementation over the coming years. Also, common to all options considered was the importance of protecting our valuable agricultural land, which has broader State, strategic significance.

Ultimately, the officer recommendation for adoption (detailed below) is considered to achieve the best balance of cost, and the immediacy of achieving rural, environmental and township character protections across the Shire. Broadly, it seeks to implement key protections across the Shire, particularly character and environmental protections, rather than taking a sequential township by township approach.

This implementation package is still an ambitious undertaking, and carries some risk with State planning's current strong focus on housing policy. However, officers consider these risks can be managed appropriately.

Should Council support the recommended package, officers will continue to strongly advocate for State or Federal grant funding. Additional funds would go towards expanding the scope of implementation to draw on additional implementation elements and potentially bring timeframes forward.

Table 1 - Implementation Priorities

The Recommended Implementation Package for Stream 1				
Total Budget Required		\$750,000 over 4 years		
Package		Two phase rollout hybrid (rural/environment/character)		
		<p>Phase I: Implement all Rural Strategy planning scheme actions including settlement framework updates; implement all town planning scheme actions for environment and character.</p> <p>Phase II: Implement town planning scheme actions for: housing, business and economy, urban design.</p>		
	2025-26	2026-27	2027-28	2028-29+
	Phase I	Phase I	Phase II	Phase II

<p>Actions</p> <p>Deliverables</p>	<p>Seek minister's authorisation to</p> <p>Prepare planning scheme amendment documents for our <u>Settlement Framework, Rural Strategy and shire-wide environmental and character controls</u>.</p> <p>Prepare and carry out public consultation</p> <p>Review of submissions and decision to request independent panel hearing</p>	<p>Participation in panel</p> <p>Receive panel report</p> <p>Preparation of post-consultation and post-panel revisions and changes</p> <p>Final Council decision on whether to adopt of planning scheme amendment</p> <p><u>Subject to timely Ministerial approval, FY 26-27 could see the introduction of effective controls that clarify our shire wide housing framework, protect our rural land, significant environmental values, and neighbourhood character of our towns.</u></p>	<p>Seek Minister's authorisation to prepare planning scheme amendment documents <u>that support housing, business and more refined urban design controls (that cover all our structure plans)</u></p> <p>Prepare and carry out public consultation</p> <p>Review of submissions and decision to request independent panel hearing</p>	<p>Participation in panel</p> <p>Receive panel report</p> <p>Preparation of post-consultation and post-panel revisions and changes</p> <p>Final Council decision on whether to adopt of planning scheme amendment</p> <p><u>Subject to Ministerial approval controls will be in place that implement support housing delivery, business and urban design in our townships.</u></p>
Budget	\$120,000	\$380,000	\$100,000	\$250,000

Opportunities and Risks	<p>Elements of Future Hepburn that have best bang for buck in terms of protecting our township character from inappropriate development.</p> <p>High staff and funding resource load for consultation as across the shire and topical items for each town.</p> <p>Consultant assistance required.</p> <p>Focuses on the higher level strategy delivery to set up individual town work.</p> <p>Breaks up project to deliver a part – reduces consistency and comprehension of whole of town plans</p>	<p>Significant engagement/consultation requirements</p> <p>Consultant, advocacy and specialist assistance required</p> <p>Very high load on community to engage</p> <p>Highly disparate set of issues and interests to deal with concurrently</p> <p>Potential savings on hearing at representation due to covering all topics in one set of hearings</p> <p>Potential for State government change and policy changes mid-flight</p>	As per left Learnings from Phase I likely to reduce some costs in Phase II	As per left Learnings from Phase I likely to reduce some costs in Phase II
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	Risk of State not supporting environment and character rollout before housing delivery controls in place			
Officer comments	This approach seeks to first address rural and settlement matters, and the perceived and actual current and historical risks to character and environment in towns. It particularly addresses current pressures on the eastern towns Under this program, these can be delivered in the 2026/2027 financial year.			

Stream 2 Implementation – Second Tier Discrete Projects (10 year program)

As detailed above, *Future Hepburn's* 30-year settlement strategy planning scheme changes (Stream 1), are imperative and should be actioned first.

Only once Stream 1 is significantly progressed or completed, Council should consider moving onto this next tranche of significant strategic planning work.

This will be subject to State grant funding and annual budget decisions.

Government grant funding or cooperative/partnership opportunities with other agencies will aid in implementing, or bringing forward these discrete projects. These discrete projects are tabulated below, and, for completeness, they include estimated costs.

It should be noted that most of the 86 Stream 2 Council planning and delivery actions could be led by other teams in Council in conjunction with their business-as-usual work.

Table 2 - Stream 2 Council planning and delivery: discrete projects

Project: Review of selected low density residential zone areas at Clunes and Trentham and Candidate Rural Activity Zone and Rural Living areas identified in <i>Rural Hepburn</i> . (underway)	Cost estimate: \$30,000
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Identify strategic regional scale wildlife corridors including links to land outside the Shire borders	Cost estimate: \$100,000 (small proportional contribution by HSC with surrounding councils and State)
Carry out an annual review of rural living zone land supply and demand to 2029 with a baseline report as at 2024 supply and availability	Cost estimate: \$20,000
Investigate options for enhancing Vincent Street, Albert Street and Raglan Street in Daylesford, to improve pedestrian amenity, environment and heritage	Cost estimate: \$20,000
Investigate enhanced usage of the Trentham Town Square	Cost estimate: \$15,000
Review zoning of undeveloped rural living zonings considering bushfire and other environmental risks.	Cost estimate: \$20,000
Prepare and implement heritage and design guidelines for Clunes	Cost estimate: \$45,000
In the small settlements of Bullarto, Lyonville, Muskvale and Newlyn - Newlyn North, further expansion or subdivision is not supported in these locations; however, the zoning of these settlements requires review to ensure the subdivision lot size reflects the pattern of rural living / dwellings that has been supported in these locations up until now	Cost estimate: \$30,000
Undertake a shire-wide strategic landscape assessment that addresses land use, cultural, biodiversity and aesthetic influences to inform land use, development and landscape protection measures	Cost estimate: \$600,000
Develop and implement a rural events policy	Cost estimate: \$20,000
Create a local signage policy	Cost estimate: \$35,000
Prepare and implement town car parking strategies	Cost estimate: \$120,000
Daylesford town centre council assets master plan	Cost estimate: \$50,000

High level, total cost estimate for further discrete strategic planning project work actions listed in Future Hepburn 2025-2032	\$1,150,000
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Stream 3 Implementation – Ongoing Advocacy and Partnerships can be actioned as opportunities arise for advocacy through various forums. These are detailed in the attached Implementation Plan.

KEY ISSUES

The key issues arising from this report are:

- The need to act in a timely manner on Council's adopted *Future Hepburn* strategy and put in place the regulatory settings to achieve the community and Council vision for the protection and development of the Shire's lands over the coming decades.
- The need to ensure sufficient land is available for the community to realise its housing, business, transport, recreation and cultural development needs over coming decades.
- The policy priorities for settlement planning including farming land protection and the size and shape of towns and other settlement areas.
- The need for proper and orderly planning of new development to ensure protection of the Shire's critical character, environment and heritage values.
- The need to take account of the views of community and State agencies.
- The financial sustainability of carrying out Stream 1 implementation actions.

The officer recommended implementation package is considered to achieve these imperatives.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

Council's Future Hepburn program is identified as a key priority under the current Council Plan. The draft, new council plan Hepburn Together 2025-2029, similarly identifies the Future Hepburn program as a key priority. The draft council plan is currently undergoing community and stakeholder consultation.

FINANCIAL IMPLICATIONS

The financial implications of the implementation plan are identified in the discussion above. The recommended implementation package is anticipated to require \$750,000 over the next four years. A budget allocation of \$120,000 is required in the 2025/2026 financial year, which will go mainly towards technical preparatory work

which will be the foundation of future planning scheme amendments. The draft 2025/2026 supports this requirement.

Officers will continue to seek Government grant funding and public agency partnership opportunities. This can support the implementation program and potentially bring aspects of the program forward.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are no community or stakeholder engagement implications associated with this report. The report seeks to identify a broad Council work program to progressively implement the adopted *Future Hepburn* settlement strategy.

Each identified planning scheme amendment and project will generate its own specific consultation needs. Many will be subject to a statutory consultation framework. These will be identified prior to commencement of each relevant project.

Officers are preparing to carry out consultations on specifically identified changes to adopted structure plans as directed by Council's 3 September 2024 resolution, *before* commencing any planning scheme amendment processes.

RISK AND GOVERNANCE IMPLICATIONS

The primary risk associated with *Future Hepburn* is to *not take action* to implement its findings. Having adopted the strategy in 2024, delivering on implementation will:

- provide the community opportunity for further input on how to roll out the strategy in detail i.e. drafting of planning controls and development plans;
- more certainty when making decisions about their land and when considering the rights of others to develop their land; and
- allow Council to enact its strategy through planning permit decisions to enact on-the-ground outcomes for protection and opportunities for farming and other enterprises, housing growth, environmental protection, character and development management.

The planning scheme amendment process is set out in Victoria's *Planning and Environment Act 1987*. It provides a clear and transparent process for Council and stakeholder involvement with several hold points to allow consideration of issues arising and an independent statutory review mechanism to investigate any potential procedural errors.

The planning scheme changes discussed in this report must:

- a) be authorised for consultation by the Minister for Planning,
- b) go through full public consultation, submissions and independent review,

and

c) be subject to final review and decision by Council and the Minister for Planning.

ENVIRONMENTAL SUSTAINABILITY

By channelling the majority of development into established townships, this will both serve to protect Hepburn's natural and rural environment, and make better use of established infrastructure.

Most aspects of Future Hepburn require implementation to effect environmental protection including:

- Better containing housing growth to our towns to reduce impacts on farming areas and the landscape,
- Reducing the exposure of people and assets to natural hazards,
- Reducing the impacts of development on natural systems,
- Repairing damaged natural systems, and
- Reducing transport requirements for everyday activities.

Adopting a guiding plan to implement *Future Hepburn* can assist social and economic life by clarifying to the Shire's various communities on Council's strategic land use directions. This should allow residents, businesses and community groups to plan for the future, including:

- how and when they might develop their land,
- where they might plan to expand their business, and
- where they might gain best value from efforts on community and environmental projects.

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report. Gender Impact Assessments will be undertaken, as appropriate, for each element of the implementation.

8.2 INSTRUMENT OF APPOINTMENT TO AUTHORISED OFFICERS UNDER THE PLANNING AND ENVIRONMENT ACT 1987

DIRECTOR PERFORMANCE AND TRANSFORMATION

In providing this advice to Council as the Coordinator Governance, I Dannielle Kraak have no interests to disclose in this report.

ATTACHMENTS

1. S11A - Instrument of Appointment and Authorisation - Planning & Environment Act - XX May 2025 - Draft [8.2.1 - 1 page]

OFFICER'S RECOMMENDATION

That Council:

1. *In the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, resolves that:*
 - a. *The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.*
 - b. *The instrument comes into force immediately it is signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.*

EXECUTIVE SUMMARY

The appointment of authorised officers enables appropriate staff within the organisation to administer and enforce various Acts, Regulations or Council local laws in accordance with the powers granted to them under legislation or a local law.

Instruments of Appointment and Authorisation are prepared based on advice from the Maddocks Authorisations and Delegations Service, which Council subscribes to.

This instrument is being updated to reflect staffing changes.

BACKGROUND

Instruments of Appointment and Authorisation empower relevant staff to exercise the powers granted to authorised officers by legislation, regulations or a local law.

The Instruments of Appointment and Authorisation prepared for Council's consideration are based on advice from the Maddocks Authorisations and Delegations Service.

Whilst the appointment and authorisation of authorised officers under other relevant legislation is executed by the Chief Executive Officer under delegation,

Maddocks recommend that officers enforcing the *Planning and Environment Act 1987* be authorised by Council resolution.

Maddocks recommends that Council to execute the appointment and authorisation of authorised officers under the *Planning and Environment Act 1987* because this Act places limitations on what powers can be sub-delegated, so by delegating direct from Council, the risk of decisions being challenged on the basis that the delegation was not appropriate is mitigated.

The instrument has been prepared following consultation with the internal departments of Council and have been recently updated to reflect staffing changes. Powers are delegated to individuals, not positions.

The Instruments of Appointment to Authorised Officers that do not relate to the *Planning and Environment Act 1987* will be executed by the Chief Executive Officer as per legislation.

KEY ISSUES

Planning and Environment Act 1987

There are no legislative changes to the authorisation under the *Planning and Environment Act 1987*. The instrument has been updated in line with staff appointments.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

A dynamic and responsive Council

5.3 A sustainable and agile organisation with strong corporate governance that supports excellent operations

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council subscribes to the Maddocks Authorisations and Delegations Service, and relevant advice has been considered in the preparation of this report.

For transparency purposes, Council is required to prepare a register of Instruments of Appointment to Authorised Officers and Delegations on Council's website.

RISK AND GOVERNANCE IMPLICATIONS

Instruments of authorisation allow the business of Council to continue and operate effectively.

ENVIRONMENTAL SUSTAINABILITY

There are no sustainability implications associated with this report.

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report.

8.3 RECORDS OF COUNCILLOR ATTENDANCE

DIRECTOR PERFORMANCE AND TRANSFORMATION

In providing this advice to Council as the Coordinator Governance, I Dannielle Kraak have no interests to disclose in this report.

ATTACHMENTS

1. Record of Councillor Attendance - Reconciliation Advisory Committee - 6 February 2024 [**8.3.1** - 2 pages]
2. Record of Councillor Attendance - Reconciliation Advisory Committee - 10 April 2024 [**8.3.2** - 2 pages]
3. Record of Councillor Attendance - Reconciliation Advisory Committee - 6 June 2024 [**8.3.3** - 2 pages]
4. Record of Councillor Attendance - Reconciliation Advisory Committee - 7 August 2024 [**8.3.4** - 2 pages]
5. Record of Councillor Attendance - Reconciliation Advisory Committee - 2 December 2024 [**8.3.5** - 2 pages]
6. Record of Councillor Attendance - Reconciliation Advisory Committee - 12 February 2025 [**8.3.6** - 2 pages]
7. Record of Councillor Attendance - Reconciliation Advisory Committee - 7 May 2025 [**8.3.7** - 2 pages]
8. Record of Councillor Attendance - Disability Advisory Committee - 5 August 2024 [**8.3.8** - 1 page]
9. Record of Councillor Attendance - LGBTIQA+ Advisory Committee - 16 December 2024 [**8.3.9** - 1 page]
10. Record of Councillor Attendance - Heather Mutimer International Womens Day Advisory Committee Meeting - 17 February 2025 [**8.3.10** - 2 pages]
11. Record of Councillor Attendance - Mineral Springs Reserve Advisory Committee - 17 February 2025 [**8.3.11** - 2 pages]
12. Record of Councillor Attendance - Councillor Briefing - 3 February 2025 [**8.3.12** - 2 pages]
13. Record of Councillor Attendance - Councillor Briefing - 10 February 2025 [**8.3.13** - 2 pages]
14. Record of Councillor Attendance - Pre-Council Meeting Briefing - 25 February 2025 [**8.3.14** - 1 page]
15. Record of Councillor Attendance - Councillor Briefing - 11 March 2025 [**8.3.15** - 2 pages]
16. Record of Councillor Attendance - Pre-Council Meeting Briefing - 25 March 2025 [**8.3.16** - 2 pages]
17. Record of Councillor Attendance - Councillor Briefing - 7 April 2025 [**8.3.17** - 2 pages]
18. Record of Councillor Attendance - Councillor Briefing - 14 April 2025 [**8.3.18** - 2 pages]
19. Record of Councillor Attendance - Mineral Springs Reserve Advisory Committee - 28 April 2025 [**8.3.19** - 2 pages]

20. Record of Councillor Attendance - Pre-Council Meeting Briefing - 29 April 2025 [8.3.20 - 1 page]
21. Record of Councillor Attendance - Councillor Briefing - 19 May 2025 [8.3.21 - 2 pages]

OFFICER'S RECOMMENDATION

That Council receives and notes the Records of Councillor Attendance as detailed in the report.

EXECUTIVE SUMMARY

The purpose of this report is for Council to receive and note Records of Councillor Attendance.

BACKGROUND

Council's Governance Rules, chapter 6 section 102.1, require that:

If there is a meeting of Councillors that:

- 1. is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;*
- 2. is attended by at least one member of Council staff; and*
- 3. is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting*

The Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- a. tabled at the next convenient Council meeting; and*
- b. recorded in the minutes of that Council meeting.*

To fulfill this requirement and promote transparency, Records of Councillor Attendance are kept where the above definition is met and brought to Council for noting, as attached.

KEY ISSUES

The following Records of Councillor Attendance are reported:

Date	Meeting/Committee Name	Location
6 February 2024	Reconciliation Advisory Committee	Daylesford Neighbourhood Centre
10 April 2024	Reconciliation Advisory Committee	Creswick Neighbourhood House

6 June 2024	Reconciliation Advisory Committee	Daylesford Neighbourhood Centre
7 August 2024	Reconciliation Advisory Committee	Creswick Neighbourhood House
2 December 2024	Reconciliation Advisory Committee	Daylesford Neighbourhood Centre
12 February 2025	Reconciliation Advisory Committee	Daylesford Neighbourhood Centre
7 May 2025	Reconciliation Advisory Committee	Clydesdale Hall
5 August 2024	Disability Advisory Committee	The Mechanics Trentham
16 December 2024	LGBTIQA+ Advisory Committee	Video Conference
17 February 2025	Heather Mutimer International Women's Day Advisory Committee	Video Conference
17 February 2025	Mineral Springs Reserve Advisory Committee	Large Meeting Room, 24 Vincent Street Daylesford
3 February 2025	Councillor Briefing	Council Chambers
10 February 2025	Councillor Briefing	Council Chambers
25 February 2025	Pre-Council Meeting Briefing	Council Chambers
11 March 2025	Councillor Briefing	Council Chambers
25 March 2025	Pre-Council Meeting Briefing	Council Chambers
7 April 2025	Councillor Briefing	Council Chambers
14 April 2025	Councillor Briefing	Council Chambers
28 April 2025	Mineral Springs Reserve Advisory Committee	Large Meeting Room, 24 Vincent Street Daylesford
29 April 2025	Pre-Council Meeting Briefing	Council Chambers
19 May 2025	Councillor Briefing	Council Chambers

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

The report fulfills Council's requirements under the Governance Rules.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

RISK AND GOVERNANCE IMPLICATIONS

If Records of Councillor Attendance are not included in the Public Agenda at a Council Meeting, Council would be in breach of its Governance Rules as adopted on 16 August 2022.

ENVIRONMENTAL SUSTAINABILITY

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

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report.

9 ITEMS OF URGENT BUSINESS

10 COUNCILLOR AND CEO REPORTS

10.1 MAYOR'S REPORT

Councillor Don Henderson

10.2 COUNCILLOR REPORTS

Councillor Brian Hood

Councillor Tony Clark

Councillor Shirley Cornish

Councillor Tim Drylie

Councillor Lesley Hewitt

Councillor Pat Hockey

As I travel around the shire many residents approach me to talk about their everyday concerns. The most common things people talk to me about are matters to do with drainage and the conditions of the roads, as well as the presentation of our public bins and signage. While it's true we are in the process of finding savings over the next few years, the Councillors agree that essential items should not be subject to cutbacks. In fact, the projected funding of our roads is at a record high level for 2025-2026 with an extra \$2m one-off grant from the state government.

During the month I attended some significant meetings and events. One prominent occasion was the meeting at Ascot organized by the local community to raise concerns about the Emergency Services and Volunteer Fund. This change has since passed the Victorian Upper House with some minor amendments. Not only should this imposition not be placed on the rural community at this time, it should certainly not be the job of local government to collect it. This is a blatant attempt to conceal a new tax. It remains to be seen as to whether it will be overturned given the broad outrage. In the context of the current devastating drought farmers can simply not take another attack.

The Anderson's Mill Heritage Weekend at Smeaton was a charming and well-attended event recognizing the central role of agriculture in the shire's colonisation. So often we focus on gold to the exclusion of all other matters in the early days, but of course all of those diggers without exception needed to eat and clothe

themselves, so farming developed alongside the mining activity from an early date and the Mill at Smeaton is a very impressive development in this endeavour.

In mid-May, three Councillors including myself attended a Listening Post at the Trentham Town Market and met and chatted with attendees and stall-holders. The market provided the opportunity to go roaming and I found that folk were well-prepared to chat if approached, whereas they may not have approached a central point. A few I met spoke passionately of their interest in looking eastward towards Macedon Ranges as a shire that they felt might provide them with more services if only they could orchestrate a new boundary. Notwithstanding the difficulty of achieving such a change, I wish them the best of luck in their bid. It is great to live in a shire with an engaged community keeping us all honest.

Like so many Victorians I extend my best wishes for good steady rain in the coming weeks to ease our parched fields and worried minds as the state continues to see unprecedented dry and warm conditions for this time of year.

RECOMMENDATION

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

10.3 CHIEF EXECUTIVE OFFICER'S REPORT

The Chief Executive Officer Report informs Council and the community of current issues, initiatives and projects undertaken across Council.

CHIEF EXECUTIVE OFFICER UPDATE

Certainly, another action-packed month at Hepburn Shire and the Local Government sector.

- We celebrated one year of food and garden organics ([Celebrating one year of organics recycling Hepburn Shire Council](#)) where 1,264 tonnes of organic material have been collected from the kerbside organics bins and are being turned into compost at the Creswick Transfer Station. We are currently completing an evaluation of the 12-months and will report back to Council shortly.
- Council is proud to announce the launch of the Domestic Violence (DV) Safe Phone Program, an initiative that provides safe mobile phones to domestic violence victim-survivors. [Hepburn Shire Council Joins DV Safe Phone Program Hepburn Shire Council](#)
- The Essential Services Commission (an independent commission) endorsed our application for a rate cap variation. [Independent Commission endorses application for rate cap variation Hepburn Shire Council](#)
 - The average rates in Hepburn Shire for 2023/24 was \$1,701 and this places Council as the 60th lowest of the 79 councils in Victoria. With the rate cap variation this will potentially raise average rates to \$1,820 and places us 46th of 79 councils. Even with the rate cap variation Hepburn Shire would be below average rates (\$1,907).
 - The rate variation has been necessary as part of financial plan to respond to an annual \$4 million cash shortfall. The rate cap variation is in addition to the \$2.53 million in service reductions which includes a reduction in staff from 174 to 156 full time equivalents.
- Five major, strategic documents were endorsed for communication consultation and feedback. We encourage all to review the documents and provide feedback via our Participate Hepburn site or drop in at a Hub. [Hepburn Together 2025 - 2029 | Participate Hepburn](#)
 - Feedback closes **Thursday 5 June 2025**
 - Council Plan - [Community invited to provide feedback on draft Council Plan 2025 - 29 Hepburn Shire Council](#)
 - Budget and Financial Plan - [Council releases draft Budget & Financial Plan for community feedback Hepburn Shire Council](#)
 - Asset and Revenue and Rating Plans - [Council seeks community feedback on draft Asset, Revenue & Rating Plan Hepburn Shire Council](#)

- After advocacy from Councillors and Officers Hepburn Shire was included in areas declared impacted by drought and challenging season conditions by the State Government. As a result, much need practical support is available to our farmers - [State government announces drought support for Hepburn Shire farmers Hepburn Shire Council](#)
- Launched free youth mental health first aid training for adults - [Free youth mental health first aid training for adults Hepburn Shire Council](#)
- Celebrated and thanked our volunteers as part of National Volunteer Week (19-25 May) [Taking a moment to thank our volunteers Hepburn Shire Council](#)
- Noted our disappointment with the continuation of poor online and in person behaviour towards staff and Councillors, which is significantly impacting on the ability of staff, the organisation and Councillors to undertake their roles. We have written to the Minister Local Government (attached) to request additional support.

RECOMMENDATION

That Council receives and notes the Chief Executive Officer's Report for May 2025.

11 CONFIDENTIAL ITEMS

11.1 CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Pursuant to section 66(1) of the *Local Government Act 2020* (the Act) Council or delegated committee must keep a meeting open to the public unless the Council or delegated committee considers it necessary to close the meeting to the public because a circumstance specified in subsection (2) applies.

The circumstances detailed in section 66(2) of the Act are:

- a) the meeting is to consider confidential information; or
- b) security reasons; or
- c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

RECOMMENDATION

That in accordance with sections 66(1) and 66(2)(a) of the Local Government Act 2020, the meeting to be closed to members of the public for the consideration of the following confidential items:

1.1. AWARD OF TENDER HEPBU.RFT2025.8 – COUNCIL BORROWINGS AS PER THE ADOPTED 2024/2025 BUDGET

Because it is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;

The ground applies because the report concerns the progress of ongoing contractual negotiations that would, if prematurely released, diminish the strength of Council's position in those negotiations.

1.2. SUPPORTING REGIONAL TOURISM - CENTRAL VICTORIA SOUTH (DAYLESFORD MACEDON TOURISM)

Because it is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;

The ground applies due to the sensitivities associated with four Local Government agencies all considering formal membership to the proposed legal entity which may be compromised and have financial implications if prematurely released.

12 CLOSE OF MEETING